



Gloucester City Council

Planning Committee

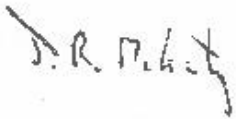
Meeting: Tuesday, 14th June 2016 at 6.00 pm in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP

Membership:	Cllrs. Taylor (Chair), Lewis (Vice-Chair), Lugg, Hanman, Morgan, Brown, Dee, Hansdot, Toleman, Brown, Cook, Fearn, Finnegan and Hyman
Contact:	Tony Wisdom Democratic Services Officer 01452 396158 anthony.wisdom@gloucester.gov.uk

AGENDA

1.	APOLOGIES To receive any apologies for absence.
2.	DECLARATIONS OF INTEREST To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.
3.	MINUTES (Pages 7 - 24) To approve as a correct record the minutes of the meeting held on 31 May 2016.
4.	LATE MATERIAL Please note that any late material relating to the applications detailed below will be published on the Council's website as a supplement in the late afternoon of the day of the meeting.
5.	PHASE 5, RAILWAY TRIANGLE - 16/00158/FUL (Pages 25 - 50) Application for determination:- The construction of 22 trade units in five separate blocks under use classes B1, B2 and B8 ranging in size from 116.13 sqm to 232.26 sqm including new vehicular access and associated forecourts, parking and landscaping at Phase 5, Railway Triangle.
6.	LLANTHONY WHARF / LLANTHONY PRIORY - 16/00357/FUL (Pages 51 - 74) Application for determination:- Change of use of land to open space and associated engineering and landscape works at Llanthony Wharf / Llanthony Priory.

7.	<p>GLOUCESTER RETAIL PARK, EASTERN AVENUE - 16/00055/FUL (Pages 75 - 90)</p> <p>Application for determination:-</p> <p>Erection of new Class A1/A3 Drive-thru unit, revised access arrangement, reconfiguration of car park to retail park and associated landscaping at Gloucester Retail Park, Eastern Avenue.</p>
8.	<p>FORMER CAR PARK, WESSEX HOUSE, GREAT WESTERN ROAD. - 16/00303/FUL (Pages 91 - 98)</p> <p>Application for determination:-</p> <p>New surface car park and gateline enclosure with external ramps and stairs at former car park, Wessex House, Gloucester Road.</p>
9.	<p>DELEGATED DECISIONS (Pages 99 - 114)</p> <p>To consider a schedule of applications determined under delegated powers during the month of April 2016.</p>
10.	<p>DATE OF NEXT MEETING</p> <p>Tuesday, 5 July 2016 at 6.00 pm.</p>



Jon McGinty
Managing Director

Date of Publication: Monday, 6 June 2016

NOTES

Disclosable Pecuniary Interests

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

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

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and (b) either – i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with

whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

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

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

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Agendas and reports can be viewed on the Gloucester City Council website: www.gloucester.gov.uk and are available to view five working days prior to the meeting date.

For further details and enquiries about this meeting please contact Anthony Wisdom, 01452 396158, anthony.wisdom@gloucester.gov.uk.

For general enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, democratic.services@gloucester.gov.uk.

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- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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HUMAN RIGHTS

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

EQUALITY ACT 2010

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

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PLANNING COMMITTEE

- MEETING** : Tuesday, 31st May 2016
- PRESENT** : Cllrs. Taylor (Chair), Lewis (Vice-Chair), Lugg, Hanman, Morgan, Brown, Dee, Toleman, Brown, Cook, Finnegan and Coole

Officers in Attendance

Jon Sutcliffe, Development Control Manager
Nick Jonathan, Solicitor, One Legal
Ed Baker, Principal Planning Officer, Housing Delivery
Matt Haslam, Urban Design Officer
Andy Powick, Planning Enforcement Officer
Helen Chard, Housing Strategy & Enabling Service Manager
Tony Wisdom, Democratic Services Officer

- APOLOGIES** : Cllrs. Hansdot and Fearn

1. **MEMBERSHIP OF THE PLANNING COMMITTEE**

RESOLVED that the following appointments made at the Annual Meeting of Council be noted:-

Planning Committee

Councillors Taylor (Chair), Lewis (Vice Chair), Lugg, Hanman, Morgan, D.Brown, Dee, Hansdot, Toleman, J. Brown, Cook, Fearn, Finnegan.

Planning Policy Sub Committee

Councillors Taylor (Chair), Lewis (Vice Chair), Lugg, D. Brown, Dee

2. **DECLARATIONS OF INTEREST**

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Councillor Taylor declared a personal and non-prejudicial interest in agenda item 19, Lidl Supermarket, Eastern Avenue as he lived near the application site.

3. MINUTES

The Chair deferred consideration of the minutes of the meeting held on 12 April 2016 until after the other business on the agenda had been completed.

4. LATE MATERIAL

Members' attention was drawn to the late material in respect of agenda item 10 which had been published on the internet as a supplement to the agenda.

5. LIDL SUPERMARKET, EASTERN AVENUE - 16/00013/FUL

Councillor Taylor had declared a personal and non-prejudicial interest in this application.

The Development Control Manager presented the report which detailed an application for the demolition of the existing discount food store and construction of a replacement discount food store with associated car parking, servicing and landscaping.

He advised that nine letters of representation had been received and were detailed in section 5.0 of the report.

He noted that the proposal was for a replacement for the existing Lidl store and he referred Members to paragraphs 6.6 and 6.7 which explained that Officers were satisfied with the issues regarding the sequential test.

He reported that the Highways Authority were satisfied with application and the Environmental Health Officer was satisfied that subject to appropriate conditions, there would be no demonstrable harm to the amenities currently enjoyed by the occupiers of neighbouring houses or the funeral business.

He referred Members to the late material which contained an amended recommendation to address errors in the original conditions.

Margaret Jones, a local resident, addressed the Committee to express some concerns over the application.

Ms Jones was speaking on behalf of the residents of 8, 9, 10 and 11 Highfield Place. She expressed concerns relating to security particularly at the back of the proposed store as acoustic fencing could be easily climbed. She called for a fence to secure the entire perimeter and asked that the Committee require such a fence.

She believed that the proposal would result in increased noise in particular from refrigerated vehicles and cages rumbling inside vehicles.

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She noted that the car park was used for gatherings after the store had closed and asked if there would be a CCTV installation.

She stated that there would be no objection if the above issues were addressed.

Miles Drew representing Lidl UK addressed the Committee in support of the application.

Mr Drew stated that Lidl UK welcomed the Officer's recommendation and explained that the existing store no longer met the current business model which was designed to deliver a better shopping experience.

He stated that Lidl UK recognised the amenity and security issues and should the Committee grant the application they would ensure boundary treatments addressed those matters. He added that measures would be taken to address issues with seagulls and all waste would be stored internally until collected.

He advised that Lidl UK had consulted the local community including 4,000 leaflets and a website. They had received 380 responses of which 98 per cent were in support of the application.

The Chair questioned the boundary treatments and was advised that condition 8 would address the issue. There was a balance between achieving security and visual acceptability together with acoustic issues and there was an expectation that serious thought would be given by the developer to achieve a satisfactory solution.

A Member asked if CCTV would be required and was advised it was not known. It would be necessary to demonstrate a real risk if the Council were to insist on it.

Another Member expressed disappointment that the layout plans had not been included in the report. He suggested soft landscaping to address the dominance of the rear wall.

The Development Control Manager advised that detailed plans had not been included in reports for some years. He advised that there would be a fence of a height up to 2 metres and planting around the site. He reminded the Committee that the site had previously been occupied by a fire station.

The Chair questioned the boundary treatment at the rear of the site and was advised that information was not available at the meeting.

A Member expressed concerns about the lack of apparent supervision of the bottom corner of the site.

The Chair noted that the applicant's agent had heard Members' concerns and the Development Control Manager believed that the developer would be keen to design in security of their premises as it was in their own interest.

The Chair requested that he and the Vice Chair be consulted prior to the discharge of conditions relating to boundary treatment and soft landscaping.

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RESOLVED that planning permission is granted subject to the following conditions:

Condition 1

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.

Condition 2

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 1234 006 and 007 received by the Local Planning Authority on 7th January 2016, 2015/96. Rev D received on 22nd March 2016, 1234 008 Rev C received on 27th April 2016 and 1234 005 Rev G received by the Local Planning Authority on 29th April 2016 and any other conditions attached to this planning permission.

Reason

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

Condition 3

No development 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;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vii. provide measures to control the emission of dust and dirt during demolition/construction from ground works, haul roads, stockpiles and material handling removal.
- viii. provide details of any lighting from security compounds
- ix. 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.

Condition 4

No development or demolition below slab level 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

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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

Condition 5

No development approved by the permission shall be commenced until a Detail Drainage Strategy for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The Strategy should be supported by evidence demonstrating the drainage scheme is technically feasible; and where applicable adheres to the NPPF, Non-statutory technical Standards for Sustainable Drainage, Building Regulation H and local policy. Where surface water requires disposal off site (i.e. not infiltrated) the applicant must provide evidence of consent to discharge/connect through 3rd party land or to their network/system/watercourse. Sections will be required demonstrating that the sloping car park can accommodate the attenuation volume required. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with sustainable objectives of Gloucester City Council and Central Government and policy FRP.6 of the Second Deposit City of Gloucester Local Plan (2002). The details need to be submitted prior to the commencement of any works to ensure that the ability to implement a satisfactory drainage system is not compromised.

Condition 6

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 in accordance with sustainable objectives of Gloucester City Council and Central Government and policy FRP.6 of the Second Deposit City of Gloucester Local Plan (2002). The details need to be submitted prior to the commencement of any works to ensure that the ability to implement a satisfactory drainage system is not compromised.

Condition 7

No development works above DPC level shall take place until details or samples of materials to be used externally on walls, roofs, windows and external doors, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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Reason

To ensure a satisfactory appearance to the development hereby approved and in accordance with policies BE.7 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 8

Notwithstanding the submitted drawings, no development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of all boundary treatments including precise details of the acoustic fencing to be erected. The boundary treatment and acoustic fencing shall be completed in accordance with a timetable to be agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

It is important that these details are provided prior to the commencement of development to ensure that adequate protection is provided to neighbouring properties in the interests of residential amenity and to ensure dwellings have satisfactory protection and privacy in accordance with policies BE.21 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

The building hereby permitted shall not be occupied until the vehicular parking and turning and unloading/unloading facilities have been provided in accordance with the submitted plan drawing no.1234 005 Rev G, and those facilities shall be maintained available for those purposes thereafter.

Reason

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

Condition 10

The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority

Reason

To ensure that the opportunities for sustainable transport modes are taken up in accordance with paragraphs 32 and 36 of the National Planning Policy Framework.

Condition 11

No building shall be occupied until measures to discourage seagulls from nesting and roosting on the buildings hereby approved have been implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of the appearance of the development and to avoid nuisance caused by nesting and roosting seagulls, in accordance with Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version

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November 2014, Paragraphs 17 and 58 of the National Planning Policy Framework and Policy BE.10 of the City of Gloucester Second Deposit Local Plan 2002.

Condition 12

The development hereby permitted shall not be occupied 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

In the interests of crime prevention and to protect the amenities of the occupiers of neighbouring properties in accordance with Policies BE.5 and BE.21 of the City of Gloucester Second Deposit Local Plan 2002

Condition 13

The building shall not be occupied until a noise assessment has carried out (by a competent person i.e. member of the IOA) and has been submitted to and approved in writing by the Local Planning Authority to ensure that the rating level of any noise generated by mechanical plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. 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 safeguard the amenity of the area in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 14

Mechanical plant installed in pursuance of this application shall be regularly maintained to ensure its continued satisfactory operation to ensure that the rating level of any noise generated by mechanical plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time, and the use of the equipment shall cease if at any time it does not operate to the satisfaction of the Local Planning Authority. As soon as possible thereafter, a noise assessment shall be carried out (by a competent person i.e. member of the IOA) to ensure that the rating level of any noise generated by mechanical plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. 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 safeguard the amenity of the area in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

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Condition 15

The landscaping scheme, as shown on the approved plan 2015/96. Rev D, shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with policies BE4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 16

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

Reason

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

Condition 17

The gross external floorspace of the approved building shall not exceed 3041 sq. m and the net sales floorspace as defined by the National Retail Planning Forum* shall not exceed 1689 sq. m. The proportion of the net sales area to be used for the sale of comparison goods shall not exceed 20% of the net sales floorspace without the prior written agreement of the Local Planning Authority.

Reason

To define the terms of this permission and in order to protect the vitality and viability of existing centres and to ensure the store retains its status as a deep discount retail food-store and in accordance with Policy S.4a of the Second Stage Deposit City of Gloucester Local Plan (2002).

*The area within the walls of the shop or store to which the public has access or from which sales are made, including display areas, fitting rooms, checkouts, the area in front of checkouts, serving counters and the area behind used by serving

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staff, areas occupied by retail concessionaires, customer services areas, and internal lobbies in which goods are displayed; but not including cafes and customer toilets

Condition 18

The development hereby approved shall only be used as a Class A1 retail foodstore. This shall be restricted to 'limited product line deep discount retailing', and shall be used for no other purpose falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987. 'Limited product line deep discount retailing' shall be taken to mean the sale of no more than 2,000 individual product lines. No increase in the number of product lines shall be permitted without the prior written approval of the Local Planning Authority.

Reason

To define the terms of this permission and in order to protect the vitality and viability of existing centres and to ensure the store retains its status as a deep discount retail food-store and in accordance with Policy S.4a of the Second Stage Deposit City of Gloucester Local Plan (2002).

Condition 19

All waste management activities shall be handled internally and there shall be no external waste storage facilities, cardboard containers or compactor. Public facilities for the recycling of glass shall at no time be provided at the site.

Reason

To safeguard the residential amenities of the occupiers of neighbouring residential properties in accordance with policies FRP.10 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 20

The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the following times: Monday-Saturday 07.00hrs-21.00hrs, Sunday 08.00hrs – 13.00hrs.

Reason

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

Condition 21

The store shall only open to the public between the hours of 08.00 hrs and 22.00 hrs Monday to Saturday and 10.00 hrs to 16.00 hrs on Sunday.

Reason

In the interest of the amenities of the occupiers of neighbouring residential properties and in accordance with policy BE.21 contained within Second Deposit City of Gloucester Local Plan (2002).

Condition 22

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the

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following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason

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

Condition 23

No materials or substances shall be burnt within the application site during the construction phase.

Reason

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

Notes

1. The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

2. Severn Trent Water Ltd advises that there may be a public sewer located within the application site and encourage the applicant to investigate this. Please note that public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. If there are sewers which will come into close proximity of the works, the applicant is advised to contact Severn Trent Water to discuss the proposals and we will seek to assist with obtaining a solution which protects both the public sewer and the building.

3. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

6. 18, BRUNSWICK SQUARE - 15/00894/FUL AND 15/00895/LBC

The Development Control Manager presented the report which detailed an application for the conversion of an existing building into eight single bedroomed flats, demolition of the existing storage shed to the rear and the erection of a replacement building to provide an additional five flats (three one bedroomed and two of two bedrooms) together with the associated Listed Building Consent at 18, Brunswick Square.

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He advised that the building was currently identified as 'vulnerable' on the City Council's Buildings at Risk Register.

He advised that no objections had been received from statutory consultees and he drew Members' attention to the representations detailed in Section 5 of the report and he reported that a further representation had been received by e-mail from a neighbour which noted that the development would prevent the conversion of the adjoining building currently used as offices into residential use and also requested that Committee Members walk the area.

He advised that the principle of development was acceptable and the loss of the Old Tram Shed was not considered to be significant and he considered that the development would enhance the Conservation Area.

He considered that the proposal was sustainable and close to public transport. The Highways Authority had raised no objection and noted that the parking demand would be lower than office use which would be the fall back position should this application not be approved.

He drew Members' attention to paragraphs 6.25 to 6.29 which detailed the impacts on residential amenity. He illustrated the sunlight analysis and concluded that the proposal would not result in any demonstrable harm to the amenities of occupiers of the neighbouring properties by way of any significant overshadowing, overbearing or overlooking.

Sheila Clarke addressed the committee in opposition to the application.

Ms Clarke stated that she was representing local residents. She referred to the comments of Historic England and the Council's Conservation Officer and believed that the amended plans had not achieved a reduction in scale to two storeys.

She stated that the owner of No. 17 wanted a residential property with garden, and this application would set a precedent for two and three storey extensions. She asked why object to windows when the whole application would despoil the Conservation Area.

She believed that the parking survey was flawed and there was no parking available in either Brunswick Square or Road after 6.00 pm.

She stated that the proposal would cause significant overshadowing and noted that No 9 Albion Street was 6.25 m from the site. She believed that the proposed condition 7 (requirement for a Construction Method Statement) was totally unworkable and that Officers had taken more care on internal detail rather than the external elements of the application.

Nick Carroll, architect, addressed the committee in support of the application.

Mr Carroll stated that significant harm would be caused by leaving the building in its present state. He noted that it had been empty for eight years and this application presented the only opportunity to restore the building.

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He believed that the application would benefit the local community and the aesthetics of the community. Dilapidated buildings bring crime and lower property values.

He noted that the gardens were already in shadow from other buildings but not all day.

He noted that the independent parking survey had found that the proposal would not exacerbate the situation in the square.

He clarified that the new element was two storeys with dormers rather than two and a half storeys.

He concluded that the market had suggested smaller units and the applicant could not cater for potential future uses. If the site was left as a car park it would not bring regeneration and the application was intended to raise the quality of life of the community.

A Member was advised that five flats would be provided in the new element and he expressed a preference that the new element be constructed to the lower height throughout.

Another Member noted that the location was sustainable but he believed that the proposal was overdevelopment.

A Member who had lived in the City for 79 years considered it unbelievable that it was proposed to demolish the Old Tram Shed.

In answer to a question the Development Control Manager advised that the windows were in the same location as in the existing buildings and there would be no new openings.

The Urban Design Officer noted that the contrast between old and modern windows was a key feature of the design.

The Chair believed that the principle of development was acceptable but he expressed concerns relating to size and height of the proposal, massing and residential amenity particularly light.

The Development Control Manager advised that the Committee should provide a clear explanation of the reasons for any refusal and identify the policies involved.

The Chair, accompanied by the Development Control Manager and the Solicitor left the meeting for a short time.

RESOLVED that the applications be refused as contrary to the provisions of Policy BE.21 (Safeguarding of Amenity) of the Second Stage Deposit Plan by virtue of the amenity impacts on neighbours.

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7. 31, LONDON ROAD - 16/00206/FUL

The Principal Planning Officer presented his report which detailed an application for the change of use from four apartments to a house in multiple occupation (twelve bedrooms) at 31, London Road.

He advised that the change of use rather than the internal layout was the issue before the Committee for consideration.

Councillor Hilton as Ward Member was invited to address the Committee.

Councillor Hilton stated that the property was within a Conservation Area and was currently split into four apartments which he believed was more sustainable than the proposed twelve bedrooms. He noted that the building was in need of refurbishment but the proposal represented overdevelopment in an area where parking was already congested.

He noted that the only communal space was within the annexe next to a bedroom and the bathroom was accessed through the communal lounge.

He expressed concerns regarding the collection of refuse and noted that the recycling system was breaking down in the City centre. He believed that it would be difficult to park two cars at the rear of the property and questioned whether the cycle and bin store would be adequate for twelve individuals.

He noted that there was no indication of future management arrangements and he called upon the Committee to reject the application as over-intensification.

The Vice Chair noted that the size of the proposed rooms was similar to the existing arrangements.

The Principal Planning Officer advised that the communal area indicated in the annexe was for the use of the bedroom in the annexe and not intended as a communal space to be shared with the other flats.

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

8. LAND ADJACENT 126, BARNWOOD ROAD - 15/01367/FUL

The Principal Planning Officer presented his report which detailed an application for the construction of two apartment blocks containing fourteen apartments on land adjacent to 126, Barnwood Road.

Andy Trower, resident of 126 Barnwood Road and an architectural consultant himself, addressed the Committee in opposition to the application.

Mr Trower stated that he had no objection to the principle of development of the site his objection was based on over-development and highways issues.

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He believed that refuse collection vehicles would not enter the site and he had concerns regarding the intensification of traffic.

He stated that density of the development was equivalent to 93 dwellings per hectare or 38 per acre excluding parking and would represent reduced residential amenity.

He noted that there had been little response to the public consultation and advised that the other immediate neighbour had sold the land for the development.

In conclusion, he stated that the development was overpowering, would cause a loss of light and create a parking nightmare.

Aled Roberts addressed the Committee in support of the application.

Mr Roberts stated that the proposal was an effective use of a brownfield site, was sustainable and had been carefully developed.

He advised that the plans were based on an accurate survey and would provide sufficient parking. There was space for a refuse collection vehicle to turn safely and overlooking had been minimised to the satisfaction of the local planning authority.

The mews element had been set back to exceed minimum requirements and he believed that the developer had responded to all the issues.

A Member reported the concerns of residents of Fairwater Park regarding parking. Sixteen spaces were proposed for fourteen flats but there was nowhere other than Fairwater Park for any overflow parking.

He noted there were generally spaces in Colin Road and Grove Crescent but these were a fair distance from the development. He asked if the spaces would be allocated and he was advised by the Principal Planning Officer that this would be a matter for the developer but it was likely that one space would be allocated to each unit.

The Vice-Chair noted that the Highways Authority was satisfied and the refuse collection vehicles would enter the site. He noted that the plan had evolved after a lot of consultation and although the development was dense he believed that it was acceptable.

Another Member was advised that the City Archaeologist's concerns had been addressed and that he would be sent a copy of the drainage scheme for comment before it was agreed.

The Chair had some concerns over highways issued but acknowledged that the Highway Authority was satisfied. He liked the design and noted that the development would help meet a housing need.

In answer to a question the Principal Planning Officer confirmed that the side windows would have obscure glazing.

PLANNING COMMITTEE
31.05.16

RESOLVED that the Development Control Manager be authorised to grant consent subject to the conditions in the report, satisfactory resolution of drainage and archaeological issues and any necessary amendments or additional conditions.

9. BLACK DOG WAY - 16/00142/FUL

The Principal Planning Officer presented his report which detailed an application for the demolition of existing structures, erection of ninety-five residential units (with associated communal areas, storage and plant) and Use Class A1 unit, with associated landscaping (amended description) at the former Kwiksave site, 103, Northgate Street. A physical model of the proposal was circulated to Members.

Craig MacDonald of Rooftop Housing Association addressed the Committee in support of the application.

Mr MacDonald advised that the project team had worked hard to bring forward the scheme which he believed represented a significant betterment on the site and he thanked Council officers for their assistance.

He advised that, subject to conditions including completion by March 2018, the project had received funding of £2,500,000 from the Homes and Communities Agency.

He noted that a few matters were still outstanding but he hoped that the Committee would be able to support the scheme.

The Chair believed that the scheme represented a great improvement of the site and noted that it would provide one hundred per cent affordable housing. He was confident that it would be delivered and noted that Council Officers had worked hard on the scheme and that the outstanding issues would be satisfactorily addressed.

A Member believed that the proposal was an exciting design for a key entry point to the City. He believed it to be a sympathetic way of addressing a series of gaps in the streetscape and would provide the area with a unique solution.

Another Member questioned the open space requirements for the development and the Principal Planning Officer advised that the overall scheme was marginal and there was no money available for contributions.

A Member echoed the praise for the scheme and was assured that the Council's Tree Officer would be consulted on the tree planting to ensure species suitable for planting in proximity to the culver.

The Principal Planning Officer confirmed that measures to address seagull issues would be included.

PLANNING COMMITTEE
31.05.16

RESOLVED that the Development Control Manager be authorised to grant consent subject to the necessary conditions, satisfactory resolution of the outstanding matters detailed in the report and the satisfactory completion of a Section 106 legal agreement.

10. 126,TREDWORTH ROAD - 15/00797/COU

The Development Control Manager presented the report which detailed an application for the proposed change of use from florist to takeaway and extract flue at 126,Tredworth Road.

He advised Members that the application had been deferred at the meetings held on 1 March and 12 April 2016. The Committee had requested an independent assessment of highway safety which was appended to the report.

He referred Members to section 1 of the report which contained details of the accident referred to by the public speaker at the April meeting. The Highway Authority had concluded that it had been caused by driver error. It was also stated that the Highway Authority's comments on the site remained unaltered as the incident was not attributable to the site.

He reminded Members that the key issue was that the site enjoyed open Class A1 use which could include use as a 24 hour convenience store and this had to be regarded as a fall back position.

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

11. SECTION 106 MONITORING - PROGRESS REPORT 2015/16

The Planning Compliance Officer presented the report which detailed new Section 106 Agreements entered into, contributions received and any other benefits realised as a result of section 106 Agreements during the 2015/6 financial year.

He advised the Committee that he would be leaving the Council's employment on 17 June and the team would be reduced to the Senior Planning Compliance Officer. As a result enforcement activities would have to be prioritised to deal with the more serious or urgent breaches of planning control.

The Vice Chair thanked Officers for the report and noted that he had experienced problems with the formatting of the report on his i-pad.

The Planning Compliance Officer undertook to provide a Member with further details of the works at Clock Tower Park. He advised that Hucclecote library was a County Council matter.

The Chair thanked the Officer for his services to the Council and wished him well for the future.

RESOLVED that the report be noted.

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31.05.16

12. DELEGATED DECISIONS

Consideration was given to a schedule of applications which had been determined under delegated powers during the month of March 2016.

RESOLVED that the schedule be noted.

13. MINUTES

Consideration was given to the minutes of the meeting held on 12 April 2016.

All the Committee Members who had present at that meeting agreed that minutes were a correct record of the proceedings with the exception of Minute 96, Land at Winnycroft Lane, Matson.

The Vice Chair suggested that approval of this minute be deferred to the next meeting as the proposed amendment would require minor redrafting.

The Development Control Manager invited the Chair and Vice Chair to an informal discussion of the matter.

RESOLVED that confirmation of Minute 96 of the meeting held on 12 April 2016 be deferred until the next meeting.

14. DATE OF NEXT MEETING

Tuesday, 14 June at 6.00 pm

Time of commencement: 6.00 pm
Time of conclusion: 9.50 pm

Chair

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GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	14TH JUNE 2016
ADDRESS/LOCATION	:	PHASE 5, RAILWAY TRIANGLE
APPLICATION NO. & WARD	:	16/00158/FUL KINGSHOLM & WOTTON
EXPIRY DATE	:	6TH JUNE 2016
APPLICANT	:	ROCKHAVEN DEVELOPMENTS LTD
PROPOSAL	:	The construction of 22.No trade units in 5 separate blocks under use classes B1,B2 and B8 ranging in size from 116.13 sqm to 232.26 sqm including new vehicular access and associated forecourts, parking and landscaping.
REPORT BY	:	ADAM SMITH
NO. OF APPENDICES/ OBJECTIONS	:	SITE PLAN

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site is located at the north eastern corner of the land known as the Railway Triangle, bounded by the rail lines to north and south east sides, and across the road from the Morrisons supermarket to the south west.
- 1.2 The proposed site is approximately 1ha in size. The proposed layout consists of 5 blocks each comprising 22 units in total ranging from 116sq m to 232sq m. A total of 4053sq m of floorspace including mezzanine levels is proposed for business, general industrial and storage and distribution uses - use classes B1, B2 and B8. The estimation is for 25% B1, 25% B2 and 50% B8, although the applicant has clarified that this is a B2/B8 scheme and there would be no solely B1 units; that use is applied for to represent the supporting office accommodation within individual businesses' units. They wish to proceed with the description of development as applied for. Notably the proposal is to allow for 24 hour, 7 days a week operation.
- 1.3 The site would be accessed off the existing internal road that links around the north side of the Morrisons supermarket and down to the southern triangle. The access road would then run through the middle of the site with the parking and forecourts accessed off this central road. The relocated public footpath runs through the middle of the site alongside the central road. A

separate footpath diversion application reflecting the proposed layout is in progress. The existing zebra crossing would be relocated slightly further along the road to accommodate the new access. 67 car parking spaces are proposed including 3 disabled bays, 3 motorcycle bays and 16 cycle bays.

- 1.4 The blocks are 5.5m in height to the lower roof edge rising to 6.9m at the peak, and to 7.5m to the roof ridge for the larger Block D. Soft landscaping is proposed through the middle of the site and at the perimeter, in addition to that already existing alongside the public footpath as it approaches the tunnel north east of the application site.
- 1.5 The application is referred to the planning committee as it involves over 1000sq m of floorspace.

2.0 RELEVANT PLANNING HISTORY

11/00902/OUT

- 2.1 Hybrid application comprising: application for full planning permission for retail foodstore and petrol filling station, associated car parking and servicing works, access road from Metz Way and associated junction and alterations to Metz Way and footpath/cycleway, internal site access roads, alterations and improvements to the underpass and link to Blinkhorns Bridge Lane, and associated landscaping and re-grading works; application for outline planning permission (all matters reserved) for business (Use class B1), industrial (Use class B2), storage and distribution, cash and carry and trade uses (Use class B8) (15,264 square metres); car showroom (1,024 square metres); retail (Use class A1), financial/professional services (Use class A2), restaurant/cafe (Use class A3), public house/bar (Use class A4) and hot food takeaway uses (Use class A5) (761 square metres); and associated car parking, access, servicing, landscaping and re-grading works. Proposals include demolition of existing buildings. Granted subject to conditions and legal agreement 08.08.2012.

11/01357/DSUF

- 2.2 Application for the existing footpath to be stopped up and alternative route created over the land. Granted 18.5.15.

13/01125/REM

- 2.3 Application for approval of reserved matters (means of access, layout, scale, appearance and landscaping) for Phase 2 of Railway Triangle redevelopment, pursuant to planning permission 11/00902/OUT (Amended scheme). Approved reserved matters 04.02.2014.

14/00145/REM

- 2.4 Application for approval of reserved matters (means of access, layout, scale, appearance and landscaping) for Phase 3 of Railway Triangle redevelopment, pursuant to planning permission 11/00902/OUT. Approved reserved matters 12.05.2014.

14/00300/FUL

2.5 Variation of Condition 8 of planning permission 11/00902/OUT to alter the amount of employment floorspace required to be commenced prior to the opening of the Class A1, A2, A3, A4 or A5 uses (from 5000sq metres to 2000 sq metres). Granted subject to conditions and deed of variation 04.08.2015.

15/00644/DSUF

2.6 Application for a further diversion of the footpath. Currently pending final resolution, although no objections have been received to the consultation.

15/01419/FUL

2.7 Installation of public art sculpture. Granted subject to conditions 15.02.2016.

3.0 PLANNING POLICIES

3.1 The following planning guidance and policies are relevant to the consideration of this application:

Central Government Guidance - National Planning Policy Framework

3.2 This is the latest Government statement of planning policy and is a material consideration that should be given significant weight in determining this application.

Decision-making

The NPPF does not alter the requirement for applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In assessing and determining applications, Authorities should apply the presumption in favour of sustainable development. For decision-making, this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent, or relevant policies are out of date, granting planning permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
 - specific policies in the NPPF indicate development should be restricted.

Authorities should look for solutions rather than problems and decision-takers should seek to approve applications for sustainable development where possible.

Core planning principles

Planning should:

- Be genuinely plan-led;
- Be a creative exercise in ways to enhance and improve places;

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Secure high quality design and a good standard of amenity;
- Take account of the different roles and character of different areas;
- Support the transition to a low carbon future, take account of flood risk and encourage the use of renewable resources;
- Contribute to conserving and enhancing the natural environment and reducing pollution;
- Encourage the effective use of land by reusing brownfield land;
- Promote mixed use developments;
- Conserve heritage assets in a manner appropriate to their significance;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;
- Take account of and support local strategies to improve health, social and cultural wellbeing and deliver sufficient community and cultural facilities and services to meet local needs.

Building a strong, competitive economy

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth.

Promoting sustainable transport

Seeks to ensure developments generating significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Decisions should take account of whether;

- The opportunities for sustainable transport modes have been taken up;
- Safe and suitable access to the site can be achieved for all people;
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented on transport grounds where the residual cumulative impacts of development are severe.

Requiring good design

Emphasis is retained on good design, seeking to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character and history while not discouraging innovation, ensure safe and accessible environments, and are visually attractive as a result of good architecture and appropriate landscaping. Permission should be refused for development of poor design that fails to take opportunities for improving areas.

Promoting healthy communities

Encourages the involvement of all sections of the community. Decisions should aim to achieve places which promote;

- Opportunities for meetings between members of the community who might not otherwise come into contact;

- Safe and accessible environments;
- Clear and legible routes, high quality public space that encourage use.

Decisions should also;

- Plan positively for shared space, community facilities and other local services;
- Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Meeting the challenge of climate change, flooding and coastal change

Seeks to secure reductions in greenhouse gas emissions, supporting the delivery of renewable and low carbon energy and associated infrastructure.

In terms of flooding, authorities should direct development away from high flood risk areas, but where development is necessary, make it safe without increasing flood risk elsewhere. The use of sustainable drainage systems is encouraged.

Conserving and enhancing the natural environment

Sets out that the planning system should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, geological conservation interests and soils;
- Recognising the wider benefits of ecosystem services;
- Minimising impacts on biodiversity and providing net gains where possible;
- Prevention of unacceptable risks or adverse affects by pollution;

Authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight.

Authorities should aim to conserve and enhance biodiversity by applying the following principles;

- If significant harm cannot be avoided, mitigated or compensated for, refuse permission;
- Opportunities to incorporate biodiversity in and around developments should be encouraged;
- Refuse permission for development resulting in the loss or deterioration of irreplaceable habitats unless the need for and benefits of the development clearly outweigh the loss.

Developments should be prevented from contributing to or being put at unacceptable risk from soil, air, water or noise pollution, remediate and mitigate land where appropriate, and limit the impact of light pollution.

Planning obligations and conditions

Planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development: and
- Fairly and reasonable related in scale and kind to the development.

Planning conditions should only be imposed where they are

- Necessary;
- Relevant to planning and to the development to be permitted;
- Enforceable;
- Precise; and
- Reasonable in all other respects.

The National Planning Practice Guidance has also been published to accompany and in part expand on the National Planning Policy Framework.

For the purposes of making decisions, the NPPF sets out that policies in a Local Plan should not be considered out of date where they were adopted prior to the publication of the NPPF. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.

The Development Plan

3.3 Section 38 of the Planning and Compulsory Purchase Act 2004 has established that - “The development plan is

- (a) The regional spatial strategy for the region in which the area is situated, and
- (b) The development plan documents (taken as a whole) which have been adopted or approved in relation to that area.

If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy that is contained in the last document to be adopted, approved or published (as the case may be). If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

Local Plan

3.4 The statutory development plan for Gloucester remains the City of Gloucester Local Plan (Adopted 1983 and partially saved until the Local Development Framework is adopted). Under the terms of the NPPF, weight can be given to these policies according to their degree of consistency with the NPPF.

Relevant saved policies are:

A.1a – Heights of buildings and protection of views

A.2 – Particular regard will be given to the City’s heritage in terms of archaeological remains, listed buildings and conservation areas.

T4.k – Provision of car parking at private development in accordance with the Council’s car parking standards

T6 – Measures will be introduced to encourage cycling

L6 – Maintenance of public footpath network

L6.a – Development of land crossed by a public right of way

- 3.5 Subsequent to the 1983 plan there has also been the City of Gloucester (Pre-1991 Boundary Extension) Interim Adoption Copy October 1996), and City of Gloucester First Stage Deposit Local Plan (June 2001).
- 3.6 Regard must also be had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. This cannot be saved as it is not a formally adopted plan, however with it being adopted for development control purposes it is still judged to be a material consideration.

2002 Plan allocations

- 3.7 E.3.2 – 10.9 hectares at Railway Triangle for B1, B2 or B8 uses. Site specific obligations are improved access from Metz Way only, decontamination of site and land reserved for possible rail freight depot (southern triangle).

3.8 2002 Plan Policies

- FRP.1a – Flood risk
- FRP.6 – Surface water run-off
- FRP.8 – Renewable energy
- FRP.10 – Noise
- FRP.11 – Pollution
- FRP.15 – Contaminated land
- B.7 – Protected species
- BE.1 – Scale, massing and height
- BE.2 – Views and skyline
- BE.4 – Criteria for the layout, circulation and landscape of new development
- BE.5 – Community safety
- BE.6 – Access for all
- BE.7 – Architectural design
- BE.8 – Energy efficient development
- BE.9 – Design criteria for large commercial development
- BE.12 – Landscape schemes
- BE.21 – Safeguarding of amenity
- BE.31 – Preserving sites of archaeological interest
- BE.32 – Archaeological assessment
- BE.33 – Archaeological field evaluation
- BE.34 – Presumption in favour of preserving archaeology
- BE.36 – Preservation in situ
- BE.37 – Recording and preserving archaeology
- TR.1 – Travel plans and planning applications
- TR.2 - Travel plans – planning obligations
- TR.9 – Parking standards
- TR.11 – Provision of parking for people with disabilities
- TR.12 – Cycle parking standards
- TR.31 – Road safety
- TR.32 – Protection of cycle/pedestrian routes
- TR.33 – Providing for cyclists/pedestrians
- TR.34 – Cyclist safety

- TR.38 – Public footpaths
- E.2 – Employment allocations
- E.3 – Allocations for employment on old employment sites (E.3.2)

Emerging Plan

- 3.9 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and NPPG and are a material consideration. The weight to be attached to them is limited, the Plan has not yet been the subject of independent scrutiny and does not have development plan status. The Examination in Public has been ongoing since May 2015. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.

On adoption, the Joint Core Strategy, City Plan and any Neighbourhood Plans will provide a revised planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to

- The stage of preparation of the emerging plan
- The extent to which there are unresolved objections to relevant policies; and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework

- 3.10 The following policies are of relevance (as this is a new document these policies are set out in full at the end of the report for Members' reference) and the plan is subject to representations through the consultation which affects the weight that can be attributed to the policies:

- SD1 – Presumption in favour of sustainable development
- SD2 – Employment
- SD4 – Sustainable design and construction
- SD5 – Design requirements
- SD9 – Historic environment
- SD10 – Biodiversity and geodiversity
- SD15 – Health and environmental quality
- INF1 – Access to the transport network
- INF2 – Safety and efficiency of the transport network
- INF3 – Flood risk management

All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

- 4.1 The Highway Authority raised several queries originally. The applicant responded and the majority of the queries have been resolved to the satisfaction of the Highway Authority. The outstanding matter is a request for a parking accumulation study or entry/exit counts in order to assess the suitability of the parking provision, which has not been undertaken. Members will be updated on any new material or discussions in this respect at the Committee meeting.
- 4.2 The Lead Local Flood Authority initially raised queries about the drainage strategy and SuDS quality stages. Following further discussions they raise no objection subject to a condition to secure a SuDS maintenance plan.
- 4.3 Severn Trent Water raises no objections subject to conditions to secure drainage plans for the disposal of foul and surface water.
- 4.4 Network Rail raises no objection in principle but provides several comments that deal with the safe operation of the railway and protection of their adjoining land.
- 4.5 The Planning Policy department has not commented.
- 4.6 The Contaminated Land consultant raises no objection subject to a condition to secure appropriate measures to address the risks from contamination.
- 4.7 The Environmental Protection Officer raises no objection subject to conditions to restrict construction hours; to restrict burning; to secure noise assessment to ensure acceptable noise levels; to secure a scheme of refuse storage and recycling; to restrict hours of opening; and restrict hours of delivery.

A report has subsequently been submitted setting out that an hours of operation condition is not necessary. The Environmental Protection Officer has not yet reviewed this and an update will be provided at Committee.

- 4.8 The Urban Design Officer raises no objection to the scheme as amended subject to securing approval of the external lighting and enhancing the landscaping at the rear of Block A.
- 4.9 The Drainage Engineer initially raised queries around the proposed flood storage and SuDS quality stages. He confirmed that the proposed discharge rate is acceptable.

Following further discussions he has accepted the proposed detail and raises no objection subject to requiring the approved drainage strategy and plan to be implemented.

- 4.10 The City Archaeologist has confirmed that no further archaeological works are required in this Phase.

4.11 The Landscape Architect raises no objection to the majority of the soft landscaping proposals but supports an enhancement of the landscaping to the rear of Block A on the main road frontage.

4.12 The Environmental Planning Manager has not commented.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 21 neighbouring properties were notified and press and site notices were published. No representations were received.

Neighbours were given a further period of consultation on the amended material recently submitted which expires on 15th June 2016. Members will be updated at the Committee meeting with any representations that have been received.

5.2 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting or online through the following link:

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=16/00158/FUL>

6.0 OFFICER OPINION

6.1 It is considered that the main issues with regard to this application are as follows:

- Principle and economic considerations
- Design
- Traffic and transport
- Residential amenity
- Drainage and flood risk
- Land contamination

Principle and economic considerations

6.2 The 1983 Adopted Local Plan allocates the site as suitable for industrial development from 1987. From the 2002 plan and Planning Brief the allocation has been for B1, B2 and B8 employment uses, or an alternative use or mix of uses of greater community benefit. The outline planning permission secured a mix of uses including employment uses and was seen to be an acceptable proposal allowing the regeneration of the site to come forward, with certain mitigation by legal agreement and conditions.

6.3 In terms of the principle of the uses on this site they are considered to be acceptable, according with the historic allocations and the extant permission. There are however specific planning matters associated with the uses that need to be addressed and are commented on in more detail below. The B1 element which is a main town centre use has already been agreed as acceptable in this out of centre location and in this particular model is stated to be the supporting office element within B2/B8 businesses anyway. No objection is raised in respect of the sequential or impact tests.

- 6.4 On other economic considerations, it is estimated that the scheme would create approximately 70 full time jobs and the applicant notes that this could be a conservative estimate depending on the calculation formula used.
- 6.5 In my opinion the employment use is welcomed in principle and helps to deliver on the long-standing employment allocation of the site and the permitted but as yet unimplemented employment element of the extant outline permission for the site, and continues the regeneration of this brownfield site. The job creation and the contribution to the offer for small and medium sized businesses would be positive results from the proposals. It would comply with the local and national policy context cited above in this regard.

Design

- 6.6 The site is set into the corner of the triangle but has frontage to the access road to the south east and is astride the public footpath. When emerging from the Blinkhorns Bridge Lane tunnel into the triangle this would be the first set of buildings you meet. It is therefore more visible to the public than might initially appear.
- 6.7 The land rises up quite substantially from the tunnel ground level into the site. The scale of buildings is considered acceptable in this context although they will appear high up on the bank.
- 6.8 The blocks face inwards to their car parking/forecourts. This has implications for their relationship to the immediate surroundings. In my view there are 3 main design issues – appearance from the internal road approach, relationship to the footpath link out of the tunnel, and appearance next to the footpath as you pass through the site.
- 6.9 In terms of the appearance from the road, the partial screening of the unattractive utility building to the west of the site by the proposed planting is welcomed. The applicants have not made any changes to Blocks A or E to seek to respond to the road frontage with more enlivened elevations which is disappointing. There will be some limited screening by the two trees currently proposed behind Block A but with the advice of our landscape architect there is scope to add to this with additional trees and tall shrubs that would significantly soften this edge of the development. I therefore seek the Committee's support in requiring an enhanced landscaping scheme along the road frontage south of Block A to improve the appearance of the development. In this location, with this enhanced screening I raise no overall objection in this regard.
- 6.10 The footpath at the tunnel end would benefit from natural surveillance from the proposed buildings in the interests of designing out crime. B1 office use would be preferable in the adjacent building for the nature and intensity of use by staff, although the applicant has advised that an exclusive B1 use is unlikely. The applicant has however now introduced 3 windows to the rear of the building off the mezzanine levels, which would overlook the footpath. This change is welcomed as a positive improvement.

- 6.11 The addition of trees alongside it should make the use of the public footpath a more attractive experience and the denoting of the path through surface materials is desirable to maintain the distinction of public and private areas. A more attractive and enlivened set of elevations alongside the footpath would be desirable but has not been achieved, and overall the design is considered acceptable.
- 6.12 Also in terms of designing out crime, cycle spaces have been relocated around the site, away from the previous tucked away positions next to the footpath, which is again welcomed.
- 6.13 Overall, subject to securing certain details by condition, the design of the scheme is considered acceptable and complies with the relevant local and national policy context cited above.

Traffic and transport

- 6.14 A Transport statement has been submitted in support of the application. The site is accessed from Metz Way via the ramped access that was created alongside the earlier development phase of this site and off the circulatory road that loops north of the supermarket and down into the southern triangle.
- 6.15 A new bell mouth access is proposed running into the site off the circulatory road. The site access then links off a central road to four separate parking forecourts in front of the buildings. The layout is proposed to allow rigid lorries to manoeuvre and turn within the site, and swept path analyses have been submitted now.
- 6.16 In terms of trip generation, the scheme is shown to generate 39 two-way movements (35 arrivals) in the AM peak and 30 two way movements (27 departures) in the PM peak.
- 6.17 There are bus stops on Metz Way just to the east of the railway triangle access within 5 minutes walk of the site, with pedestrian crossing points at the entrance junction. A regular service is run linking the city centre and the residential areas to the east. The train station can be accessed on a northern route by foot or bicycle onto Great Western Road or by car or bus via Metz Way, in a 20 minute walk and a few minutes by car/bus.
- 6.18 There is a public footpath crossing the site. This has previously been diverted, accommodating the original masterplan layout. It is now proposed for a slight further diversion through this part of the triangle site, reflecting the layout proposed here. It would connect back into the existing route immediately north and south of the site. In this light, satisfactory provision is made to retain/divert the right of way which complies with the requirements of Policy TR.38.
- 6.19 The pedestrian/cycle links into the site were improved as part of the original hybrid scheme for the site including enhancements to the public footpath access through the tunnel and improving the visibility of the footpath on the

south side of Metz Way. Pedestrian and cycle infrastructure continues east and west alongside Metz Way. The existing zebra crossing outside the site is proposed to be relocated slightly to avoid the proposed new access.

- 6.20 67 parking spaces are proposed including 3 disabled spaces as 5% of the total, and four motorcycle spaces. 16 cycle spaces are proposed.
- 6.21 The Highway Authority has now confirmed that in light of the new submissions, the general access arrangements and the position of the crossing point are acceptable. The request for a parking accumulation study or entry/exit counts to assess the suitability of the parking provision remains outstanding at the time of writing.
- 6.22 In the absence of a full response from the Highway Authority it is not possible to conclude that the proposal is acceptable in highways terms. I fully expect the matter to be resolved one way or the other by the time of the Committee Meeting and Members will be updated on the position regarding the parking at that time.

Residential amenity

- 6.23 The nearest residential property is around 65 metres to the north beyond the railway tracks.
- 6.24 24 hour, 7 days a week operation is proposed. The Environmental Protection Officer initially raised concerns about 24 hour operation given the speculative nature of the proposals and no further restrictions being offered to mitigate impacts. The local area is affected by noise from road and rail although clearly the rail noise especially is sporadic and the night time decrease in background noise needs to be considered. A revised noise report has now been submitted seeking to address those Officer concerns.
- 6.25 It is noted that if planning permission were granted with a limit on operating hours, and individual businesses wished to extend their hours with bespoke proposals, then these could be considered in detail in each instance. The Authority has allowed 24 hour working for similar facilities but that is normally in the context of a specified user so there is knowledge of what 'quiet' activities may take place during night time hours, and there are means of mitigating impacts. The speculative nature of this scheme makes such detailed assessment impossible.
- 6.26 Potential noise arising from the proposed uses could include that from processing and other activities from industrial uses, deliveries – vehicles and movements, and staff/customer vehicles movements and doors banging.
- 6.27 The applicant's supplementary noise report concludes;

The predicted noise level due to car park activity is significantly lower than the existing noise level measured at the nearby properties and within the British Standard criteria. They therefore consider that noise from the car park is not expected to adversely affect them.

The unloading/loading of deliveries is considered acceptable 24 hours a day 7 days a week in terms of British Standard assessment, with the residual sound 5dB higher than the predicted noise emissions of the deliveries and as such the impact will be low at the receiver in comparison to the existing noise climate.

The arrival and departure of delivery vehicles is considered acceptable 24 hours a day 7 days a week as the difference between the cumulative equivalent noise levels and ambient baseline equivalent sound levels is plus 2dB – and where there difference is less than 3dB there is considered to be a slight impact on the receiver that would not be considered perceptible.

- 6.28 This report needs to be verified by our Environmental Protection Officer, and we need to ascertain whether the assessment is comprehensive, whether an overall noise limit condition for the site is appropriate and whether any additional mitigation measures are necessary if the 24 hour working is accepted.
- 6.29 It appears to me that the main amenity issue is the potential disturbance from activities out of normal working hours. If the Environmental Protection Officer accepts the proposed 24 hour working (subject to any necessary mitigation measures) then it is considered that there is no objection to the proposal on the grounds of amenity subject to certain conditions and it would comply with the relevant policy context cited above.

Drainage and flood risk

- 6.30 A drainage strategy has already been adopted for the wider site into which this scheme would connect, and there is an overall outfall limit from the wider site. A specific drainage strategy has been drawn up for this site. A tanked system is proposed to restrain outfall from this plot to 3.3 litres/second.
- 6.31 External yard surface water would go into the tanks via an oil separator. Road gullies and deep gully type silt traps are proposed within the drainage channel systems to trap silt and all surface water manholes would be silt trap types.
- 6.32 After some detailed discussions about the proposed system specification, the Council Drainage Engineer and Lead Local Flood Authority are now content with the proposals and they should be secured by condition. Severn Trent Water has still not commented on the detailed plan but the applicant will need to agree a connection anyway.

Land contamination

- 6.33 The site has a history of potentially contaminative activities, and remediation has already taken place in association with the partial development of the site undertaken in recent years.
- 6.34 A Site Investigation Report has been provided. This updates the earlier reports conducted in 2008. Potential localised contamination is identified and measures to address this identified.

- 6.35 The Council's Contaminated Land Consultant has reviewed the submissions and recommends a condition to reflect the need for further work.
- 6.36 Subject to this no objection is raised in these terms and the proposals would comply with the relevant local and national policy context.

Ecology

- 6.37 The site was assessed as part of the original hybrid application for the Railway Triangle. Off site ecological works were secured as mitigation for this scheme, as well as reptile and badger mitigation strategies and local provision of bird and bat boxes. A monitoring regime and considered used of waste bins are proposed to deal with gull nuisance. No objection is raised in ecological terms.

Archaeology

- 6.38 A variety of work has already been undertaken across the wider railway triangle site pursuant to the hybrid planning permission in respect of building recording and buried assets, of which there is some local interest. It has been agreed by the City Archaeologist that no further archaeological work is required for this particular scheme.

Renewable energy

- 6.39 The BREEAM very good level was secured on the wider site. The current proposal is a speculative scheme with no end users known. BREEAM 'pass' is proposed for this phase given the viability considerations and speculative nature of the scheme. The scheme includes solar panels to Block A at the south of the site and are judged by the applicant to be the most suitable renewable technology for the development.
- 6.40 Finally, a site waste management plan has been produced and should be secured by condition.

7.0 CONCLUSION

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 7.2 The site is within the Railway Triangle which continues to be redeveloped and which benefits from planning permission including B1, B2 and B8 use, however as the land outside of the supermarket site was granted in outline form the permission is restricted so that appropriate assessment is made of the precise location of potentially harmful B2 uses. The general principle of the uses, design, drainage and other matters are all considered acceptable with the exception of the outstanding matters around parking and the proposal for 24 hour, 7 days a week operation.

7.2 If the Environmental Protection Officer agrees that the 24 hour operation is acceptable as proposed by the applicant and the Highway Authority raises no objection, then it is concluded that subject to conditions the proposal would comply with the above local and national policy context. An objection from Environmental Protection to 24 hours working would likely necessitate the imposition of an hours of operation condition and/or other mitigation conditions. A Highway Authority objection would need to demonstrate that the residual cumulative impacts of the development are severe to justify permission being refused.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

8.1 That subject to there being no new material planning considerations raised in representations by 15th June 2016 that have not been considered, and there being no objection raised by the Highway Authority, power be delegated to the Development Control Manager to grant permission subject to the conditions listed below and any other conditions agreed as necessary with consultees.

Condition 1

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

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

The development shall be undertaken in accordance with the plans referenced

A103M SITE PLAN
A108 FIRST FLOOR PLAN
A201C BLOCK A ELEVATIONS
A202D BLOCK B ELEVATIONS
A203D BLOCK C ELEVATIONS
A204C BLOCK D ELEVATIONS
A205B BLOCK E ELEVATIONS

(received by the Local Planning Authority 19th May 2016), except where otherwise required by conditions of this permission.

Reason

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

Condition 3

No above-ground construction shall commence on any individual building until details or samples of all external facing materials to the building have been

submitted to and approved in writing by the Local Planning Authority. The development shall proceed only in accordance with the approved materials.

Reason

In the interests of the visual amenities of the area, in accordance with Policies BE.7 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD5 of Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraphs 17 and 58 of the National Planning Policy Framework.

Condition 4

No hard surfacing construction shall commence until details of the surface material finishes for the highways, footpaths, cycle ways, parking areas and all other hard surfaces have been submitted to and approved in writing by the Local Planning Authority. Details shall include a scaled layout plan denoting the finishes, and details or samples of the materials. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

Reason

In the interests of the visual amenities of the area, in accordance with Policies BE.7 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraphs 17 and 58 of the National Planning Policy Framework.

Condition 5

Street and open space furniture, external lighting, screen walls, fences and other means of enclosure shall only be installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Such details shall include scaled elevation drawings, site plans identifying their location, and materials.

Reason

In the interests of the visual amenities of the area and security, in accordance with Policies BE.7 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraphs 17 and 58 of the National Planning Policy Framework.

Condition 6

Notwithstanding the submitted details, a landscape scheme shall be submitted to and approved in writing prior to the commencement of development (other than remediation works and site securing). This shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers, include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed, and a maintenance regime, and shall demonstrate an enhanced vegetation screen to the landscaped area between the main access road and the rear of Block A

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment, in accordance with Policies BE.4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraphs 17 and 58 of the NPPF.

Condition 7

The approved landscaping details shall be carried out in full concurrently with the development and shall be completed no later than the first planting season following the completion of the buildings. The planting shall be maintained for a period of 5 years following implementation. During this time any trees, shrubs or other plants which are removed, die, or are seriously damaged shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment, in accordance with Policies BE.4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraphs 17 and 58 of the NPPF.

Condition 8

No development including demolition or site clearance shall be commenced on the site or machinery or material brought onto the site for the purpose of development until full details of adequate measures to protect trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority. These shall include:

(a) Fencing. Protective fencing must be installed around trees and hedgerows to be retained on site. The protective fencing design must be to specifications provided in BS5837:2005 or subsequent revisions, unless agreed in writing with the Local Planning Authority. A scale plan must be submitted and approved in writing by the Local Planning Authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of development,

(b) Tree Protection Zone (TPZ) The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the TPZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires

and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ, unless agreed in writing with the Local Planning Authority. The TPZ shall be maintained during the course of development

Reason

To ensure adequate protection to existing trees which are to be retained and to retain habitat, in the interests of the character and amenities of the area and protecting biodiversity in accordance with Policies SD10 and INF 4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014, Paragraphs 17, 109 and 118 of the National Planning Policy Framework and Policies B.8, B.10 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002). Receipt of details pre-commencement is necessary to fully protect retained trees.

Condition 9

Unless an alternative scheme is submitted to and approved in writing by the Local Planning Authority, the submitted drainage proposals comprising DRAINAGE STRATEGY STATEMENT 15010 dated 05 May 2016 and Plan ref. 15010 C103 Rev. C shall be implemented to serve the development, and no buildings shall be occupied until the approved drainage facilities for these buildings are in place and operational.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Policies FRP.1a, FRP.6, FRP.11 of the City of Gloucester Second Deposit Local Plan 2002 Policy INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraph 103 of the NPPF.

Condition 10

No building shall be 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 and shall operate for the lifetime of the development.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Policies FRP.1a, FRP.6, FRP.11 of the City of Gloucester Second Deposit Local Plan 2002 Policy INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraph 103 of the NPPF.

Condition 11

The measures in the Gull mitigation strategy by Ecology Solutions Ltd dated October 2015 (received by the Local Planning Authority on 12th February 2016) shall be in place prior to the commencement of use of any unit hereby permitted and shall be maintained for the duration of the use of the site.

Reason

In the interests of the appearance of the development and to avoid nuisance caused by nesting and roosting seagulls, in accordance with Policies BE.9 and BE.10 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraphs 17 and 58 of the NPPF.

Condition 12

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

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 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 13

The rating level of any noise generated by mechanical plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. 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 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 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 14

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) to ensure that the rating level of any noise generated by mechanical plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. 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. The results shall be submitted to the Local Planning Authority.

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 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 15

Prior to the commencement of development a scheme for the provision of refuse and recycling arrangements and their 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

In the interests of amenity in accordance with policy BE.4 of the Second Deposit City of Gloucester Local Plan (2002) and Paragraph 17 of the NPPF.

Condition 16

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 or site securing must not commence until parts 1 and 2 of this condition 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 3 of this condition has been complied with in relation to that contamination. No occupation of each phase of the approved development scheme must take place until part 4 of this condition has been complied with for that phase.

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

2. 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 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.

3. 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 by competent persons and a written report of the findings produced, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 1 of this condition, all of which is subject to the approval in writing of the Local Planning Authority.

4. Verification Report

Following completion of measures identified in the approved remediation scheme including those identified under part 3 of this condition, a verification report must be prepared, which 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) and the NPPF.

Condition 17

Development shall comply at all times with the Site Waste Management Plan Rev. 2 referenced S15-252/SWMP dated September 2015 and received by the Local Planning Authority on 12th February 2016.

Reason

To minimise waste in accordance with Policy 36 of the Gloucestershire Waste Local Plan 2004 and Policy WCS2 of the Gloucestershire Waste Core Strategy November 2012.

Condition 18

Development shall be undertaken in compliance with the submitted Construction Environmental Management Plan received by the Local Planning Authority on 12th February 2016.

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 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 19

Unless otherwise agreed to in writing by the Local Planning Authority, no unit in Block A shall be occupied until the solar panels have been installed in accordance with the submitted plan ref. A201C BLOCK A ELEVATIONS (received by the Local Planning Authority on 19th May 2016) and the QED Energy Statement dated 3rd November 2015 (received by the Local Planning Authority on 12th February 2016).

Reason

To secure the renewable energy benefits of the scheme offered in the application in accordance with Paragraphs 94, 95, 96 and 97 of the NPPF.

Condition 20

No goods, plant, material or machinery shall be deposited or stored on the site except within the buildings or within storage areas indicated on scaled drawings that have been submitted to and approved in writing by the Local Planning Authority.

Reason

To protect the character and amenities of the locality notably given its location astride a public footpath, in accordance with Policies BE.9 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002), Paragraphs 17 and 58 of the NPPF and Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014.

Notes

In accordance with the requirements of the National Planning Policy Framework the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Network Rail's existing boundary treatments must not be removed or damaged and vegetation on its land must not be disturbed.

All accesses to the railway undertaker's land shall be kept open at all times during and after the development.

The developer is requested to contact Network Rail at AssetProtectionWestern@networkrail.co.uk before works begin.

This permission does not imply any rights to access adjoining land.

Severn Trent Water advises that there may be a public sewer within the site and the developer is encouraged to investigate this. Public sewers have statutory protection

and may not be built close to, directly over or be diverted without consent. If works come in close proximity to sewers the developer is advised to contact Severn Trent Water to discuss the proposals.

Decision:

Notes:

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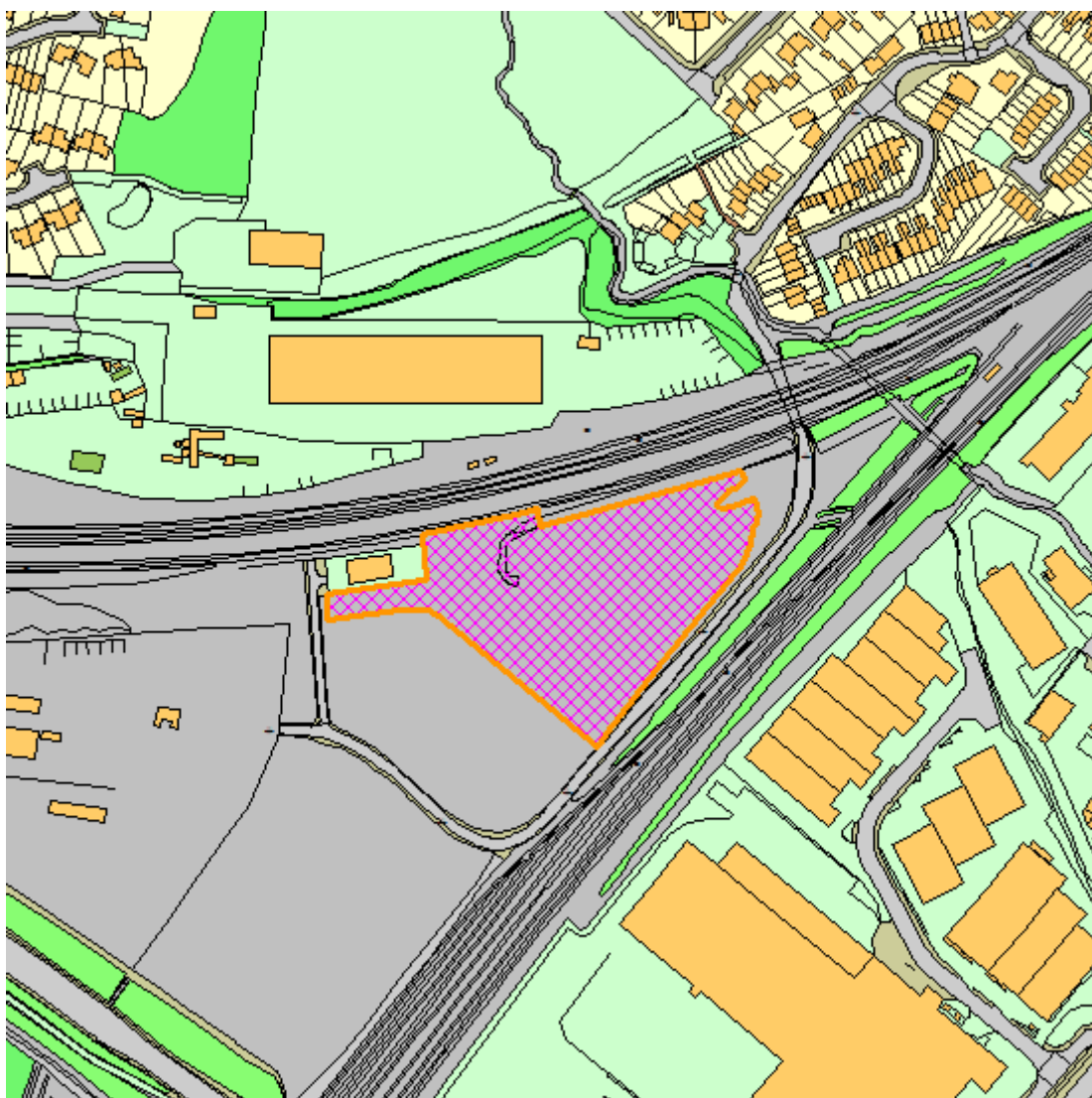
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Person to contact: Adam Smith
(Tel: 396702)

16/00158/FUL

**Triangle Park
Metz Way
Gloucester**

Planning Committee 14.06.2016



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GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	14TH JUNE 2016
ADDRESS/LOCATION	:	LLANTHONY WHARF / LLANTHONY PRIORY
APPLICATION NO. & WARD	:	16/00357/FUL WESTGATE
EXPIRY DATE	:	30TH MAY 2016
APPLICANT	:	GLOUCESTER QUAYS LLP
PROPOSAL	:	Change of use of land to open space and associated engineering and landscape works.
REPORT BY	:	ADAM SMITH
NO. OF APPENDICES/ OBJECTIONS	:	SITE PLAN

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application relates to land on the west side of the canal at Llanthony Priory. It is adjacent to the canalside to the east, the college to the north, the main part of the Priory complex to the west, and the vacant land next to St Ann Way to the south. It is a roughly rectangular piece of land that has a historically separate ownership but functionally appears as part of the Priory complex.
- 1.2 The site straddles the existing north-south retaining wall, with the east side approximately 1.2m higher than the west side – the main part of the Priory grounds. This stone/brick wall projects above ground level on both sides and is part overgrown at the northern and southern ends. Both sides of the wall are grassed, with several trees on the east side and an area of concrete hardstanding to south. There is a path running north-south at the canalside linking north to Llanthony Road, and south to St Ann Way and beyond to Sainsburys, Monk Meadow and beyond.
- 1.3 The proposals are, broadly, to complete the Priory masterplan, the main part of which was approved by the Planning Committee in February under reference 15/01271/FUL. This includes the extension of a north-south path, opening up part of the retaining wall and linking out to the canalside. The path would be ramped up to achieve a suitable gradient between the levels either side of the wall. The opening in the wall has now been amended to be

reduced down to 2.4m in width and at a higher point in the wall (approximately 60cm from the top of the wall to be removed). The Trust still wishes to have a gate in the wall even though there would be a limited levels change at this point. The path would widen out to the canalside with an interpretation panel proposed here with information about the Priory. The existing trees on the east side would be felled and a line of 5 new trees are proposed running north south close to the canalside. Also, a drainage swale has been proposed to assist the sustainable drainage of the wider site running across the land adjacent to the west such that its eastern end extends into this application site.

- 1.4 The application is referred to the planning committee as it affects the setting of a scheduled monument.

2.0 RELEVANT PLANNING HISTORY

02/00271/OUT >> 14/00709/FUL

- 2.1 The 'Gloucester Quays' permission. Outline permission granted by the Secretary of State in 2006 for Mixed use regeneration, comprising re-use of buildings and new build to accommodate residential, employment, retail and leisure uses and an education centre for Gloscat including enhancement works to listed buildings and Llanthony Priory together with public transport facilities, improvements to the road network including a new bridge over the canal and associated landscaping, car parking and servicing. The permission was renewed under ref. 14/00709/FUL in January 2016.

15/01271/FUL – Remainder of masterplan for the adjacent land

- 2.2 Re-use of two historic buildings for Class D1 use. Works to Medieval Range including attached Victorian Farmhouse to include removal of brick nogging, new windows, new disabled access, interior alterations, repair of historic fabric. Works to Brick Range to include formation of new roof, new mezzanine structures, new ground floor slab, new windows, external cladding, internal partitioning, repair of historic fabric. Landscaping including new car parking provision, resurfacing of pathways, service provision, felling of trees, new planting including trees. Sub ground servicing provision. Alterations to vehicular access and site perimeter fencing. Architectural and amenity lighting. Granted subject to conditions 5th February 2016.

3.0 PLANNING POLICIES

- 3.1 This is the latest Government statement of planning policy and is a material consideration that should be given significant weight in determining this application.

Decision-making

The NPPF does not alter the requirement for applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In assessing and determining applications, Authorities should apply the presumption in favour of sustainable development. For decision-making, this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent, or relevant policies are out of date, granting planning permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
 - specific policies in the NPPF indicate development should be restricted.

Authorities should look for solutions rather than problems and decision-takers should seek to approve applications for sustainable development where possible.

Core planning principles

Planning should:

- Be genuinely plan-led;
- Be a creative exercise in ways to enhance and improve places;
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Secure high quality design and a good standard of amenity;
- Take account of the different roles and character of different areas;
- Support the transition to a low carbon future, take account of flood risk and encourage the use of renewable resources;
- Contribute to conserving and enhancing the natural environment and reducing pollution;
- Encourage the effective use of land by reusing brownfield land;
- Promote mixed use developments;
- Conserve heritage assets in a manner appropriate to their significance;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;
- Take account of and support local strategies to improve health, social and cultural wellbeing and deliver sufficient community and cultural facilities and services to meet local needs.

Requiring good design

Emphasis is retained on good design, seeking to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character and history while not discouraging innovation, ensure safe and accessible environments, and are visually attractive as a result of good architecture and appropriate landscaping. Permission should be refused for development of poor design that fails to take opportunities for improving areas.

Meeting the challenge of climate change, flooding and coastal change

In terms of flooding, authorities should direct development away from high flood risk areas, but where development is necessary, make it safe without increasing flood risk elsewhere. The use of sustainable drainage systems is encouraged.

Conserving and enhancing the natural environment

Sets out that the planning system should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, geological conservation interests and soils;
- Recognising the wider benefits of ecosystem services;
- Minimising impacts on biodiversity and providing net gains where possible;
- Prevention of unacceptable risks or adverse affects by pollution;

Authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight.

Authorities should aim to conserve and enhance biodiversity by applying the following principles;

- If significant harm cannot be avoided, mitigated or compensated for, refuse permission;
- Opportunities to incorporate biodiversity in and around developments should be encouraged;
- Refuse permission for development resulting in the loss or deterioration of irreplaceable habitats unless the need for and benefits of the development clearly outweigh the loss.

Developments should be prevented from contributing to or being put at unacceptable risk from soil, air, water or noise pollution, remediate and mitigate land where appropriate, and limit the impact of light pollution.

Conserving and enhancing the historic environment

Retains the general approach to protect and enhance heritage assets, and to require applicants to assess the significance of assets affected by development proposals, including any contribution made by their setting.

Authorities should identify and assess the particular significance of any heritage asset that may be affected taking account of the available evidence and expertise.

In determining applications, Authorities should take account of;

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
- the desirability of new development making a positive contribution to local character and distinctiveness.

Great weight should be given to the asset's conservation. The more important the asset, the greater the weight. Significance can be harmed or lost through alteration or destruction of the asset or development within its setting. Any harm or loss should require clear and convincing justification.

Where substantial harm or total loss of significance of an asset would occur, applications should be refused unless it can be demonstrated that this is necessary to achieve substantial public benefits that outweigh that harm or loss or all of the following apply:

- the nature of the asset prevents all reasonable uses of the site; and
- no viable use of the asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Where a proposal will lead to less than substantial harm to the significance of a designated asset, this should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Authorities should look for opportunities for development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Planning conditions

Planning conditions should only be imposed where they are

- Necessary;
- Relevant to planning and to the development to be permitted;
- Enforceable;
- Precise; and
- Reasonable in all other respects.

The National Planning Practice Guidance has also been published to accompany and in part expand on the National Planning Policy Framework.

For the purposes of making decisions, the NPPF sets out that policies in a Local Plan should not be considered out of date where they were adopted prior to the publication of the NPPF. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.

The Development Plan

- 3.2 Section 38 of the Planning and Compulsory Purchase Act 2004 has established that - "The development plan is
- (a) The regional spatial strategy for the region in which the area is situated, and

(b) The development plan documents (taken as a whole) which have been adopted or approved in relation to that area.

If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy that is contained in the last document to be adopted, approved or published (as the case may be). If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

Local Plan

- 3.3 The statutory development plan for Gloucester remains the City of Gloucester Local Plan (Adopted 1983 and partially saved until the Local Development Framework is adopted). Under the terms of the NPPF, weight can be given to these policies according to their degree of consistency with the NPPF.

A.2 – Particular regard will be given to the City’s heritage in terms of archaeological remains, listed buildings and conservation areas.

A5.c – Conservation and maintenance of structures and settings of City’s historic fabric (various sites including Llanthony Priory)

A5.e – Use of Llanthony Priory for leisure uses will be supported

- 3.4 Subsequent to the 1983 plan there has also been the City of Gloucester (Pre-1991 Boundary Extension) Interim Adoption Copy October 1996), and City of Gloucester First Stage Deposit Local Plan (June 2001).
- 3.5 Regard must also be had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. This cannot be saved as it is not a formally adopted plan, however with it being adopted for development control purposes it is still judged to be a material consideration.

- 3.6 Allocations:
Site of nature conservation interest Grade D - B.3
Scheduled monument
Conservation Area
Floodplain
Public Open Space – OS.1
Area of principal archaeological interest
Mixed use allocation

Policies:

B.3 – Sites of nature conservation interest C&D)

B.7 – Protected species

B.10 – Trees and hedgerows on development sites

FRP.1a – Development and flood risk

FRP.6 – Surface water runoff

FRP.11 – Pollution

FRP.15 – Contaminated land

BE.4 – Criteria for the layout, circulation and landscape of new development
BE.7 – Architectural design
BE.12 – Landscape schemes
BE.21 – Safeguarding of amenity are relevant.
BE.23 – Development affecting the setting of a listed building
BE.31 – Preserving sites of archaeological interest
BE.32 – Archaeological assessment
BE.34 – Presumption in favour of preserving archaeology
BE.35 – Scheduled Ancient Monument
BE.36 – Preservation in situ
BE.37 – Recording and preserving archaeology
OS.1 – Protection of public open space

Emerging Plan

- 3.7 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and NPPG and are a material consideration. The weight to be attached to them is limited, the Plan has not yet been the subject of independent scrutiny and does not have development plan status. The Examination in Public has been ongoing since May 2015. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.

On adoption, the Joint Core Strategy, City Plan and any Neighbourhood Plans will provide a revised planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to

- The stage of preparation of the emerging plan
- The extent to which there are unresolved objections to relevant policies; and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework

- 3.8 The following policies are of relevance and the plan is subject to representations through the consultation which affects the weight that can be attributed to the policies:

SD1 – Presumption in favour of sustainable development
SD5 – Design requirements
SD9 – Historic environment
SD10 – Biodiversity and geodiversity
SD15 – Health and environmental quality
INF3 – Flood risk management
INF4 – Green infrastructure

All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

- 4.1 Historic England initially raised no objection in principle but based on the submitted information considered there would be less than substantial harm caused to the significance of the monument, through the loss of archaeological evidence. Specifically they raised concerns about the drainage swale, the access through the wall, and the trees along the canalside.

Further information has now been provided on these three areas and they have updated their comments as follows:

An archaeological evaluation was undertaken in the area of the proposed swale and access through the wall. This has shown that for the swale area the proposed depth of the swale has the potential to impact on buried archaeology associated with the Priory. To protect the archaeology there should be a sufficient buffer of material left over the buried archaeology. We would recommend at least 0.3m between the top of known archaeology and the new ground surface.

The western trench recorded archaeology at about 9.4m above Ordnance Datum (aOD) (about 0.8m below ground level). This just gives enough protection between the proposed base of the swale (at 9.7m aOD) and the archaeology. However, archaeology was recorded at 9.65m aOD in the eastern Trench which does not leaves enough protection between the archaeology and the proposed new ground surface. Further design work needs to be undertaken in light of the evaluation results to ensure there is sufficient protection of the buried archaeology.

The evaluation in the area of the proposed access has shown that the wall may be much later than originally thought. The proposal to narrow the gap and the raised pathway has both mitigated any issues we had and we have no objection to the removal of a section of the wall.

The trees as we have already stated have the potential to improve the setting of the scheduled monument and so we have no objection to them. We are however minded that others have raised concerns about the trees and these should be weighed against the benefits.

The proposals in principle are a positive development for the Priory as they will improve the canal side environment and encourage visitors to explore the Priory site. As previously stated, the Llanthony Priory Trust has a Scheduled Monument Consent that is conditioned to ensure the landscaping is agreed with all parties prior to its construction. We have no objection to the scheme in its new form, with the understanding that more work is needed on the design of the swale.

- 4.2 The Lead Local Flood Authority does not wish to offer specific comments.
- 4.3 The Environment Agency does not wish to offer specific comments.
- 4.4 The Canal and River Trust has no objection to the general improvement of the area but is concerned regarding the species and position of the trees. Further consideration should be given to whether trees are appropriate in this location at all, and if so whether the non-native tree type chosen is suitable historically. Further consideration should also be given to the possible structural implications of the root system on the canal wall and safety issues resulting from wet leaves on the towpath. They wish to see further information and justification for this type of tree planting as well as consideration of its impact on the canal related infrastructure before responding further.
- 4.5 The Civic Trust raises no objection to the change of use and welcomes the overall concept. The Panel wishes to see the wharf side walkway reflect the 19th century dockland period by keeping rail lines and other relics – meaning that the line of trees are unacceptable, particularly the species (tulip is an exotic ornamental typically found in parkland not dockland). Any trees should be nearer the priory remains and as the area was called the High Orchard by the monks fruit trees would be more suitable. No objection is raised to the engineering works to the boundary wall although they would like to know if the wall is of such historic significance that it requires interpretation to the public. They are also concerned about the proposed open stream feeding the pond and would like to see more details.
- 4.6 The Conservation Officer's comments on the scheme as amended are as follows;

Opening in wall

No objections to the reduced opening in the wall in the proposed location. Conditions are required for its preservation, approval of all materials for the scheme, a scaled drawing for the proposed gate and the interpretation panels.

Introduction of a swale for drainage

The swale and drainage elements have been subject to a detailed condition under application LPA ref: 15/01271/FUL, this proposed a drainage strategy sought to utilise and extend the pond and the area of the proposed car park where there are no impacts on the designated heritage assets. As part of the 15/01271/FUL application discussions when the application was assessed the location of this swale was not confirmed and would be subject to a condition therefore should this element should be removed from this scheme as it is still be agreed and assessed as part of a separate application and discharge of condition.

My objection remains that the visual impact of the swale in this location would have a harmful impact upon the setting of the designated assets and it is believed there are other areas on the site where the introduction of a swale would not have a harmful impact.

Introduction of trees along dockside

This is still of a significant concern, I believe that the introduction of trees in this location is out of character with the Docks Conservation Area and therefore would object to such an introduction. If trees are to be planted I note that they are proposed to sit along that of the building line following the college building and potential built form on the adjacent site, I wonder whether a more informal approach and these being set back would reduce their impact and I would rather see a species which relates to the Priory such as fruit trees if you are minded to grant consent.

The site is adjacent to the Docks Conservation Area and Policy CA3/7 within the Appraisal and Management recommendations states: The Council has published a Public Realm Strategy for Gloucester Docks to ensure a consistent, high quality approach is taken to the treatment of the public realm at various stages in the redevelopment and enhancement of the Docks. The Council will ensure that all new developments adhere to the guidelines in the Public Realm Strategy. This document states that section 7.1 "...historically, the Docks would have been a hard landscaped environment and the inclusion of planting now would tend to dilute its particular character. All grass or shrub planting is to be avoided completely...." Therefore the proposed planting would not be in keeping with the industrial character of the docks conservation area and would fail to preserve or enhance the character of the docks conservation area.

- 4.7 The City Archaeologist has reviewed the amended scheme and has the following comments:

The new access way through the wall

In my judgment the revised proposals are acceptable – the loss to significant elements of the built fabric has been minimised.

The proposed swale

A recent archaeological evaluation in this area has found that significant archaeological remains survive at about 60cm below ground level. I'm therefore concerned that the depth of the proposed Swale at 50cm goes too close to the 'archaeological horizon' for us to be content that these remains will be protected. You will note from the Inspector of Ancient Monument's letter of the 24th of May that we would usually seek a 30cm buffer between the top of known archaeological and the buried ground surface. The Inspector has suggested that further design work needs to be undertaken in order to ensure that there is sufficient protection for the buried archaeology.

I am of the opinion that the applicant should be asked to either:

- a) Redesign the swale to better protect the archaeology; or
- b) Remove the swale from this planning application.

If the applicant is not willing to do this I would have to recommend that the City Council refuses this planning application due to the unacceptable depth of the proposed swale.

Come what may, should the council be minded to grant permission for this, or a revised, application I would recommend that condition AR1 for an archaeological watching brief should be attached to any permission.

- 4.8 The Environmental Planning Manager raises no objection but seeks a condition to approve the specification of any lighting.
- 4.9 The Contaminated land consultants recommend the standard contaminated land condition.
- 4.10 The Drainage Officer notes the Flood Zone 3 location. He considers that as the sequential and exception tests were addressed for the adjacent site the same applies here (subject to a flood management / flood evacuation plan being submitted under condition).

In terms of the impact of the development on flood risk elsewhere this application involves some footpath raising which will lead to a certain loss in flood plain storage. As was the case with the adjacent site, it is understood that the mitigation works for 'loss in flood plain storage' which were carried out for the wider Quays development provided an 'excess' of 'compensatory volume which can be used to balance the 'deficit' here. That said, it would be better if the height that is proposed to raise the footpaths by is reduced. The proposed uplift looks to be circa 200 mm whereas 50 mm would suffice to keep them well drained.

As this application includes a small amount of SuDS drainage, the standard drainage/SuDS condition should be applied. The standard flood management plan condition also needs to be applied as the site could require emergency evacuation in the case of a flood (FZ3).

He has no further comments in respect of the amended scheme.

- 4.11 The Landscape Officer has not commented.
- 4.12 The Tree Officer supports the provision of trees parallel with the canalside but recommends a different tree species to be faster growing, have more immediate impact and be more suited to the setting, and also suggests a further tree at the southern end of the row. He raises no objection to the removal of the three existing trees on the east side of the wall.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 Eight neighbours were notified and press and site notices were published. No representations have been received.
- 5.2 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting, or via the following link:
<http://planningdocs.gloucester.gov.uk/default.aspx?custref=16/00357/FUL>

6.0 **OFFICER OPINION**

6.1 It is considered that the main issues with regard to this application are as follows:

- Principle
- Conservation and design
- Archaeology
- Flood risk and drainage
- Trees
- Residential amenity
- Land contamination

Principle

6.2 From the 2002 plan the site has been within the mixed use allocation 'MU.2' which covers a large expanse of the western edge of the city. It also sits within the Gloucester Quays masterplan for which there is an overarching permission and several reserved matters and subsequent separate permission have been granted for redevelopment.

6.3 The site has been partially used for the rail connections into the industrial uses. As these were removed and in more recent years as the previous bad neighbour uses have been removed from around the Priory the land has appeared as part of the Priory functionally, albeit unused and that it has a legacy of divided ownership. The principle of an open space use here is not objectionable and assists to formally bring the utilisation of the wider area together.

Conservation and design

6.4 The site is of national importance, being the current edge of the Priory scheduled monument site (although historically the Priory extent is wider beyond the canal). There are also several listed buildings, grade 1 and 2 listed, within the Priory complex to the west and the eastern half of the site closest to the canal is within the Conservation Area. The Conservation Area Appraisal identifies an important view across from the application site towards Bakers Quay. Bakers Quay itself contains 3 listed buildings near the canal edge.

6.5 The upgrading of this land, connection into the remainder of the Priory area, and the enhanced awareness of this important historic part of the City that it would lead to, are welcomed.

6.6 The north/south wall into which an opening is proposed consists of several phases of construction, including elements that are pre-dissolution. It therefore has some significant historic interest, and different parts of the wall have differing significance, in terms of wishing to preserve them. The reduction in the opening proposed to the historic wall from 4.6m wide to 2.4m and the position of the opening higher up in the wall, therefore removing less

historic fabric, are welcome alterations. These alterations also serve to avoid a pre-dissolution phase of the wall construction that previously appeared to be under threat. There is now general consensus among consultees that subject to certain conditions, the revised opening in the wall is acceptable. A gate within the opening may be an unusual addition given the limited opening height and details of the gate should be secured by condition.

- 6.7 In design terms this provides for a formal link into the Priory and up to the College. There is obviously a desire line where a mud track has been trampled across the northern part to the college. The proposals should enhance linkages around and through the site.
- 6.8 The creation of part of a swale is associated with the drainage solution for the wider site (the remainder of the swale is provisionally drawn across the adjacent part of the Priory site). The details indicate the depth at approximately 50cm at maximum. There is an existing lowered area close by to the south of the site at the location of the historic culvert but there are clearly concerns from the Conservation Officer about the heritage impact of this. For further archaeological reasons (see below), it has been agreed with the applicant that the drainage solution be dealt with pursuant to a condition, which could then be addressed concurrently with the details for the Priory under the main permission. The principle of the development is not unacceptable and there are a range of alternative drainage solutions that can be explored.
- 6.9 The Conservation Officer and other contributors raise concerns about the planting of trees, that they would be out of character with the industrial nature of the Docks Conservation Area. I appreciate the general observation, however in my view I do not consider this proposal to be unacceptable – there are existing trees in this part of the site east of the wall, and I view the Priory as a brief open and soft landscaped interlude in the harder Docks character, the industrial character post-dates the Priory grounds anyway when the canal cut through the area. Furthermore, Historic England notes that they have the potential to improve the setting of the scheduled monument. The tree species need to be agreed by condition as consensus has not been reached yet.
- 6.10 There are noted benefits from the scheme that also include facilitating the obvious desire line for students to cut across into the site, access to the Priory for the public and serving as open space for the Gloucester Quays development, and encouraging knowledge and experience of this important piece of the City's heritage. Subject to conditions the proposals would comply with relevant policies of the 2002 City of Gloucester Second Deposit Local Plan and the Pre-Submission Joint Core Strategy, the NPPF, and with the duties under S66 and 72 of the 1990 Planning Listed Buildings and Conservation Areas Act.

Archaeology

- 6.11 The buried remains at the Priory are of national significance. In terms of archaeological impacts the proposals involve removing part of the existing wall and excavating some of the higher land on the east side to achieve the

required gradient for the path, excavating up to 1m deep. Tree pits, the footpath, and the provisional drainage swale also require excavation to varying depths.

- 6.12 The applicant's analysis considers that the proposals are unlikely to affect any archaeology should any be present given the identified archaeological horizon and the extent of works. Broadly there is now consensus of the limited impact of the majority of the works other than the swale. The consultee comments above identify the potential harm that these works could cause. Again this lends weight to the suggestion that the drainage is dealt with pursuant to a condition with the requirement that the selected option be assessed further in terms of its heritage impact. If the swale is pursued this further work would need to address the points raised by Historic England and the City Archaeologist.
- 6.13 An archaeological watching brief is also required. Subject to conditions, no objection is raised in these terms.

Flood risk and drainage

- 6.14 The site is within flood zone 3. As a change of use application the sequential test does not need to be imposed.
- 6.15 As noted above, the scheme includes drainage proposals that move on from that considered in the earlier Priory scheme, and it proposes the eastern end of a surface water attenuation swale that would extend into the main site north of the formal garden and also a French drain into a soakaway taking the runoff from the path. There is no in-principle issue with achieving a sustainable drainage solution here and dealing with it pursuant to condition in conjunction with the heritage constraints would address the matter.
- 6.16 There is some land raising proposed as well as lowering. The Environment Agency does not wish to comment directly, referring to standing advice. The applicant anticipates a net loss of 175 cubic metres of floodplain storage capacity, although a swale, if approved, would somewhat offset this by lowering land. They consider that the change remains negligible given the significant net benefit to floodplain storage capacity delivered by the wider Gloucester Quays scheme to date (in the order of 7,725 cubic metres).
- 6.17 As noted with the 'main' Priory application, the Gloucester Quays outline planning permission is highly relevant in this respect. This application included the Priory site alongside other land, was to remove floodplain capacity, and an assumption was made that it would be necessary to raise all land in the site (including approximately half of the Priory) out of the floodplain (i.e. raise any land below 11.18m AOD). The agreed mitigation of the removal of the dock branch railway embankment at Over, in three stages (comprising 38,500 m³) to mitigate the potential loss of up to 35,000 m³ of floodplain has been partially undertaken (two stages of removal have been completed, the other by March 2025) and has actually removed 16,005m³ (instead of the 14,500m³ envisaged) so there is already a further net benefit. At the present

time there is a running net 'benefit' to the floodplain, as over 16,000m³ has been removed and c.7000m³ imported so far.

6.18 Overall, the headline figures are that 38,500m³ removal is proposed for the Gloucester Quays site, to mitigate 35,000m³ of land raising which is a robust appraisal based on wholesale raising of swathes of the site including half of the Priory site. The net floodplain benefit associated with this site as part of the wider Gloucester Quays site indicates that no objection should be raised in this instance for the loss of floodplain capacity.

6.19 With conditions to secure the detail of the drainage solution and a flood management plan, no objection is raised in these terms.

Trees

6.20 The Tree Officer is content with the loss of the existing three trees on the canalside of the wall, in the context of new planting. Subject to agreeing the species of the new trees under condition and securing the protection of the existing, no objection is raised in this regard.

Ecology

6.21 The Environmental Planning Manager is content with the loss of the existing trees. A condition to secure an appropriate specification of any lighting is necessary given the location next to the canal migration route and next to an area of known bat activity.

Residential amenity

6.22 The use and physical works proposed are unlikely to cause harm to amenities of local residents. There is an extant permission, as well as a resolution to grant the new Bakers Quay scheme, for residential on the opposite side of the canal, and on the vacant land to the south, in addition to existing residential properties across Hempsted Lane and in the Docks. I recommend a construction times condition is imposed to preserve amenities. Subject to this no objection is raised in these terms.

Land contamination

6.23 The site has a history of potentially contaminating uses as railway land and dock yard and may therefore have contamination issues. The Contaminated Land consultants recommend the standard contaminated land condition. Subject to this no objection is raised in these terms.

7.0 CONCLUSION

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

7.2 Subject to conditions it is considered that the proposal would comply with the relevant local and national policies cited above and the heritage duties under the 1990 listed buildings and conservation areas Act.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

8.1 That planning permission is granted subject to the following conditions:

Condition 1

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

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

The development shall be undertaken in accordance with the plans referenced

D4702.PL100.011B Landscape Masterplan

D4702.PL100.012B Landscape Excavations (other than for the surface water attenuation swale)

D4702.PL100.013B Landscape Kerb Details and Construction Details

D4702.PL100.017B Landscape Cross Sections

D4702.PL100.018 Historic Wall Analysis

(all received by the Local Planning Authority 17th May 2016)

except where otherwise required by conditions of this permission.

Reason

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

Condition 3

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 and BE.38 of the Gloucester Local Plan (2002 Second Stage Deposit).

Condition 4

Prior to any works to insert the opening to the retaining wall, details of the methodology for the works and of the external finish to the wall where it is broken out (including any applied material to the wall) shall be submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken only in accordance with the approved details.

Reason

To preserve the setting of the listed buildings and scheduled monument and the conservation area, in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraphs 58 and 131 of the National Planning Policy Framework and Policies BE.7, BE.23 and BE.35 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 5

Hard surface finishes for the footpaths/cycle ways and any external circulation areas shall be implemented only in accordance with details and samples that have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the development is appropriate to its context and in the interests of preserving and enhancing the setting of the listed buildings and the scheduled monument and the conservation area, in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraphs 58 and 131 of the National Planning Policy Framework and Policies BE.7, BE.23 and BE.35 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 6

Notwithstanding that indicated on the submitted plans, soft landscaping shall be implemented only in accordance with a landscape scheme that has been submitted to and approved in writing by the local planning authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers. Drawings must include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed.

Reason

In order to protect the visual amenities of the area and in the interests of preserving and enhancing the setting of the listed buildings and the scheduled monument and the conservation area in accordance with Policies SD5, SD9 and INF 4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraphs 17 and 58 of the National Planning Policy Framework and Policies BE.4, BE.12, BE.23 and BE.35 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 7

Any gate to be installed shall only be implemented in accordance with details (comprising scaled elevation and layout drawings, materials and external finish) that have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of protecting the character and appearance of the Conservation Areas and the setting of listed buildings and the scheduled monument, in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraphs 17, 58 and 131 of the National Planning Policy Framework and Policies BE.5, BE.17, BE.23 and BE.29 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 8

External lighting shall be installed only in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include location plans, specifications of the fixtures and details of how they deal with impacts on bats.

Reason

in the interests of preserving and enhancing the special interest of the listed buildings and the scheduled monument and preserving biodiversity, in accordance with Paragraphs 58, 109, 118 and 131 of the National Planning Policy Framework, Policies B.7, BE.7, BE.22 and BE.35 of the Second Deposit City of Gloucester Local Plan (2002) and Policies SD5, SD9, SD10 and INF4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014

Condition 9

External interpretation material (e.g display lecturns) shall be installed only in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of their location and form, and the visual and written content.

Reason

in the interests of preserving and enhancing the setting of the listed buildings and the scheduled monument, in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraphs 58 and 131 of the National Planning Policy Framework and Policies BE.7, BE.22 and BE.35 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 10

No development including demolition or site clearance shall be commenced on the site or machinery or material brought onto the site for the purpose of development until full details regarding adequate measures to protect trees and hedgerows have been submitted to and approved in writing by the local planning authority. This shall include:

- (a) Fencing. Protective fencing must be installed around trees and hedgerows to be retained on site. The protective fencing design must be to specifications provided in BS5837:2005 or subsequent revisions, unless agreed in writing with the local planning authority. A scale plan must be submitted and approved in writing by the local planning authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the local planning authority. Such fencing shall be maintained during the course of development,
- (b) Tree Protection Zone (TPZ) The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the TPZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ, unless agreed in writing with the local planning authority. The TPZ shall be maintained during the course of development

Reason

To ensure adequate protection to existing trees which are to be retained and to retain habitat, in the interests of the character and amenities of the area and protecting biodiversity in accordance with Policies SD10 and INF 4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraph 17 the National Planning Policy Framework and Policies B.10 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 11

The development hereby permitted shall not commence until details for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include proposals for the disposal of surface water in accordance with the principles of Sustainable Urban Drainage Systems (SUDS) and shall be accompanied by an assessment of the impact of the proposed solution on buried archaeological remains and the setting of listed buildings. The approved details shall be implemented prior to the commencement of the use hereby permitted and maintained thereafter for the life of the development.

Reason

To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem, to minimise the risk of pollution and preserve heritage assets and their setting in accordance with Policies SD9, SD15 and INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraphs 100, 103 and 131 of the NPPF and Policies FRP.1a, FRP.6, FRP.11, BE.23, BE.31, BE.34, BE.35 and BE.36 of the City of Gloucester Second Deposit Local Plan 2002.

Condition 12

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

Reason

To safeguard the amenity of the area in accordance with Policies FRP.9, FRP.10 FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD15 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014 and Paragraphs 17, 109, 120 and 123 of the National Planning Policy Framework.

Condition 13

The use hereby permitted shall not commence until robust emergency flood warning and evacuation plans have been submitted to, and approved in writing by, the Local Planning Authority. The use shall operate only in accordance with the approved plans.

Reason

To demonstrate that the development will be safe for its lifetime, taking into account the vulnerability of users in accordance with the NPPF, Policy FRP.1a of the City of Gloucester Second Deposit Local Plan 2002 and Policy INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014.

Condition 14

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 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 part 4 has been complied with in relation to that contamination.

1. 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,
- archeological sites and ancient monuments;

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

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

2. Submission of Remediation Scheme

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

3. Implementation of Approved Remediation Scheme

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

Following completion of measures identified in the approved remediation scheme, a verification report (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.

4. Reporting of Unexpected Contamination

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

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

5. Long Term Monitoring and Maintenance

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

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 15

No groundworks shall commence for the planting of trees until details of a root barrier system have been submitted to and approved in writing by the Local Planning Authority. The approved root barriers shall be implemented in full in association with each of the newly planted trees.

Reason

To mitigate the potential impact on archaeological remains, in accordance with paragraph 141 of the National Planning Policy Framework and Policies BE.36, BE.37 and BE.38 of the Gloucester Local Plan (2002 Second Stage Deposit) and Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014.

Note 1

In accordance with the requirements of the National Planning Policy Framework the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Note 2

All birds, their nests and eggs are protected by law and it is thus an offence to:

- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to £5,000, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from English Nature and the Council's Ecologist.

Note 3

It is an offence for any person to:

- Intentionally kill, injure or take a bat. Under the Habitats Regulations it is an offence to deliberately capture or kill a bat.
- Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.
- Under the Habitats Regulations it is an offence to damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and Conservation Regulations 1994 that works to trees or building where that work involves the disturbance of a bat is an offence if a licence has not been obtained by DEFRA. If a bat is discovered while work is being undertaken, all work must stop and advice sought from English Nature and the Council's Ecologist. You can also call the UK Bat helpline on 0845 133 228.

Decision:

Notes:

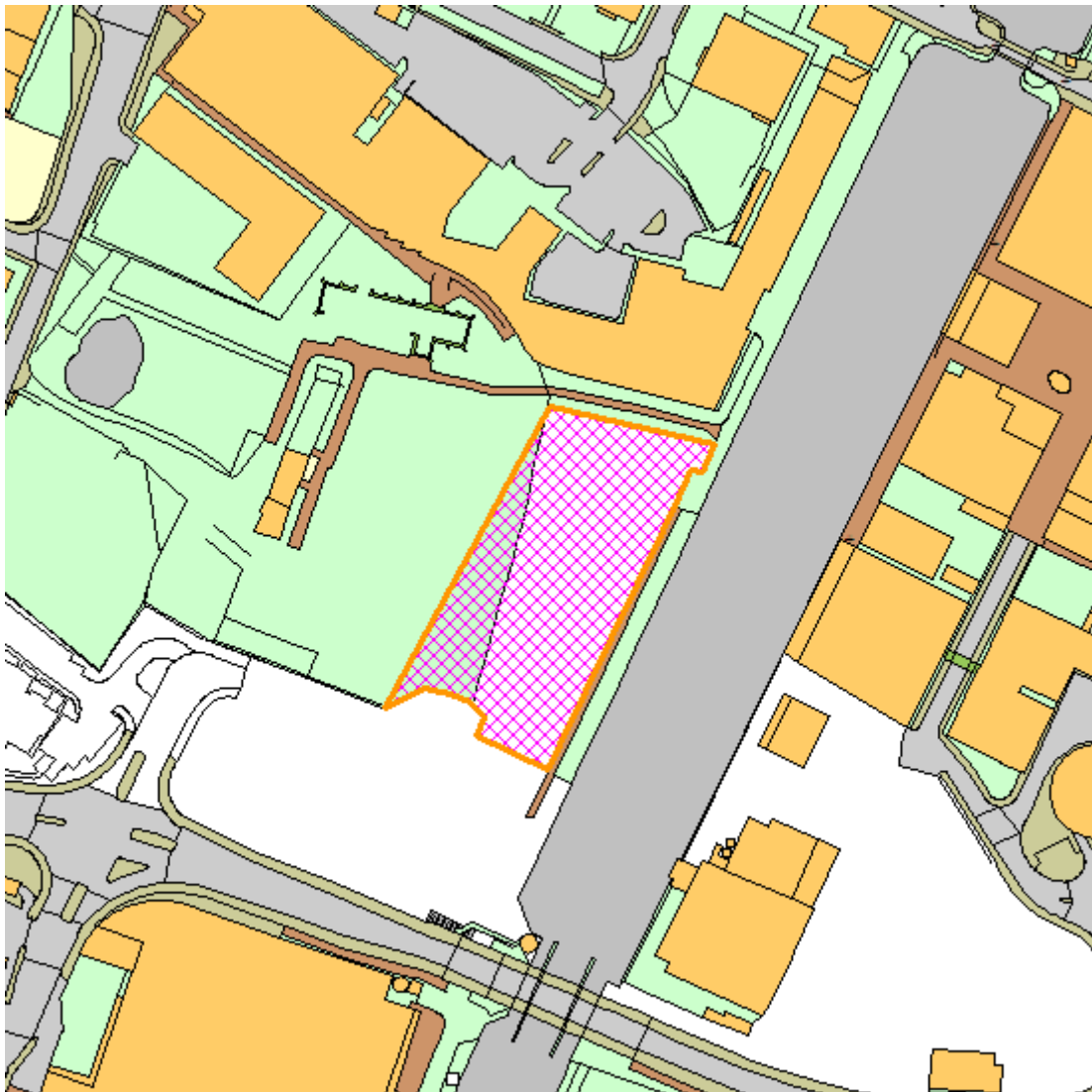
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Person to contact: Adam Smith
(Tel: 396702)

16/00357/FUL

**Llanthony Wharf
Llanthony Road
Gloucester**

Planning Committee 14.06.2016



GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	31ST MAY 2016
ADDRESS/LOCATION	:	GLOUCESTER RETAIL PARK, EASTERN AVENUE
APPLICATION NO. & WARD	:	16/00055/FUL BARNWOOD
EXPIRY DATE	:	14th JUNE 2016
APPLICANT	:	PICTON CAPITAL LIMITED
PROPOSAL	:	ERECTION OF NEW CLASS A1/A3 DRIVE-THRU UNIT, REVISED ACCESS ARRANGEMENT, RECONFIGURATION OF CAR PARK TO RETAIL PARK AND ASSOCIATED LANDSCAPING.
REPORT BY	:	BOB RISTIC
NO. OF APPENDICES/ OBJECTIONS	:	1. SITE LOCATION PLAN

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located on the northern side of the junction between York Road and Eastern Avenue and comprises Gloucester Retail Park, an 'out of town' retail destination which includes The Range, AHF and B&M stores.
- 1.2 The site is accessed via York Road and comprises a large area of open car parking to the western part of the site adjacent to Eastern Avenue with the buildings running north-to-south across the central part of the site. To the east of the building is a service yard. The southern side of York Road comprises residential properties, with on-street parking.
- 1.3 The application seeks full planning permission for a class A1/A3 café drive-thru unit, revised access and reconfiguration of car park serving the retail park and associated landscaping.
- 1.4 The proposed 'drive-thru' coffee shop would be located in the southwestern corner of the site and would measure approximately 24 metres in width and 9 metres in depth. The building would have a distinctive contemporary appearance and would have a drive-thru lane running in a clockwise direction to the south of the proposed building, parallel to York Road.

- 1.5 The proposed opening hours for the drive-thru café would be 06.00 to 23.00 - 7 days per week.
- 1.6 The application also seeks permission for revisions to the site access, replacing the single vehicular access which is presently located to the middle part of the southern boundary of the site and the formation of two access points, one to the east of the proposed drive-thru lane to serve the main carpark area and a further access towards the south-eastern corner of the site to the service yard area.
- 1.7 The proposal also involves the reconfiguration of the parking layout of the site and would result in a total provision of 447 parking spaces including 14 disabled spaces across the retail park.
- 1.8 The application is referred to the planning committee at the request of Cllr Lise Noakes for the following reasons:

'This retail park has become increasingly busy over the past few years with The Range and B&M moving in. The nearby houses were built long before this park and residents already suffer greatly from the increase in traffic. Measures have already been put in place to help as much as possible e.g. a Traffic Regulation Order was made at members request to put in double yellow lines to restrict parking – residents do still get driveways blocked and there is a knock on effect further up the road. The car park area is gated off in late evening to prevent ASB from cars racing in the car park. As well as the volume of traffic affecting residents it also affects the flow onto Eastern Avenue. There is often a backup from the lights which stops traffic moving from the estate and from the feeder road in front of Halfords. A drive through coffee shop will only generate more traffic and so is quite inappropriate for this location'

2.0 RELEVANT PLANNING HISTORY

- 2.1 The retail park has been subject to numerous planning applications over the years. The most recent of which are summarised below:

15/01392/FUL - Change of use from Class A1 (retail) to Class A1 (retail) or Class D2 (gymnasium) including insertion of mezzanine floor of 840 sqm – Grant

15/01296/FUL - Variation of condition 1 of planning permission reference 12/00794/FUL to increase the floor space for the sale of food, drink and confectionery from 137sqm as permitted, to 250sqm – Pending

12/01173/FUL - Variation of condition 6 of Planning Permission reference 11123/02/OUT to allow for an ancillary cafe and a wider range of goods to be sold (within a maximum of 30% of the existing floor space (including the external sales area)) including camping and bulky leisure goods, household

goods, hobbies and craft supplies, pet food and pet products and ancillary products ranges – Grant

12/00794/FUL - Variation of condition 6 of planning permission reference 11123/02/OUT to vary the types of goods that can be sold from the store to include toys, toiletries, non-fashion clothing and food/drink and confectionery - Grant

3.0 PLANNING POLICIES

3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development management purposes. The National Planning Policy Framework (NPPF) published in March 2012 is also a material consideration.

3.2 For the purposes of making decisions, the National Planning Policy Framework sets out that, policies in a Local Plan should not necessarily be considered out of date where they were adopted prior to the publication of the National Planning Policy Framework. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the National Planning Policy Framework.

3.3 Policy contained in the National Planning Policy Guidance is explained and amplified by the online National Planning Policy Guidance.

3.3 The policies within the 1983 and the 2002 Local Plan remain therefore a material consideration where they are consistent with the National Planning Policy Framework.

3.4 From the Second Stage Deposit Plan the following policy is the most relevant:

ST.1	Sustainable Development
ST.7	Urban Design Principles
BE.1	Scale, Massing and Height
BE.5	Community Safety
BE.7	Architectural Design
BE.12	Landscape Schemes
BE.21	Safeguarding Amenity
TR.31	Road Safety
FRP.11	Pollution

3.5 The site has no specific allocation or restrictions in the Second Stage Deposit Local Plan (2002).

3.6 In terms of the emerging Development Plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the

NPPF and are a material consideration. The weight to be attached to them is limited: the Plan has not yet been the subject of independent scrutiny and does not have development plan status. The Examination in Public has been ongoing since May 2015. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.

3.7 On adoption, the Joint Core Strategy, City Plan and any Neighbourhood Plans will provide a revised local planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to

- The stage of preparation of the emerging plan
- The extent to which there are unresolved objections to relevant policies; and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework.

3.8 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

4.1 Highway Authority (Gloucestershire County Council)

No objection – subject to conditions

4.2 Planning Policy Officer

No objections

4.3 Urban Design Officer

No objections

4.4 Landscape Officer

No objections

4.5 Environmental Health Officer

No objections subject to conditions

5.0 PUBLICITY AND REPRESENTATIONS

5.1 The occupiers of neighbouring properties were notified of the application by letter and a site notice was also posted. Neighbouring occupiers were also re-notified of the receipt of amended drawings.

5.2 In response to the publicity, 8 letters of representation have been received. The comments raised are summarised below:

- Will bring more traffic, congestion and light pollution
- Will encourage youngsters to hang around
- New entrance will be opposite house
- will be impossible to park safely outside of house
- Difficult to park at best of times due to queues from traffic lights
- Enough coffee shops in area
- The Range already offers a coffee shop
- This is a residential area, houses there before retail area was erected.
- Cannot find another coffee shop in UK that overlooks houses
- Would be overlooked by coffee shop
- Traffic is already chaotic
- Cars overflow onto York Road at Christmas, weekends and holidays.
- People will often park outside our houses rather than use the car park.
- Have to park long way from our houses.
- Affects 'disabled' that live in York Road and can't park outside homes
- Gates are locked each evening which has reduced some of the anti-social behaviour (ASB)
- Removal of gates will encourage ASB
- Residents will have to overlook this development.
- Residents have to park their cars on the green as there are not enough spaces
- Don't want 'double yellow lines' on road - won't have anywhere to park
- Parking spaces should be made on green for residents
- Road narrows HGV's can't turn without hitting cars
- Plans have been kept secret
- The proposal positions this new access at the narrowest part of York Road
- Would cause considerable disruption to traffic flowing in and out of the residential estate.
- The point chosen is already a "nip" point with vehicles parking on both sides of York Road
- Proposed position is totally unsuitable for the heavy goods vehicles
- The existing access is positioned at the widest part of York Road well clear of existing roadways and traffic controls
- Concerns with more litter
- York Road is a cul-de-sac, busy and used by lorries
- Already a number of cafes and fast food restaurants within walking distance
- Nearby shops already have cafes inside
- Café permitted on triangle

5.3 The full content of all correspondence on this application can be viewed on the city council website via the following link:

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=16/00055/FUL>

6.0 OFFICER OPINION

6.1 It is considered that the main issues with regards to this application are as follows:

- Planning policy
- Traffic and transport
- Design & layout
- Residential amenity

Planning Policy

6.2 The application site comprises an out of centre retail park and there are no specific land use designations that relate to the location of this application.

6.3 The scale of the proposed development does not necessitate a retail impact assessment and so is not deemed necessary in this case, given the small scale nature of the development.

6.4 With regard to the issue of sequential test, the NPPF includes drive-through restaurants, restaurants and cafes as 'Main Town Centre Uses'. However the supporting information supplied by the applicant clearly demonstrates that the scale, nature and format of the proposed use is not consistent with a conventional drive-through restaurant or a town centre café.

6.5 Given its small scale the use could indeed be considered to be ancillary to the existing principal function of the retail park.

6.6 It is considered that the drive-through coffee shop has a particular market and locational requirement which means it can only reasonably meet its intended function by being located adjacent to a principal highway or specific location.

6.7 The NPPG and paragraphs 24 and 187 of the NPPF state that the Local Authorities should demonstrate flexibility on issues such as locational requirements, format and scale and seek to approve applications for sustainable development where possible.

6.8 The principle of the development is therefore considered acceptable subject to no other conflict of policy being identified.

Traffic and transport

6.9 Neighbouring occupiers have raised concerns with regards to the proposed development, impacts upon highway safety, traffic generation and availability of residents parking.

- 6.10 The application has been accompanied by a detailed highways assessment and further monitoring undertaken and provided following receipt of concerns from residents.
- 6.11 The details have been reviewed by the County Council Highway Officer who has advised that the police collision database has been reviewed and there have been no recorded collisions at the retail car park site entrance in the past 5 years.
- 6.12 While there have been a total of 7 collisions at the Eastern Road and York Road junction over the past 5 years, all these incidents were as a result of driver error and therefore unrelated to the site access or an indication of specific problem with the existing junction.
- 6.13 It has been demonstrated that suitable visibility splays can be provided onto York Road, subject to the removal of some vegetation either side of the proposed service access. The retention of these splays clear of obstruction can be controlled by a suitably worded condition.
- 6.14 The proposed accesses points have been tracked for the largest expected vehicles likely to use them, namely a 16.5 metre HGV using the service access point and a car or min-van using the main car park access to the proposed drive-thru unit.
- 6.15 The submitted drawings demonstrate that the scheme provides for sufficient tracking movements including provision for HGV's entering and exiting the service access while vehicles are parked along York Road in front of the dwellings on the southern side of the street.
- 6.16 Additional combined inter-visibility and tracking plans have also been provided illustrating suitable inter-visibility splays being provided between vehicles entering and exiting the service yard access. Accordingly it is concluded that the proposal would provide for safe and suitable access to and from the site.
- 6.17 There have been several objections regarding traffic generation, parking demand and impact on the availability of 'on-street' parking for residents.
- 6.18 Given the scale of the proposed drive-thru/café it is considered that the increase in vehicular trips would not result in a significant increase in vehicles over and above the existing levels generated by the existing retail park and the nature of the café/drive-thru use would result in patrons either picking up refreshments passing through or staying for a short period of time and therefore resulting in a frequent 'churn' of parking spaces.
- 6.19 A parking survey has been carried out and submitted as part of the application illustrating that on the Saturday peak, only 66% of the spaces within the main customer carpark to the western side of the site were occupied.

- 6.20 Based on the calculated demand generated by the proposed A1/A3 unit within the transport statement and parking survey documents, sufficient parking spaces will be available within the revised and expanded parking for the retail car park for both the proposed and existing units.
- 6.21 The applicant has also advised that they envisage that the greater majority of customers would be drawn from existing retail park users and the smaller proportion would be customers visiting the drive-thru specifically.
- 6.22 The National Planning Policy Framework is explicit at Paragraph 32 that *'...development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'*.
- 6.23 While it is acknowledged that there may be occasions such as Christmas where the carpark may be nearing/at capacity, this is not the case for the majority of the year and the additional traffic generated by the proposed drive-thru would not be significant such as to warrant a refusal of planning permission.

Design & layout

- 6.24 The retail park when viewed from Eastern Avenue is presently dominated by an expanse of car parking set in front of the shop units. The proposed café would be located within the southwestern corner of the site upon the junction of Eastern Avenue and York Road.
- 6.25 The proposed building would have a contemporary and striking design which would create a strong and positive landmark building to this prominent site, breaking up the expanse of car parking which presently dominates the views of the retail park from the south.
- 6.26 The City Urban Design Officer has raised no objections to the proposed design of the building which has been amended through the application process, but has requested a condition requiring the approval of the external materials in order to secure a high quality finish to the development.
- 6.27 It is considered that the proposed building would make a strong and positive addition to the street scene which comprises a variety of residential and commercial properties.
- 6.28 The application has been accompanied by landscaping scheme to the southwestern corner of the site which will comprise a variety of tree and shrub planting which will enhance the appearance of the area.

Residential amenity

- 6.29 The application has been accompanied by a detailed noise assessment and the proposal has been reviewed by the City Environmental Health Officer who has raised no objections to the proposed development subject to conditions.

- 6.30 The report demonstrates that the proposed development would not result in any adverse noise impacts given the substantial background noise levels from Eastern Avenue.
- 6.31 The proposed drive-thru would be set over 26 metres away from the nearest dwellings at York Road and would be separated by the street as well as a shrub and tree landscaping scheme to the southwestern corner of the site. Considering this separation there would be no demonstrable harm from overlooking loss of light or any overbearing impacts.
- 6.32 A screen adjacent to the drive-thru lane will be required by condition in order to reduce any impacts from headlight glare from vehicles using the drive-thru lane.
- 6.33 The proposed opening hours of 06:00 to 23:00 are considered reasonable and the nature of the use is unlikely to result in demonstrable harm from noise or disturbance given the separation as well as existing background noise levels and activity in the area.
- 6.34 I consider it reasonable to require a condition requiring the approval of any external lighting to the building and that any such lighting is extinguished outside of trading hours to minimise impacts from light pollution, bin provision and kitchen ventilation and extraction.

7.0 CONCLUSION

- 7.1 The Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 7.2 For the reasons set out above, it is concluded that the proposal, the proposal would not result in any demonstrable harm to highway safety, the visual amenities of the area or adversely impact the living conditions of the occupiers of adjoining residential properties. The proposal is therefore considered to be acceptable and in accordance with Policies BE.1, BE.7, TR.31, FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

It is recommended that planning permission is granted subject to following conditions:

Condition 1

The development hereby permitted shall be begun before the expiration of three 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.

Condition 2

The development hereby permitted shall be carried out in accordance with the approved drawing nos.15062_PL02 Rev.C, PL03 Rev.A, PL04 Rev.A, PL06 Rev.C, 5864/ASP1 and SK01 Rev.A received by the local planning authority on 23rd May 2016.

Reason

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

Condition 3

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

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

Reason

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

Condition 4

Prior to construction commencing (including demolition and preparatory groundworks) an Environmental Management System should be submitted to and approved in writing by this Authority which specifies mitigation measures in respect of the following issues in order to prevent nuisance –

- i. Dust from demolition
- ii. Dust from groundworks
- iii. Dust from haul-roads
- iv. Dust from stockpiles and material handling/removal
- v. Light from security compounds
- vi. Storage of waste
- vii. Keeping highways clear

Reason

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

Condition 5

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the proposed access roads, including the junctions with the existing public road and associated visibility splays, have been completed in accordance with drawing 15062-PL02 Rev.C and SK01 Rev.A with existing vegetation or features within splays cut back or reduced and thereafter kept clear between 600 millimetres and 2 metres.

Reason

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework 35.

Condition 6

No development works above DPC level shall take place until precise details including samples of materials to be used externally have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and shall be similarly maintained thereafter.

Reason

To ensure a satisfactory appearance to the development in accordance with polices BE.1, BE7 and BE.21 of the Second Stage Deposit Local Plan 2002.

Condition 7

The building hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plan 15062-PL02 Rev.C with the exception of the spaces to the rear of unit 2A and 2B which should be provided in accordance with Entran drawing SPA_20.4.16 received on 22nd April 2016 removing the spaces in blue, and those facilities shall be maintained available for those purposes thereafter.

Reason

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

Condition 8

Prior to the first use of the building, precise details of any external lighting to the drive thru and café building shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter maintained in accordance with those approved details.

Reason

In the interest of the visual amenities of the area and to protect the living conditions of neighboring occupiers in accordance with Policies FRP.11 and BE.21 of the Gloucester Local Plan, Second Stage Deposit Local Plan 2002.

Condition 9

Any exterior lighting to the drive-thru and café building shall remain extinguished between the hours of 23:00 and 06:00 daily.

Reason

In the interest of the visual amenities of the area and to protect the living conditions of neighboring occupiers in accordance with Policies FRP.11 and BE.21 of the Gloucester Local Plan, Second Stage Deposit Local Plan 2002.

Condition 10

A scheme for the provision of refuse 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

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

Condition 11

Prior to the first use of the drive-thru hereby permitted, a screen to prevent headlight glare from vehicles using the drive-thru lane shall be installed at the site in accordance with details which shall be submitted to and approved in writing by the local planning authority. The screen shall be maintained in accordance with the approved details for the duration of the use.

Reason

To safeguard the living conditions of neighbouring occupiers and in accordance with policies BE.11 and BE.21 of the second deposit city of Gloucester local plan (2002).

Condition 12

During the construction phase, no deliveries shall be taken at or dispatched from the development before 8am on weekdays and 8.30am Saturdays nor after 6pm on weekdays and 1pm on Saturdays, nor at any time on Sundays, bank or public holidays.

Reason

To safeguard the amenity of the area in accordance with policy BE.21 of the second deposit city of Gloucester local plan (2002).

Condition 13

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

Reason

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

Condition 14

Prior to the first use of the building hereby permitted, the equipment to suppress and disperse fumes and/or smell produced by cooking and food preparation, shall be installed and be in full working order and shall be effectively operated for as long as the use continues.

Reason

To ensure that unsatisfactory cooking odours outside the premises are minimized in the interests of the amenity of occupiers of nearby properties and in accordance with policies FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 15

The extraction equipment installed in pursuance with the above condition shall be maintained in accordance with the manufacturers specifications to ensure its continued satisfactory operation and the cooking process shall cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the Local Planning authority.

Reason

To ensure that the use does not result in excessive cooking odours outside the premises and that the amenity of occupiers of nearby properties are protected and in accordance with policies FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 16

To ensure adequate diffusion of any remaining odours that have not been scrubbed by the carbon filtration unit the extraction flue shall terminate at a minimum of 1 metre above the roof eaves of the application site or adjacent building whichever is the higher.

Reason

In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002). Activated Charcoal is required as a minimum standard for the filtration of fumes.

Condition 17

The drive-thru café hereby permitted shall only be open to the public between the hours of 06:00 and 23:00 daily.

Reason

To accord with the operating hours set out in the application form and to protect the living conditions of the occupiers of nearby residential properties in

accordance with policies FRP.11 and BE.21 of the Second Stage Deposit Local Plan 2002.

Note 1

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucester City Council Building Control Team on 01452 396771 for further information.

Note 2

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

Note 3

Notwithstanding the approved drawings drawings, this permission does not authorize the display of any advertisements which may themselves require a separate consent.

Statement of Positive and Proactive Engagement

In accordance with the requirements of the National Planning Policy Framework, the Local Planning Authority has worked with the applicant in a positive and proactive manner in seeking solutions to secure sustainable development which will improve the economic, social and environmental wellbeing of the area. In particular, the Local Planning Authority has negotiated issues relating to the suitability of the means of access, drainage requirements and noise impact.

Decision:

Notes:

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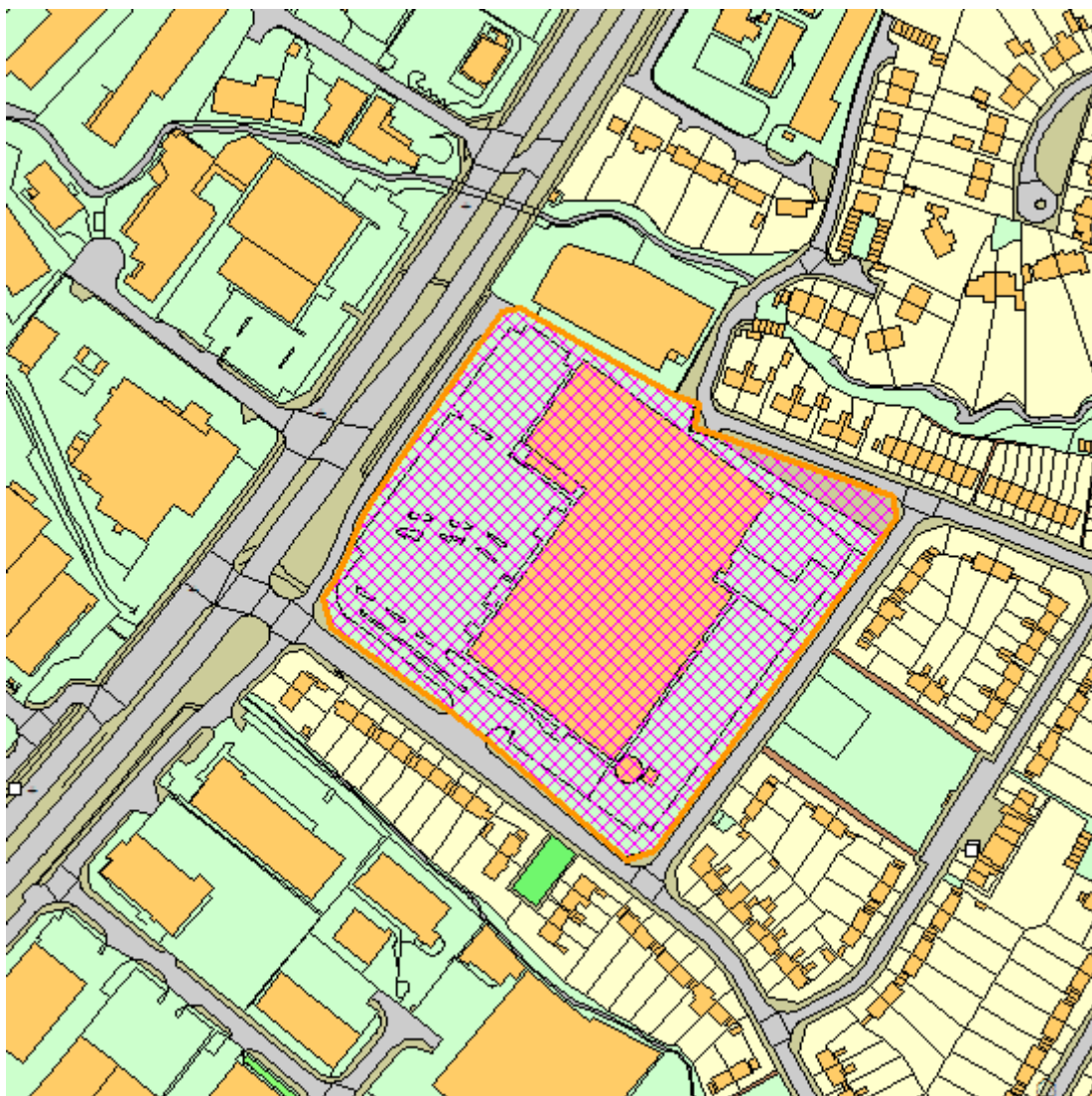
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Person to contact: Bob Ristic
(Tel: 396822.)

16/00055/FUL

Gloucester Retail Park
Eastern Avenue
Gloucester
GL4 3BY

Planning Committee 14.06.2016



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GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	14TH JUNE 2016
ADDRESS/LOCATION	:	FORMER CAR PARK, WESSEX HOUSE, GREAT WESTERN ROAD, GLOUCESTER
APPLICATION NO. & WARD	:	16/00303/FUL; (KINGSHOLM & WOTTON WARD)
EXPIRY DATE	:	25 MAY 2016
APPLICANT	:	GREAT WESTERN RAILWAYS
PROPOSAL	:	NEW SURFACE CAR PARK AND GATELINE ENCLOSURE WITH EXTERNAL RAMPS AND STAIRS
REPORT BY	:	JON SUTCLIFFE
NO. OF APPENDICES/ OBJECTIONS	:	1. SITE LOCATION PLAN

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site is an open area of land which lies to the south of Great Western Road, and is bounded to the south-west by Gloucester railway station. A vacant office building lies on the adjoining site to the north-west of the land, and to the south-east lies an office development.
- 1.2 The site is currently tarmac surfaced, having previously been used as a car park, however the site has been unused for some time and consequently scrub vegetation has started to grow on the site. The site has a range of boundary treatments, with the frontage to Great Western Road having a brick wall along it which contains entrance gates. The southern boundary of the site, which is the boundary with the railway station platform, has a high brick wall.
- 1.3 The proposal is to clear and re-surface the existing car park and provide new road markings etc. Road areas will be in tarmac whilst parking areas will be in free draining open cell / gravel. A total of 243 car spaces will be provided, 12 motorcycle spaces and 10 cycle spaces. One of the car spaces will be an electric car charging space. There are a further two disabled car park spaces currently proposed in this development though exact requirements for users will be determined by Great Western Railway through a DIA in compliance with the Equalities Act 2010.

- 1.4 A new dedicated demarcated pedestrian circulation route will be provided between Great Western Road and the new ramp/step access to the station. Due to the difference in level between the car park and platform, a new DDA compliant ramp and staircase will be provided to a new gate line enclosure at platform level. The enclosure, which is of modular construction, will contain a wide and standard gate lines, ticket machine and call point. The gate line enclosure will be secured out of hours with a roller shutter to both the ramp and the station.
- 1.5 The enclosure of the site will remain broadly as existing with brick retaining wall to the station and metal fencing to the side boundaries. The front boundary wall facing brick with concrete coping will be repaired / made good as necessary and topped with painted steel railings giving an overall height of approximately 1800mm.
- 1.6 Lighting of the site will be from new 6 metre high columns with LED lighting. These will be fitted with time clocks, daylight sensors and an automatic dimming function to ensure that the area is not over illuminated.
- 1.7 The entrance to the car park would be barrier free.
- 1.8 The application has been brought to Committee because the City Council has a direct interest in the site/development.

2.0 RELEVANT PLANNING HISTORY

- 2.1 A number of temporary permissions for car parking for hospital staff have been granted on this site since 1993. The most recent of these temporary permissions was granted in 2010 and the use was required to cease following construction of a multi-storey hospital car park. It is understood the site has remained vacant since then. Permission was granted in 1995 for the erection of a five storey office block on the site, but was not implemented.

3.0 PLANNING POLICIES

- 3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development control purposes. The National Planning Policy Framework has been published and is also a material consideration.
- 3.2 For the purposes of making decisions, the National Planning Policy Framework sets out that, policies in a Local Plan should not be considered out of date where they were adopted prior to the publication of the National Planning Policy Framework. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the National Planning Policy Framework.

- 3.3 The policies within the 1983 and the 2002 Local Plan remain therefore a material consideration where they are consistent with the National Planning Policy Framework.
- 3.4 From the Second Stage Deposit Plan the following policies are the most relevant:
- | | |
|--------|--|
| B.10 | Trees and hedgerows on development sites |
| FRP.9 | Light pollution |
| FRP.10 | Noise |
| BE.21 | Safeguarding of amenity |
- 3.5 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and are a material consideration. The weight to be attached to them is limited by the fact that the Plan has not yet been the subject of independent scrutiny and do not have development plan status. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.
- 3.6 On adoption, the Joint Core Strategy and City Plan will provide a revised planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to
- The stage of preparation of the emerging plan
 - The extent to which there are unresolved objections to relevant policies; and
 - The degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework.
- 3.7 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

Police Crime Prevention Design Adviser – has made detailed comments regarding design details intended to reduce the risk of crime arising

Highway Authority – (*Comments on initial application*) – supports the principle of additional car parking to accommodate rail demand in future. However, raises a number of technical issues with the submitted highway statement which need resolving.

City Archaeologist - As discussed I have no comments to make with regard to this application. Archaeological evaluation of this site has revealed some structural remains relating to the former Gloucester Union Workhouse. Whilst these are of some local interest, the proposed development will be of such limited impact that there is no reasonable requirement, in my judgment, for any form of archaeological mitigation.

Urban Design Officer – generally supports the proposal. Comments on the need to secure details of the cladding materials of the new structure, and the proposed railings by condition. Suggests that if this becomes the main access point to the station, then insufficient cycle spaces are being provided.

Drainage Engineer – No objection subject to a condition

Network Rail - Raise no objection in principle to this proposal and give detailed comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

Environmental Protection – Views awaited

Tree Officer – (*Comments on initial application*) There are a handful of self-set trees on site (cherry, birch, young sycamore). They do not provide a significant amount of amenity and I have no objections to removal.

However, this application provides an opportunity for new tree planting in my opinion. As far as I can see no landscaping at all is proposed. In my opinion we should be seeking new tree planting within the proposed car park and along the Great Western Road frontage to improve amenity in the area and soften what is a very harsh and unappealing landscape both presently and with what is proposed.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 The application has been publicised through Site Notice and notification of neighbouring properties. No representations have been received.

5.2 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, or via the following link, prior to the Committee meeting:

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=16/00303/FUL>

6.0 OFFICER OPINION

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 This application raises the following key issues – the principle of the development; highway issues; landscaping and visual impact; other amenity impacts; and benefits of the proposal.

Principle

- 6.3 The site is identified in the 2002 Local Plan as a commitment for B1 Use. Obviously, since that time no proposals have come forward for such use, and consequently it is not considered that resisting an alternative development on the basis of it being contrary to that identification such a long time ago would be sustainable. It has to be concluded that if there were interest in such B1 use for the site it would have come forward by now.
- 6.4 The site has been vacant for some years, since its last use as a temporary car park associated with the hospital. As the last use was car parking, it is reasonable to suggest that use as a car park should in principle be acceptable, subject to the detailed impacts of the proposal being acceptable.

Highway issues

- 6.5 The applicant has undertaken a traffic assessment to identify the highway impacts of the proposal. In initial comments the Highways Engineer raised queries regarding the data that had been utilised, and the applicant has provided additional information to clarify details. Comments are still awaited on the response provided, and the Committee will be further updated on this issue.

Landscaping and visual impact

- 6.6 The site currently has no landscaping within the site. There are small trees growing within the site which are self-seeded, and reflect the somewhat derelict nature of the site which has effectively been abandoned since its last temporary use for parking. These small trees and the other scrub vegetation will be removed from the site as part of this proposal.
- 6.7 The originally submitted scheme proposed no tree planting or other landscaping. This was considered to be a missed opportunity to enhance the development with suitable planting to soften the appearance of what would appear as a very 'urban' use. Details of planting within the site and also along the Great Western Road frontage have now been provided and it is considered that this planting will enhance the development and ensure it has an acceptable visual impact. There are no sensitive properties which overlook the site, so the appearance of a car park will not be unacceptable. The addition of railings to the top of the boundary wall on Great Western Road

would add to the visual interest of the site. The structure which will be erected to link the car park to the station platform, which is at a higher level, will be a functional structure of profiled metal cladding, but this is not considered unacceptable in this location, providing details are agreed by condition.

Amenity impacts

- 6.8 As there are no sensitive neighbours to the site, the noise and activity associated with vehicle movements to and from the site is not likely to have a noticeable impact. There are residential properties further along Great Western Road, and obviously traffic which does not currently visit the site will pass such properties as a result of the development. However, it is suggested that being in a location close to the city centre and such major traffic generators as the hospital, the increases in traffic should be judged in that context, and consequently are not considered to be significant.
- 6.9 New lighting of the site will be installed, using 6m high columns. The site previously had pole mounted lighting when used as a car park in the past. With the lack of sensitive properties in the vicinity of the site, it is not considered that the lighting of the site will be likely to have any adverse amenity impacts. Obviously for safety reasons a car park will have to be provided with suitable lighting to deter crime and enable users to feel safe.

Benefits

- 6.10 This proposal will provide significant additional car parking for rail travellers using Gloucester railway station. This will almost double the current number of long-stay spaces at the station. Passenger numbers using rail continue to rise on a year by year basis, and consequently the pressures on parking facilities also increase. The applicant points to future improvements to services which will occur in the years to come, and as such it is considered that additional parking provision will undoubtedly be required. The proposal will also be beneficial for current rail users driving to Gloucester station, as for journeys from some parts of the city accessing the car park on Great Western Road could entail a shorter journey than accessing the current car park off Bruton Way. It is considered therefore that there are significant benefits which would arise from this proposal, which when seen in the wider context of the new bus station on the other side of the rail station will facilitate easier accessibility for the use of rail service for residents of the area.

Conclusions

- 6.11 This application seeks to use a piece of land for car parking which has historically been used for this purpose, although has been vacant for some years and has a run-down appearance. The use of the site would re-vitalise the site and have a positive appearance. It is not considered that the proposals would have any adverse effects, and subject to the Highways Engineer confirming they have no objections to the proposal it is considered that it conforms with national and local planning policies referred to earlier in this report.

7.0 RECOMMENDATIONS OF THE HEAD OF PLANNING

That, subject to the Highway Engineer raising no objections to the proposal, power be delegated to the Development Control Manager to grant planning permission subject to conditions covering the matters below.

Commencement of development; approved documents; drainage details; details of railings; details of materials, construction management programme; details of tree and shrub planting.

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Decision:

Notes:

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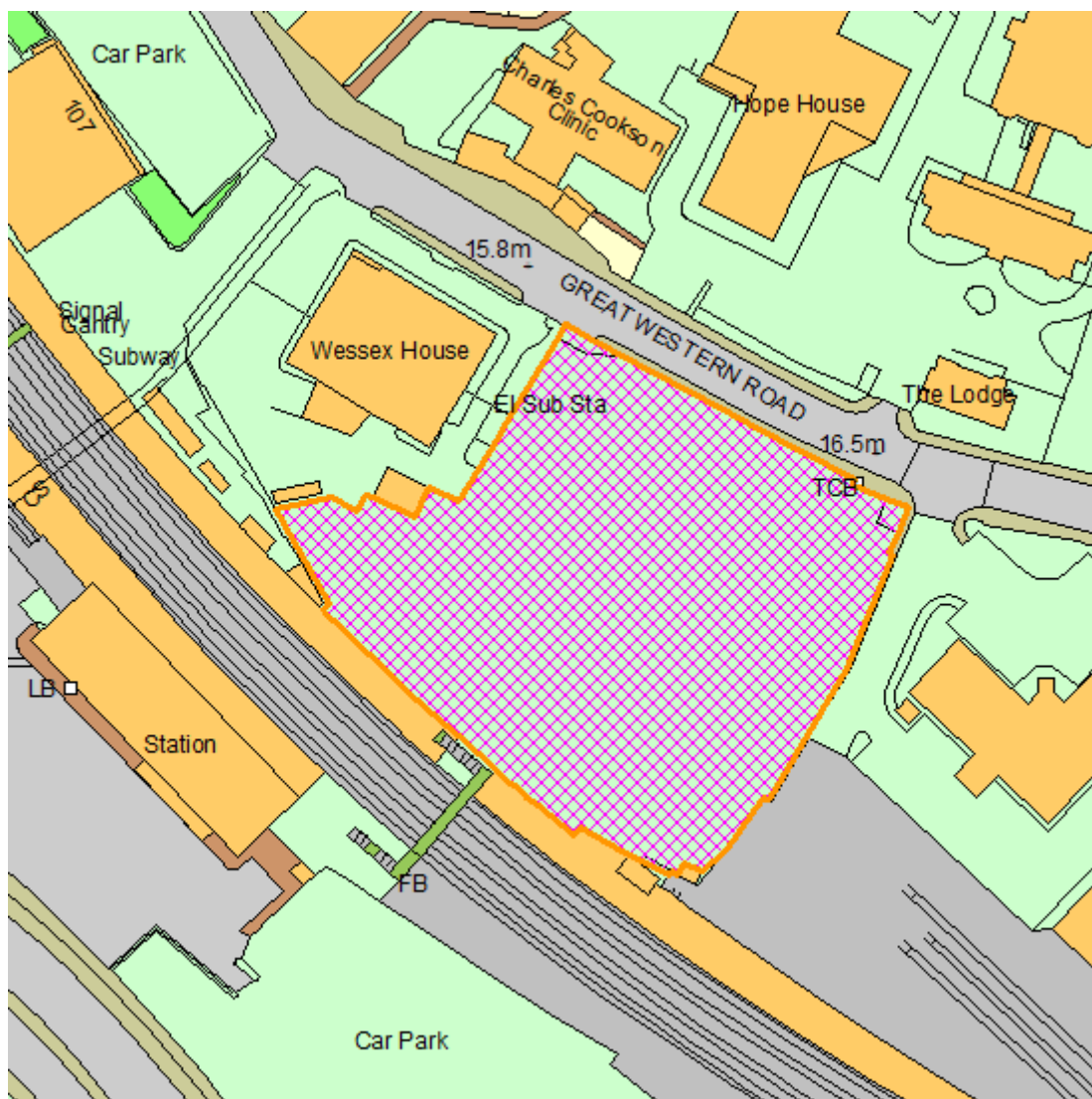
Person to contact:

Jon Sutcliffe (Tel: 396783.)

16/00303/FUL

Former Car Park
Wessex House
Great Western Road
Gloucester
GL1 3NG

Planning Committee 31.05.2016





CITY OF GLOUCESTER

PLANNING COMMITTEE

ON

14th June 2016

DELEGATED DECISIONS

1ST – 30th April 2016

**Development Services Group Manager,
Herbert Warehouse, The Docks, Gloucester**

Abbeydale

16/00043/FUL	FEH
Abbeydale Community Centre Glevum Way Gloucester GL4 4BL	
Alteration to 3G astro to install dividing nets, with 1m x 1m extension to existing pitch to incorporate winch / nets etc	
G3Y	13/04/2016
16/00176/FUL	AEROR
1 Tansy Close Gloucester GL4 5WL	
Single storey front and rear extension	
G3Y	14/04/2016
16/00254/FUL	CARLH
1 Fox Close Gloucester GL4 5YH	
Erection of first floor side extension above existing garage; conversion of garage to form habitable rooms	
G3Y	29/04/2016
16/00270/FUL	CARLH
143 Curlew Road Gloucester GL4 4TE	
Erection of front porch (retrospective)	
GA	29/04/2016
16/00326/PDE	BOBR
54 Curlew Road Gloucester GL4 4TF	
Erection of conservatory to rear, measuring 4 metres in depth, 3 metres in overall height and 2.1 metres to eaves.	
ENOBJ	22/04/2016

Barnwood

15/01605/FUL

FEH

Keyway 4 Barnwood Point Corinium Avenue Gloucester GL4 3HX

Erection of vehicle sales centre, vehicle sales car park and new vehicle wash bay including workshop with MOT facility (amended description)

G3Y 13/04/2016

16/00060/FUL

JOLM

Premier Inn Barnwood Link Road Gloucester GL4 3HR

Variation of condition .2 of planning permission 15/00920/FUL relating to the erection of a three storey extension to the existing hotel (use class c1) to provide 21 additional bedrooms; reconfiguration of the car park to provide a

NPW 13/04/2016

16/00284/FUL

FEH

26 Hayward Close Gloucester GL4 4RJ

Demolition of existing conservatory and erection of single storey rear

G3Y 28/04/2016

16/00339/OUT

FEH

5 Coney Hill Parade Gloucester

Erection of 4 no. one bedroom starter homes and new footpath repositioned window in side elevation of existing dwelling with 2 off street parking

RET 07/04/2016

Barton & Tredworth

16/00207/CONDIT

BOBR

Derelict Property Adj 1 Hopewell Street Gloucester

Discharge of condition nos .4 (Construction Method Statement), 5 (Materials), 6 (Means of enclosures), 7 (Landscaping) and 10 (Ecology) of permission no.15/00745/FUL for conversion of and extension to existing redundant outbuildings to create six dwellings

PADIS 13/04/2016

Elmbridge

16/00139/OUT	CJR
74 Barnwood Road Gloucester GL2 0SG	
Demolition of garage and erection of chalet style bungalow. (Outline application with all matters reserved for future consideration.)	
GOP	27/04/2016
16/00160/FUL	CARLH
80 Sandyleaze Gloucester GL2 0PX	
Erection of a two storey side and rear extension, and single storey rear	
G3Y	06/04/2016
16/00171/FUL	CARLH
82 Sandyleaze Gloucester GL2 0PX	
Erection of a two storey side and rear extension, and single storey rear	
G3Y	06/04/2016
16/00211/FUL	CARLH
190 Cheltenham Road Gloucester GL2 0JR	
Erection of two storey side and rear extension, and single storey rear extension (first revision of planning permission reference 15/00419/FUL)	
G3Y	01/04/2016
16/00212/FUL	AEROR
90B Cheltenham Road Gloucester GL2 0LX	
Single storey side and rear extension	
G3Y	11/04/2016
16/00227/OUT	BOBR
Double Gloucester 82 Cheltenham Road Gloucester GL2 0LX	
Outline application for 6 No. semi-detached houses. (Access, Appearance, Landscaping, Layout and Scale reserved for future consideration).	
GOP	28/04/2016

Grange

15/00942/FUL CARLH
51 Dunster Close Gloucester GL4 0TP
Erection of outbuilding (retrospective)
G3Y 29/04/2016

Hucclecote

16/00133/FUL CARLH
1 Queens Close Gloucester GL3 3LT
Erection of two storey side extension
G3Y 05/04/2016

16/00156/FUL CARLH
5 St Margarets Road Gloucester GL3 3BP
Erection of single storey side and single storey rear extensions (partial replacement of existing extension) (first revision following refusal of application reference 15/00247/FUL)
G3Y 29/04/2016

16/00203/FUL CARLH
Hucclecote Service Station Hucclecote Road Gloucester GL3 3RX
Refurbishment of forecourt shop
G3Y 05/04/2016

Kingsholm & Wotton

15/01496/FUL CARLH
30 Estcourt Road Gloucester GL1 3LG
Erection of two storey side and rear extension; single storey side and rear extension; loft conversion with installation of Juliet balcony; demolition of existing detached garage and erection of detached 'leisure room'.
G3Y 29/04/2016

16/00093/COU FEH
11C Kingsholm Road Gloucester GL1 3AY
Change of use of property from dwelling to seven bedroom House in Multiple Occupation

G3Y 05/04/2016

16/00190/FUL CARLH
5 Cheltenham Road Gloucester GL2 0JE

Extension to roof, from hipped to gable, with new dormer windows, juliette balcony and windows within the gable end at second floor level

G3Y 05/04/2016

16/00258/LBC FEH
29 The Crescent Gloucester GL1 3LF

To erect a stud wall and door to form a shower room and dressing room and to make minor alterations to steps into the living room

G3L 18/04/2016

16/00261/NMA CARLH
1 St Oswalds Road Gloucester GL1 2SG

Non material amendment to planning permission ref 14/00893/FUL, for the change of a rear windows to a set of patio doors

NOS96 01/04/2016

16/00299/CONDIT ADAMS
Railway Triangle Site Metz Way Gloucester

Application to discharge Condition 2 (Car Park Management Plan) of

ALDIS 22/04/2016

Longlevens

16/00186/FUL AEROR
45 Windermere Road Gloucester GL2 0LZ

Two storey and single storey extension to the rear and two single storey side extensions.

G3Y 05/04/2016

16/00235/FUL	AEROR
5 Cotswold Gardens Gloucester GL2 0DR	
Single storey rear extension	
G3Y 14/04/2016	
16/00237/FUL	AEROR
83 Gambier Parry Gardens Gloucester GL2 9RE	
Two storey side extension	
G3Y 14/04/2016	
16/00239/FUL	AEROR
73 Windermere Road Gloucester GL2 0LZ	
Single storey rear and side extension	
G3Y 25/04/2016	
16/00240/FUL	AEROR
4 Saxon Close Gloucester GL2 0TZ	
Two storey side and rear extension	
G3Y 25/04/2016	
16/00256/FUL	AEROR
9 Chamwells Avenue Gloucester GL2 9JB	
Single storey side extension	
G3Y 25/04/2016	
16/00407/FUL	BOBR
90 Longford Lane Gloucester GL2 9HA	
Conversion of existing outbuilding to 'granny annexe' used for purposes ancillary to the principal dwellinghouse	
RET 14/04/2016	

Matson & Robinswood

15/01587/FUL CARLH

Land Opposite 130 Painswick Road Gloucester GL4 4PZ

Erection of double garage and boundary treatment

G3Y 29/04/2016

16/00021/FUL AEROR

8 Linnet Close Gloucester GL4 4UA

Enclose garden with a fence

REF 14/04/2016

16/00058/CONDIT BOBR

18 Painswick Road Gloucester GL4 6PW

Discharge of conditions 3 (materials), 4 (boundary treatments) and 5 (landscaping) of planning permission no. 15/00309/FUL, for new dwelling adjacent to no.18 Painswick Road, with parking at Salaam Close.

ALDIS 11/04/2016

16/00224/FUL FEH

Wave Hill Sneedhams Green Gloucester GL4 6EF

First floor front extension and single storey extensions to side and rear with alterations to porch

G3Y 22/04/2016

Moreland

16/00304/FUL CARLH

138 Bristol Road Gloucester GL1 5SR

Creation of dropped kerb access onto classified highway, and provision of parking within front garden

G3Y 29/04/2016

16/00320/NMA ADAMS

Peel Centre St Ann Way Gloucester

Non-material minor amendment proposal to amend the external alterations approved in permission ref. 15/00157/FUL

NOS96 27/04/2016

Podsmead

16/00010/CONDIT

BOBR

St Gobain Former Wellman Graham Bristol Road Gloucester GL2 5BX

Discharge of Condition 16 (noise mitigation measures) of permission no.14/00860/FUL.
(Site A)

ALDIS 15/04/2016

16/00011/CONDIT

BOBR

Former Contract Chemicals Site Bristol Road Gloucester GL2 5BX

Discharge of Condition 16 (noise mitigation measures) of permission no.14/00861/FUL.
(Site B)

ALDIS 15/04/2016

16/00130/FUL

CARLH

Tuffley Rovers AFC Glevum Park Lower Tuffley Lane Gloucester

Erection of new seated and standing spectator stands (3) to the south and east of pitch;
associated minor site improvements including 2 turnstiles, fencing and 32 space parking
area

G3Y 05/04/2016

16/00205/FUL

CJR

31 Duke Of Beaufort Court Gloucester GL1 5UB

Conversion of existing site Court managers house into 2 no. one-bed flats.

G3Y 27/04/2016

16/00234/FUL

ADAMS

NGPLot 6 Bristol Road Gloucester

Variation of Condition 6 of planning permission ref. 15/00533/FUL to extend the
permitted hours for construction work to; Monday to Friday: 8.00am to 8.00pm, Saturday
8.00am to 8.00pm for a limited range of works (original development is the erection of s

G3Y 05/04/2016

Quedgeley Fieldcourt

16/00148/COU

CJR

Phoenix House Stanley Court Edison Close Quedgeley Gloucester GL2 2AE

Change of use from Use Class B1/B8 to sui generis Police use, erection of security fence,
gates, external storage containers, external lighting and back up electricity generator.

G3Y 13/04/2016

16/00170/FUL AEROR
23 Barrow Close Quedgeley Gloucester GL2 4YP
Garage Conversion and extension to front.
G3Y 05/04/2016

16/00195/FUL AEROR
8 Shawbury Avenue Kingsway Quedgeley Gloucester GL2 2BD
Single storey rear extension
G3Y 06/04/2016

16/00274/PDE FEH
7 Stanbridge Way Quedgeley Gloucester GL2 4RE
Single storey rear extension, measuring 6.15 metres in depth, 2.3 metres in height to the eaves and 3.6 metres maximum height.
ENOBJ 06/04/2016

16/00286/LAW CARLH
47 Farriers End Quedgeley Gloucester GL2 4WA
Conversion of garage to habitable room
LAW 01/04/2016

16/00315/PDE BOBR
2 Sealand Way Kingsway Quedgeley Gloucester GL2 2FP
Erection of single storey canopy extension to rear (depth: 6 metres from rear elevation of original dwellinghouse, maximum height: 3.1 metres, height of eaves: 2.4 metres)
ENOBJ 28/04/2016

16/00475/TCM JONSU
Telecommunications Antenna (ORANGE SITE) Francis And Lewis
Installation of telecommunication apparatus
NOB 22/04/2016

Quedgeley Severnvale

16/00188/FUL BOBR
Bruton Knowles Bisley House Falcon Close Quedgeley Gloucester GL2 4LY
External alterations to building (window and door replacements and cladding), in association with prior approval application no.16/00191/JPA.
G3Y 11/04/2016

16/00191/JPA BOBR
Bruton Knowles Bisley House Falcon Close Quedgeley Gloucester GL2 4LY
Prior approval for change of use from offices (Class B1a) to dwellinghouse/flats (Class C3).
AAPRZ 11/04/2016

16/00192/COU BOBR
Unit 1 Former Orchard Olympus Park Quedgeley Gloucester GL2 4NF
Change of use of Unit 1 from Use Class A3/A5 (cafe/takeaway) to Use Class A2 (estate agent).
G3Y 11/04/2016

Tuffley

16/00264/CONDIT ADAMS
Fox And Elm 385 Stroud Road Gloucester GL4 0DA
Application to discharge conditions 3 (external facing materials), 4 (boundary treatments), 14 (drainage) and 21 (deliveries management plan) of permission ref. 14/01347/FUL
ALDIS 11/04/2016

16/00337/DCC EDBAK
Tuffley Primary School Evenlode Road Gloucester GL4 0JY
Erection of a single storey extension to Communications and Interaction Centre to provide a community room and associated facilities
NOB 28/04/2016

Westgate

15/00589/ADV JONSU
Site No 2604-5757 Market Parade Gloucester
Illuminated Digital 6 Sheet With Static Paper 6 Sheet On Reverse Panel Maybe Scrolling Or Static. The Digital 6 Sheet Will Display Content Controlled Remotely From Our Central Hub. The Advertising Displays Will Be Sequential and Not Change More Frequent
GFY 06/04/2016

15/00590/ADV

JONSU

Advertising Right Site No 5756 Northgate Street Gloucester

Illuminated Digital 6 Sheet With Static Paper 6 Sheet On Reverse Panel Maybe Scrolling Or Static. The Digital 6 Sheet Will Display Content Controlled Remotely From Our Central Hub. The Advertising Displays Will Be Sequential and Not Change More Frequent

GFY 06/04/2016

15/00591/ADV

JONSU

Site 2604-5755 The Oxebode Gloucester

Illuminated Digital 6 Sheet With Static Paper 6 Sheet On Reverse Panel Maybe Scrolling Or Static. The Digital 6 Sheet Will Display Content Controlled Remotely From Our Central Hub. The Advertising Displays Will Be Sequential and Not Change More Frequent

GFY 06/04/2016

15/00592/ADV

JONSU

Site 2604-5754 The Oxebode Gloucester

Illuminated Digital 6 Sheet With Static Paper 6 Sheet On Reverse Panel Maybe Scrolling Or Static. The Digital 6 Sheet Will Display Content Controlled Remotely From Our Central Hub. The Advertising Displays Will Be Sequential and Not Change More Frequent

GFY 06/04/2016

15/00593/ADV

JONSU

Site 2604-5783 Kings Walk Gloucester

Illuminated Digital 6 Sheet With Static Paper 6 Sheet On Reverse Panel Maybe Scrolling Or Static. The Digital 6 Sheet Will Display Content Controlled Remotely From Our Central Hub. The Advertising Displays Will Be Sequential and Not Change More Frequent

GFY 06/04/2016

15/00929/FUL

FEH

Land At 1 Kings Barton Street Gloucester GL1 1QX

Extension to existing outbuilding to create living space. Change of use of outbuilding from A1 (outbuilding is within curtilage of commercial unit) to C3

G3Y 27/04/2016

16/00086/LBC	CARLH
Santander 6 - 8 Westgate Street Gloucester GL1 2NL	
Internal refurbishment of shop (RETROSPECTIVE)	
G3L	29/04/2016
16/00101/COU	EDBAK
159 Southgate Street Gloucester GL1 1XE	
Change of use from day centre/health clinic (Use Class D1) to student	
G3Y	28/04/2016
16/00137/FUL	BOBR
Pitt Street Garages Pitt Street Gloucester GL1 2QS	
Removal of all but one of the garages, re-surface the area to form open car parking spaces for Cathedral permit holders and replacement fencing.	
G3Y	15/04/2016
16/00141/ADV	CARLH
Royal Bank Of Scotland 1 Westgate Street Gloucester GL1 2TT	
Erection of new signage for 'Williams & Glyn', including new internally illuminated fascia panel, non illuminated projecting sign, internally illuminated ATM surround signage and various vinyl signs	
GFY	28/04/2016
16/00154/FUL	ADAMS
Lord High Constable Of England The Docks Gloucester GL1 2EH	
Removal of post/glazed dockside balustrade and installation of planter boxes (existing post/chain barrier at dock edge to remain), retention of existing front balustrade enclosure - retrospective (revision of application)	
G3Y	08/04/2016
16/00177/FUL	BOBR
Pizza Hut 47 Arthur Street Gloucester GL1 1QY	
Formation of entrance door to south-eastern elevation of building to create access to the first floor flat, and replacement timber windows to match	
G3Y	14/04/2016

16/00189/COU	FEH
29 Arthur Street Gloucester GL1 1QY	
Change of use from dwellinghouse to a 7 bedroomed House in Multiple	
G3Y	21/04/2016
16/00197/ADV	CARLH
Lloyds 19 Eastgate Street Gloucester GL1 1NU	
2no internally illuminated logo signs above entrances; 1no non illuminated fascia sign to replace existing	
GFY	05/04/2016
16/00201/LBC	CARLH
Lloyds 19 Eastgate Street Gloucester GL1 1NU	
2no internally illuminated logo signs above entrances; 1no non illuminated fascia sign to replace existing	
G3L	05/04/2016
16/00223/FUL	FEH
Flat 2 5 Albion Street Gloucester GL1 1UE	
Replacement of two front sash windows with double glazed pvc windows (retrospective)	
REF	18/04/2016
16/00252/TRECON	JJH
6 Spa Villas Montpellier Gloucester GL1 1LB	
(1) Crown reduction of mature willow tree. Reduce back to main branches and symmetrical shape to encourage new growth. Minimal reduction in height. Some shortening of longer horizontal branches as willows are liable to split with excess weight.	
(2) Reduction of pine by 40% This was, I believe, originally planted to be a tree of no more than 10 feet height. Its present height interferes with the development of the willow and look unsightly protruding through its canopy.	
(3) Reduction of pine tree to match Tree (2) to enhance symmetry	
(4) Reduction of pine tree to match tree (2) to enhance symmetry.	
TCNOB	05/04/2016

16/00269/CONDIT	ADAMS
Former Gloscat Brunswick Road Gloucester	
Partial discharge of Condition 45 (details of public display material for the interpretation of archaeological remains and the public art pieces) of planning permission ref. 15/00362/FUL	
REF	11/04/2016
16/00271/ADV	CARLH
Unit 99A1 Gloucester Quays Designer Outlet St Ann Way Gloucester GL1 5SH	
Erection of new fascia signage	
GFY	28/04/2016
16/00308/ADV	CARLH
Gloucester Lock The Docks Gloucester	
Erection of 'Strong Stream' warning board to lockside	
GFY	28/04/2016
16/00325/PDE	AEROR
38 Mainsail Lane Gloucester GL2 5GJ	
Rear conservatory , measuring 4 metres in depth, 2.1 metres in height to the eaves and 3 metres maximum height.	
ENOBJ	28/04/2016
16/00341/DCC	CJR
Westbrook Day Service Archdeacon Street Gloucester GL1 2QX	
Erection of 1.5 metre high railings to boundary. Provision of dropped kerbs to allow access to existing car park and front entrance. Resurfacing of existing	
NOB	20/04/2016

DECISION DESCRIPTIONS ABBREVIATIONS

AAPRZ:	Prior Approval Approved
ALDIS:	All Discharged
AR:	Approval of reserved matters
C3C:	Conservation Area Consent for a period of 3 years
CAC:	Conservation Area Consent
ECREF:	PDE Refused - Commenced
ENOBJ:	No Objections
ENPDEZ:	PDE Decision – No objections
EOBJ:	PDE Decision - Objection
G3L:	Grant Listed Building Consent for a period of 3 Years
G3Y:	Grant Consent for a period of 3 Years
GA:	Grant Approval
GATCMZ:	Grant approval for telecommunications mast
GFY:	Grant Consent for a period of Five Years
GLB:	Grant Listed Building Consent
GLBGOS:	Grant Listed Building Consent subject to Government Office of South West clearance
GOP:	Grant Outline Permission
GOSG:	Government Office of South West Granted
GP:	Grant Permission
GSC:	Grant Subject to Conditions
GTY:	Grant Consent for a period of Two Years
GYO:	Grant Consent for a period of One Year
LAW:	Certificate of Law permitted
NOB:	No objections
NOS96:	No objection to a Section 96 application
NPW:	Not proceeded with
OBJ:	Objections to County Council
OBS:	Observations to County Council
PADIS:	Part Discharged
PER:	Permission for demolition
RAD:	Refuse advert consent
REF:	Refuse
REFLBC:	Refuse Listed Building Consent
REFREA:	Refuse
REFUSE:	Refuse
RET:	Returned
ROS96:	Raise objections to a Section 96 application
RPA:	Refuse Prior Approval
SCO:	EIA Screening Opinion
SPLIT:	Split decision
TCNOB:	Tree Conservation Area – No objection
TELPRI:	Telecommunications Prior Approval
TPDECS:	TPO decision notice
TPREF:	TPO refuse
WDN:	Withdrawn