



PLANNING COMMITTEE

MEETING : Tuesday, 7th March 2017

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

Officers in Attendance

Mella McMahon, Development Control Manager

Nick Jonathan, Solicitor, One Legal

Anthony Wilson, Head of Planning

Ron Moss, Principal Planning Officer

Aeron Rees, Assistant planning Officer

Andy Birchley, Senior Planning Compliance Officer

Justin Hobbs, Landscape Officer

Matt Haslam, Urban Design Officer

Jamie Mattock, Highways Officer

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllrs. Lewis, Morgan and Fearn

102. DECLARATIONS OF INTEREST

No declarations were made on this occasion.

103. MINUTES

The minutes of the meeting held on 7th February 2017 were confirmed and signed by the Chair as a correct record.

104. LATE MATERIAL

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

105. APPLICATION TO REMOVE A PROTECTED PEAR TREE AT 37, KESTREL GARDENS - 17/00037/TPO

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The Tree Officer presented his report which detailed an application to fell a protected perry pear tree at 37, Kestrel Gardens, Quedgeley.

Tracy Pitcher, a resident of Kestrel Gardens, addressed the Committee in opposition to the application.

Ms Pitcher stated that she had lived in Kestrel Gardens since 1997 when her house had been built. One of the factors in choosing to live there was the location and outlook of the property and the tree was an important factor in that choice.

She noted that the tree was in place before the development had started and before the applicants had purchased their property. She had not seen any substantial growth to the tree in that time and believed the tree to be in good health. She had only seen one fallen branch and there was no evidence that the tree was causing damage.

She stated that there was a lot of wildlife in the area including foxes, squirrels, hedgehogs, bats and woodpeckers and Emperor Moth caterpillars had been recorded. She believed that the loss of the tree would have a devastating impact on local wildlife and there was no reason to fell the tree other than the applicants considered it to be a nuisance.

Councillor Toleman was advised that it would be possible to pollard the tree although there was scope for a limited amount of pruning.

Councillor Lugg suggested that local perry makers could possibly use the fruit from the tree.

RESOLVED that the application be refused for the reasons in the report.

106. GILLMANS ELECTRICAL, ST OSWALDS ROAD - 16/00957/FUL

The Principal Planning Officer presented his report which detailed an application for the part demolition of existing building, erection of a three storey building, single storey front extension and new first floor linkway in connection with the existing use of the site at Gillman's Electrical, St Oswalds Road.

He referred Members to paragraph 5.2 of his report and explained that the application taken as a whole was considered to be 'sui generis' and there would be no need for a sequential test and it was considered that there would no significant adverse impact on the primary shopping area or any of the designated district or local centres.

He also referred to the late material which contained several minor amendments to the recommended conditions.

Nathan McLoughlin, Director of McLoughlin Planning, addressed the Committee in support of the application.

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Mr McLoughlin endorsed the Officer's report and stated that the application was for the modernisation of a long established, award winning City business with a unique retail offer.

He stated that customers wanted to see, buy and obtain service on one site and major brands also expected that their goods would be displayed in a particular way.

He noted that the existing buildings were dilapidated and the application would enable better use to be made of the space. There would be a small increase in retail floor space and greatly improved facilities for storage. He noted that there had been no technical objections to the proposals.

The Chair believed that the application represented a welcome improvement of the site.

Councillor Dee was advised that two disabled parking bays would be provided close to the showroom doors.

RESOLVED that planning permission be granted subject to the conditions in the report with the following amendments:-

Amendment to condition 2 - Plan Numbers 3A, 12 and 18A replaced with plan numbers 03B, 12A and 18B received on 7th March 2017 that clearly identify the car parking spaces.

Amendment to condition 15 – drawing no 06 Rev H replaced by drawing no.12A received on 7th March 2017

Condition no. 19 deleted as it duplicates the use class restriction of Condition 18 .

Additional informative: The applicant is reminded that advertisement consent is required for any new signage on the building

107. 26, TUFFLEY LANE - 16/01367/COU

The Planning Officer presented his report which detailed an application for the change of use from existing residential dwelling to planning class C2. Internal alterations and revised fenestration to south east elevation at 26, Tuffley Lane.

Hugh Goodwin, a planning consultant, addressed the Committee in opposition to the application on behalf of local residents.

Mr Goodwin stated that the application was intended to accommodate four seriously troubled children who had been abandoned by the parents and could be drawn into crime or abuse. He noted that it was intended to employ up to five full time staff to manage four children.

He believed that there would be constant visits by the police and social services. He noted that there had been incidents of intimidating behaviour at another similar establishment in Tuffley Lane.

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He expressed concern at the impact of the proposal upon the day nursery next door where toddlers were at play in the grounds. He believed that concerned parents could remove their children from the day nursery which could result in the closure of the business and the loss of seven jobs.

He noted that the Environmental Health Officer had requested a noise management plan and he questioned how such noise could be managed.

He believed that the proposals would have an unreasonable impact on the amenity of neighbours and were therefore contrary to policy BE.21 (Safeguarding of Amenity).

Kate Orchard, Director of Flourish Child services, addressed the Committee in support of the application.

Ms Orchard advised that the application was intended to provide high quality children's services and would help to address the acute shortage of accommodation. She noted that there had been 627 children in the care of the local authority in 2016 and due to a critical shortage of accommodation some of them had to be placed outside the County on a temporary basis.

This placed pressure on other areas of the care system and she noted that those children housed under temporary arrangements had significantly poorer outcomes.

The proposal was to house a maximum of four children with their own bedrooms and encourage them to integrate into the local community. They would be living in a controlled environment subject to oversight by OFSTED and the Gloucestershire County Council commissioning team.

There would a minimum of two staff members sleeping on the premises and she noted that there had been no technical objections. She considered that the application complied with policy H.18a and would be sympathetic to the area.

Councillor Finnegan, as the Council's Health Champion, noted that the staffing levels proposed would suggest that the children would have severe needs. She had experience of living near children's homes and stated that they did have an impact on a locality.

She stated that the proposals had the potential of damaging the day nursery next door and she believed that the Council had a duty of care to the day nursery.

The Chair expressed concerns regarding the amenity of the nearest neighbours.

Councillor Hanman believed that it was inappropriate to locate these premises next door to a day nursery for toddlers.

Councillor Dee, as ward Member, stated that there had not been many objections from local residents but he noted that the day nursery next door was a long established business much valued by the local community.

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He noted that the police had been called to similar premises in Tuffley Lane and while he acknowledged the need for such homes but they should not be permitted to present a risk to the day nursery.

Councillor Lugg noted the high staffing levels proposed and observed that the presence of a police vehicle did not necessarily indicate trouble at the premises.

Councillor David Brown expressed concerns regarding the tone of the debate. He noted that the proposal would be regulated and asked if the police had expressed any concerns.

Councillor Finnegan stated that she had worked in homes of this sort and she believed that they were better suited to a rural environment.

Councillor Joanne Brown believed that children needed to be given a chance.

Councillor Hanman called for the application to be refused due to the adverse impact upon the amenity of neighbouring properties.

The Solicitor advised members that should the Committee be minded to refuse the application they may wish to consider policy BE.21 (Safeguarding Amenity) as the most appropriate in light of concerns raised during the debate.

RESOLVED that the application be refused as it is considered to be contrary to policy BE.21 (Safeguarding Amenity).

108. QUAYSIDE AND BLACKFRIARS AREA - 16/01510/LDO

The Principal Planning Officer presented his report which detailed a residential-led Draft Local Development Order which when adopted would grant planning permission for predominantly residential uses with other supporting uses and car parking, and that includes an Environmental Statement, in the Quayside and Blackfriars area. He introduced Mary Crew of Peter Brett Associates (PBA), the consultants engaged to progress this development.

Ms Crew explained that PBA had been working with the City and County Councils and other key stakeholders. She outlined the Local Development Order process as detailed in Section 4 of the report and the Design Guide which gives key background and contextual information about the site and sets out principles with regard to the design of development within the site.

The Principal Planning Officer outlined the constraints of the site including the heritage assets, archaeology, access and transport and the impact of flood zones.

He noted that the Environment Agency had expressed concerns regarding possible contamination and further work would be undertaken following the removal of redundant buildings.

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He noted that the development would meet housing need, promote sustainability and bring a long vacant brown field site back into use and would provide social, economic and environmental regeneration of the site.

He referred to the late material which contained a number of additional conditions recommended by consultees.

Councillor Lugg noted that planning permission had been granted for part of the site at the previous meeting and she asked how the LDO would make matters simpler.

The Principal Planning Officer explained that the LDO would set parameters and would define what would be acceptable. He noted that de-risking was running in parallel to the LDO process and had made the student accommodation application easier.

Ms Crew stated that the LDO compares with a Supplementary Planning Document or Masterplan. It had been recognised that this sort of site would benefit from an LDO as achieved a level of buy-in from key stakeholders. She stated that no other mechanism would be able to achieve this and she was confident that there would be a deliverable scheme for the site.

Councillor Toleman referred to the previous application for student accommodation and the Chair noted that although the preliminary work for the LDO had helped that application it had been determined on its own merits.

Councillor David Brown was assured that the building occupied by Gloucester Academy of Music would be retained and, although not listed, was considered to be a building of importance.

Councillor Dee believed that Officers had done a brilliant job in preparing the draft LDO and he asked how much would be achievable in the given timescale.

The Principal Planning Officer stated that there was five year review for the LDO. De-risking would happen and would ensure that the site was as attractive as possible to potential developers.

RESOLVED that the Local Development Order, Statement of Reasons Document and the Design Guide be adopted subject to the conditions in the report with the following amendments:-

Condition 4 - A noise assessment and attenuation measures where necessary needs to be replaced with the following conditions

Pollution Control

Condition Prior to first use of the development hereby permitted, a noise assessment shall be carried out (by a competent person i.e. member of the IOA) and mitigation measures identified and implemented, to ensure that the rating level of any noise generated by mechanical plant associated with the development shall not exceed 5dB below the pre-existing background (LA90) noise level at all times. The noise levels shall be determined at nearby noise sensitive premises, and

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measurements and assessment shall be made in accordance with BS4142: 2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

Reason : To protect the amenities of neighbouring occupiers

Condition . The development shall not commence until details of a lighting scheme to illuminate the external areas of the application site have been submitted to and approved in writing by the Local Planning Authority. The details shall include the lighting fixtures, their location on the site/on the buildings, and the extent of illumination. The scheme is also to include details on how the impact of how floodlights and external lighting will be minimised. The approved lighting scheme shall be implemented prior to the commencement of the use of the development and maintained for the duration of the use of the site unless otherwise agreed in writing by the Local Planning Authority.

Reason. To protect the amenities of the area

Condition .Hours of operation are to be agreed in writing with the Local Planning Authority Prior to the commencement of development.

Reason To protect the amenities of the area

Condition The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the hours of 8.00am to 7.00pm Mondays to Sunday.

Reason. To protect the amenities of the area

Condition : No development shall take place until details of the means of the ventilation for the extraction and dispersal of cooking smells/fumes , including details of its method of construction, odour control measures, noise levels , its appearance and finish have been submitted to and approved in writing by the Local Planning Authority . The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained.

Reason: To protect the amenities of neighbouring occupiers and the general environment.

Condition Prior to the commencement of development a scheme for the provision of refuse recycling and storage shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and thereafter maintained for the life of the development.

Reason: To protect the amenity of the area

Condition 16 Drainage replaced by the following conditions:-

Condition :Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be

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completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby reducing the risk of flooding.

Condition: Development shall not take place until a scheme for surface water treatment has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify the required number of treatment stages for each source of runoff and provide details on the required methods of treatment. The scheme shall adhere to the water quality approach set out in the publication CIRIA C753. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To reduce the impact of this development on the surrounding surface water environment and improve water quality.

Condition: No development shall be put in to use/occupied until a SUDS maintenance plan for all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

Condition: Development shall not commence until a detailed scheme for the mitigation of any loss in flood plain storage has been submitted and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed and retained in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure that the development does not result in any net increase in flood risk

Condition 17 – Flooding replaced by the following conditions

Condition: The development hereby permitted shall not commence until a Flood Emergency Plan has been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include (but not be limited to) proposals for flood warnings, signage and emergency access / egress. The plan shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development remains safe from flooding for users for its lifetime.

Condition : Prior to the commencement of development in each part of the site a scheme for the management of overland flows and for mitigation of flooding from the River Severn for that part of the site shall be submitted to and approved in

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writing by the Local Planning Authority. This scheme shall adhere to the general principles outlined in the Design Guide. The scheme details shall include:

- Confirmation of the potential for flooding from any source within that part of the site based on the FRA, the Design Guide and taking into account the implementation of any strategic measures or other changes to the potential flooding regime (this constitutes the 'specific assessment of potential for flooding' referred to below)
- Details of finished floor levels (FFLs) for each element of the scheme in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding
- Details of any measures for flood resistance and flood resilience or preventing water ingress in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding
- Details of the access/egress strategy and any associated Flood Management Plan for each element of the scheme in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding
- Details of the strategy for floodplain storage compensation, overland flow routing and management of floodwater within that part of the site in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding

The approved scheme shall be implemented in full for that part of the site prior to the first occupation of any building in that part of the site and, unless otherwise first agreed in writing by the Local Planning Authority, shall be maintained as such for the life of the development

Reason :To ensure the development is safe from flood risk and does not increase flood risk elsewhere

Condition 18 – Ground Condition replaced with the following

Contamination

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 conditions 1 to 4 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 condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

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Condition : 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,
- 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*'.

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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

2. Submission of Remediation Scheme

Condition: 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. The scheme must accord with the provisions of the EPA 1990 in relation to the intended use of the land after remediation.

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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

2. Implementation of Approved Remediation Scheme

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Condition :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 in PPS23 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 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).

4. Reporting of Unexpected Contamination

Condition 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 condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 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 condition 3.

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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

Highway Authority - Additional Conditions

Condition: Prior to occupation of development in the Quayside area details of proposed improvements to the signalised junction to include controlled pedestrian facilities of The Quay/Quay Street shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details.

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Condition : Prior to occupation of the Blackfriars area details of a crossing from the proposed access at Ladybellgate Street to the eastern side shall be submitted to

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and agreed in writing by the Local Planning Authority and completed in accordance with the approved details.

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Condition: Prior to occupation of development in the Blackfriars area details of the provision of dropped kerbs including tactile paving shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details at the following locations.

Ladybellgate Street Junction with Commercial Road Blackfriars;

Ladybellgate Street Junction with Longsmith Street/Bearland

Longsmith Street junction with Bull Lane

Longsmith Street junction with NCP car park entrance/exit

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Condition: Prior to occupation of development in the Quayside area details of the provision of dropped kerbs including tactile paving shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details at the following location.

Quay Street Junction with Lower Quay Street

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Other Condition Matters

- 1) There are currently 2 construction management conditions numbered 14 and 19, condition 19 is to be deleted
- 2) Condition 15 is to be numbered as such

Condition 4 - A noise assessment and attenuation measures where necessary needs to be replaced with the following conditions

Pollution Control

Condition Prior to first use of the development hereby permitted, a noise assessment shall be carried out (by a competent person i.e. member of the IOA) and mitigation measures identified and implemented, to ensure that the rating level of any noise generated by mechanical plant associated with the development shall not exceed 5dB below the pre-existing background (LA90) noise level at all times. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142: 2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

Reason : To protect the amenities of neighbouring occupiers

Condition . The development shall not commence until details of a lighting scheme to illuminate the external areas of the application site have been submitted to and approved in writing by the Local Planning Authority. The details shall include the lighting fixtures, their location on the site/on the buildings, and the extent of illumination. The scheme is also to include details on how the impact of how

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floodlights and external lighting will be minimised. The approved lighting scheme shall be implemented prior to the commencement of the use of the development and maintained for the duration of the use of the site unless otherwise agreed in writing by the Local Planning Authority.

Reason. To protect the amenities of the area

Condition .Hours of operation are to be agreed in writing with the Local Planning Authority Prior to the commencement of development.

Reason To protect the amenities of the area

Condition The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the hours of 8.00am to 7.00pm Mondays to Sunday.

Reason. To protect the amenities of the area

Condition : No development shall take place until details of the means of the ventilation for the extraction and dispersal of cooking smells/fumes , including details of its method of construction, odour control measures, noise levels , its appearance and finish have been submitted to and approved in writing by the Local Planning Authority . The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained.

Reason: To protect the amenities of neighbouring occupiers and the general environment.

Condition Prior to the commencement of development a scheme for the provision of refuse recycling and storage shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and thereafter maintained for the life of the development.

Reason: To protect the amenity of the area

Condition 16 Drainage replaced by the following conditions:-

Condition :Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby reducing the risk of flooding.

Condition: Development shall not take place until a scheme for surface water treatment has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify the required number of treatment stages for each source of runoff and provide details on the required methods of

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treatment. The scheme shall adhere to the water quality approach set out in the publication CIRIA C753. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To reduce the impact of this development on the surrounding surface water environment and improve water quality.

Condition: No development shall be put in to use/occupied until a SUDS maintenance plan for all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

Condition: Development shall not commence until a detailed scheme for the mitigation of any loss in flood plain storage has been submitted and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed and retained in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure that the development does not result in any net increase in flood risk

Condition 17 – Flooding replaced by the following conditions

Condition: The development hereby permitted shall not commence until a Flood Emergency Plan has been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include (but not be limited to) proposals for flood warnings, signage and emergency access / egress. The plan shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development remains safe from flooding for users for its lifetime.

Condition : Prior to the commencement of development in each part of the site a scheme for the management of overland flows and for mitigation of flooding from the River Severn for that part of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall adhere to the general principles outlined in the Design Guide. The scheme details shall include:

- Confirmation of the potential for flooding from any source within that part of the site based on the FRA, the Design Guide and taking into account the implementation of any strategic measures or other changes to the potential flooding regime (this constitutes the ‘specific assessment of potential for flooding’ referred to below)

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- Details of finished floor levels (FFLs) for each element of the scheme in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding
- Details of any measures for flood resistance and flood resilience or preventing water ingress in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding
- Details of the access/egress strategy and any associated Flood Management Plan for each element of the scheme in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding
- Details of the strategy for floodplain storage compensation, overland flow routing and management of floodwater within that part of the site in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding

The approved scheme shall be implemented in full for that part of the site prior to the first occupation of any building in that part of the site and, unless otherwise first agreed in writing by the Local Planning Authority, shall be maintained as such for the life of the development

Reason :To ensure the development is safe from flood risk and does not increase flood risk elsewhere

Condition 18 – Ground Condition replaced with the following

Contamination

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 conditions 1 to 4 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 condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

Condition : 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,

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- 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*'.

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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

2. Submission of Remediation Scheme

Condition: 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. The scheme must accord with the provisions of the EPA 1990 in relation to the intended use of the land after remediation.

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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

3. Implementation of Approved Remediation Scheme

Condition :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 in PPS23 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters,

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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).

4. Reporting of Unexpected Contamination

Condition 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 condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 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 condition 3.

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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

Highway Authority - Additional Conditions

Condition: Prior to occupation of development in the Quayside area details of proposed improvements to the signalised junction to include controlled pedestrian facilities of The Quay/Quay Street shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details.

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Condition : Prior to occupation of the Blackfriars area details of a crossing from the proposed access at Ladybellgate Street to the eastern side shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details.

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Condition: Prior to occupation of development in the Blackfriars area details of the provision of dropped kerbs including tactile paving shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details at the following locations.

Ladybellgate Street Junction with Commercial Road Blackfriars;
Ladybellgate Street Junction with Longsmith Street/Bearland
Longsmith Street junction with Bull Lane

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Longsmith Street junction with NCP car park entrance/exit

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Condition: Prior to occupation of development in the Quayside area details of the provision of dropped kerbs including tactile paving shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details at the following location.

Quay Street Junction with Lower Quay Street

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Other Condition Matters

- 1) There are currently 2 construction management conditions numbered 14 and 19, condition 19 is to be deleted
- 2) Condition 15 is to be numbered as such

109. PLANNING ENFORCEMENT PROGRESS REPORT.

The Senior Planning Compliance Officer presented his report which detailed the level and nature of enforcement activity undertaken by the Planning Enforcement Team between July and December 2016 together with an update on formal action being taken against more serious planning breaches.

He provided illustrations of recent work including:-

Badger run, Aldridge Way
First Choice Off Licence
Encroachment
Untidy Garden, Hucclecote
Unauthorised residential unit
Obscured glazing replacement
Rebuilding wall, Painswick Road (no breach)

Councillor David Brown was informed that the owners of Picturedrome had been instructed to restore the building or submit an acceptable scheme and they had engaged conservation architects.

The Chair thanked the Senior Planning Compliance Officer for his report.

RESOLVED that the report be noted.

110. DELEGATED DECISIONS

Consideration was given to a schedule of applications which had been determined under delegated powers during the month of January 2017.

RESOLVED that the schedule be noted.

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111. DATE OF NEXT MEETING

Tuesday, 4th April 2017 at 6.00pm.

Time of commencement: 6.00 pm

Time of conclusion: 8.05 pm

Chair