



Gloucester City Council

Planning Committee

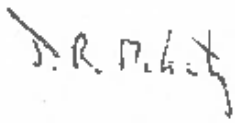
Meeting: Tuesday, 2nd October 2018 at 6.00 pm in the Civic Suite - North Warehouse, The Docks, Gloucester, GL1 2EP

Membership:	Cllrs. Taylor (Chair), Lewis (Vice-Chair), D. Brown, J. Brown, Dee, Fearn, Finnegan, Hanman, Hansdot, Lugg, Morgan, Toleman and Walford
Contact:	Democratic and Electoral Services 01452 396126 democratic.services@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 - 16) To approve as a correct record the minutes of the meeting held on 4 th September 2018.
4.	LATE MATERIAL Please note that any late material relating to the applications listed below will be published on the Council's website as a supplement in the late afternoon of the day of the meeting.
5.	LAND AT MONKMEADOW, BAKERS QUAY AND LLANTHONY WHARF - 18/00685/FUL (Pages 17 - 52) Application for determination:- Variation of Condition 5 (to alter application plans and documents), 6 (to alter masterplan) and 73 (to reduce affordable housing provision) of permission ref. 14/00709/FUL as varied on land at Monkmeadow, Bakers Quay and Llanthony Wharf.
6.	LAND AT MONKMEADOW - 18/00680/REM (Pages 53 - 76) Application for determination:- Reserved Matters approval for access, appearance, landscaping, layout and scale, for 409 residential units pursuant to outline permission 14/00709/FUL (as varied) for the Monk Meadow phase (phase G).

7.	JESSOP COURT, QUEDGELEY - 17/01364/FUL (Pages 77 - 94) Application for determination:- Construction of a distribution warehouse with associated offices, parking, sustainable drainage and new access off Marconi Drive at Jessop Court, Quedgeley.
8.	DELEGATED DECISIONS (Pages 95 - 110) To consider a schedule of applications determined under delegated powers during the month of August 2018.
9.	DATE OF NEXT MEETING Tuesday, 6 th November 2018 at 6.00 pm.



Jon McGinty
Managing Director

Date of Publication: Monday, 24 September 2018

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.

Access to Information

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

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

Recording of meetings

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

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

FIRE / EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

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

Copyright Notice for viewing documents via Public Access

Planning application information submitted to the Council is protected by the Copyright Acts (Section 47, 1988 Act). You may only use material which is downloaded and/or printed for consultation purposes, to compare current applications with previous schemes and to check whether developments have been completed in accordance with approved plans. Further copies must not be made without the prior permission of the copyright owner. If you link to Public Access you have acknowledged that you have read, understood and agree to the copyright and other limitations.

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

HUMAN RIGHTS

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

EQUALITY ACT 2010

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

This page is intentionally left blank



PLANNING COMMITTEE

MEETING : Tuesday, 4th September 2018

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

Officers in Attendance

Paul Skelton, Planning Technical Manager

Nick Jonathan, Solicitor, One Legal

Ron Moss, Principal Planning Officer

Caroline Townley, Planning Officer

Tony Wisdom, Democratic Services and Elections Officer

APOLOGIES : Cllrs. Fearn and Hansdot

24. DECLARATIONS OF INTEREST

Councillor Lewis declared a prejudicial interest in Agenda item 5, 22 Spoonbill Close, as he was the applicant. He left the Chamber for this application.

25. MINUTES

The minutes of the meeting held on 14th August 2018 were confirmed and signed by the Chair as a correct record.

26. LATE MATERIAL

Late material in respect of Agenda item 7 had been circulated.

27. WATTS TRUCK CENTRE, MERCIA ROAD - 17/00784/FUL

The Principal Planning Officer presented the report which detailed an application for the demolition of existing buildings and the construction of a new Lidl neighbourhood discount food store with associated car parking, landscaping and access arrangements at Watts Truck Centre, Mercia Road.

Glen Stidever, Head of Property for Lidl South West addressed the Committee in support of the application.

PLANNING COMMITTEE
04.09.18

A Member expressed concern that no opening hours were specified. He was advised that there were no restrictions but it was anticipated that the store would be open from 08.00 to 22.00 hours.

Another Member enquired about unexpected land contamination and was referred to paragraphs 6.61-66 of the report.

A Member expressed concern at the boundary treatment in areas where the proposed building was close to neighbouring properties. He was advised that condition 16 required details of the boundary treatments, including the acoustic fence required in accordance with the recommendations set out in the submitted Noise Impact Assessment.

The Chair moved and the Vice-Chair seconded that planning permission be granted subject to the conditions laid out in the report.

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

28. RAILWAY TRIANGLE SITE - 18/00267/FULL

The Principal planning Officer presented the report which detailed an application for the erection of a business and household storage unit (Use Class B8) at the Railway Triangle Site.

She drew Members' attention to the late material which contained an additional condition requested by the Highway Authority to require the installation of electric vehicle charging points and consequential changes to conditions 2 and 6 to reflect the amended plans.

Matt Taylor, a Planning Consultant acting for the applicant, addressed the Committee in support of the application.

A Member expressed disappointment that the site would only provide employment for four full time staff.

The Chair moved and the Vice-Chair seconded that planning permission be granted subject to the conditions laid out in the late material.

RESOLVED that planning permission be 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

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 2

PLANNING COMMITTEE
04.09.18

The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers PL_01, PL_05 Rev G, PL_10 Rev B, PL_20 Rev C, PL_21 Rev D and 17-076/300 Rev T2 except where these may be modified by any other conditions attached to this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans.

Condition 3

The development hereby permitted shall not be brought into use until a SuDS management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The plan should fully detail the access that is required to reach the surface water management component for maintenance purposes. It should also include a plan for safe and sustainable removal and disposal of waste periodically arising from drainage system, detailing the materials to be used and standard of work required including method statement. The development shall be implemented in strict accordance with the approved SUDS maintenance plan for the lifetime of the development.

Reason

To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

Condition 4

Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100+40% climate change event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. A risk assessment may be required to determine adequate risk mitigation measures and agreed with Local Planning Authority. When assessing the risks associated with conveyance routes or storage area for exceedance flows, flow depth, velocities, duration and impact of flooding to people and property on and off site should be taken into account. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason

To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

Condition 5

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 15m of the proposed access road,

PLANNING COMMITTEE
04.09.18

including the junction with the existing public road and with the area in advance of the splay lines so defined cleared of all obstructions to visibility from a setback of 2.4m set back from the carriageway edge along the centre point of the access to a distance of 45m in either direction to the nearside carriageway edge, has been completed to at least binder course level.

Reason

To ensure that appropriate measures are in place prior to the commencement of development to ensure that a satisfactory means of access with adequate visibility is provided for the duration of the use and maintained in the interests of highway safety in accordance with the National Planning Policy Framework.

Condition 6

The development hereby permitted shall not be occupied until the vehicular parking and turning facilities and cycle storage have been provided in accordance with the submitted plan drawing no. PL-05 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 7

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. Specify Measures to control the emission of dust and dirt during construction

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 the National Planning Policy Framework.

Condition 8

- (a) No development shall commence until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be carried out in accordance with current UK guidance and best practice.
- (b) Where the approved risk assessment (required by part (a) above) identifies ground gases or vapours posing unacceptable risks, no development shall

PLANNING COMMITTEE
04.09.18

commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

(c) Following implementation and completion of the approved remediation scheme (required by part (b) above) and prior to the first occupation of the development, a verification report shall be completed in accordance with current UK guidance and best practice, and submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

(d) No development shall commence until a long term monitoring and maintenance scheme (to include monitoring the long-term effectiveness of the remediation and reporting on the same) where required has been submitted to and approved by the Local Planning Authority. The approved scheme must be carried out in accordance with its terms, recommendations and time tables. All further reports produced shall be submitted to and approved in writing by the Local Planning Authority, and then carried out in accordance with its terms, recommendations and time tables.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works to ensure that the risk to buildings and their occupants from potential landfill or ground gases are adequately addressed in accordance with Policy SD14 of the adopted Joint Core Strategy (2017).

Condition 9

No development works above DPC level shall take place until a landscaping scheme, 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

To ensure that appropriate measures are in place to ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 10

The landscaping scheme approved under condition 9 above 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.

PLANNING COMMITTEE
04.09.18

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 11

Notwithstanding the submitted drawings, no development works above DPC level 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 and thereafter maintained in a suitable condition.

Reason

In the interests of the visual amenity in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 12

No development works above DPC level shall take place until details of measures to discourage seagulls from nesting and roosting on the building have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to the occupation of any building, unless otherwise agreed 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 SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 13

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.

Reason

To ensure a satisfactory appearance of the development in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 14

During the construction (including demolition and preparatory groundworks) phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times: Monday-Friday 8.00

PLANNING COMMITTEE
04.09.18

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 SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 15

Prior to the occupation of the building hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason

To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

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 Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 2

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- " Work on an existing wall or structure shared with another property.
- " Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- " Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 - explanatory booklet.

Note 3

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.

- 29. LAND ADJ TALL SHIPS, THE DOCKS, GLOUCESTER - 17/01351/FUL & 17/01329/LBC**

PLANNING COMMITTEE
04.09.18

The Principal Planning Officer presented the report which detailed an application for the erection of a 3.5 storey apartment building, comprising a total of 14 residential units with ground floor parking and access. (This includes the demolition of a curtilage listed wall) on land adjacent to the Tall Ships Public House, Gloucester Docks.

He advised Members that the site had the benefit of planning permission for 12 residential units and was presently under construction. He noted that since the adoption of the Joint Core Strategy, condition SD12 required that a minimum of 20 per cent affordable housing be sought on applications for 11 or more dwellings,

He advised that the site had been purchased prior to the adoption of the JCS and Officers had considered this and the importance of the site as a gateway to the City together with the low profit margins proposed and had concluded that the importance of having the site built out outweighed the risk of jeopardising the development.

The Chair moved and the Vice-Chair seconded that Officers be authorised to grant planning permission subject to the conditions in the report and no new material considerations arising during the public consultation period.

RESOLVED that Officers be authorised to grant planning permission subject to the conditions in the report and no new material considerations arising during the public consultation period.

30. DELEGATED DECISIONS

Consideration was given to a schedule of applications determined under delegated powers during the month of July 2018.

RESOLVED that the schedule be noted.

31. 22 SPOONBILL CLOSE, QUEDGELEY - 18/00505/FUL

Councillor Lewis had declared a prejudicial interest in this application as he was the applicant. He left the Meeting at this point.

The Principal Planning Officer presented the report which detailed an application to convert part garage into an extra room with appropriate electric and water services at 22, Spoonbill Close, Quedgeley.

She advised that the application was before the Committee as the applicant was an elected Member of the City Council. She also advised that there were no external alterations proposed to the building.

The Chair moved and Councillor Lugg seconded that planning permission be granted subject to the conditions in the report.

PLANNING COMMITTEE
04.09.18

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

32. DATE OF NEXT MEETING

Tuesday, 2nd October 2018 at 6.00 pm.

Time of commencement: 6.00 pm

Time of conclusion: 6.45 pm

Chair

This page is intentionally left blank

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	2 nd October 2018
Address/Location:	Land at Monkmeadow, Bakers Quay and Llanthony Wharf, Gloucester
Application No:	18/00685/FUL
Ward:	Westgate
Expiry Date:	08.09.2018
Applicant:	c/o Agent
Proposal:	Variation of Conditions 5 (to alter application plans and documents), 6 (to alter masterplan) and 73 (to reduce affordable housing provision) of permission ref. 14/00709/FUL (as varied)
Report by:	Adam Smith
Appendices:	Site location plan Proposed revised masterplan Rev. Q

1.0 SITE DESCRIPTION AND PROPOSAL

1.1 The proposal relates to the Gloucester Quays permission, which covers a wide area on both sides of the canal including the now-constructed outlet centre, Bakers Quay, the college campus, Llanthony Priory, and the Sainsbury foodstore. The practical effect of the application however relates to the vacant land at Monk Meadow, to the west and south of the Sainsbury foodstore, between Hempsted Lane and the canal.

1.2 Outline planning permission was granted for the Gloucester Quays scheme in 2006 following a public inquiry and the time periods for submitting reserved matters applications extended in 2016. The permission has subsequently been amended further in recent years including a variation to update the masterplan to show the elongated roundabout and 'Sainsbury' access off the bypass.

1.2 An associated reserved matters application (also on this agenda) has been developed which does not currently fit within the existing approved masterplan and schedule of development. Therefore this 'Section 73' application seeks to make changes to the existing permission to allow the reserved matters proposal to be compliant. At the same time the application seeks to alter the affordable housing provision. This is proposed to be achieved by varying several conditions as follows:

Condition 5 (the list of approved plans and documents) – in order to substitute in an amended masterplan and schedule of development

Condition 6 (the masterplan condition) – in order to substitute in an amended masterplan.

Condition 73 – (the affordable housing condition) – in order to reduce the proportion of affordable housing provided within the Monk Meadow phase from 20% to 1.2% with no public subsidy or 3.9% with public subsidy.

1.3 In practice, the application also seeks an alternative means of addressing parts of Conditions 8, 9 and 31 of the outline permission, in so far as there is a proposal within this application to make a financial contribution to the upgrade of the canal towpath at Monk Meadow. The towpath is within the outline permission application site but no longer in the control of Gloucester Quays (because the Canal & River Trust is no longer part of the Gloucester Quays

joint venture). The towpath does however form part of the strategic linkage improvements already submitted to the Council under Conditions 8 and 9, and part of the amenity/open space proposals under Condition 31 and its improvement has long been part of the overall composition of the proposals.

1.4 The changes to the masterplan involve alterations to the precise siting and form of buildings (e.g. houses in place of some of the large mass blocks on the current masterplan). They also involve changes to the road network, principally in the southern half of the masterplan where access roads and associated external car parking are now shown running into the full extent of the site, and from a single access point off the bypass – that being the existing ‘Sainsbury’ access (the site can also be accessed from the existing access off St Ann Way to the north). This involves omitting the second separate access off the bypass (close to the southern boundary with the Bloor Homes site) that is shown on the currently-approved masterplan.

1.5 Because the amount of floorspace and the building forms that are proposed have been changed, translating the alterations like-for-like to each building on the current masterplan is complicated. However, it is considered that the general scale and location of the proposals is sufficient to understand the planning impacts of the proposed new schedule of development. The changes to the schedule involve the following (it is important to note that the application documents have always been set out as an overall floor area of development rather than unit numbers, albeit the permission refers to ‘up to 1000 residential units’ across the whole Gloucester Quays area):

- An overall decrease in the amount of residential floorspace on Monk Meadow (from around 540,000 sq ft to 410,000 sq ft).

In terms of unit numbers, the estimated residential quantum (based on the associated car parking numbers) across the land on the west side of the canal (including other land outside the Monk Meadow phase) was around 790 units. Even allowing for a deduction of units from the 790 to account for the land not part of the Monk Meadow phase, this proposed change represents a substantially lower number of residential units proposed than originally envisaged.

- Omission of the two storey office/workshop use shown at the bypass frontage.

- Increase in height of the block on the bypass frontage at the entrance road from 2 storey to 2/3 storey and a commensurate overall height increase of 2.5m.

- An increase in the overall height of buildings around the dock inlet and canal edge by 1.5m.

- An increase in the height of the blocks in the north west part between Sainsbury and the bypass by 0.5m.

- Associated amendments to car parking numbers (further altered during the course of the application as a result of changes required to the detailed layout to accommodate Canal & River Trust requirements for boater access and to accommodate segregated vehicle/pedestrian roads instead of a ‘shared space’ arrangement). Overall this has reduced the provision to 468 (for context the reserved matters proposal is for 409 units).

1.6 A viability appraisal has been submitted in support of the proposed reduction in affordable housing provision.

1.7 The application is presented to the Committee given the scale of development and the proposal for a s106 legal agreement.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
02/00271/OUT	Application for Outline Planning Permission - major mixed use development comprising new build and reuse of existing buildings to accommodate residential development (approx. 1000 units); food retail store (approx. 7,800 sq. metres);	GOP	22.06.2006
06/00358/FUL	Construction of canal bridge and link road, control building and associated works.	G3Y	06.06.2006
07/00444/FUL	Variation of conditions 6,7 and 12 of planning application 02/00271/OUT to amend the approved masterplan, vary the maximum parameters of the environment statement (Buildings Heights) and redistribute part of the A3, A4, and A5 floorspace in the Factory Outlet Centre.	G3Y	03.07.2007
07/00708/REM	A mixed use scheme consisting of a Retail Factory Outlet centre, 15 residential flats, leisure floorspace (including A3, A4 & A5 food & drink) together with associated multi- level car parking (1311 spaces), Bus and taxi facilities and landscaping. Approval of reserved matters following the granting of Outline Planning Permission 02/00271/OUT. Approval of a mixed use regeneration of the site, including residential, retail and leisure uses, together with transport facilities and associated landscaping.	AR	04.09.2007
07/01150/REM	Construction of Vehicular Access to Foodstore (Reserved Matters) in connection with implementation of Gloucester Quays Outline Planning Permission (Ref:02/00271/OUT) Phase C	AR	18.06.2008
08/00017/REM	Submission of reserved matters, following the grant of outline planning permission 02/00271/OUT (varied by 07/00444/FUL, 07/01504/FUL and 08/00024/FUL), comprising one and two storey buildings and associated structures and conversion of existing buildings, for A3/A4 food and drink uses, and associated landscaping (phase F1).	AR	11.03.2008
08/00090/REM	Submission of reserved matters following the granting of outline planning permission 02/00271/OUT (varied by 07/00444/FUL and 07/01504/FUL), comprising a food store and associated structures, car park, petrol filling station, access arrangements and landscaping (Phase C).	AR	19.03.2008
08/00024/FUL	Variation of conditions 3 and 4 of Planning Permission 07/00444/FUL (varied conditions 7 and 12 respectively of 02/00271/OUT) to vary the maximum parameters for the development and re-distribute the approved floorspace within the site (incorporating an increase in the class A3, A4 and A5 uses within the factory outlet shopping area)	G3Y	11.03.2008
08/01319/FUL	Variation of condition 7 of 02/00271/OUT to vary the maximum parameters for the development (incorporating an increase in the height of the hotel and its capacity from 80 to 120 bedrooms, and a	G3Y	06.01.2009

	re-allocation of parking spaces within Phase E only of the development) and Condition 6 of 02/00271/OUT to amend the approved masterplan (at Phase E of the development)		
08/01326/FUL	Variation of conditions 13, 14 and 15 of planning permission 02/00271/OUT to alter the limitations on the type and price of goods for sale.	WDN	19.11.2008
08/01499/REM	Revised reserved matters submission for Phase C of Gloucester Quays development (following the granting of outline planning permission 02/00271/OUT as subsequently varied by 07/00444/FUL, 07/01504/FUL and 08/00024/FUL), comprising a food store and associated structures, petrol filling station, car park and access arrangements and landscaping. Reserved Matters are details of the siting, design and external appearance of buildings and landscaping of the site.	AR	10.02.2009
08/01591/FUL	Variation of conditions 13, 14 and 15 of planning permission 02/00271/OUT (as amended by 07/00444/FUL, 07/01504/FUL, 08/00024/FUL and 08/01319/FUL) and addition of two further conditions to alter the limitations on the type and price of goods for sale (revised application following application ref. 08/01326/FUL).	GC	06.03.2009
09/00088/FUL	Variation of condition 66 of permission ref. 02/00271/OUT (as varied by 07/00444/FUL, 07/01504/FUL, 08/00024/FUL and 08/01319/FUL) to vary the hours during which servicing activities can take place at the service yard to the rear/west of Southgate Street properties (known as service yard B of the Gloucester Quays development)	GP	23.04.2009
09/00284/FUL	Variation of Condition 19 of planning permission 02/00271/OUT (as amended by 07/00444/FUL, 07/01504/FUL, 08/00024/FUL, 08/01319/FUL, 08/01591/FUL and 09/00088/FUL) to vary the maximum number of retail units of less than 100 sq m at any one time from 6 (no.) to 21 (no.)	G3Y	12.06.2009
09/00726/FUL	Variation of Condition 7 of 02/00271/OUT (as amended by 07/00444/FUL, 07/01504/FUL, 08/00024/FUL, 08/01319/FUL, 08/01591/FUL, 09/00088/FUL and 09/00284/FUL)	NPW	12.10.2009
10/00522/FUL	Variation of Condition 16 of Planning Permission 02/00271/OUT (as varied) to allow the hire of clothing from Unit 56/57 only of the Gloucester Quays Designer Outlet (Suits You/Young's Hire unit)	GP	04.08.2010
10/01287/REM	Construction of an access road from the extended St. Ann Way to 'Phase E' of the Gloucester Quays development (also known as Llanthony Wharf) and associated works (application for reserved matters following the granting of outline planning permission ref. 02/00271/OUT (as subsequently varied)).	AR	27.04.2011
11/00409/FUL	Erection of public house and associated 1 no. residential unit, external seating area, access road, and associated parking and landscaping/re-grading	G3Y	07.07.2011
14/00709/FUL	Renewal of Gloucester Quays outline planning permission. Mixed use regeneration, comprising re-use of buildings and new build to accommodate	GOP	04.01.2016

	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		
14/01386/FUL	Variation of Conditions 5, 6 and 7 of the Gloucester Quays outline planning permission ref. 14/00709/FUL to alter the masterplan and schedule of development Original development is 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	GOP	17.08.2017
15/01625/FUL	Variation of condition 12 of permission ref. 14/01386/FUL, to increase the permitted level of Use Class A3, A4 and/or A5 floorspace within the Factory Outlet Shopping Area from 3,279 sq m to 3,590 sq m gross floorspace in total. Original development is 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	GOP	31.08.2017
17/01100/FUL	Variation of conditions 13, 14 and 15 of permission reference 15/01625/FUL and addition of new conditions 15C and 15D in order to reflect change in circumstances and current tenant requirements.	Pending	
18/00680/REM	Application for Reserved Matters Approval for access, appearance, landscaping, layout and scale, for 409 no. residential units pursuant to outline permission ref. 14/00709/FUL (as varied) for the Monk Meadow phase (phase G)	Pending	

3.0 RELEVANT PLANNING GUIDANCE

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

3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 Development Plan

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS include:

SP1 – The need for new development

SP2 – Distribution of new development
 SD3 – Sustainable design and construction
 SD4 – Design requirements
 SD6 – Landscape
 SD9 – Biodiversity and geodiversity
 SD10 – Residential development
 SD11 – Housing mix and standard
 SD12 – Affordable housing
 SD14 – Health and environmental quality
 INF1 – Transport network
 INF2 – Flood risk management
 INF3 – Green Infrastructure
 INF4 – Social and community Infrastructure
 INF6 – Infrastructure delivery
 INF7 – Developer contributions

3.4 **City of Gloucester Local Plan (Adopted 14 September 1983)**

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 213 of the NPPF states that ‘...*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*’ Therefore it is considered that the 1983 Local Plan is out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy.

3.5 **Emerging Development Plan Gloucester City Plan**

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

3.6 **Other Planning Policy Documents Gloucester Local Plan, Second Stage Deposit 2002**

Regard is also 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. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight:

BE.2 – Views and skyline
 OS.2 – Public Open Space Standard for New Residential Development
 OS.3 – New housing and open space

3.7 **Supplementary Planning Guidance/Documents**

SPG1 – Sustainable Urban Drainage Systems (interim adoption November 2004)
 SuDS Design Guide 2013 – Supplement to SPG
 SPG6 – New Housing and Open Space (interim adoption November 2004)
 Heights of Buildings (interim adoption August 2008)

All policies can be viewed at the relevant website address:- national policies:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Gloucester City policies:

<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>

4.0 CONSULTATIONS

4.1 The **Highway Authority** raises no objection.

4.2 The **Environment Agency** raises no objection.

4.3 The **Council's Ecology Adviser** raises no objection to the application provided the ecological conditions are carried forward.

4.4 The **Lead Local Flood Authority** does not wish to comment.

4.5 The **Drainage Engineer** has commented in detail on the drainage proposals in the context of the reserved matters application and the submission under the drainage Condition (44) of the outline permission. The issues of interest in relation to the outline permission are already covered by existing conditions.

4.6 The **City Centre Improvement Officer (Environmental Protection)** has commented on the noise mitigation issues in the context of the reserved matters application also on this agenda (18/00680/REM).

4.7 The **Housing Strategy and Enabling Officer** has made comments that may be summarised as:

- Site should be delivering 20% affordable housing;
- Seeks exploration of public funding to deliver affordable units on site or a later financial re-appraisal and potential commuted sums in lieu;
- Seeks exploration of options to maximise viability of the site;
- Should consider Policy SD11 in terms of appropriate mix of dwelling sizes, types and tenures to contribute to mixed and balanced communities and a balanced housing market; against the Strategic Housing Market Assessment the proposal over provides smaller units and the applicant should address this in accordance with Policy SD11;
- Design of blocks with functional outside space such as balconies is to be welcomed;

4.8 **Highways England** raises no objection.

4.9 The **Canal & River Trust** notes that the main issue for the Trust is the impact of the proposals on the canal towpath and the need to improve sustainable access to the site, and requests a contribution to improving the canal towpath to be secured by a legal agreement. The Trust also requests that all necessary conditions are re-imposed in any new permission.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 Neighbouring properties were notified and press and site notices were published.

5.2 No representations have been received from the public.

5.3 The full content of all correspondence on this application can be viewed on:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 OFFICER OPINION

6.1 ***Legislative background***

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

- 6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:
- a) the provisions of the development plan, so far as material to the application;
 - b) any local finance considerations, so far as material to the application; and
 - c) any other material considerations.
- 6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.
- 6.4 It is considered that the main issues with regards to this application are design and layout, traffic and transport, residential amenity and planning obligations/viability.
- 6.5 **Principle**
Paragraph 73 of the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer of between 5% and 20% depending on local circumstances.
- 6.6 The JCS addresses housing supply and demand under Policies SP1 (The Need for New Development) and SP2 (Distribution of New Development) as well as within Part 7 (Monitoring and Review). Currently, the Council can demonstrate a five year supply of deliverable housing sites. This positive housing land supply position means that the housing policies in the Joint Core Strategy can be given full weight.
- 6.7 The principle of the development of the Monk Meadow part of the site for residential use and in accordance with a masterplan and schedule of development setting out broad plot locations, heights of buildings and floorspaces, and with an obligation via planning condition to provide 20% affordable housing has already been granted. The overall Gloucester Quays project is a 'Schedule 2' Environmental Impact Assessment development. An EIA screening opinion has been adopted; that a further Environmental Statement was not required to accompany this application.
- 6.8 **Design and layout**
The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. Policy SD3 requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design, Policy SD6 requires development to protect or enhance landscape character while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network.
- 6.9 The proposed Masterplan remains broadly on the same principles as the existing. The retention of the main principles of buildings fronting streets and the towpath is welcomed. Similarly the broad arrangement of buildings of certain heights in certain parts of the site remains the same. The introduction of house types in place of large flatted blocks is likely to increase the scope for a balanced community and would not inhibit the design of the overall scheme.
- 6.10 The schedule of development includes increases in the height of certain buildings in the order of 0.5 to 1.5m (also one block is increased by 2.5m). In the proposed locations it is considered that these increases are acceptable as no significant harm would be caused to the character of the area or important views.
- 6.11 It is not considered that the proposed masterplan and schedule changes would cause an unacceptable impact in design terms. The proposal is considered to comply with the above-cited policy context in these terms and no objection is raised.

6.12 ***Traffic and transport***

The NPPF requires that development proposals provide for safe and suitable access for all and provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts upon the road network would be severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network.

6.13 The masterplan changes do not affect the existing principal point of access to this part of the site – that being the current ‘Sainsbury’ access off the bypass. As set out in the existing masterplan, access roads then branch off that existing road to access the north west part of the site, the land between the dock inlet and the Sainsbury car park, and the land to the east and south of the dock inlet. The proposed masterplan alteration does however now mean this would be the only access point off the bypass - removing the second access currently indicated adjacent to the Bloor development to serve part of the site at the south (it is also possible to access the site off St Ann Way). The Sainsbury access road is not adopted, but it is proposed to be; it is understood there are several technical matters to resolve to enable this.

6.14 The Highway Authority wished to consider the capacity of this single junction to accommodate the demand from the proposed housing because while the overall quantum of development is proposed to be reduced, the access strategy has also materially altered. The applicant has provided a technical note setting out a justification for this being the sole point of access off Secunda Way. This provided distribution of traffic estimates based on the development layout and census data. There is an overall reduction in the quantum of development in the new proposals from the permitted development including a loss of office space, and an associated reduction in the dwellings using this main access (609 to 349 as set out in the note). The proposal for the elongated roundabout and modelling supporting it also assumed two points of access off the bypass, although the mix of development assumed at that time was 950 dwellings and 1750 sq m of office or 1025 dwellings. While the assumptions made in the applicant's submission differ from that used in 2008 in association with the elongated roundabout proposal, the Highway Authority is satisfied that the proposed single point of access from the bypass can safely accommodate the traffic likely to be generated by the development since the number of movements modelled in 2008 using the retained ‘Sainsbury’ access are significantly higher than those generated by the reduced number of dwellings proposed in the detailed scheme.

6.15 In terms of the parking provision shown on the amended schedule of development, again it is difficult to set out a straightforward interpretation of the changed parking provision in the context of a reduced amount of floorspace in a different arrangement of building plots, and with the office use removed. Nevertheless overall the provision is now shown as 468 spaces (including visitor spaces) for what is shown in the reserved matters application as 409 residential units (411 including the separate full application for two further dwellings just outside the Gloucester Quays site).

6.16 The existing pedestrian route between the bypass and towpath at the south of the site would be removed. This has always been the case in the approved masterplans. Alternative access is provided via the access road and the landscaped cut-through to the towpath

6.17 The likely pedestrian / cycle route from the development in the direction of the City Centre to the north and in terms of recreation to the south is via the canal towpath. This is of poor quality in several areas and an enhancement to provide an attractive and comfortable environment is needed. This enhancement has historically been part of the wider proposals and is addressed in the planning obligations section below.

- 6.18 The Highway Authority raises no objection overall to the proposals. It is considered that the residual cumulative impacts on the road network would not be severe and there would not be an unacceptable impact on highway safety. The Joint Core Strategy and NPPF now seek electric vehicle charging points and it is recommended that this requirement be added to the existing Condition 50 which requires a strategy for implementing sustainable development principles. The proposals are considered to comply with the above mentioned policy context in terms of traffic and transport and no objection is raised.
- 6.19 **Residential amenity**
Paragraph 127 (f) of the NPPF provides that planning should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.
- 6.20 The masterplan and schedule of development changes would lead to a difference in the perception of the development from neighbouring properties. Most notably this is evident in there being houses now indicated along the southern edge of the site instead of blocks of flats. The existing planning permission includes an informative note that there is no guarantee that the maximum development parameters are achievable along this southern edge of the site due to the proximity of the adjacent residential development, nevertheless the amendment to the masterplan to include houses here instead of a large flat block presents a more suitable arrangement by which to design-out impacts on amenity at the detailed reserved matters stage.
- 6.21 Because of the way the floorspaces have been redistributed the schedule indicates houses in the grouping of buildings up to 11.5m. That extent in fact applies to the neighbouring flat blocks. The size of the houses is clarified on the masterplan as being 2 or 2.5 storeys. Their precise impact can be assessed in the reserved matters application where their precise scale, appearance and layout are confirmed.
- 6.22 At the strategic level of consideration given to the masterplan and schedule of development, the proposed changes would not inherently harm amenities and broadly improve the scope to design-out any adverse effects at the detailed stage by proposing houses rather than a large flat block at the southern edge. The proposals are considered to comply with the above-mentioned policy context in these terms and no objections are raised.
- 6.23 **Planning obligations/viability**
The NPPF sets out that major housing development should include at least 10% of the homes to be available for affordable home ownership. It also sets out that access to high quality open space and opportunities for physical activity is important for the health and well being of communities, that any significant impacts on the transport network can be cost effectively mitigated to an acceptable degree.
- 6.24 JCS Policy SD12 requires a minimum of 20% affordable housing. It also allows for viability to be considered and sets out that developers should consider alternatives where this impacts on affordable housing delivery. Policy INF1 sets out that severe impacts on the transport network must be mitigated to the satisfaction of the Authority. Policy INF3 requires proposals to contribute positively to green infrastructure, and for residential developments to meet requirements for green space, sports and recreation. Policy INF4 deals with residential development creating a need for community facilities, and their location, arrangement and delivery. Policy INF6 sets out requirements for infrastructure delivery resulting from proposals including education, sport, recreation and leisure, the highway network, green infrastructure and public realm. Policy INF7 provides for negotiating provision for infrastructure and services through developer contributions, and for viability considerations to be given.

- 6.25 As the proposals would result in a new planning permission, the application has been considered in the current policy context. There is however, an existing planning permission for the development in a different form, which will be discussed later in the report. Utilising the reserved matters proposals as the current logical interpretation of the outline planning permission, the proposals would generate the following requests for contributions:

Affordable housing

At least 20% of the total.

Public Open Space

POS provision of 3.23 Ha on site, or off-site contributions of:

Formal Sport - £1,116,000

Formal Play - £340,000

General POS - £154,000

Total off-site contributions to POS, Sport and Play - £1.61 million

Libraries

£80,556

Education

Pre-school - £172,983

Primary - £353,847

Secondary - £206,383

Highways

In addition there is a residual amount of £720,000 left to pay of the highways obligation (originally £2.98 million). The applicants do not propose to remove this obligation.

Canal towpath

Furthermore, there is a site-specific requirement for mitigation in terms of the improvement of the canal towpath.

The contribution to the towpath is considered to be necessary to mitigate the impacts of the development in increasing usage of this sustainable pedestrian/cyclist route and is required to make the development acceptable by upgrading the walking/cycling route in the immediate vicinity of the site for recreational purposes and in the direction of the transport and commercial infrastructure within the City centre. This is in line with the details previously offered in the Gloucester Quays application (but now removed because the Canal & River Trust is no longer part of the Gloucester Quays consortium and the towpath is outside the control of the applicant). The Canal & River Trust notes that the existing towpath is not of sufficient quality or durability to cope with the additional usage as a result of this development.

The agreed sum to improve the towpath surface between the southern part of the site (near where the path enters the woods) and the St Ann Way Bridge (so as to link up with the towpath area to be improved as a result of the McCarthy & Stone development), is £320,000.

6.26 ***Viability***

The applicant has indicated that the viability of the development impedes the delivery of the currently-required 20% affordable housing. A viability appraisal has been submitted alongside the application.

- 6.27 The viability report submitted by the applicant sets out a range of costs to the scheme including a detailed breakdown of significant land remediation works (c. £2million), demolition and site clearance (c. £580,000), an apportioned amount for site access (c. £1.26 million), and off site services/utilities (c. £1.86 million). It also includes a range of non-standard costs prepared by the proposed developer Crest Nicholson including abnormal foundations, retaining walls, abnormal road works, soil importing, gas protection and monitoring, drainage works including attenuation and electricity substations, amounting to c. £6.3million. In addition they report further costs incurred by the developer including flood plain compensation works, infrastructure works to St Ann Way and enhancement works to Llanthony Priory, but which are not included in their appraisal. A profit rate of 20% on gross development value is applied as a cost (with a reduced rate on the affordable this is a blended rate of 18.5%). It also sets out values reflecting prevailing market conditions and open market sales evidence from the local area.
- 6.28 The applicant's appraisal indicates that a scheme with 20% affordable housing and the residual amount of highways contribution (their appraisal does not include the full list of s106 requests set out earlier in this report where they have not previously been secured) produces a negative land value of around £9.5million, and that even a 100% private housing scheme does not produce a positive land value because of the factors including the historic facilitating costs.
- 6.29 The report has been reviewed for the Council by viability consultants who have undertaken similar work for the Council in recent years and are familiar with the City and recent developments. It is agreed that based on current factors, the development is unviable to support s106 contributions. There might be a prospect over time of revenues increasing and costs being sufficient for the scheme to become viable with s106 contributions. If the scheme were re-appraised later to assess this it could also show the scheme to still be unviable. The applicant has said that a review mechanism introduces a level of uncertainty and risk that threatens bringing the site forward for development promptly.
- 6.30 Policy SD12, pt 8 sets out further requirements for consideration where there is an issue relating to the viability of the development:
- 6.31 *Vary the housing design and mix*
In terms of varying the design and mix of the scheme the applicant points out that the original schedule of development dictates a high density scheme of mostly flatted accommodation that has not historically proved to be attractive to the market, while the recent interest has been for lower density development with a mix of housing and flats – they note that this is in line with guidance in the JCS and NPPF in terms of offering a wide choice of homes and creating sustainable and mixed communities. They note that increasing viability can only realistically be done by increasing numbers and density inevitably reverting back to a scheme of flats only, shown to be unattractive to the market. The proposals have also in fact been increased from 363 to 411 units during the design development. Reducing cost by amending the design would be undesirable in terms of the appearance of the scheme.
- 6.32 These are considered to be broadly reasonable comments. The scale of development is established by the existing outline planning permission parameters. It is not considered that a further significant change to increase the density of development to seek better returns would be desirable in planning terms anyway. There are benefits of bringing the site regeneration forward and delivering housing at the density now shown.

6.33 *Public subsidy*

The applicant sets out that they have discussed the site with Homes England as part of the Housing Zone designation but there was no grant or subsidy available in terms of this site. The option of a loan proved to be no more attractive than a loan through the normal banking system. However it is evident that speaking to Registered Providers directly can result in different indications of the grant available. The applicant has therefore also worked with their affordable housing consultant during the course of the application to see how they might be able to deliver some affordable units with subsidy. Through their discussions with registered providers they have assessed what subsidies could be realised, and this appears to have informed the affordable housing offer that has now been made. It is considered that such a proposal based on public subsidy would be a means of securing some affordable units on site in difficult circumstances, and securing a process by which to scrutinize subsequent discussions as to public subsidy would provide for compliance with this part of the policy.

6.34 Notwithstanding the results of their viability appraisal, the applicants have therefore subsequently proposed the inclusion 16 units which would amount to a 3.9% contribution of affordable housing, if public subsidy could be secured. If public subsidy cannot be secured, a base level of 5 units (1.2%) has been offered. These would all be affordable rent units and would be delivered by 50% open market completions (these points would actually be dealt with via a submission of the affordable housing scheme under Condition 73). While disappointed with the low provision, the Housing Officer's considers the proposed tenure mix to be focused on the area of greatest need.

6.35 The application therefore fails to provide a policy compliant level of planning obligations in respect of affordable housing, public open space, libraries or education. As noted above JCS Policies do however allow for viability to be considered, and this demonstrates that the scheme cannot currently support the full extent of planning obligations that would be sought from development of this site. While the use of a review clause is an effective and objective way of testing the viability again supported by Officers, given the current lack of certainty and the potential for additional costs to be added into the appraisal, the negotiated provision is considered, on balance, to be an acceptable approach to secure as much affordable housing provision as possible. In practice the proposed arrangement being dependent on public subsidy requires consideration to be given to how the Council could scrutinize the public subsidy options, and Officers are currently in negotiation with the applicants about a process for doing this.

6.36 Also the extant planning permission is a material consideration. That permission does not include contributions to libraries or education, nor to public open space in the usual manner (the Inspector and Secretary of State took a different view on the provision of open space within the wider scheme and considered enhancements to Llanthony Priory, use of the canal towpath, and incidental areas around the development to be acceptable public open space provision). The applicant could implement a scheme on the basis of the existing permission and masterplan with the current limited planning obligations.

6.37 ***Planning obligations/viability conclusions***

The site is in need of regeneration, being an eyesore at present, and the scheme would make efficient use of brownfield land for the delivery of housing. Overall although there is a significant shortfall in the s106 offer, the range of considerations including the fallback position of the existing permission, the current viability evidence as to the development's ability to sustain such obligations, the desire to regenerate the site, the proposed offer securing at least 5 affordable rent units on site (potentially 16) and potential for a future re-appraisal to equally indicate that no contributions can be supported, the payment of the full outstanding highways obligation, and the financial contribution offered for enhancement of the towpath to mitigate the development's impact, indicate that on balance this package of mitigation measures is acceptable for the proposal, and that this complies with the above cited policy context to the extent that can be achieved.

- 6.38 As such the package of planning obligations from the scheme is now proposed as:
- Affordable housing of 1.2% with no public subsidy or up to 3.9% with public subsidy (5 / 16 units) (by condition/legal agreement subject to further discussions)
 - Contribution of £320,000 to towpath improvements
 - Outstanding contribution of £720,000 to highways mitigation (unchanged)
 - Construction training obligation (unchanged)

- 6.39 Specifically, the terms agreed with the applicant (on the basis of the highways and construction training obligations already being secured by the previous legal agreement and on the basis of this application being determined prior to pending application 17/01100/FUL) are as follows :

Towpath

- Financial contribution of £320,000 (index linked)
- To be paid towards enhancement of towpath in vicinity of application site
- Payable upon commencement of development

Affordable Housing

- 1.2% with no public subsidy or up to 3.9% with public subsidy affordable housing (5 / 16 units) within the Monk Meadow phase (requiring a variation of Condition 73 and potentially further legal agreement clauses subject to further discussion about the public subsidy testing process)
- Mix of affordable housing provision being all affordable rent (to be agreed via a further separate submission under Condition 73)
- Delivery of affordable housing prior to 50% open market units (again potentially agreed via a further separate submission)

Monitoring fees

6.40 ***Ecology***

Policy SD9 of the JCS provides that the biodiversity and geological resource of the JCS will be protected and enhanced.

- 6.41 In terms of ecology, the proposals do not seek to amend relevant conditions. However given the time that has passed since the last proposal the applicant has submitted an ecological update which confirms the site is of negligible value and which the Council's Ecology advisor has reviewed. No objection is raised in these terms.

6.42 ***Economic considerations***

The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment and job growth. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth and productivity', this adds some weight to the case for granting permission. While the principle of development has already been granted, it appears that the s73 application is more likely to lead to the early development of the site. The applicant has set out that since the original outline permission was granted in 2006 there has been limited interest in this part of the site from housebuilders to bring forward proposals that accord with the planning permission; evidenced by there having been no reserved matters applications submitted until now, despite discussions with various parties having taken place over many years.

- 6.43 The omission of the office/workshop from the proposals would have a modest negative impact on the Council's forward delivery of employment space. There is no obligation to build this employment proposal in the current planning permission and this does not weigh against the current proposals.

6.44 **Conclusion**

This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design and layout, traffic and transport, residential amenity and planning obligations/viability; the proposal is acceptable and accordingly it is recommended that planning permission be granted with varied conditions and a further legal agreement to secure the necessary obligations.

7.0 **RECOMMENDATION OF THE TECHNICAL PLANNING MANAGER**

- 7.1 That the **grant of planning permission is delegated to the Technical Planning Manager subject to the completion of a legal agreement to secure the heads of terms set out at paragraph 6.39 of this report, and the addition/variation of conditions as appropriate.**

Proposed revised conditions:

Proposed revised Condition 5

This outline planning permission relates solely to the description of the development set out above and in the following application plans and documents:

- Application site plan dwg ref. 1331 P-01 dated 19/03/02
- ES documents (as updated)
- ES Non Technical Summary dated February 2004, Addendum ES Non Technical Summary dated June 2014, Addendum ES Non Technical Summary dated November 2014
- ES Main Report, dated February 2004, Addendum to Environmental Statement dated June 2014, Addendum to Environmental Statement dated November 2014.
- ES Technical Appendix 1: ES Scoping Report, and Addendum ES Technical Appendix 1: Scoping Report
- ES Technical Appendix 2: Landscape and Visual Impact Appraisal
- ES Technical Appendix 3: Archaeology
- ES Technical Appendix 4: Cultural Heritage - Built Environment
- ES Technical Appendix 5: Ecological Appraisal, and Addendum ES Technical Appendix 3: Ecology Report (including Update Bat Activity Report dated November 2014)
- ES Technical Appendix 6: Statement on Retail Planning Issues
- ES Technical Appendix 7: Transport Statement, and Addendum ES Technical Appendix 4: Transport Assessment
- ES Technical Appendix 8: Air and Noise Quality Assessment
- ES Technical Appendix 9: Land Contamination and Water Quality
- ES Technical Appendix 10: Outline Flood Risk Assessment, and Addendum ES Technical Appendix 5: Review of the existing Flood Risk Assessment
- **Fig. ES34 Rev. Q, dated August 2018 (Revised Schedule of Proposed Development)**
- **Fig. ES 33/01. Rev. Q, dated 15/08/2018 (Revised Illustrative Layout Plan)**

Reason

To define the terms of the permission.

Proposed Revised Condition 6

Unless otherwise agreed in writing by the Local Planning Authority all applications for approval of reserved matters shall accord with the submitted masterplan (drawing ref. **ES 33/01. Rev. Q, dated 15/08/2018**) except where specific conditions listed in this permission require otherwise.

Reason

To ensure that the development is undertaken in accordance with the submitted plans.

Proposed Revised Condition 50

Within each phase no development, other than remediation, demolition or infrastructure

provision, shall commence until a detailed strategy for the adoption and incorporation of sustainable development principles, including energy efficient measures to be incorporated into the buildings **and details of Electric Vehicle Charging infrastructure to be provided (including its location/s, any assignment of the charging points to parts of the development and timetable for delivery)** has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with that strategy unless the Local Planning Authority gives written consent to any variation.

Reason

To support the move to a low carbon future, in accordance with Policies SD3 and SD4 of the Joint Core Strategy 2017 and the NPPF.

Proposed Revised Condition 73

No residential development pursuant to this planning permission, other than remediation, demolition or the provision of infrastructure, shall commence until a scheme for the provision of affordable housing ("The Affordable Housing Scheme") has been submitted to and approved in writing by the Local Planning Authority. The Affordable Housing Scheme shall include the following components:

- (i) The identification of the areas of land and / or buildings (conversions) for the provision of affordable housing units, which shall be based on the principle of spreading the affordable homes across the residential development.
- (ii) A total proportion of affordable home numbers being 20% of the total number of homes proposed on the site **except for development within Phase G (as defined on plan ref. P-2218 Rev. M Principal Roads with Phasing Plan received by the Local Planning Authority on 23rd August 2018), where the total proportion of affordable home numbers shall be either 1.2% with no public subsidy or up to 3.9% with public subsidy, (* subject to further negotiation)**
- (iii) A broad mix of housing unit types and sizes reflecting the profile of local housing need and recognising the characteristics of the site and the proposed development.
- (iv) A mix of rented and shared ownership tenures where the rented proportion comprises at least 75% of the total affordable housing unit numbers.
- (v) The remediation of the identified areas of land as necessary together with the provision of vehicular and pedestrian access and mains services to enable the affordable homes to be provided.
- (vi) A mechanism for the procurement and delivery of the affordable homes.
- (vii) A programme for the delivery of the affordable homes linked to the completion of market housing phases.

Reason

To secure the provision of an appropriate level and type of affordable housing in accordance with Policies SD11 and SD12 of the Joint Core Strategy 2017 and the NPPF.

Full schedule of proposed conditions:

Condition 1

Approval of the details of the layout, scale and appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority prior to the commencement of development on any phase (as defined and approved under the phasing condition) except as provided for by other conditions in respect of site remediation, building demolition, principal access road construction and drainage works. The reserved matters for each phase are specifically to include

details of access arrangements, which shall include details of the principal accesses to the site, and all other access details for respective development phases, and landscaping of the site for each phase, and a programme for the provision of the approved landscaping.

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

Plans and particulars of the reserved matters referred to in condition 1 above shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 3

Application for approval of the reserved matters shall be made to the Local Planning Authority before 4th January 2024.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 4

The development hereby permitted shall begin either before 4th January 2021, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 5

This outline planning permission relates solely to the description of the development set out above and in the following application plans and documents:

- Application site plan dwg ref. 1331 P-01 dated 19/03/02
- ES documents (as updated)
- ES Non Technical Summary dated February 2004, Addendum ES Non Technical Summary dated June 2014, Addendum ES Non Technical Summary dated November 2014
- ES Main Report, dated February 2004, Addendum to Environmental Statement dated June 2014, Addendum to Environmental Statement dated November 2014.
- ES Technical Appendix 1: ES Scoping Report, and Addendum ES Technical Appendix 1: Scoping Report
- ES Technical Appendix 2: Landscape and Visual Impact Appraisal
- ES Technical Appendix 3: Archaeology
- ES Technical Appendix 4: Cultural Heritage - Built Environment
- ES Technical Appendix 5: Ecological Appraisal, and Addendum ES Technical Appendix 3: Ecology Report (including Update Bat Activity Report dated November 2014)
- ES Technical Appendix 6: Statement on Retail Planning Issues
- ES Technical Appendix 7: Transport Statement, and Addendum ES Technical Appendix 4: Transport Assessment
- ES Technical Appendix 8: Air and Noise Quality Assessment
- ES Technical Appendix 9: Land Contamination and Water Quality
- ES Technical Appendix 10: Outline Flood Risk Assessment, and Addendum ES Technical Appendix 5: Review of the existing Flood Risk Assessment
- **Fig. ES34 Rev. Q, dated August 2018 (Revised Schedule of Proposed Development)**

- **Fig. ES 33/01. Rev. Q, dated 15/08/2018 (Revised Illustrative Layout Plan)**

Reason

To define the terms of the permission.

The Environmental Assessment and Masterplan conditions

Condition 6

Unless otherwise agreed in writing by the Local Planning Authority all applications for approval of reserved matters shall accord with the submitted masterplan (drawing ref. **ES 33/01. Rev. Q, dated 15/08/2018**) except where specific conditions listed in this permission require otherwise.

Reason

To ensure that the development is undertaken in accordance with the submitted plans.

Condition 7

All floorspace figures, building storey heights, housing numbers, hotel bedspaces and car parking numbers stated in the documents listed at Condition 5 are hereby deemed as maximum parameters used for the Environmental Assessment. They shall not be exceeded, and this permission shall not be deemed to guarantee that those maximum development parameters are achievable at the reserved matters stage.

Reason

To ensure that the development accords with that assessed in the Environmental Statements.

The phasing conditions

Condition 8

Development shall accord with a Strategic Phasing Scheme to be submitted and approved in writing by the Local Planning Authority. The Strategic Phasing Scheme shall indicate;

- the development phases and their order;
- the order and approximate timescales of the site remediation and demolition works;
- a strategy for landscaping;
- a strategy for public art;
- the approximate location of a public display for the interpretation of the archaeological remains discovered within the site after the submission of the application for planning permission and (if any) during the course of development;
- masterplans for each phase showing (where applicable):
 - Site accesses
 - Principal roads
 - Key pedestrian and cycle routes
 - Public transport and car park infrastructure
 - Provision of open space

Reason

To ensure that the development is progressed in a structured fashion with due regard to highway safety, land remediation, and the provision of landscaping and open space, public art and the dissemination of archaeological information.

Condition 9

No development of a phase (as identified in the approved Strategic Phasing Scheme) shall be commenced until a Phase Principles Scheme relating to that phase has been submitted to and approved in writing by the Local Planning Authority. The Phase Principles Scheme shall accord with the approved Strategic Phasing Scheme. It shall also provide detail on the following within that phase where relevant;

- Estate roads and associated highway improvements;
- A repair programme for historic and listed buildings;
- Implementation of Ecological Action Plan proposals for the phase;
- Provision of recreational facilities;
- Utility infrastructure;
- Provision and implementation of public art;
- The public display for the interpretation of the archaeological remains discovered within the site after the submission of the application for planning permission and (if any) during the course of development
- Implementation of the Landscaping Strategy.

Reason

To ensure that the development is progressed in a structured fashion with due regard to highway safety, historic buildings, ecology, and the provision of landscaping, recreational facilities and open space, utilities, public art and the dissemination of archaeological information.

Condition 10

The development of each phase shall proceed in accordance with the Phase Principles Scheme approved for that phase. The developer shall inform the Local Planning Authority as soon as is practical of any proposed amendment to the Phase Principles Scheme for its written approval. The Phase Principles Scheme shall not be deemed amended until the Local Planning Authority has provided written approval, subsequent to which development of that phase shall proceed in accordance with the amended Phase Principles Scheme.

Reason

To ensure that the development is progressed in a structured fashion with due regard to highway safety, land remediation, and the provision of landscaping and open space, public art and the dissemination of archaeological information.

The control of retail use conditions

Condition 11

The net retail sales area of the proposed food superstore shall not exceed 4,622 square metres with a minimum of 65% of that net sales area for convenience goods and a maximum of 35% of that net sales area for comparison goods, and the building shall not be subdivided into a number of smaller shops or units unless otherwise agreed to in writing by the Local Planning Authority.

Reason

To define the terms of the permission against that assessed to be acceptable, to avoid a significant adverse impact on the vitality and viability of the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 12

The Factory Outlet Shopping Area, as shown coloured green on plan ref. 33/01-03-01 Rev. D dated 19/6/07, shall be used only for factory outlet shopping and uses within Classes A3, A4 and/or A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Class A3, A4 and A5 uses within this area shall not exceed 3,590sq metres of gross floorspace in total.

Reason

To define the terms of the permission against that assessed to be acceptable, to avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 13

Save as provided for in conditions 15A and 15B below, all retail sales from the Factory Outlet

Shopping Area shall only be by manufacturers selling their branded seconds, surplus stock, or discontinued lines all at discounted prices or other retailers selling rejects, returned goods, seconds, clearance goods and surplus stock directly supplied to them by such manufacturers all at discounted prices.

Reason

To define the terms of the permission against that assessed to be acceptable, to avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 14

Save as provided for in conditions 15A and 15B below, not less than 85% of the total gross retail floorspace of the Factory Outlet Shopping Area shall offer goods for sale at a price at least 30% below either recommended retail price (if available) or, if that price is not available, the price at which such a good is, or has normally been, offered for sale at the manufacturers', or their retailers' high street outlets.

Reason

To define the terms of the permission against that assessed to be acceptable, to avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 15

Save as provided for in conditions 15A and 15B below, the remainder of the total gross retail floorspace of the Factory Outlet Shopping Area shall offer goods for sale at a price at least 20% below either the recommended retail price (if available) or, if that price is not available, the price at which such good is, or has normally been offered for sale at the manufacturers' or their retailers' high street outlets.

Reason

To define the terms of the permission against that assessed to be acceptable, to avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 15a

For so long only as a maximum of two units only within the Factory Outlet Shopping Area, as shown coloured green on plan ref. 33/01-03-01 Rev. D dated 19/6/07 are mainly used for the retail sale of confectionery and using a trading style which is not used in retail areas other than factory outlet shopping areas, then no more than 12 square metres of one only of those units may be used for retail sales free from the restrictions imposed by conditions 13, 14 and 15 above.

Reason

To ensure that the use of the unit is confined to a specific confectionery use as will only be found in a factory outlet shopping area and to ensure that the local planning authority can control future non confectionery uses so as to ensure that the Factory Outlet Shopping Area within the development remains as such, to avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 15b

For so long only as a maximum of two units only within the Factory Outlet Shopping Area, as shown coloured green on plan ref. 33/01-03-01 Rev. D dated 19/6/07 are mainly used for the retail sale of confectionery and using a trading style which is not used in retail areas other than factory outlet shopping areas, then no more than 28 square metres of one only of those units may

be used for retail sales free from the restrictions imposed by condition 13 above and all of the floorspace in that unit may be used for retail sales free from the restrictions imposed by conditions 14 and 15.

Reason

To ensure that the use of these units is confined to a specific confectionery use as will only be found in a factory outlet shopping area and to ensure that the local planning authority can control future non confectionery uses so as to ensure that the Factory Outlet Shopping Area within the development remains as such, to avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 16

The retail units other than those in Class A3, A4 and A5 shall not be used for any of the purposes within Class A1 of The Town and Country Planning (Use Classes) Order 1987 as amended other than for the sale of goods by way of factory outlet shopping, with the exception of one unit only within the Factory Outlet Shopping Area as shown coloured green on plan ref. 33/01-03-01 Rev. D dated 19/6/07 which is permitted to include an element of clothing for hire (full price) in an area not exceeding 10 square metres. The retail units shall not be used for the sale of carpets, motor vehicles, pets or pet food or for the purposes of hairdressers, funeral director, post office or launderette, and the sale of newspapers/magazines, cigarettes and pharmaceuticals shall only be from vending machines

Reason

To avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 17

Unless otherwise agreed in writing by the Local Planning Authority no retail unit in the Factory Outlet Shopping Area as shown coloured green on plan ref. 33/01-03-01 Rev. D dated 19/6/07 shall have a gross floor area less than 50sq metres.

Reason

To avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 18

Unless otherwise agreed in writing by the Local Planning Authority no retail unit in the Factory Outlet Shopping Area as shown coloured green on plan ref. 33/01-03-01 Rev. D dated 19/6/07 shall have a gross floor area greater than 1,200sq metres.

Reason

To avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 19

There shall be not more than 21 retail units with a gross floor area in the Factory Outlet Shopping Area as shown coloured green on plan ref. 33/01-03-01 Rev. D dated 19/6/07 of less than 100sq metres at any one time.

Reason

To avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 20

There shall be not more than 6 retail units in the Factory Outlet Shopping Area as shown coloured green on plan ref. 33/01-03-01 Rev. D dated 19/6/07 with a gross floor area of more than 600sq metres at any one time.

Reason

To avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 21

The gross retail floorspace of the Factory Outlet Shopping Area as shown coloured green on plan ref. 33/01-03-01 Rev. D dated 19/6/07 shall not exceed 20,000sq metres.

Reason

To avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 22

Not more than 15,000sq metres gross of the total gross floorspace referred to in Condition 21 shall be used for the sale of clothing and/or footwear or uses ancillary thereto.

Reason

To avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 23

Not more than 5,000sq metres of the total gross floorspace referred to in Condition 21 shall be used for the sale of items other than clothing and/or footwear.

Reason

To avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 24

No goods shall be stored or displayed for sale outside any retail unit.

Reason

In the interests of the visual amenities of the area, to preserve the character and appearance of the Conservation Area and setting of the listed buildings, in accordance with Policies BE.23, BE.29 of the 2002 Second Deposit City of Gloucester Local Plan, Policies SD5 and SD9 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 25

There shall be no internal alterations to the retail units so as to increase the total gross floorspace thereof without the written consent of the Local Planning Authority.

Reason

To ensure that the quantum of development accords with that assessed, to avoid a significant adverse impact on the City Centre in accordance with Policy S.4a of the City of Gloucester Second Deposit Local Plan 2002, Policy SD3 of the Joint Core Strategy Submission Document 2014 and the National Planning Policy Framework.

Condition 26

The approved and implemented fingerpost signs, taxi call points, travel information boards, signs to the Primary Shopping Area of Gloucester shall be retained as installed for the duration of the use of the factory outlet shopping centre unless otherwise agreed to in writing by the Local Planning Authority.

Reason

In the interests of legibility and highway safety and supporting the vitality and viability of the primary shopping area, in accordance with Policy TR.31 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD5, INF1 and INF2 of the Joint Core Strategy Submission Document 2014 and Paragraphs 23, 32 and 58 of the NPPF.

No Condition 27

The Class A3, A4, A5 and/or food and drink conditions

Condition 28

No Class A3, A4 or A5 use as defined in The Town and Country Planning (Use Classes) Order 1987 as amended shall commence until ventilation and cooking fume control measures have been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the equipment shall be operated and maintained in accordance with the manufacturer's instructions and the use shall only take place whilst the equipment is operational.

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 Policies FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD15 of the Joint Core Strategy Submission Document 2014 and Paragraphs 17 and 120 of the NPPF.

Condition 29

Any Class A3 or Class A5 use as defined in The Town and Country Planning (Use Classes) Order 1987 as amended shall only be open for the admission of customers between the hours of 0700 to 0000 on any day, unless the Local Planning Authority gives written permission for any variation and no customer shall be admitted outside such hours.

Reason

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

The leisure use conditions

Condition 30

Details of the nature, scale and type of each Class D2 use and any Class A3, A4 and/or A5 use as defined in The Town and Country Planning (Use Classes) Order 1987 as amended shall be included with each submission for reserved matters approval.

Reason

To ensure that the planning issues can be given full and proper consideration in the interests of highway safety and residential amenity, in accordance with Policies FRP.10, FRP.11, BE.21 and TR.31 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD15, INF 1 and INF2 of the Joint Core Strategy Submission Document 2014, and Paragraphs 17, 32, 120 and 123 of the NPPF.

The open space, trees, landscaping strategy, landscape schemes and ecology conditions

Condition 31

No phase containing residential development shall commence until details of new areas of

amenity space, public open space and enhancements to existing open space (including the grounds of Llanthony Secunda Priory) have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, treatment, function, fencing, planting, paths, bins (litter and dog fouling) and play facilities. These shall be implemented concurrently with the phase (or to an alternative programme to be submitted to and approved in writing by the Local Planning Authority) and retained thereafter.

Reason

To secure provision of facilities for future residents of the development in accordance with Policies BE.4, BE.5, BE.12, BE.17, BE.23, BE.29, OS.2, OS.3 and OS.4 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD5, SD9 and INF4 of the Joint Core Strategy Submission Version 2014 and Paragraphs 17, 58, 69 and 73 of the NPPF.

No Condition 32

Condition 33

All trees to be retained shall be protected in the course of construction works by secure fencing, of a type and location to be agreed in writing by the Local Planning Authority, prior to the commencement of development of any phase. The protective measures are to accord with the advice in BS 5837:2012 and shall be retained throughout the construction period, and no materials, plant or other equipment shall be placed within the protected area.

Reason

To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area in accordance with Policies B.10 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002) and Paragraph 17 the National Planning Policy Framework.

Condition 34

All landscape schemes submitted and approved pursuant to Condition 1 shall be implemented in accordance with the programme approved pursuant to Condition 1 unless the Local Planning Authority gives written consent to any variation. Any trees or plants which, within a period of 5 years from the date of the completion of the landscape scheme, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

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 City of Gloucester Second Deposit Local Plan 2002, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 58 of the National Planning Policy Framework.

Condition 35

No development work, including demolition work, shall be undertaken within a phase until an up to date survey of and report on all likely bat roosts has been carried out. The report shall include appropriate mitigation and protection measures in the light of the survey findings. The survey document shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development (including demolition) within that phase and any approved measures shall thereafter be strictly adhered to.

Reason

In the interests of the preservation of any bats within the site in accordance with Policy B.8 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD10 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 109 and 118 of the NPPF.

Condition 36

Development shall accord with an Ecological Action Plan to be submitted to and approved in

writing by the Local Planning Authority and that Plan shall thereafter be implemented in accordance with the Phase Principles Scheme. The Plan shall include;

- Measures to mitigate the impact of the construction phase including restricting movements of plant and other vehicles, and the location of compounds and stockpiling;
- a Method Statement detailing means of preventing sediment from entering the Gloucester and Sharpness canal during the construction phase. Implementation shall be in accordance with the Method Statement;
- details of enhancing the ecological corridor of the Gloucester and Sharpness Canal, including restoring suitable conditions for historic seed bank/flowering plants;
- mitigation/enhancement proposals for the College and Priory and the habitat management;
- details of bird box erection including their type and number;
- details of bat mitigation strategy including works to existing buildings, bat box erection including type and number, and the securing of sensitively designed lighting;
- native tree and shrub planting;
- details of an ecological clerk of works, including a job description and reporting procedures.

Reason

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

The archaeology conditions

No Condition 37

Condition 38

Unless an alternative programme is submitted to and approved in writing by the Local Planning Authority, no development shall take place within the area to the south east of Llanthony Priory, as defined as Zone 3 of Figure 18 in the ES Technical Appendix 3: Archaeology, until a programme of archaeological work has been carried out in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled excavation of all significant deposits and features which are to be disturbed by the proposed development. Thereafter the building works affecting this zone shall incorporate any building techniques and measures approved in writing by the Local Planning Authority as necessary to mitigate the loss or destruction of any archaeological remains, and to preserve in-situ any archaeological remains of national importance.

Reason

The site contains significant heritage assets. The Council requires that provision be made for a programme of archaeological mitigation. This is in accordance with Policy BE.31 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD9 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 131 of the NPPF.

Condition 39

No further development shall take place within Zone 2 on Figure 18 in the ES Technical Appendix 3: Archaeology until a programme of archaeological work has been carried out in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work is to provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered.

Reason

The site may contain significant heritage assets. Should such assets be present the Council requires that provision be made for a programme of archaeological mitigation. This is in accordance with Policy BE.31 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD9 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 131 of the

NPPF.

The surfaces, materials and means of enclosure conditions

Condition 40

No development of a phase, other than site remediation, demolition or infrastructure provision, shall take place until details of all building facing materials and finishes in respect of that phase (which should be locally sourced where possible) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the visual amenities of the area, the preservation of the special interest of the listed buildings and their settings, and preserving the character and appearance of the Conservation Area in accordance with Policies BE.7, BE.17, BE.22, BE.23 and BE.29 of the 2002 City of Gloucester Second Deposit Local Plan, Policies SD5 and SD9 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 58 and 131 of the National Planning Policy Framework.

Condition 41

No development of a phase, other than site remediation, demolition or infrastructure provision, shall take place until details of the surface material finishes for the highways, footpaths, cycle ways, private drives and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the visual amenities of the area, the preservation of the special interest of the listed buildings and their settings, and preserving the character and appearance of the Conservation Area in accordance with Policies BE.7, BE.17, BE.22, BE.23 and BE.29 of the 2002 City of Gloucester Second Deposit Local Plan, Policies SD5 and SD9 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 58 and 131 of the National Planning Policy Framework.

Condition 42

No development of a phase, other than site remediation, demolition or infrastructure provision, shall take place until details of screen walls, fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the visual amenities of the area, the preservation of the amenities of future occupants, the preservation of the special interest of the listed buildings and their settings, and preserving the character and appearance of the Conservation Area in accordance with Policies BE.7, BE.17, BE.21, BE.22, BE.23 and BE.29 of the 2002 City of Gloucester Second Deposit Local Plan, Policies SD5, SD9 and SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 58 and 131 of the National Planning Policy Framework.

The land contamination condition

Condition 43

Unless otherwise agreed to in writing by the Local Planning Authority, development of a phase other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 3 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 has been complied with in relation to that contamination.

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.

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 (elsewhere known 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, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 1 of this condition, 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.

4. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme, and the provision of reports on the same must be prepared prior to occupation, 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 for approval prior to occupation.

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).

The drainage conditions

Condition 44

No development of a phase, other than site remediation or demolition, shall commence until a comprehensive scheme for the provision of works for the disposal of foul sewage and surface water drainage that employs a Sustainable Urban Drainage System has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include method statements; measures to prevent sediment entering the Gloucester and Sharpness Canal; measures to maximise grey water recycling and rainwater harvesting, and measures to prevent the pollution of water courses and groundwater. The approved scheme shall thereafter be implemented to serve the development, and no buildings or dwellings shall be occupied until satisfactory foul and surface water 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 Joint Core Strategy Pre-Submission Document 2014 and Paragraph 103 of the NPPF.

Condition 45

Unless otherwise agreed in writing by the Local Planning Authority, the finished floor levels of all new buildings within the area identified as below the 100 year floodplain on Figure ES 30 February 2004 - Flood Risk - Areas of Site to be Raised shall be set at least at 11.78m AOD.

Reason

To ensure mitigation of buildings against flooding, in accordance with Policy FRP.1a of the City of Gloucester Second Deposit Local Plan 2002, Policy INF 3 of the Joint Core Strategy Pre-Submission Document 2014, and Paragraphs 100 and 103 of the NPPF.

Condition 46

Unless otherwise agreed to in writing by the Local Planning Authority, the outstanding elements of the flood mitigation scheme as set out in the following documents (the outstanding elements comprising the removal of Zone B and remainder of Zone C of the Dock Branch Railway embankment) shall be implemented in line with the details within these documents:

- Outline Flood Risk Assessment Rev H (February 2004)
- Flood Plain Compensation Report Rev E (June 2004)
- Capita Symonds Structures update report on flood mitigation pursuant to condition 46, received by the Local Planning Authority 27th April 2007.
- Legal Agreement between the Environment Agency and British Waterways dated 24th November 2005. Received by the Local Planning Authority 17th December 2008.
- Deed of variation between the Environment Agency and British Waterways dated 14th December 2006. Received by the Local Planning Authority 17th December 2008.
- Copy of the as built survey of the embankment dated 12th February 2007. Received by the Local Planning Authority 17th December 2008.
- Flood Plain Assessment Update Report produced by Capita Symonds Structures dated 9th March 2009 (SS015464 : Rev. 02). Received by the Local Planning Authority 9th March 2009.

Written confirmation shall be provided to the Local Planning Authority of the completion of the works.

Reason

To ensure that the approved flood mitigation scheme is completed, in accordance with Policies FRP.1a and FRP.3 of the City of Gloucester Second Deposit Local Plan 2002, Policy INF 3 of the Joint Core Strategy Pre-Submission Document 2014, and Paragraphs 100 and 103 of the NPPF.

No Condition 47

The sustainability conditions

Condition 48

A Waste Minimisation Statement for the Demolition and Construction Period must be submitted as part of reserved matters applications for each phase. The Waste Minimisation Statement will form part of any subsequent approval and shall include details of the types and volumes of construction and demolition waste likely to be generated including measures to minimise, re-use and recycle that waste, and minimise the use of raw materials. Thereafter all of these provisions shall be implemented in accordance with the agreed Waste Minimisation Statement unless any variation is agreed in writing by the Local Planning Authority.

Reason

In the interests of waste minimisation in accordance with Policies SD4 and SD15 of the Joint Core Strategy Pre-Submission Document 2014, and Paragraph 17 of the NPPF.

Condition 49

A Waste Minimisation Statement for the Occupational Life of the Development must be submitted as part of reserved matters applications for each phase. The Waste Minimisation Statement will form part of any subsequent approval and shall include;

- Provision within the residential development of on-site storage receptacles for recycling at identified locations appropriate in size and location to the number of residential units;
- Provision within commercial and business areas of facilities or allocated areas to sort, store, treat and manage a majority of the waste produced internal to each of those parts of the site; and
- Suitable processing arrangements for recycling/waste collection vehicles.

Thereafter, within each Phase to which the Waste Minimisation Statement for the Occupational Life of the Development refers, no building may be occupied until the provisions set out in the approved Statement have been implemented. All the approved measures shall thereafter be retained unless any variation is agreed in writing by the Local Planning Authority.

Reason

In the interests of waste minimisation in accordance with Policy BE.4 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD4, SD5 and SD15 of the Joint Core Strategy Pre-Submission Document 2014, and Paragraphs 17 and 58 of the NPPF.

Condition 50

Within each phase no development, other than remediation, demolition or infrastructure provision, shall commence until a detailed strategy for the adoption and incorporation of sustainable development principles, including energy efficient measures to be incorporated into the buildings **and details of Electric Vehicle Charging infrastructure to be provided (including its location/s, any assignment of the charging points to parts of the development and timetable for delivery)** has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with that strategy unless the Local Planning Authority gives written consent to any variation.

Reason

To support the move to a low carbon future, in accordance with Policies SD3 and SD4 of the Joint Core Strategy 2017 and the NPPF.

The environmental conditions

Condition 51

No development of a building other than site remediation, demolition or infrastructure provision shall commence until details of measures to discourage seagulls from nesting and/or roosting on the building have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the Local Planning Authority's publication "Gulls: How to stop them nesting on your roof" December 2005.

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 Joint Core Strategy Submission Document 2014 and Paragraphs 17 and 58 of the NPPF.

Condition 52

No development of a phase shall commence until a detailed dust, noise and pollution strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall cover all aspects of air and noise pollution during the construction and post construction periods and shall be adhered to at all times.

Reason

To safeguard residential amenity and prevent pollution in accordance with policies FRP.9, FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD15 of the Joint Core Strategy Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 53

Construction work and the delivery of materials shall be limited to the hours of 0800 hours to 1930 hours Monday to Saturday and no construction work or deliveries shall take place on Sundays or Bank Holidays unless otherwise agreed in writing by 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 Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

The disabled access condition**Condition 54**

Each reserved matters application in respect of buildings, car parks, areas of public open space or pedestrian routes or linkages shall include a statement detailing measures employed to make the scheme fully accessible to disabled people as defined in the Disability Discrimination Act 2005. The measures shall include disabled persons' parking, accessible to, from and across buildings and land, and the provision of accessible entrances at each principal public entrance. The development shall thereafter be implemented in accordance with such details as approved under each reserved matters application.

Reason

In the interests of making the development accessible for all, in accordance with Policy BE.6 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD5 of the Joint Core Strategy Submission Document 2014, and Paragraphs 17, 58 and 69 of the NPPF.

The roads, access, transportation and construction traffic, and public safety conditions**Condition 55**

Unless otherwise agreed in writing by the Local Planning Authority, the Car Park Management Plan as set out in the following documents shall be complied with for the duration of these respective retail uses:

In respect of Phases D and F1 - The Factory Outlet Shopping Area

- Specification of Vehicle Management System (WP7810) by RPS Gregory; Drawings DY(47)1-1-001 Rev. 05, DY(47)1-2-001 Rev. 06, DY(47)1-3-001 Rev. 05 and DY(47)1-4-001 Rev. 05 (received 17th February 2009);
- The amended tariff set out in the WYG letter dated 22nd July 2011 (received by the Local Planning Authority on 26th July 2011);
- Schedule of concessionary parking set out in the WYG letter dated 9th May 2012 (received by the Local Planning Authority on 10th May 2012);

In respect of Phase C - The Foodstore

- Connect Consultants Car Park Management Plan for Sainsbury's Supermarkets Limited dated 8th November 2007 (received by the Local Planning Authority on 2nd January 2008).

Reason

To ensure that the development does not undermine the strategic approach to car parking and congestion control in the central area, and to encouraging sustainable forms of travel in accordance with Policies TR.13, TR.16, TR.17, TR.18 and TR.19 of the 2002 City of Gloucester Second Deposit Local Plan, Policy INF1 of the Joint Core Strategy Submission Document 2014

and Paragraphs 29, 30, 32, 34, 35 and 40 of the NPPF.

No Condition 56

Condition 57

Unless an alternative arrangement is agreed to in writing by the Local Planning Authority, the taxi rank provision (as shown on plan ref. DY(TP)8- -0-057 Rev. 07 received by the Local Planning Authority 24th February 2009) shall be retained for the duration of the permitted uses.

Reason

In the interests of the organised and safe functioning of the outlet centre in accordance with Policies BE.4, BE.5, BE.6, TR.31 and TR.40 of the 2002 City of Gloucester Second Deposit Local Plan, Policies SD5 and INF1 of the Joint Core Strategy Submission Document 2014 and Paragraphs 32 and 58 of the NPPF.

Condition 58

Unless an alternative arrangement is agreed to in writing by the Local Planning Authority, the coach and bus facilities on St Ann Way (as shown on plan ref. DY(40)8- -0-031 Rev. 02 received by Local Planning Authority 14th May 2009) shall be retained for the duration of the retail use.

Reason

In the interests of the organised and safe functioning of the outlet centre in accordance with Policies BE.4, BE.5, BE.6, TR.15 and TR.31 of the 2002 City of Gloucester Second Deposit Local Plan, Policies SD5 and INF1 of the Joint Core Strategy Submission Document 2014 and Paragraphs 32 and 58 of the NPPF.

No Condition 59

Condition 60

Unless otherwise agreed in writing by the Local Planning Authority, prior to the occupation of any element of the development likely to employ more than 15 employees a detailed Travel Plan in accordance with "A Travel Resources pack for Employers" by TransportEnergy shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be implemented in accordance with the approval.

Reason

To encourage sustainable forms of travel in accordance with Policy TR1 of the 2002 City of Gloucester Second Deposit Local Plan, Policy INF1 of the Joint Core Strategy Submission Document 2014 and Paragraphs 32 and 36 of the NPPF.

No Condition 61

No Condition 62

Condition 63

No new building shall be occupied until the means of vehicular, cycleway and pedestrian access necessary to serve that part of the development from the adopted highway have been constructed in accordance with a plan and programme submitted to and approved in writing by the Local Planning Authority before that part of the development commences.

Reason

In the interests of highway safety by ensuring the access is suitably laid out and constructed in accordance with Policy TR.31 of the City of Gloucester Second Deposit Local Plan 2002, Policies INF1 and INF 2 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 32 of the NPPF.

Condition 64

The reserved matters submissions in respect of each development component shall include

covered cycle parking provision at a level and in a manner to be agreed with the Local Planning Authority.

Reason

To ensure that adequate cycle parking is provided and to promote cycle use, in accordance with Policy TR.12 of the Second Deposit City of Gloucester Local Plan (2002) and Paragraph 32 of the NPPF.

Condition 65

There shall be no open storage within the development, other than for cycle parking and the provision of recycling facilities, without the prior written approval of the Local Planning Authority.

Reason

In the interests of the visual amenities of the area, preserving the character and appearance of the Conservation Area and setting of the listed buildings and highway safety in accordance with Policies BE.4, BE.9, BE.23, BE.29 and TR.31 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD5 and SD9 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 32, 58 and 131 of the National Planning Policy Framework.

Condition 66a

The proposed service yard to the rear (west) of properties in Southgate Street shall only be used for servicing activities during the hours listed below, unless otherwise agreed in writing with the Local Planning Authority:

- 0600hrs to 1800hrs¹ Monday to Saturday
 - 0800hrs to 1600hrs^{1 2} Sundays
 - 0900hrs to 1600hrs^{1 2} Bank Holidays
- (¹ subject to the limitations in Condition 66b below)
(² no more than 10 vehicle movements per day, excluding refuse collections)

Reason

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

Condition 66b

Notwithstanding the times indicated in condition 66a above, the operation of the service yard shall be limited to the arrangements set out in the revised Service Yard Vehicle Management Strategy (received by the Local Planning Authority on the 24th March 2009 under planning ref. 09/00088/FUL), notably the further phasing of delivery times (at section 2.3) and use of electric vehicles for refuse and maintenance (at sections 1.2 and 1.6).

Reason

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

Condition 67

No development of a phase shall commence until details of measures to prevent mud, dirt and other construction arising from the site being deposited on the highway have been submitted to and approved in writing by the Local Planning Authority. The measures shall include construction vehicle routes and associated signing, vehicle wheel cleaning facilities, physical demarcation of a vehicle route to ensure that all vehicles have to pass through the wheel wash facility, and monitoring and remedial measures to ensure that the adjacent highways are regularly inspected by site operatives and any mud deposits left on the highway are removed immediately. These measures shall be retained, operated and implemented at all times during the period of construction.

Reason

To preserve highway safety in accordance with Policy TR.31 of the Second Deposit City of Gloucester Local Plan (2002), Policy INF1 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 32 of the NPPF.

Condition 68

No development of a phase shall commence until details of temporary car parking and accommodation for site operatives 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. All temporary buildings and car parks shall be removed and the land reinstated within 2 months of the date of completion of development on any phase.

Reason

To preserve highway safety in accordance with Policy TR.31 of the Second Deposit City of Gloucester Local Plan (2002), Policy INF1 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 32 of the NPPF.

Condition 69

Each construction phase site shall be securely fenced during the period of construction in accordance with details to be approved in writing by the Local Planning Authority prior to the commencement of development on that phase.

Reason

In the interests of public safety and prevention of crime in accordance with Policy BE.5 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD 5 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 58 and 69 of the NPPF.

Condition 70

Once provided, the public display for the interpretation of the archaeological remains approved pursuant to Condition 8 shall thereafter be retained.

Reason

The site may contain significant heritage assets. Should such assets be present the Council requires that provision be made for dissemination of the evidence uncovered. This is in accordance with Policies BE.37 and BE.38 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD9 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 137 and 141 of the NPPF.

No Condition 71**Condition 72**

Not less than 15% of the residential units in the development shall be constructed as Lifetime Homes in accordance with the Gloucester Local Plan Supplementary Planning Guidance 5: Lifetime Homes.

Reason

To secure the provision of an appropriate type of housing in accordance with Policy H.18 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD12 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 50 of the NPPF.

Condition 73

No residential development pursuant to this planning permission, other than remediation, demolition or the provision of infrastructure, shall commence until a scheme for the provision of affordable housing ("The Affordable Housing Scheme") has been submitted to and approved in writing by the Local Planning Authority. The Affordable Housing Scheme shall include the following components:

affordable housing units, which shall be based on the principle of spreading the affordable homes across the residential development.

(ii) A total proportion of affordable home numbers being 20% of the total number of homes proposed on the site **except for development within Phase G (as defined on plan ref. P-2218 Rev. M Principal Roads with Phasing Plan received by the Local Planning Authority on 23rd August 2018), where the total proportion of affordable home numbers shall be either 1.2% with no public subsidy or up to 3.9% with public subsidy, (* subject to further negotiation)**

(iii) A broad mix of housing unit types and sizes reflecting the profile of local housing need and recognising the characteristics of the site and the proposed development.

(iv) A mix of rented and shared ownership tenures where the rented proportion comprises at least 75% of the total affordable housing unit numbers.

(v) The remediation of the identified areas of land as necessary together with the provision of vehicular and pedestrian access and mains services to enable the affordable homes to be provided.

(vi) A mechanism for the procurement and delivery of the affordable homes.

(vii) A programme for the delivery of the affordable homes linked to the completion of market housing phases.

Reason

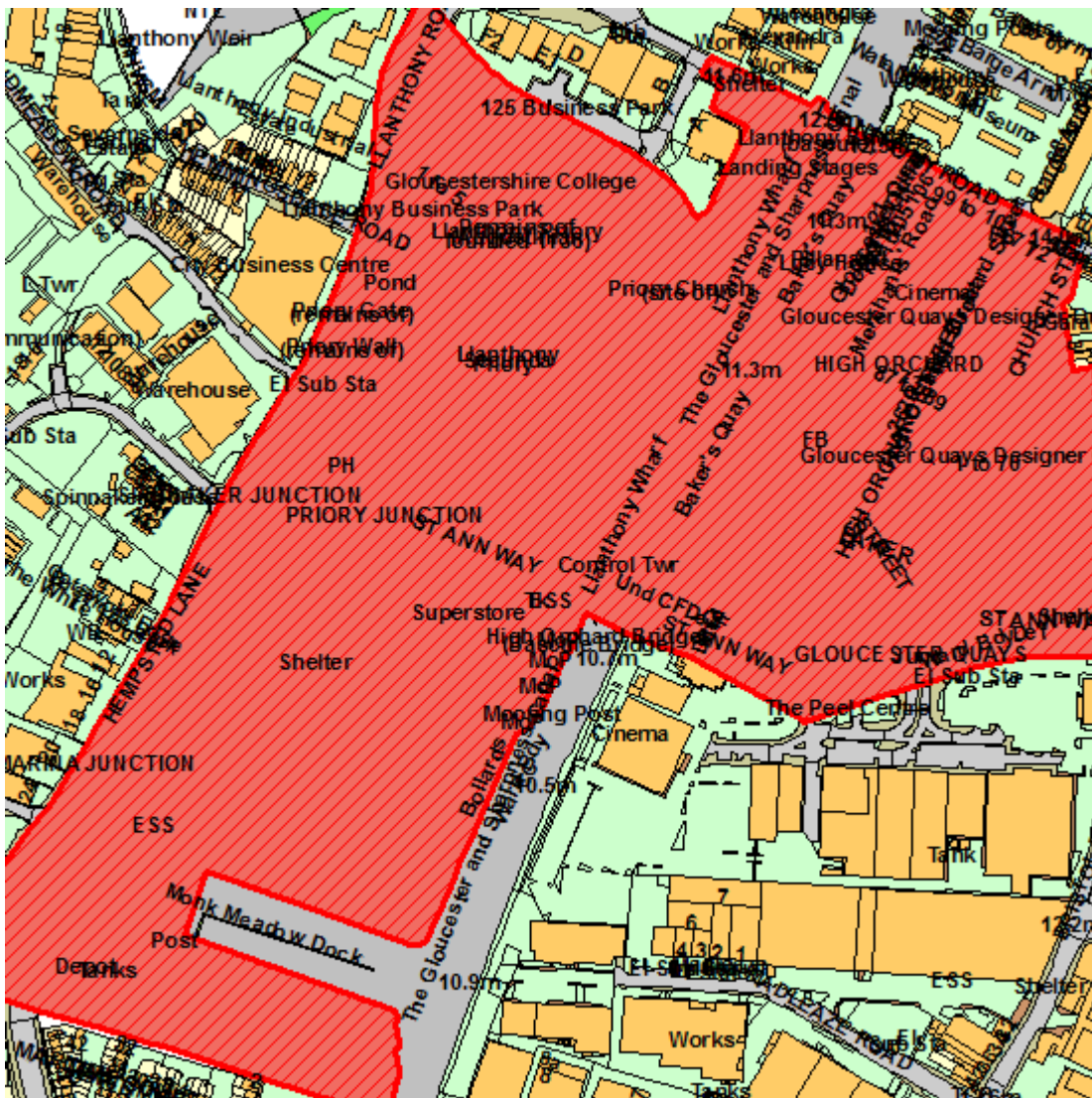
To secure the provision of an appropriate level and type of affordable housing in accordance with Policies SD11 and SD12 of the Joint Core Strategy 2017 and the NPPF.

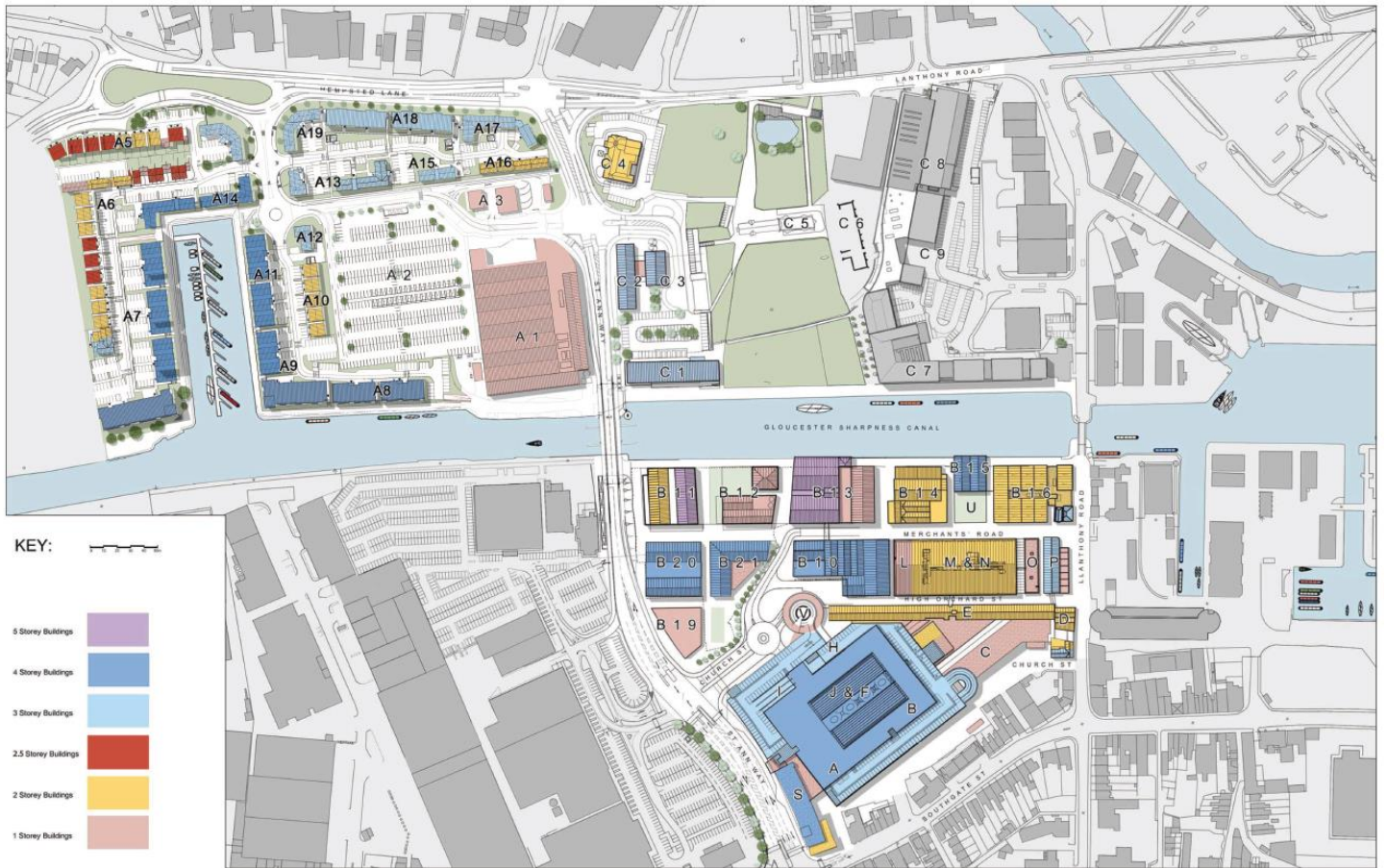
Person to Contact: Adam Smith (396702)

Planning Application: | 18/00685/FUL

Address: | Land At Bakers Quay Llanthony
Wharf And Monkmeadow
Bounded By Southgate Street
Llanthony St Ann Way
Gloucester

Committee Date: |





Agenda Item 6

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	2 nd October 2018
Address/Location:	Land at Monkmeadow, Gloucester
Application No:	18/00680/REM
Ward:	Westgate
Expiry Date:	19 th September 2018
Applicant:	c/o Agent
Proposal:	Application for Reserved Matters Approval for access, appearance, landscaping, layout and scale, for 409 no. residential units pursuant to outline permission ref. 14/00709/FUL (as varied) for the Monk Meadow phase (phase G)
Report by:	Adam Smith
Appendices:	Site location plan Proposed masterplan

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 This reserved matters site comprises Phase G of the 'Gloucester Quays' site. Gloucester Quays comprises a wider site encompassing the now-constructed outlet centre and Bakers Quay on the east side of the canal, and the Gloucestershire College and Llanthony Priory land, land to the north and south of St Ann Way (the McCarthy & Stone, High Orchard public house, and Sainsbury sites) and the 'Monk Meadow' land on the west side of the canal. The Gloucester Quays site has benefitted from outline planning permission since 2006, and the permission was renewed to provide a further period for submitting reserved matters in 2016. The outlet centre and Sainsbury store were built under the outline planning permission, while the College, Bakers Quay, High Orchard public house, Llanthony Priory works and McCarthy and Stone development were built (or are under construction) pursuant to separate planning permissions.
- 1.2 It is the Monk Meadow land that is subject to this application. It is bounded by the canal to the east, beyond which are the Peel Centre retail park and a range of industrial units. To the north is the Sainsbury store and car park, and beyond St Ann Way the High Orchard public house and McCarthy & Stone retirement development (under construction). To the west is Hempsted Lane/Secunda Way and beyond a range of industrial and office uses. To the south is a modern residential development (the Bloor Homes site); there are houses on the western side and an area of open space and woods towards the canal side.
- 1.3 The reserved matters application provides details of the means of access, layout, scale, appearance and landscaping of the development for consideration. The application is for 409 residential units. There is a related application for 2 additional units, submitted separately as it is partially outside the outline application site. As such in practice the applicant's proposal involves 411 units overall. Of the 409 in this application, there are 356 flats (257 2-beds, 99 1-beds) and 53 houses (34 2-beds, 19 3-beds).
- 1.4 The site would be accessed off the existing 'Sainsbury' access roads which link off the Hempsted Lane gyratory and St Ann Way.

1.5 The application is referred to Committee due to the number of residential units proposed.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
02/00271/OUT	Application for Outline Planning Permission - major mixed use development comprising new build and reuse of existing buildings to accommodate residential development (approx. 1000 units); food retail store (approx. 7,800 sq. metres);	GOP	22.06.2006
06/00358/FUL	Construction of canal bridge and link road, control building and associated works.	G3Y	06.06.2006
07/01150/REM	Construction of Vehicular Access to Foodstore (Reserved Matters) in connection with implementation of Gloucester Quays Outline Planning Permission (Ref:02/00271/OUT) Phase C	AR	18.06.2008
08/00090/REM	Submission of reserved matters following the granting of outline planning permission 02/00271/OUT (varied by 07/00444/FUL and 07/01504/FUL), comprising a food store and associated structures, car park, petrol filling station, access arrangements and landscaping (Phase C).	AR	19.03.2008
08/01499/REM	Revised reserved matters submission for Phase C of Gloucester Quays development (following the granting of outline planning permission 02/00271/OUT as subsequently varied by 07/00444/FUL, 07/01504/FUL and 08/00024/FUL), comprising a food store and associated structures, petrol filling station, car park and access arrangements and landscaping. Reserved Matters are details of the siting, design and external appearance of buildings and landscaping of the site.	AR	10.02.2009
11/00409/FUL	Erection of public house and associated 1 no. residential unit, external seating area, access road, and associated parking and landscaping/re-grading	G3Y	07.07.2011
14/00709/FUL	Renewal of Gloucester Quays outline planning permission. 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	GOP	04.01.2016
14/01386/FUL	Variation of Conditions 5, 6 and 7 of the Gloucester Quays outline planning permission ref. 14/00709/FUL to alter the masterplan and schedule of development	GOP	17.08.2017
15/01625/FUL	Variation of condition 12 of permission ref. 14/01386/FUL, to increase the permitted level of Use Class A3, A4 and/or A5 floorspace within the Factory Outlet Shopping Area from 3,279 sq m to 3,590 sq m	GOP	31.08.2017

	gross floorspace in total. (This is the latest instance of the outline planning permission)		
18/00685/FUL	Variation of Conditions 5 (to alter application plans and documents), 6 (to alter masterplan) and 73 (to reduce affordable housing provision) of permission ref. 14/00709/FUL (as varied)	Pending	
18/00682/FUL	Erection of 2 no. 2-storey dwellinghouses with loft level accommodation, garages, raising of land levels, associated infrastructure and landscaping	Pending	

3.0 RELEVANT PLANNING GUIDANCE

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

3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 Development Plan

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS include:

SD3 – Sustainable design and construction

SD4 – Design requirements

SD6 – Landscape

SD9 – Biodiversity and geodiversity

SD10 – Residential development

SD14 – Health and environmental quality

INF1 –Transport network

INF2 – Flood risk management

INF3 – Green Infrastructure

INF4 – Social and community Infrastructure

3.4 City of Gloucester Local Plan (Adopted 14 September 1983)

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 213 of the NPPF states that ‘...*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*’ Therefore it is considered that the 1983 Local Plan is out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy.

3.5 Emerging Development Plan

Gloucester City Plan

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

3.6 Other Planning Policy Documents

Gloucester Local Plan, Second Stage Deposit 2002

Regard is also 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. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight:

BE.2 – Views and skyline

BE.16 – Provision of public art

OS.2 – Public Open Space Standard for New Residential Development

OS.3 – New housing and open space

3.7 **Supplementary Planning Guidance/Documents**

SPG1 – Sustainable Urban Drainage Systems (interim adoption November 2004)

SuDS Design Guide 2013 – Supplement to SPG

SPG6 – New Housing and Open Space (interim adoption November 2004)

Heights of Buildings (interim adoption August 2008)

All policies can be viewed at the relevant website address:- national policies:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Gloucester City policies:

<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>

4.0 **CONSULTATIONS**

- 4.1 The **Highway Authority** initially raised issues due to the shared surface proposals included in the original design. The scheme has been redesigned and the Highway Authority raises no objection subject to conditions to secure appropriate footway connections, a Construction Method Statement, carriageway construction before occupation, confirmation of arrangements for future management and maintenance of streets, and provision of fire hydrants.
- 4.2 The **Tree Officer** raises no objection to the landscaping plans as amended.
- 4.3 The Council’s **Landscape Adviser** made several recommendations regarding the type and arrangement of landscaping, arrangement of play areas, and pedestrian accesses around the site. In relation to the amended scheme, she has no objections, with her only outstanding queries being in relation to the future management of the green spaces and the absence of public art details.
- 4.4 The Council’s **Drainage Engineer** raises no objection subject to a condition to secure a maintenance plan for the SuDS features and on the basis that the technical detail will be determined under Condition 44 of the outline permission.
- 4.7 The **Lead Local Flood Authority** has confirmed it does not wish to make any comments.
- 4.8 The **City Centre Improvement Officer (Environmental Protection)** raises no objection subject to conditions to secure a standard of noise mitigations measures, a post-construction noise testing regime, a specification for boundary treatments in certain areas in terms of noise mitigation performance, charging points for electric vehicles, a boiler emission limitation and a restriction on hours of construction.

4.9 The **Urban Design Adviser** provided initial comments alongside securing the advice of the Gloucestershire Design Panel. In respect of the amended plans it is considered that the changes made are the minimum that could be done to address the Officer and Design Panel comments and are somewhat disappointing overall, although it is noted that the elevations have improved generally. The Urban Design Officer is also concerned that the approach to resisting shared surfaces has a negative impact on design.

4.10 **Severn Trent Water** made queries about the number of connections, however this is principally a matter for the discharge of Condition 44 of the outline permission.

4.12 **The Canal & River Trust** set out originally that it was unable to make substantive comments. The Trust has now commented on the revised scheme and although it appears not to outright object and recommends certain conditions, the Trust has made several comments which may be summarised as follows:

- Main issues for the Trust are;
 - Provision of boating and mooring facilities
 - Impact on character and appearance of waterway corridor
 - Impact on biodiversity and water quality of waterway corridor
- Disappointed not all the revisions they sought are included;
- Insufficient consideration given for existing boats moored in the basin;
- Pleased to see boater parking and vehicular access now provision in revisions;
- Condition required to secure method to prevent unauthorised use of the vehicular towpath access and boater parking;
- Further safety measures should be considered given large number of new access points to the towpath and should be secured by condition;
- Bin storage for boaters should be included;
- Burners and generators on the boats could lead to smoke, noise and odour complaints from future residents. Trust has previously suggested provision of an electricity supply could assist with this. Council should consider whether these activities will result in a loss of amenity and the proposal is therefore unacceptable. The issue has not been considered fully;
- Without a suitable electricity supply and accommodation for boaters waste it is unlikely that their proposed mooring improvement strategy could take place as they would be too costly or impossible to do once the development is complete;
- Blocks 5, 12, 13 and 14 addressing the canal have less visual interest than those facing the Dock inlet. These blocks should take some visual cues from the traditional warehouse forms and use the roofscape to break down the mass of blocks. Flat roofs are poor quality design;
- No real recognition or celebration of the waterfront location;
- The large blank walls to the lower ground floor level could look very austere especially in winter and before the planting establishes;
- The landscaping proposals are more suburban that would wish, and may lead to vermin;
- Projecting balconies could vulnerable to climbing;
- The access points between the blocks need improvement, and an alternative species is sought;
- Lighting should not provide floodlighting to the canal corridor for ecological and lighting pollution reasons;
- Wish to ensure pollution of the canal is avoided;
- If hoardings are not to remain, condition is required to ensure a suitable barrier is in place prior to construction.

4.13 The **Police Architectural Liaison Officer** has not commented.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 70 neighbouring properties were notified and press and site notices were published.

5.2 3 letters have been received (two from the same respondent) raising the following issues:

Bland and disappointing design (in relation to original submission).

Should use glazed balconies or carefully considered railings, steeper roof pitches, minimise light coloured render, colour match lighting columns, windows and railings.

Should include railings at the water's edge of canal path lighting for safety.

Further comments on the amended scheme that flat roofs facing Hempsted lane will result in water run off stain on the prominent elevations – the roofing finish needs attention.

Grey more suitable than black for the balcony railings.

Another letter has been received which is not referenced but appears to relate to this application, noting;

Opposed to layout.

20 blocks of flats is excessive.

Absence of parks, schools and shops in scheme.

In addition the Civic Trust has commented and considers the proposals to be acceptable.

5.3 The full content of all correspondence on this application can be viewed on:

<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 OFFICER OPINION

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are design, layout and landscaping; traffic and transport; residential amenity; drainage and flood risk, and economic considerations. Comment on the context of Environmental Impact Assessment and other environmental considerations is also provided.

- 6.5 The reserved matters proposal needs to be considered in the context of that outline planning permission which includes a masterplan and a schedule of development. The current reserved matters proposal conflicts with these two documents currently however the applicant has made a separate application to vary them (also on this agenda). If those variations are approved, the reserved matters proposal would be in accordance with the outline permission and could be approved. Therefore, approval of the s73 variation of conditions application ref. 18/00685/FUL is necessary as a precursor to any approval of the reserved matters application.
- 6.6 ***Environmental Impact***
The overall Gloucester Quays project is a 'Schedule 2' EIA development. The original Gloucester Quays application, the 2014 'renewal' application and a subsequent s73 application were all accompanied by an environmental statement. It is considered that the likely significant effects of the proposal on the environment were identified at the time of the outline permission decision and the environmental information already before the Council in the form of these updated statements is adequate to assess the significant effects of the development on the environment, and this information has been taken into consideration in the Officer recommendation.
- 6.7 ***Design, layout and landscaping***
The NPPF states that good design is a key aspect of sustainable development, and seeks to ensure that development functions well, is visually attractive, is sympathetic to local character, establishes a strong sense of place, optimises the potential of the site and creates safe, inclusive and accessible places. Policy SD4 of the JCS sets out requirements for high quality design, Policy SD6 requires development to protect or enhance landscape character while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network. Policy INF3 seeks to conserve and enhance green infrastructure. Policy INF4 deals with residential development creating a need for community facilities, and their location, arrangement and delivery. Policy INF6 sets out requirements for infrastructure delivery resulting from proposals. Policies OS2 and OS3 of the Second Deposit Draft Local Plan set out requirements for public open space and play space with housing development.
- 6.8 The proposal is at a high density of 90 dwellings per hectare. The proposed number of units is within the overall amount allowed by the Gloucester Quays permission, which envisaged up to 1000 units across the whole scheme. In reality, with development taking place pursuant to a variety of separate permissions the wider site looks to now be accommodating around 660 units in total (including the 55 extra care units by McCarthy & Stone). In fact the overall amount of floorspace now proposed on the Monk Meadow part of the site is significantly below that shown on the approved masterplan and schedule of development. There is a high proportion of flats, however that was also indicated on the original masterplan. The raised levels on the site have been implemented to provide a clean cover layer as part of the land remediation works and present a challenge for the design of the site – the levels change would be apparent when viewing the site from the perimeter.
- 6.9 The main principles established in the masterplan of buildings fronting roads and the canal is carried through to the reserved matters layout and is welcomed in design terms. The proposals address the main public thoroughfares, and would provide good natural surveillance.

- 6.10 A number of concerns were raised by officers and others in respect of the original plans. Officers have worked with the applicant to overcome some, but not all, of those concerns however it is now considered that the proposals represent an acceptable form of development. Some of the improvements include:
- Enhancement of some of the prominent formerly blank/bland elevations;
 - Introduction of more vertical breaks by materials to certain flats;
 - Introduction of more regularity to window alignments;
 - Removal of the white render finish which was considered likely to deteriorate with staining particularly next to the bypass;
 - Improvement of linkages out from the site, notably directly into the public open space to the south of the site and out of the north of the site onto St Ann Way;
 - Introduction of a vehicular access ramp to the towpath at the Dock inlet, and associated visitor parking that boaters could use;
 - Improvements to landscaping and play equipment in response to our landscape consultant's advice.
- Furthermore, given the lack of traditional play space areas in the masterplan and first instance decision, the developer has responded to suggestions for incidental children's play equipment, at various points around the site. This should create a better living environment.
- 6.11 *Other issues raised in representations*
- In terms of the representation on design matters the respondent sets out some views on securing good design. As set out, Officers have made numerous suggestions seeking to enhance the design and secured the advice of the Gloucestershire Design Review Panel. This included avoiding a bland design, steeper roof pitches and changing the render. Some of the changes have been secured. Metal railed balcony enclosures are proposed. In terms of the materials finishes suggested these are acknowledged and specific products can be considered pursuant to the materials condition on the outline permission.
- 6.12 The Canal and River Trust has referred to safety concerns and note that no safety or escape points are shown for persons entering the water, and note that improvements could involve the installation of additional ladders and safety rings. As this is a reserved matters application and the land where such measures could be provided is outside the control of the applicant, this is not a matter for this application. However it seems that it would be a measure that a housebuilder could seek to address for the benefit of the occupants they sell the properties to and an informative note is recommended. Similarly the Canal & River Trust would like to see bin storage provided for boaters. Again, whilst this may be desirable, is not something that could be secured through a reserved matters application.
- 6.13 In terms of the Trust's concerns about the balconies, they may be somewhat vulnerable to climbing, but they are raised above the ground level, and the arrangement is no different to other properties with ground floor doors or similarly design balcony structures in other buildings. The balconies also present an attractive feature for the liveability of the units, the appearance of the buildings, and natural surveillance. The Trust is also concerned about the landscaping, but it is agreeable to the Council's landscape architect and it is considered to be necessary to mitigate the effect of the development at the canal edge. The applicant has confirmed the landscaping would be managed by a management company for the site and would be regularly maintained to prevent pests nesting.

6.14 *Design conclusions*

While there are several design concerns remaining, the proposal would regenerate the site which has been awaited for years, would address the main public vantage points and is in accordance with the masterplan principles. The site is in a prominent position and along an attractive waterside location but is not within a Conservation Area or immediately affecting other heritage assets. Several improvements have been made to the scheme in the course of the application and on balance it is considered that the design, layout and landscaping are acceptable and comply with the above-cited policy context in this regard.

6.15 *Traffic and transport*

The NPPF requires that development proposals provide for safe and suitable access for all and provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts upon the road network would be severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network.

6.16 *Access*

Vehicular access would be taken from the existing 'Sainsbury' accesses off the Hempsted Lane gyratory, and off St Ann Way.

6.17 For the north west part of the site a priority junction off the existing gyratory access road would provide access to 91 of the properties. To the south is a priority junction that would provide access to 195 dwellings. To the east the existing roundabout by the Sainsbury car park would have an eastern arm accessing the remainder of the properties. These were originally designed as shared surface streets but have now been amended to more 'traditional' carriageways, with pavement to one side.

6.18 Vehicular access to the canalside is required by the Canal and River Trust for maintenance and is provided for at the north east of the site just south of the Sainsbury building. It would be bollarded and also provide a pedestrian link. Furthermore a vehicular access is also now proposed to the dock inlet area with visitor parking adjacent, to facilitate use of the pontoon within the inlet by boat owners, similarly with bollards to border the towpath. The Canal & River Trust has asked for a condition to secure a mechanism to prevent vehicular access to the towpath and given the potential resultant safety issues that could arise this is considered reasonable. The applicant would not agree to any further restriction to make the adjacent visitor parking spaces only for boater use.

6.19 The principle of the gyratory access being the sole point of access from the west has been dealt with in the S73 application varying the masterplan (the Hempsted Lane gyratory was granted in 2008 and included two access points to the Monk Meadow area as per the earlier site masterplan – the second southernmost access is not now provided for). In the context of the reduced development proposal the Highway Authority is satisfied with the proposed single access off the bypass. The 409 dwellings would generate 31 arrivals and 133 departures in the morning peak hour and 147 arrivals and 41 departures in the afternoon peak hour.

6.20 A Stage 1 Road Safety Audit has been undertaken and has not identified any problems with the proposed accesses. The Highway Authority is also satisfied that a suitable level of access for pedestrians and cyclists would be provided.

6.21 *Layout*

Given the Government's recommendation to cease all shared space schemes and the Highway Authority's position, the layout has been changed to a 'traditional' carriageway and footway arrangement with physical segregation by kerbs.

- 6.22 A swept path analysis has been provided for an estate car travelling in both directions and a service vehicle travelling in one direction. The Highway Authority is satisfied that two cars would be able to pass each other at any point. The proposed pinch points have been removed and vertical calming features (flat top road humps incorporating pedestrian crossing points) are now proposed which would maintain passing opportunities. While the change from the shared space design to the carriageway/footway arrangement has removed the risk to pedestrians of car drivers pulling in to allow a refuse vehicle to pass, it has removed the ability for car drivers to utilise the wider carriageway, however the new layout does offer a significant number of passing places at the access points to the communal parking areas, and national guidance recognises that a 4.8m carriageway can accommodate a large vehicle passing a car. The Highway Authority is therefore satisfied that a safe and secure layout can be achieved subject to a condition.
- 6.23 There remain areas where footways are not proposed to the full extent of the site and which could potentially fail to address the needs of people with disabilities. While the Highway Authority raises concerns about this in the current layout, they consider that provision of suitable footways is possible within the proposed layout and can be secured by condition.
- 6.24 *Parking*
The parking provision is now 468 in total, comprising 432 residential spaces and 36 visitor spaces, distributed around the site. In terms of disabled parking provision several bays at the ends of rows are designed to have additional surrounding space that could enable them to be designated as disabled spaces (comprising 4.7% of the parking). This provides flexibility as in practice it is difficult to allocate disabled spaces without knowledge of occupant's requirements and could equally become redundant if occupants change.
- 6.25 Cycle parking is provided along with bin storage in the ground floor of all the flat blocks, other than blocks 15, 18, 19 and Block 20 which have external provision in a covered store.
- 6.26 In terms of the Highway Authority's suggested conditions, the matters in the Construction Method Statement condition covered by existing conditions on the outline permission. The construction of the estate roads before occupation is also secured by an existing outline condition, and the specified carriageway width would be secured between the layout approval and the technical approval under the Highways Act. Securing hydrants and the management arrangements of estate roads are not considered reasonable conditions for the reserved matters decision.
- 6.27 Overall subject to certain conditions it is considered that the proposals comply with the above cited policy context. The residual impact on the highway network would not be severe and no highway objection is raised.
- 6.28 ***Residential amenity***
Paragraph 127 (f) of the NPPF provides that planning should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.
- Existing neighbours:*
- 6.29 At the southern edge the site effectively borders the existing Bloor Homes development. This adjacent site includes two properties with gardens in close proximity side-on to the site, and other properties with gardens separated from the site by their parking court. The proposed units are to the north of these neighbouring properties so no overshadowing would be caused.

- 6.30 The proposed units backing onto this boundary have overall separation including their gardens from the adjacent site's boundary of around 10 to 14m. The levels of the site are higher than the adjacent land to the south due to the remediation works, but the applicant has confirmed that they will grade down to the boundary such that they would be level at the point of meeting the adjacent land. It is recommended that this arrangement is secured by condition given the harm to amenity that could otherwise result. The extent of the applicant's ownership falls slightly short of the perimeter wall/fence of the Bloor development such that there would be a further gap between the proposed gardens and the neighbours of varying width.
- 6.31 In respect of nos. 2/2a Maritime Court the gardens would be in close proximity, with a narrow alleyway between. There would be around 12m between the rear of the proposed houses and the garden of nos. 2/2a. The nearest proposed house type is designed with a full-height central bedroom window at first floor to rear. The change in ground levels is such that the proposed houses would be sited at around 1.3m higher than nos. 2/2a. As originally designed it is considered that the closest two proposed units would overlook the garden of nos. 2/2a causing harm to the amenity of residents.
- 6.32 The applicant has therefore redesigned the first floor rear windows to the two closest proposed units so as to have only high level transparent/opening windows, with the part below 1.7m above internal floor level to be obscure glazed and unopenable. This would prevent overlooking for the average person and is in accordance with the Council's standard approach to addressing this. A condition is recommended to secure the arrangement.
- 6.33 Proposed Block 4 is approximately 10.5m away from 2/2a Maritime Court, and has first floor windows to ground and bedroom – facing south. Nos. 2/2a has a north facing window at first floor but this is obscure-glazed. It is considered that there would be any harm caused to amenity in relation to Block 4 as a result of window to window intrusion.
- 6.34 In respect of 32 Maritime Court its garden would be side-on to the application site. There would be around 13.5m between the rear of the proposed houses and the garden of no. 32. The nearest proposed house type is the same as mentioned above with a full-height central bedroom window at first floor to rear. Again the change in ground levels is such that the proposed houses would be sited at around 1.3m higher and again the closest two proposed units would overlook the garden of no.32 causing harm to the amenity of residents. The same first floor rear window redesign (as per no's 2/2a above) has also taken place for the two closest properties to this neighbour, which would address the overlooking concern, and again requires securing by condition.
- 6.35 In respect of the properties backing towards the application site between nos. 2/2a and no. 32, there would be a separation of around 9m between the respective gardens and around 30m between the respective properties including the existing rear parking court. The change in levels would mean that the proposed houses would be sited higher than these neighbouring properties however the combination of the separation distance and the arrangement of the existing properties' gardens is such that it is not considered that the proposals would result in any significant harm in terms of overlooking or overbearing effects.

Proposed accommodation:

- 6.36 The site is next to the bypass on the western edge and St Ann Way to the north. The proposal includes flat blocks and houses fronting onto the road. At the north of the site the residential properties would be sited in close proximity to the petrol filling station and car wash which have an associated noise impact. The closest units to the forecourt are flats over garages, and the standard flat layout is amended for these plots to omit the windows to rear.

- 6.37 Planning permission for the residential use of this part of the site has already been granted. The original Environmental Statement included analysis of noise and concluded that the impact was acceptable. A further noise risk assessment has been submitted in association with the s73 application. This determines that the site has a high risk in the worst affected areas due to traffic noise. Commercial sound sources close to the site have been assessed as likely to cause significant adverse impact.
- 6.38 The development has been designed so that the dwellings on the perimeter of the site screen the noise sources. In cases where the buildings have been used to screen commercial sound sources, living rooms and bedrooms would not have windows overlooking the source (the flats over garages next to the petrol filling station). The report also sets out the buildings where enhanced façade sound insulation would be required.
- 6.39 The report sets out that the arrangement of buildings allow all gardens to have some areas where sound pressure levels would be less than 55dB LAeqT to achieve a reasonable living standard. A 2m close boarded fence is necessary to achieve these results for gardens closest to the access road.
- 6.40 The monitoring exercise informing the noise assessment included testing equipment sited near the canal edge including at the south eastern corner of the site. Complaints have been raised by residents of properties further south of the site regarding industrial uses on the opposite side of the canal but no significant impact was identified in the study.
- 6.41 The Canal & River Trust also raises the issue of potential impact from the use of boats on the Dock inlet on future residents. Again this is a challenging issue given the context. The Trust has suggested to the developer that they provide an electricity connection to the pontoon which could be in the interests of the future occupants. Although it has not been fully provided for, it is understood that the developer proposes to provide electrical ducting to the edge of the site that could be used for a further connection to allow provision of power and heating by electrical means rather than generators and burners. Notwithstanding this, the principle of residential use of this land next to the canal has already been agreed. There are no direct provisions for this issue in the outline permission. Furthermore, the use of the moorings is not authorised for permanent accommodation so the boaters should be a 'transient' population with the associated impacts, if any, from them. The noise monitoring did not pick up on the impact of generators and evidently if they are not in situ and running at a particular time, they would not be measured. It is also not clear how one would mitigate the impact of smoke from burners on occupants of neighbouring premises. In the circumstances the provision of electrical ducting to the edge of the site is welcomed, and an informative note could again be added to highlight the matter.
- 6.42 The Council's environmental health officer raises no objection overall but does point out that the site has a 'high risk' in the worst affected areas due to road traffic noise. It is recommended that the mitigation measures set out in the submitted report are secured by condition to ensure suitable living standards, and given the high levels of noise identified, a post-completion testing regime.
- 6.43 The development is required to have at least 15% of units built to Lifetime Homes standards by condition 72 of the outline permission. The applicant has stated that over 60% of dwellings would be constructed to the Approved Document Part M4 'Category 2' (accessible and adaptable dwellings), and 15% to lifetime homes (which has additional requirements above category 2), and will include disabled spaces where necessary for compliance.
- 6.44 The high density of development proposed creates close relationships between buildings which future residents will be aware of in moving into the development. It is not considered that any arrangements create fundamentally unacceptable living conditions however.

- 6.45 Subject to certain conditions, it is considered that the proposals comply with the above cited policy context in terms of amenity and no objection is raised in these terms.
- 6.46 ***Drainage and flood risk***
The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.
- 6.47 The site is within flood zones 1, 2 and 3. The principle of development is already agreed and is subject to conditions dealing with finished floor levels, floodplain compensation and a drainage strategy. The drainage scheme is guided by an existing framework pursuant to the outline drainage condition. The drainage strategy condition also requires the implementation of the approved scheme to be implemented prior to occupation. Submissions have separately been made under the outline condition.
- 6.48 Attenuation is provided in the form of underground tanks/crates underneath residential parking areas and is provided to manage runoff up to the 1 in 100 year storm event (plus 40% allowance for climate change). The limited site discharge rate and attenuation volume are acceptable to the Council's Drainage Engineer, and the connections to the Severn Trent network appear to have already been agreed in principle (rather than to the canal as previously envisaged) although their planning casework team has queried the number of connections. This matter can be dealt with pursuant to Condition 44 of the outline permission. Rainwater butts are also proposed for individual properties.
- 6.49 Surface water treatment is to be provided by proprietary systems. A maintenance condition is considered to be required to ensure ongoing operation, as the specific proposed system could not have been known at the time of the outline permission decision.
- 6.50 Finished floor levels of at least 11.78m AOD are already secured by condition 45 of the outline permission.
- 6.51 The flood risk and drainage issues are largely dealt with already under the outline permission. The practical implementation of the drainage scheme is now indicated in connection with the detailed layout, and with a condition to seek to ensure ongoing functioning of the proprietary system it is considered that the proposals comply with the above policy context and no objection is raised in terms of flood risk and drainage.
- 6.52 ***Economic considerations***
The construction phase would support employment opportunities and therefore the development would have some economic benefit. Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment and job growth and the NPPF advises that 'significant weight should be placed on the need to support economic growth through the planning system'.
- 6.53 ***Other considerations:***
Land contamination
Policy SD14 of the JCS requires that development proposals incorporate the investigation and remediation of any land contamination. The site has been remediated pursuant to the outline planning permission. The Canal & River Trust requested that the pollution of the canal be avoided – this is addressed by conditions of the outline permission. It is not part of the reserved matters application.

6.54 *Ecology*

Policy SD9 of the JCS provides that the biodiversity and geological resource of the JCS will be protected and enhanced. The existing outline planning permission provides for mitigation and enhancement by condition. The site has been recently resurveyed to check that no significant changes in the ecological value had occurred. The applicant proposes a range of wires and spikes as seagull deterrents and this is required separately by condition 51 of the outline permission. The Canal & River Trust notes that there should be no flood light type lighting to the canal corridor for ecological and light pollution reasons, but the applicant has confirmed that no lighting is currently proposed.

6.55 *Remaining public comments*

In terms of the other public comment regarding the scale of development and absence of infrastructure; the proposals are in broad accordance with the scale and density of development envisaged in the original outline application and if the preceding s73 application (ref. 18/00685/FUL) is granted will comply directly with the overarching masterplan and schedule of development. In terms of the absence of parks, schools and shops, there is a Sainsbury foodstore adjacent to the site and the outlet centre and Peel centre in relatively close proximity across the St Ann Way bridge. The existing planning permission also pre-dates the requests for education contributions, and is commented on in the s73 application also on this agenda (ref. 18/00685/FUL). Finally in terms of parks, it appears that the Council asked for contributions to be secured by s106 agreement at the time of the original application but the Inspector considered the provision in the masterplan to be sufficient subject to conditions. Again this is commented on in the s73 application also on this agenda. As such the existing permission is material to the consideration of these matters and it is recommended that no objection is raised on the grounds set out by the resident.

6.56 Finally, the Canal & River Trust asks for a suitable barrier to be erected if the hoardings are not to remain in place – this is addressed by Condition 69 of the outline permission which requires secure fencing during construction.

6.57 **Conclusion**

This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, layout and landscaping; traffic and transport; residential amenity; drainage and flood risk, and other economic and environmental considerations; the proposal is acceptable and accordingly it is recommended that reserved matters approval is given subject to conditions.

7.0 **RECOMMENDATION OF THE TECHNICAL PLANNING MANAGER**

7.1 That, providing application ref. 18/00685/FUL is granted planning permission, reserved matters approval is **delegated to the Technical Planning Manager subject to the following conditions;**

Condition 1

The development shall be carried out in accordance with the following plans;

Masterplan A-90-001 Rev. M received by the Local Planning Authority on 12th September 2018

Proposed floor plans Blocks 1 & 17 A-00-001 Rev. A received by the Local Planning Authority on 17th August 2017

Proposed elevations Blocks 1 & 17 A-01-001 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 2 A-00-002 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 2 A-01-002 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 3 A-00-003 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 3 A-01-003 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 4 A-00-004 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 4 A-01-004 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 5 sheet 01 A-00-005 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 5 sheet 02 A-00-006 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 5 A-01-005 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Blocks 6, 7, 8, 9, 10 & 11 A-00-007 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 6 A-01-006 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 7 A-01-007 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 8 A-01-008 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 9 A-01-009 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 10 A-01-010 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 11 A-01-011 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 12 A-00-008 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 12 A-00-009 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 12 A-01-012 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Blocks 13 & 14 A-00-010 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 13 A-01-013 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 14 A-01-014 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 15 A-00-011 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 15 A-01-015 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 16 A-00-012 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 16 A-01-016 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Blocks 18 & 19 A-00-013 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 18 A-01-017 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 19 A-01-018 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 20 sheet 01 A-00-014 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 20 sheet 02 A-00-015 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 20 sheet 01 A-01-019 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 20 sheet 02 A-01-020 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 22 A-00-016 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 22 A-01-021 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 23 A-00-017 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 23 A-01-022 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans House type 867 A-00-020 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations House type 867 A-01-023 Rev. B received by the Local Planning Authority on 13th September 2018

Proposed elevations House type 867 A-01-024 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans House type 1343 A-00-021 Rev. A received by the Local Planning Authority on 17th August 2017

Proposed elevations House type 1343 A-01-025 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations House type 1343 A-01-026 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans FOG 850 A-00-022 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations FOG850 A-01-027 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans FOG 850 (N) A-00-023 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations FOG 850 (N) A-01-028 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations FOG 850 (N) A-01-029 Rev. A received by the Local Planning Authority on 17th August 2018

Multiple garages A-00-031 Rev. A received by the Local Planning Authority on 17th August 2018

Plans/sections – Typical cycle/bin store A-00-032 Rev. A received by the Local Planning Authority on 17th August 2018

Elevations Typical cycle/bin store A-01-030 Rev. B received by the Local Planning Authority on 17th August 2018

Plans/sections – Substation A-00-033 received by the Local Planning Authority on 17th August 2018

Elevations Substation A-01-031 Rev. A received by the Local Planning Authority on 17th August 2018

Canal access ramp 2627/5704 Rev. P3 received by the Local Planning Authority on 17th August 2018

Canal access ramp A-02-107 received by the Local Planning Authority on 17th August 2018

Landscaping general arrangement 2627/5000 Rev. P4 received by the Local Planning Authority on 17th August 2018

Landscape Proposals sheet 1 of 6 2627/5001 Rev. P3 received by the Local Planning Authority on 17th August 2018

Landscape proposals sheet 2 of 6 2627/5002 Rev. P4 received by the Local Planning Authority on 17th August 2018

Landscape proposals sheet 3 of 6 2627/5003 Rev. P5 received by the Local Planning Authority on 17th August 2018

Landscape proposals sheet 4 of 6 2627/5004 Rev. P4 received by the Local Planning Authority on 17th August 2018

Landscape proposals sheet 5 of 6 2627/5005 Rev. P4 received by the Local Planning Authority on 17th August 2018

Landscape proposals sheet 6 of 6 2627/5006 Rev. P5 received by the Local Planning Authority on 17th August 2018

Illustrative play equipment & street furniture palette 2627-5-2-5703 Rev. P3 received by the Local Planning Authority on 17th August 2018

except where otherwise required by conditions of this approval or of the outline permission.

Reason

To ensure the development is carried out in accordance with the approved plans.

Condition 2

No retaining walls shall be constructed until details of the facing material to the wall have been submitted to and approved in writing by the Local Planning Authority. Construction shall take place only in accordance with the approved details.

Reason

In the interests of securing a high quality finish to the development and the visual amenities of the area.

Condition 3

The noise mitigation measures identified in the Noise.co.uk Ltd 'Noise Risk Assessment & Acoustic Design Statement' ref. 18185-1 prepared 19th April 2018 (received by the Local Planning Authority on 6th June 2018) (section 10.2.5 onwards) shall be implemented in full. No unit for which that Statement identifies mitigation measures as being necessary shall be occupied until the specified measures have been installed in full for that property.

Reason

To ensure a suitable standard of living accommodation for future residents.

Condition 4

A Construction Phasing Plan shall be submitted to the Local Planning Authority prior to the commencement of construction of any dwellings.

For each phase a Noise Testing Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of any dwellings within that phase that identifies a minimum of 15 % of the dwellings within that phase with a façade onto St Ann Way and Hempsted Lane that shall be subject to noise testing.

Within each phase, no dwelling subject to this reserved matter approval shall be occupied until the results of noise testing, which has been undertaken by a professional and competent contractor, have been submitted to and approved in writing by the Local Planning Authority. The noise testing shall be carried out within the lounge and bedrooms of the dwellings identified within the Noise Testing Plan for that phase to establish whether the noise criteria as specified via condition 3 have been met through approved mitigation measures.

If the results are not satisfactory, a revised approach shall be provided to meet the requirements in condition 3 for the Local Planning Authority's approval and the revised approach shall be implemented in full prior to the occupation of a dwelling within that phase.

Reason

The purpose of the post completion testing is to establish compliance with the internal standards of BS8233 2014, as outlined within the submitted report to protect the residential amenities of the future occupiers of the properties.

Condition 5

The first floor windows in the rear/south facing elevations of each of the units on plots 371, 372, 386 and 387 (as set out on the Masterplan ref. A-90-001 M), shall be constructed so that no part of the framework less than 1.7m above finished floor level within that room shall be openable. Any part below that level shall be constructed with, and retained in, an opaque material or obscure glazing.

Reason

In order to protect the residential amenity of adjacent properties.

Condition 6

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no extensions or any outbuildings or enclosures shall be erected within the curtilage of the dwellings shown on plots 371, 372, 386 and 387 (as set out on the Masterplan ref. A-90-001 M).

Reason

In order to protect the residential amenity of the occupiers of adjacent properties.

Condition 7

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no windows or other openings shall be constructed above ground floor in the rear/south facing elevations of the dwellings shown on plots 371, 372, 386 and 387 (as set out on the Masterplan ref. A-90-001 M).

Reason

In order to protect the residential amenity of the occupiers of adjacent properties.

Condition 8

The gardens of Plots 371 to 388 (as set out on the Masterplan ref. A-90-001 M) shall be tapered down (broadly in accordance with cross sections through the southern part of the site shown on plan ref.s A-02-100 Rev. C (Section A) and A-02-101 Rev. B (Section A)) to meet flush with the existing ground levels of the immediately adjacent land to south, at the shared boundary.

Reason

As confirmed by the applicant in the interests of protecting the amenities of residents of neighbouring properties.

Condition 9

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.

Condition 10

The approved landscaping proposals shall be carried out concurrently with the development of this phase and shall be completed no later than the first planting season following the completion of the development of this phase. 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 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.

Condition 11

Buildings shall be constructed with window reveals to the following corresponding depths;
Where brickwork surrounds a window; 100mm
Where render surrounds a window; 120mm
Where timber surrounds a window; 150mm

Reason

To secure the quality of development confirmed by the applicant in the interests of good design and the visual amenities of the locality.

Condition 12

Notwithstanding that shown on the submitted plans, details of a footway linking the proposed footway within the site to the existing cycleway/footway adjacent to the Sainsburys Access Road at the northern end of the site shall be submitted to and approved in writing by the Local Planning Authority and completed in its entirety prior to the first occupation of Plots 048 to 068 (as set out on the Masterplan ref. A-90-001 M).

Reason

To provide suitable access arrangements, meet the needs of people with disabilities and create a safe place.

Condition 13

Notwithstanding that shown on the submitted plans, details of footways to the rear of the proposed parking bays at Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, opposite Block 11, Block 14, Block 15, Block 17 and Block 22 linking the bays to the proposed footways within the site shall be submitted to and approved in writing by the Local Planning Authority and completed in their entirety prior to the first occupation of those dwellings for which the bays are allocated

Reason

To provide suitable access arrangements, meet the needs of people with disabilities and create a safe place.

Condition 14

No dwelling shall be occupied until a method of preventing unauthorised vehicular use of the access ramp and waterside (between Blocks 3 and 8, and north of Block 14) has been implemented in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason

To prevent a detrimental impact on the appearance of the waterway corridor from the erection of poorly designed barrier and boundary treatments and to protect users of the towpath and the integrity of the canal infrastructure and in the interests of highway safety.

Note

The Environmental Impact Assessment information has been taken into consideration in this decision.

Note

The applicant is advised to contact the owners or management company for the adjacent land to the south in the interests of dealing with the section of left-over land in between the sites as there is the prospect for this to become neglected and a nuisance to residents. Further planning applications may be necessary to authorise the use of this land, and this may be affected by the planning considerations involved in determining this application.

Similarly the applicant is advised to contact the Highway Authority in the interests of dealing with the section of left over land at the south west edge of the site (opposite the southern edge of the elongated roundabout). Again further planning applications may be necessary to authorise works to or use of this land.

Note

The applicant is advised to discuss with the Canal & River Trust the provision of safety measures at the canalside to deal with persons entering the water.

Note

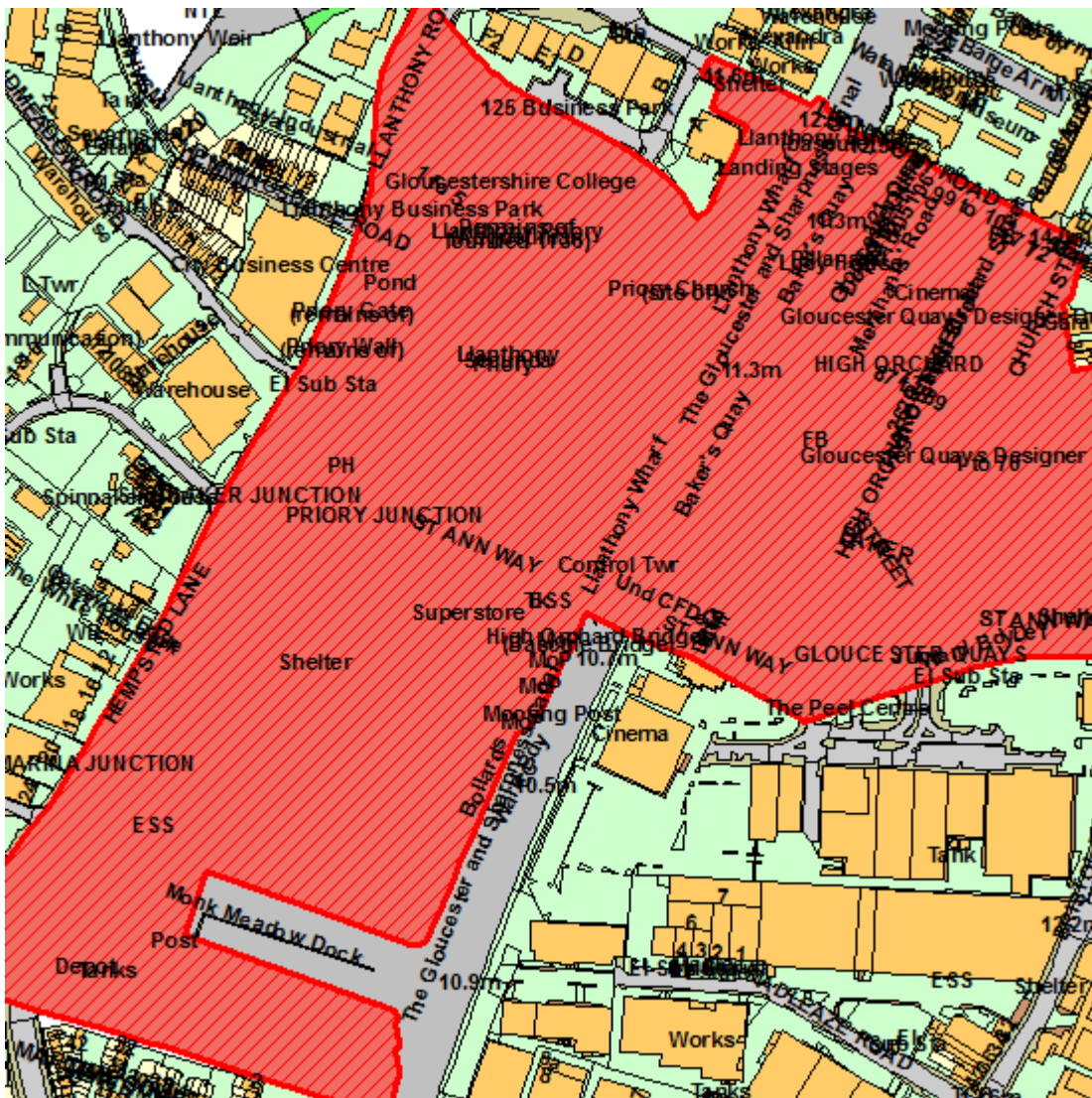
The applicant is encouraged to liaise with the Canal & River Trust to provide for the electrical connection to the moorings, which could provide for alternative power and heating options for boat users. The applicant is also encouraged to make future residents aware of the presence of the boat moorings.

Person to Contact: Adam Smith (396702)

Planning Application: | 18/00680/REM

Address: | Land At Bakers Quay Llanthony
Wharf And Monkmeadow
Bounded By Southgate Street
Llanthony St Ann Way
Gloucester

Committee Date: |





This page is intentionally left blank

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	2 nd October 2018
Address/Location:	Jessop Court Quedgeley Gloucester
Application No:	17/01364/FUL
Ward:	Quedgeley Fieldcourt
Expiry Date:	18.04.2018
Applicant:	Mr Ben Doouss
Proposal:	Construction of a distribution warehouse with associated offices, parking, sustainable drainage and new access off Marconi Drive
Report by:	Caroline Townley
Appendices:	Site Location Plan Proposed Site Plan Proposed Elevations

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is a vacant plot with a site area of approximately 1.75 hectares located to the south of Waterwells Drive, West of Marconi Drive and North of Jessop Court with Kestrel Court to the West. The site is currently vacant with access from Jessops Court. The site is covered with shrub and grass growth and includes a Public Right of Way following the line of the Dimore Brook to the north of the site. The site has been informally used by the previous owners for storage of metal works associated with the previous owners business.
- 1.2 The levels across the site fall by an average of 2.5 metres from the southern boundary towards the watercourse and then rise up to Waterwells Drive.
- 1.3 The application seeks planning permission for the construction of a distribution warehouse with associated offices, parking, drainage and a new access. It is proposed to construct a detached building with an open plan warehouse, a small assembly and manufacturing area together with associated offices including space to be used as a display and a research and development area.
- 1.4 The building would be occupied by Eclipse Furniture which supplies furniture to the hospitality trade including pubs, restaurants, hotels, coffee shops and cafes. The company currently operate from premises in Eastbrook Road Trading Estate. The applicant has indicated these existing premises are now inadequate and the proposed plans would enable the business to expand.
- 1.5 There is an existing access to the site from Jessop Court which would be used for HGV deliveries and warehouse staff car parking. A new access is proposed off Marconi Drive to serve the office and visitor parking.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
95/00126/OUT	(Outline) Comprehensive development of land for Classes B1& B8 Employment uses, with ancillary A1, A2 & A3 uses, open space, park and ride car park, landscaping and associated drainage and highway works.	Granted outline permission.	17.07.1996
03/01316/FUL	Erection of a warehouse distribution unit incorporating associated offices, ancillary accommodation and parking.	Withdrawn.	May 2004
04/01619/FUL	Erection of 2 buildings comprising 1 block of 2 units and 1 block of 4 units for uses within Use Classes B1 and B8 (light industrial, offices, general industrial, storage and distribution).	Granted.	08.03.2005
09/01211/FUL	Erection of 2 buildings comprising 1 block of 2 units and 1 block of 4 units for uses within Use Classes B1 and B8 (light industrial, offices, storage and distribution) [Renewal of permission 04/01619/FUL].	Granted.	07.04.2010
15/00892/FUL	Erection of new manufacturing and distribution facility (Use Classes B2/B8) and ancillary office with associated car parking, landscaping and access arrangements.	Granted.	02.12.2015
16/00255/FUL	Variation of conditions 19, 20 and 21 of planning permission reference 15/00892/FUL to allow unrestricted hours of operation for Class B8 (storage and distribution) uses.	Granted.	15.06.2016
16/01065/CON DIT	Discharge of condition 4 (reptile survey) of planning permission ref. 16/00255/FUL.	Discharged.	04.10.2016

3.0 RELEVANT PLANNING HISTORY

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

3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 Development Plan

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS (Main Modifications) include: *Case officer to delete any policies that are not relevant:*

SD3 – Sustainable design and construction

SD4 – Design requirements

SD6 – Landscape

SD9 – Biodiversity and geodiversity

SD14 – Health and environmental quality

INF1 –Transport network

INF2 – Flood risk management
INF3 – Green Infrastructure
INF4 – Social and community Infrastructure
INF6 – Infrastructure delivery

3.4 City of Gloucester Local Plan (Adopted 14 September 1983)

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 215 of the NPPF states that ‘...*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*’ The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

**3.5 Emerging Development Plan
Gloucester City Plan**

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 216 of the NPPF.

**3.6 Other Planning Policy Documents
Gloucester Local Plan, Second Stage Deposit 2002**

Regard is also 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. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight. The policy relevant to this application is:

E.4 – Protecting Employment Land

3.7 All policies can be viewed at the relevant website address:- national policies:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Gloucester City policies:

<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>

4.0 CONSULTATIONS

4.1 Quedgeley Town Council – No objection is raised.

4.2 Economic Development and Regeneration Officer – Support the application and welcome the continued investment in the City.

4.3 Landscape Adviser – No objection to the amended Landscape and Ecology Plan subject to conditions requiring the submission of a detailed planting plan, full details of the proposed boundary treatments, a management plan for vegetation along the brook corridor, details of tree planting pits and tree protection measures.

4.4 Ecology Adviser – The Dimore Brook and associated vegetation requires protection from development. The submitted Ecological Report is acceptable and proposes enhancement. Raise no objection subject to the inclusion of conditions.

- 4.5 **Contaminated Land Adviser (WRS)** – The development site is located in close proximity to the former Waterwells / Naas Land Landfill site and therefore maybe at risk from landfill gas. WRS do not agree with all the recommendations in the submitted contamination assessment in respect of time periods for the generation of gas from landfill. Landfill sites can continue to produce high levels of landfill gas for significant periods following the final input of waste. Landfill sites can continue to produce gas for a period of time in excess of 60 or 70 years. Degradation of waste and subsequent production of gas is highly dependent on site condition, types of wastes deposited, engineering of landfill and other factors.

Previous investigations in the area of the landfill site have identified levels of gas production. WRS would always recommend that appropriate gas monitoring is undertaken on a site where a potentially significant source has been identified in order to inform the level of gas production measures required. If monitoring is not undertaken any protective measures should be suitably conservative to provide adequate protection as actual risks remain unknown.

It is recommended that a condition is attached to any permission in relation to ground gas.

- 4.6 **Drainage Adviser** – The proposed surface water discharge rate is acceptable. The applicant will need the consent of the LLFA for the outfall arrangements which should be as low key and discrete as possible, the required 8 metre easement to the watercourse has been provided on either side of the channel. Need to ensure that there is no ground raising within the 8 metre corridor adjacent to the watercourse.

The surface water discharge arrangements are acceptable from a water quality perspective. Much the vehicular area drains via an aggregate sub-base which is an effective means of water quality improvement.

There is sufficient detail in both the drainage and SuDS design and maintenance proposals and no additional detail is required under condition. A condition is required to ensure that the drainage/SuDS is built and maintained in accordance with the details submitted.

- 4.7 **Lead Local Flood Authority (LLFA)** – No objection to the application.
- 4.8 **City Archaeologist** – The site has already been subject to archaeological evaluation. The investigation identified no heritage assets or archaeological interest.
- 4.9 **Urban Design Adviser** – No objection to the revised design.
- 4.10 **Environmental Protection Officer** – No objections subject to the inclusion of conditions to ensure that the operation of a large distribution warehouse operating 24 hours a day 7 days a week will not have any adverse impact in terms of noise on either the occupants of existing houses to the south in Hunts Grove or the proposed residential development directly opposite the site.
- 4.11 **Severn Trent Water** – Raise no objection to the application subject to conditions requiring details of drainage plans for the disposal of foul and surface water flows to be submitted and approved. It is also advised that there is a public sewer located within the site.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 Neighbouring properties were notified and press and site notices were published.
- 5.2 No letters of representation have been received.
- 5.3 The full content of all correspondence on this application can be viewed on:

<http://www.gloucester.gov.uk/resident-planning-and-building-control/Pages/public-acce>

6.0 OFFICER OPINION

6.1 ***Legislative background***

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are the principle of development; design, layout and landscaping; traffic and transport; residential amenity; drainage and flood risk; land contamination; and ecology.

6.5 **Principle**

The site is located within an established business park. The principal of development for employment use on the site was established by the grant of outline planning permission in 1995 and the subsequent full applications in 2004 (renewed in 2009) and 2015.

6.6 ***Design, Layout and Landscaping***

The NPPF states that good design is a key aspect of sustainable development. Paragraph 127 sets out criteria for achieving well-design places while paragraph 130 provides that permission should be refused for development of poor design. Policy SD3 of the JCS requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design and Policy SD6 requires development to protect or enhance landscape character.

6.7 The site is located on a prominent corner site within an existing business park with frontages to Waterwells Drive, Marconi Drive and Jessop Court. The proposal is for a large new large detached warehouse building with a small assembly and manufacturing area together with ancillary office accommodation. The main warehouse building would be a simple form and functional design.

6.8 The originally submitted plans proposed to locate the offices on the south eastern corner of the building to address the corner of Marconi Drive and Jessop Court.

6.9 Amended plans have been submitted to address concerns about the failure of the building to address main frontages and the prominent corner at the junction of Waterwells Drive and Marconi Drive.

6.10 The principal office element of the building has been relocated to the north east corner of the site to address the roundabout and provide a focal feature. A further office element with a full height glazed corner has been incorporated on the Marconi Drive corner of the building to help provide a focal point to the Jessop Court junction.

- 6.11 The building also now incorporates a mixture of a curved and a mono pitch roof to help soften and break up the visual mass of the roof. This has also enabled some high level glazing to be introduced to the northern elevation.
- 6.12 The materials have been revised with a higher quality palette of materials now proposed for the offices and Marconi Drive elevation. This includes architectural cladding to break up the other areas of cladding and smooth faced architectural blockwork. Additional glazing would also be introduced on the Marconi Drive elevation.
- 6.13 As part of the original outline planning application for the Waterwells Business Park a Landscape and Wildlife Strategy was approved to inform subsequent applications. The strategic landscaping zone to the north of the site identified at the outline application stage would be retained and enhanced. Additional tree planting is proposed both within strategic landscaping zone adjacent to Waterwells Drive and the frontages to both Marconi Drive and Jessop Court helping to soften views of the building.
- 6.14 Overall the revised plans have helped address the original concerns raised by Officers. The revisions to the design have sought to provide a greater level of fenestration, interest and overlooking of the main site frontages Waterwells Drive, Marconi Drive and Jessop Court and the design, scale and siting of the building is considered acceptable within this business park location and complies with the relevant local and national policy.
- 6.15 ***Traffic and transport***
The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network
- 6.16 The application site is considered to be well located for the proposed use within an existing business park and with residential properties located a short distance to the south. The site has good links to the A38 and M5 for the movement of goods with the footways and off carriageway cycleways providing a safe and convenient link for pedestrian and cyclists to local residential areas. The application includes the provision of 75 car parking spaces for employees and visitors to include 3 disabled parking spaces, 3 dedicated car share spaces and spaces with electric charging points. Covered cycle parking would also be provided for 20 bicycles.
- 6.17 The proposed development has two points of access from the public highway from Jessop Court and Marconi Drive. The access from Jessop Court will be from the existing roundabout and be used for HGV deliveries and car parking for staff working in the warehouse. The Marconi Road access to the east of the site will serve proposed office and visitor car parking.
- 6.18 To date no response has been received from the Highway Authority on the additional information provided and amended plans. **The final Highway consultation response will be reported as late material.**
- 6.19 ***Residential amenity***
Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

- 6.20 The application site is located within the Waterwells Business Park and the site boundary is approximately 100 metres from the closest residential properties to the south in Hunt's Grove (Oak View). There are existing commercial buildings in Jessop Court between these residential properties and the application site. The other residential properties in the vicinity are the houses in Naas Lane approximately 160 metres to the south east. The houses in Snetterton Heath are a considerably greater distance away.
- 6.21 The planning application for 118 dwellings on the land east of Marconi Drive directly opposite the application site was reported to the Planning Committee on 14th August (17/00699/FUL). The Committee resolved to grant planning permission subject to Natural England being satisfied with the outcome of the Appropriate Assessment under Regulation 63 of the Habitats Regulations; the following conditions; and a s106 agreement
- 6.22 The Noise Assessment submitted with the application concluded that noise from the operation of the proposed development would have a lower impact on residents of the existing and future houses in the vicinity than the previously consented use and the noise levels from the proposed distribution warehouse would be below the criterion previously agreed.
- 6.23 The Environmental Protection Officer has reviewed the submitted Noise Assessment and has raised no objection subject to the inclusion of a number of conditions.
- 6.24 ***Drainage and flood risk***
The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.
- 6.25 The site is within the Environment Agency's Flood Zone 1 and other than the northern section of the site is also at low risk from surface water flooding. The site falls towards the north and is traversed across this section by a watercourse flowing east to west. The site currently discharges naturally to this watercourse which flows to an attenuation pond a short distance away with the business park before discharging into the Dimore Brook.
- 6.26 The application proposes to reduce the surface water discharge rate from the developed site to the pre-development Greenfield QBar rate of 4.4 l/s for all events up to and including the 1 in 100 year storm (plus climate change). This would also reduce the volume of runoff entering the watercourse in those events.
- 6.27 It is proposed that surface water attenuation would be provided via underground crates and tanked permeable paving would be used below car parking areas. The service area would be impermeable with runoff treated by a Class 1 Full Retention Petrol Inceptor. A robust maintenance schedule has been included as part of the Flood Risk Assessment and Drainage Strategy.
- 6.28 The Lead Local Flood Authority and Drainage Advisor have raised no objections to the application subject to the inclusion of conditions.
- 6.29 ***Land contamination***
Policy SD14 of the JCS requires that development proposals incorporate the investigation and remediation of any land contamination.

- 6.30 The development site is located in close proximity to the former Waterwells / Naas Land Landfill site and therefore maybe at risk from landfill gas. Landfill sites can continue to produce high levels of landfill gas for significant periods following the final input of waste. Degradation of waste and subsequent production of gas is highly dependent on site condition, types of wastes deposited, engineering of landfill and other factors and previous investigations in the area of the landfill site have identified levels of gas production.
- 6.31 The City Council's Contaminated Land Advisors have indicated that although they disagree with the recommendations in the submitted contamination assessment in respect of time periods for the generation of gas from landfill this can be adequately dealt with by way of a condition.
- 6.32 **Ecology**
Policy SD9 of the JCS provides that the biodiversity and geological resource of the JCS will be protected and enhanced
- 6.33 A preliminary ecological appraisal was submitted with the application is considered acceptable. The Dimore Brook and associated vegetation requires protection from the proposed development and enhancements have been proposed.
- 6.34 **Economic considerations**
The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment and job growth. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth through the planning system', this adds some weight to the case for granting permission.
- 6.35 The applicant has indicated that they are experiencing difficulties in meeting demand at their current site and that the resultant inefficiencies are inhibiting growth and damaging customer satisfaction. The relocation of the company and the continued investment within the City is welcomed.
- 6.36 The information submitted in support of the application states that the business currently employs 35 people. The proposed redevelopment would allow the business to realise its growth plans and it is anticipated that it would create 30 full time jobs once operational rising to 45 jobs within approximately 3 years.
- 6.37 **Conclusion**
This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

7.0 RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER

- 7.1 That subject to no objections being received from the Highway Authority planning permission is GRANTED subject to the following conditions together with any additional conditions recommended by the Highway Authority;

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 application form, and drawing numbers 5067 -01, 03b, 04b, 05b, 06b, 07b and 09b except where these may be modified by any other conditions attached to this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans.

Condition 3

Notwithstanding the submitted drawings, no development above DPC level 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 to be erected. The boundary treatment 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 and thereafter maintained in a suitable condition.

Reason

In the interests of visual amenity of the area in accordance with Policy SD4 of the adopted Joint Core Strategy (2017).

Condition 4

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. specify measures to control the emission of dust and dirt during construction.

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 with the National Planning Policy Framework and to safeguard residential amenity and prevent pollution in accordance with policies Policies INF1 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and paragraph 35 of the National Planning Policy Framework.

Condition 5

- (a) No development shall commence until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with current UK guidance and best practice.
- (b) Where the approved risk assessment (required by condition (a) above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in

complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

- (c) Following implementation and completion of the approved remediation scheme (required by condition (b) above) and prior to the first occupation of the development, a verification report shall be completed in accordance with current UK guidance and best practice, and submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.
- (d) No development shall commence until a long term monitoring and maintenance scheme (to include monitoring the long-term effectiveness of the remediation and reporting on the same), where required, has been submitted to and approved by the Local Planning Authority. The approved scheme must be carried out in accordance with its terms, recommendations and time tables. All further reports produced shall be submitted to and approved in writing by the Local Planning Authority, and then carried out in accordance with its terms, recommendations and time tables.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works to ensure that the risk to buildings and their occupants from potential landfill or ground gases are adequately addressed in accordance with Policy SD14 of the adopted Joint Core Strategy (2017).

Condition 6

Notwithstanding the submitted drawings 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.

Reason

To ensure a satisfactory appearance of the development in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 7

Where premises are used for B2 uses, all factory doors shall remain closed between 23:00 and 07:00 hours.

Reason

To protect the amenity of local residents in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 8

Where premises are used for B2 uses, the loading and unloading of services and delivery vehicles together with their arrival and departure from the site shall not take place between the hours of 23:00 and 07:00 hours.

Reason

To protect the amenity of local residents in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 9

Where premises are used for B2 uses, there shall be no forklift movements on the external areas of site between the hours of 23:00hrs and 07:00hrs.

Reason

To protect the amenity of local residents in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 10

Prior to the first use or occupation of the approved development the proposed drainage and SUDs scheme shall be completed in accordance with the details set out in the Flood Risk Assessment and Drainage Strategy prepared by Cambria (Report reference CB1717-CAM-00-XX-RP-G-0760-03), dated December 2017. The approved scheme shall be maintained thereafter in accordance with the approved details for the lifetime of the development.

Reason

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding and to minimise the risk of pollution in accordance with sustainable objectives of Gloucester City Council and Central Government and policy INF2 of the adopted Joint Core Strategy.

Condition 11

The development hereby permitted shall be carried out in strict accordance with a scheme for foul water drainage arrangements which has first been submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure that satisfactory drainage arrangements are provided in accordance with policy INF 2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 12

No structures (including gates, walls and fences), storage of materials or products or raised ground levels shall be installed or constructed within the 8 metres of the watercourse (measured from the top of the bank to each side of the watercourse).

Reason

To ensure flood risk is not increased as a result of the development, to provide a 'green corridor', and to facilitate maintenance of the brook.

Condition 13

The development shall not be occupied until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of any lighting and external luminaries including measures to control light spillage onto the wooded corridor of the Dimore Brook as laid out in section 5.2.1, Lighting for Bats of the Ecological Assessment, dated 12/2017, prepared by Pure Ecology.

The lighting scheme shall include aims and objectives; information to demonstrate how the number and wattage of lighting will be kept to a minimum; details of how lighting will be controlled temporally e.g. timers, PIRs and avoid use of broad spectrum light emissions; details of how light spill will be reduced, for example low level illumination, cowlings, planting schemes to screen spill, lights angled so as not to emit at greater than 70 degrees; ensuring dark zone/s; scale drawings showing the number, location, type and wattage of lighting proposed. The development hereby permitted shall be carried out and thereafter maintained in accordance with the approved details.

No further lighting shall be thereafter installed.

Reason

In the interest of good design and to secure biodiversity mitigation and enhancement in accordance with Policies SD4 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 14

No demolition, tree or shrub removal or clearance works shall take place between 1st March and 31st August inclusive unless a survey (by a suitably qualified ecologist) to assess the nesting bird activity on the site during this period and a scheme to protect the nesting bird interest on the site have first been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with any such scheme so approved.

Reason

To secure biodiversity mitigation and enhancement in accordance Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 15

Biodiversity enhancements for bats and birds, in accordance with the Landscape and Ecology Plan, drawing 5067-09b, dated 01/12/2017 prepared by Collins, shall be implemented prior to the beneficial occupation of the development and shall be maintained thereafter for biodiversity interest.

Reason

To secure biodiversity mitigation and enhancement in accordance with Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 16

No development above DPC level shall take place until a landscape plan 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. The submitted plan shall also include the following:

- a) Hedge planting details for the new boundary hedgerow between the road and the site ensuring the Dimore Brook corridor remains dark.
- b) Details and locations of native standard tree species to replace the trees proposed for removal on the southern side of the Dimore Brook.
- c) Details of the proposed wildflower mix, shrubs and ground cover.
- d) Drawings illustrating the details required in a), b) and c).
- e) A phased implementation programme.
- f) A management plan for the vegetation along the brook and the hedgerow.
- g) Details of tree planting pits
- h) Details of measures to protect the proposed trees from vehicles.

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with Policies SD4 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 17

The landscaping scheme approved under condition above 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 SD4 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 18

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

Reason

To protect the amenity of local residents in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Note 1**Landfill and Ground Gases FURTHER INFORMATION FOR APPLICANT****Validation Requirements**

Validation of the installation of gas protection measures must be completed in accordance with current guidance and best practice, namely comprise BS8485:2015 “Code of practice for the design of protection measures for methane and carbon dioxide ground gases for new buildings” and CIRIA C735 “Good practice on the testing and verification of protection systems for buildings against hazardous ground gases”

Typically the following is required, as a minimum:

A formal technical specification of the membrane installed and confirmation of appropriate installation by a suitably qualified and independent third party such as:

- a validation report from an experienced geo-environmental consultant including details of a visual inspection of the installed membrane and a photographic record and/or;
- a validation report from LA Building Control or NHBC inspector or registered membrane installer including details of a visual inspection of the installed membrane and a photographic record.

Note 2

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 Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 5

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 – explanatory booklet.

Note 6

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.

Note 7

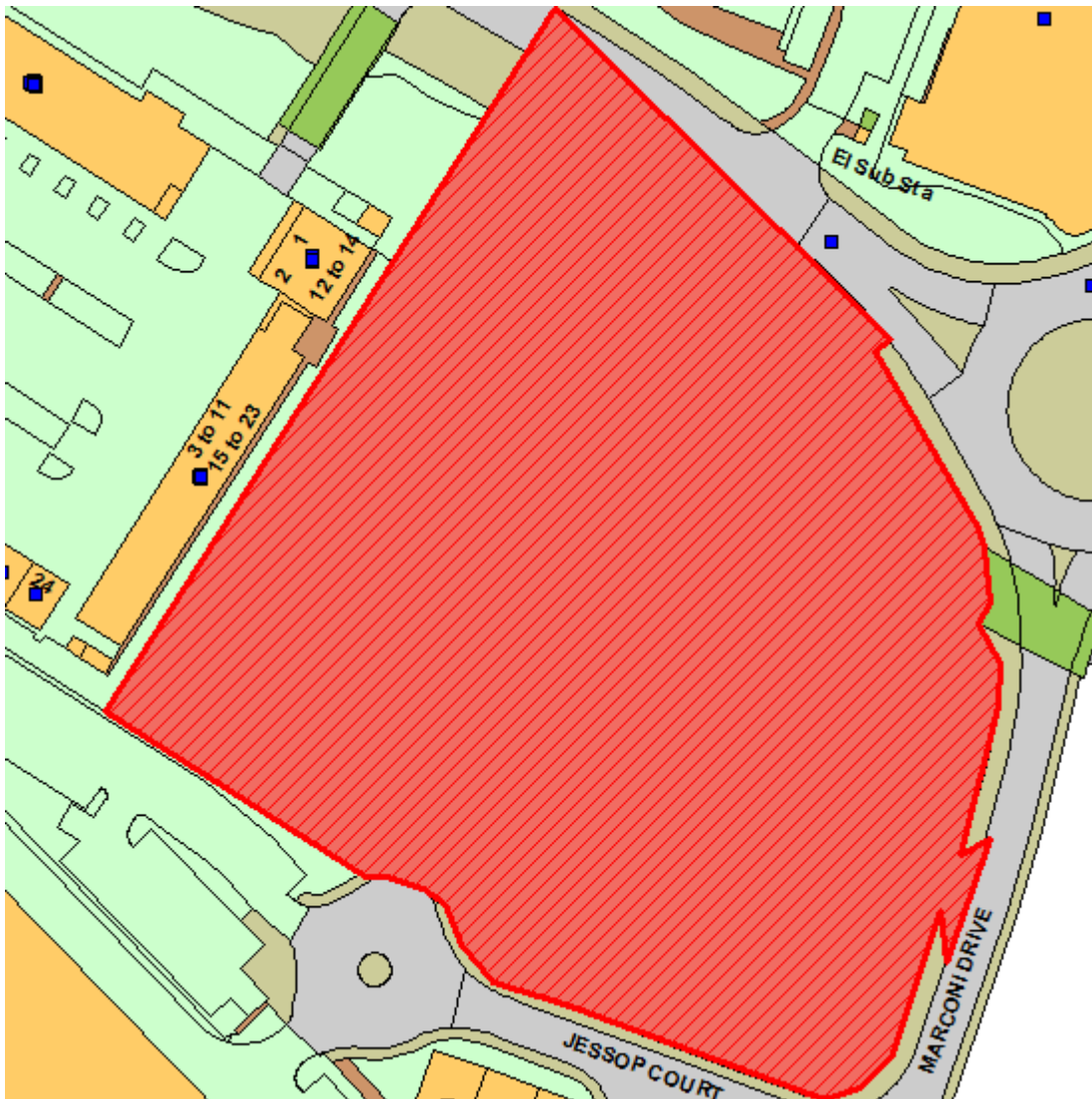
Severn Trent Water advises that there is a public sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. 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. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

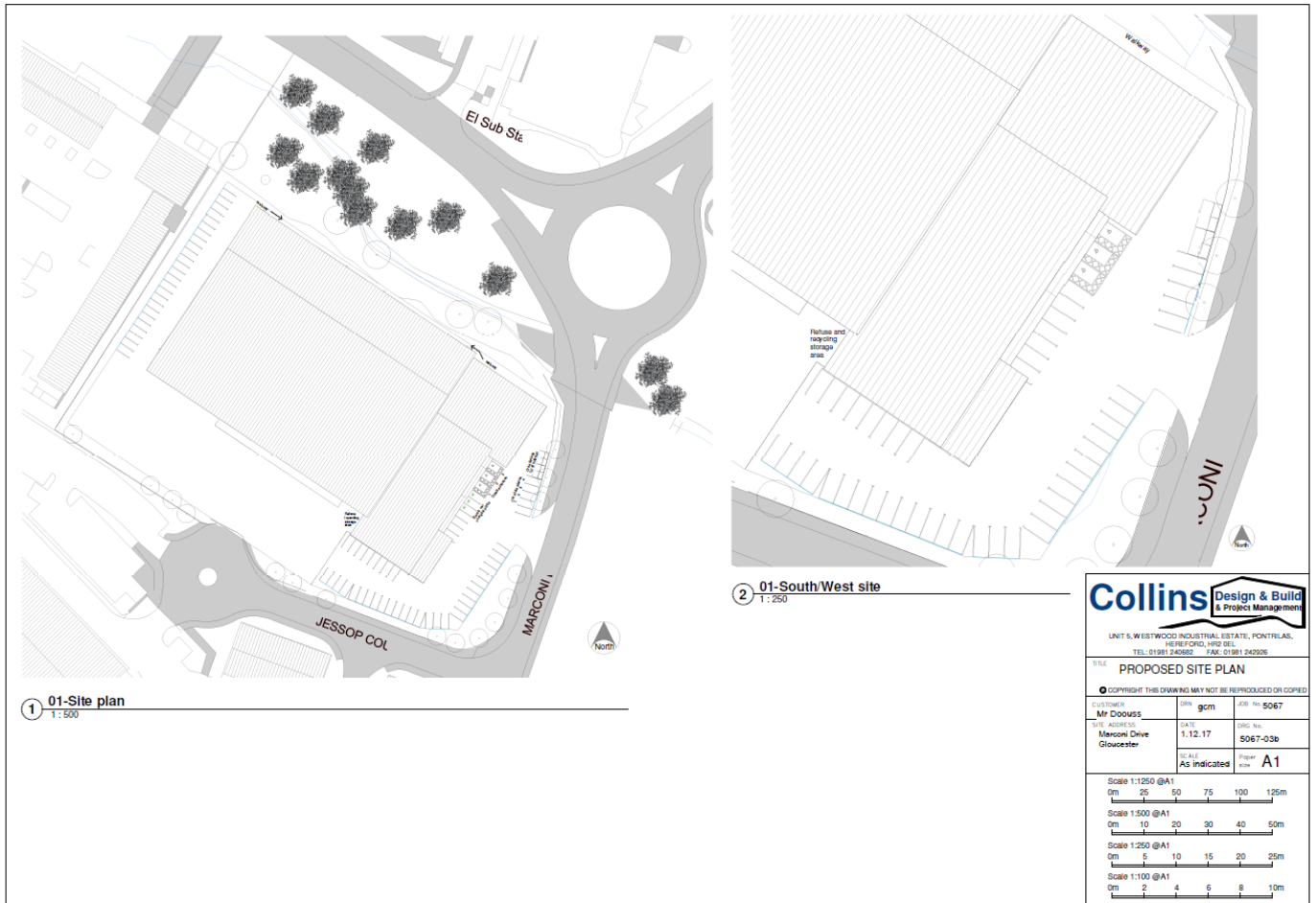
Person to Contact: Caroline Townley (396780)

Planning Application: | 17/01364/FUL

Address: | Jessop Court Quedgeley
Gloucester

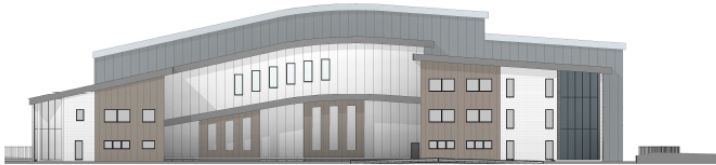
Committee Date: |



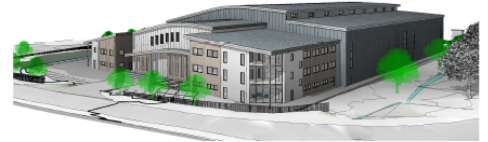




① North elevation
1:200



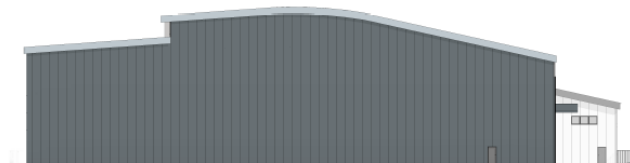
② East elevation
1:200



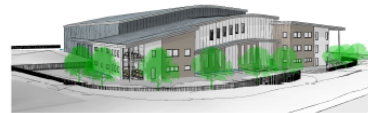
⑤ 3D Marconi Drive



③ South elevation
1:200



④ West elevation
1:200



⑥ 3D Jessop Court junction

Collins Design & Build & Project Management			
UNIT 5, WESTWOOD INDUSTRIAL ESTATE, PONTREIL, HEREFORD, HR5 8SL TEL: 01981 240562 FAX: 01981 242526			
ELEVATIONS			
© COPYRIGHT THIS DRAWING MAY NOT BE REPRODUCED OR COPIED			
CUSTOMER Mr Dooress	DATE 1.12.17	JOB No 5067	PROJ No 5067-04b
BY Marconi Drive Gloucester	SCALE 1:200	PAPER A1	
Scale 1:1250 @A1 0m 25 50 75 100 125m			
Scale 1:500 @A1 0m 10 20 30 40 50m			
Scale 1:200 @A1 0m 4 8 12 16 20m			
Scale 1:100 @A1 0m 2 4 6 8 10m			

This page is intentionally left blank

Abbeydale

18/00516/FUL

G3Y

RHIAM

21/08/2018

Proposed single storey and two storey extensions to the front, side and rear of 19 Swift Road.

19 Swift Road Gloucester GL4 4XQ

18/00941/TPO

TPDECS

JJH

29/08/2018

Mulberry Tree - Fell.

Reason(s), as stated on the application - Tree is too large for garden, from beginning of July to end of September because of huge quantities of falling fruit which stain clothes, footwear, carpets _ patio we are unable to use the garden and have to cover patio with tarpaulin. I am also allergic to wasps attracted by the fruit. Our neighbours on 3 sides all have expensive new patios _ are affected by mulberry staining dropped by birds. We have tried pruning (with permission) but this is not enough. The tree is of no benefit to the wider community. The tree is too near the house.

32 The Wheatridge Gloucester GL4 4DJ

18/00639/FUL

G3Y

SHANE.

01/08/2018

Joint rear extension to 169 and 171 Painswick Road Gloucester.

169 & 171 Painswick Road Gloucester GL4 4PF

18/00825/PDE

ENOBJ

ELENJ

06/08/2018

Single storey rear extension

95 Bittern Avenue Gloucester GL4 4WG

18/00790/PDE

ENOBJ

ELENJ

06/08/2018

Single storey rear extension.

6 Wren Close Gloucester GL4 4XR

Abbeymead

18/00838/LAW

LAW

ELENJ

15/08/2018

Conversion of attached garage and re-modelling of ground floor plans

1 Beckford Road Gloucester GL4 5UD

18/00677/FUL
 G3Y SHANE. 01/08/2018
 SINGLE STOREY GROUND FLOOR EXTENSION TO PROPERTY
 2 Coss Way Gloucester GL4 5LF

18/00811/FUL
 G3Y ELENJ 29/08/2018
 Proposed single storey rear and side extension.
 41 Honeysuckle Drive Gloucester GL4 4DU

18/00605/FUL
 G3Y RHIAM 10/08/2018
 Two storey side and rear extension.
 6 Calderdale Gloucester GL4 5SZ

Barnwood

18/00089/LAW
 LAW ELENJ 09/08/2018
 Garage conversion. Remove existing garage door, install brickwork to match existing house, install residential upvc door and window to match existing.
 77 Brookfield Road Gloucester GL3 3HH

18/00705/FUL
 REF RHIAM 24/08/2018
 Proposed annexe
 4 York Road Gloucester GL4 3AZ

18/00482/CONDIT
 ALDIS RONM 09/08/2018
 Discharge of conditions submission regarding Condition 10,- External Facing Materials,. Condition 14 - Hard and Soft Landscaping and Condition 19 - Noise and Vibration Mitigation on Planning Approval reference : 15/01367/FUL.
 128B Barnwood Road Gloucester GL4 3JW

18/00697/NMA
 NOB RHIAM 10/08/2018
 Non material amendment to planning application 17/01132/FUL to alter the positioning of the proposed annexe.
 23 Brookfield Road Gloucester GL3 3HE

18/00845/FUL
 G3Y ELENJ 30/08/2018
 Demolition of existing conservatory, erection of rear single storey extension
 59 Newstead Road Gloucester GL4 3TQ

18/00695/FUL
 REFUSE SHANE. 03/08/2018
 Part two storey, part single storey extension and works to facilitate a loft conversion (revised application from application 17/01446/FUL)
 23 Barnwood Avenue Gloucester GL4 3AB

Barton & Tredworth

17/00992/CONDIT
 ALDIS RONM 09/08/2018
 Discharge of Condition Nos. 13 (scheme for enhancement of the Sud Brook) and 28 (land remediation) on Planning Permission Ref: 16/00815/FUL
 Land At Paul Street Gloucester GL1 4NY

18/00452/FUL
 G3Y SHANE. 06/08/2018
 Retrospective application for a single storey rear extension
 61 Victoria Street Gloucester GL1 4EP

18/00450/FUL
 G3Y SHANE. 10/08/2018
 2No. Proposed single storey extensions to rear of property
 58 Widden Street Gloucester GL1 4AN

Elmbridge

18/00713/FUL
 G3Y SHANE. 17/08/2018
 Demolition of existing outbuilding, erection of a new two storey, 3 bed house with associated car parking, attached to no. 15 Sandyleaze.
 15 Sandyleaze Gloucester GL2 0PY

18/00678/FUL
 G3Y RHAM 06/08/2018
 Single storey front and rear extension and two storey side extension.
 64 Liddington Road Gloucester GL2 0HL

18/00386/CONDIT
 ALDIS RONM 09/08/2018
 Details submitted to discharge condition 6 - means of enclosure, condition 21 - landscaping and condition 23 - boundary treatment on planning application reference 17/00313/FUL for the construction of seven dwellings with associated access drive
 Double Gloucester 82 Cheltenham Road Gloucester GL2 0LX

18/00716/FUL		
G3Y	ELENJ	08/08/2018
Single storey side extension and alterations to existing single storey rear extension.		
60 Merevale Road Gloucester GL2 0QY		

18/00786/FUL		
G3Y	ELENJ	15/08/2018
Single storey rear extension		
116 Cheltenham Road Gloucester GL2 0LX		

Grange

18/00865/NMA		
NOB	ELENJ	10/08/2018
Alterations to window sizes/postions. Altering internal layout of granted permission		
25 Bodiam Avenue Gloucester GL4 0TJ		

Hucclecote

18/00579/FUL		
G3Y	RHIAM	07/08/2018
Proposed Workshop in rear garden		
118 Hucclecote Road Gloucester GL3 3SB		

18/00875/LAW		
LAW	SAMLA	31/08/2018
Erection of side gable and rear dormer with front sky lights.		
11 Hillview Drive Gloucester GL3 3LJ		

18/00885/LAW		
LAW	ELENJ	15/08/2018
Removal of door to front of property and replacement window.		
32 Kingstone Avenue Gloucester GL3 3AR		

18/00663/FUL		
G3Y	SHANE.	08/08/2018
WHITE PVCU DOUBLE HIPPED EDWARDIAN CONSERVATORY TO REAR ELEVATION OF PROPERTY		
31 Dinglewell Gloucester GL3 3HW		

18/00775/LAW		
LAW	ELENJ	15/08/2018
Extending dropped kerb and alterations to driveway (concrete resurfacing with provisions to direct run-off water)		
17 Simmonds Road Gloucester GL3 3HY		

18/00909/PDE
 ENOBJ SAMLA 23/08/2018
 Single storey side and rear extension (Depth 4.6m, height 2.7, eaves 2.5m).
 23 Zoons Road Gloucester GL3 3NY

Kingsholm & Wotton

18/00887/TRECON
 TCNOB JJH 22/08/2018
 Birch - located at back of church overhanging fence - cut back all overhanging
 back to fence line.
 St Margarets London Road Gloucester

18/00856/TRECON
 TCNOB JJH 06/08/2018
 Minor reshaping/pruning of cherry tree in rear garden.
 99 Oxford Road Gloucester GL1 3EE

18/00553/FUL
 G3Y SHANE. 08/08/2018
 Proposed change of use from class C3 (dwelling house) to D1 (non-residential
 institution).
 25 Alvin Street Gloucester GL1 3EH

18/00538/FUL
 G3Y SHANE. 06/08/2018
 Proposed Single Storey Side and Rear Extension
 45 Tewkesbury Road Gloucester GL2 9BD

18/00589/FUL
 G3Y RHIAM 16/08/2018
 Single storey side and rear extension to provide bedroom, utility, shower room
 and family kitchen
 89 Denmark Road Gloucester GL1 3JL

Longlevens

18/00750/FUL
 G3Y ELENJ 15/08/2018
 Proposed rear single storey extension.
 8 Lea Crescent Gloucester GL2 0DU

18/00712/LAW
 RELAWZ SAMLA 21/08/2018
 Demolish existing conservatory and replace with a single storey side and rear
 extension
 35 Paygrove Lane Gloucester GL2 0BA

18/00925/CONDIT
 PADIS ADAMS 28/08/2018
 Discharge of conditions 4 (gate access to adjacent site) and 8 (traffic management plan for Plock Court access road) of 16/00945/REM
 University Of Gloucestershire Oxstalls Lane Gloucester GL2 9HW

18/00730/LAW
 LAW ELENJ 08/08/2018
 Single storey rear extension
 4 Thistlebank Gloucester GL2 9RR

18/00757/LAW
 LAW ELENJ 10/08/2018
 Rear orangery.
 6 Gambier Parry Gardens Gloucester GL2 9RD

18/00557/CONDIT
 PADIS ADAMS 01/08/2018
 Discharge of Condition 60 (cycle storage - sports hall) of permission ref. 15/01190/OUT (as amended)
 University Of Gloucestershire Oxstalls Lane Gloucester GL2 9HW

18/00747/FUL
 G3Y ELENJ 31/08/2018
 Proposed single storey rear extension, internal & external alterations to dwelling house. Proposed increased roof height to detached garage
 104 Oxstalls Lane Gloucester GL2 9HX

Matson & Robinswood

18/00833/FUL
 G3Y ELENJ 31/08/2018
 Ground Floor Extension
 63 Well Cross Road Gloucester GL4 6RA

18/00339/CONDIT
 ALDIS RONM 09/08/2018
 Proposed discharge of condition 16 - closure of existing means of access, condition 23 - refuse and recycling facilities and condition 24 - lighting details on planning application reference 16/00814/FUL for Residential Development and Parking
 Land Rear 14 Winsley Road Gloucester GL4 6NQ

Moreland

18/00230/CONDIT

ALDIS

RONM

09/08/2018

Discharge of condition 8- Highways Construction Management Plan , condition 21 - External lighting and condition 25 - Environmental Construction Method Statement on application reference 16/00005/OUT (as amended by 17/00603/NMA)

Peel Centre St Ann Way Gloucester

17/01424/CONDIT

ALDIS

RONM

09/08/2018

Application to discharge conditons 10 - cycle parking, 14 - Flood scheme , 15 - Surface Water Drainage, 16 - Foul Drainage , 19 - Hard and Soft Landscaping, 20 - Public Realm works, 27, 28 , 29 - Contamination of planning permission reference 16/00005/OUT as amended by 17/00603/NMA - Hybrid application seeking planning permission for the redevelopment of the Peel Centre comprising: a) full application for the conversion of former cinema to Class A1 including mezzanine; and b) outline application for demolition of existing units and erection of extensions to the former cinema building, to provide four new Class A1 units in total.

Peel Centre St Ann Way Gloucester

18/00259/NMA

CLOSED

RONM

24/08/2018

Proposed alterations to the doors and glazing in the north elevation of Unit 6D as well as additional rooflights

3A St Ann Way Gloucester GL1 5SF

18/00821/FUL

G3Y

ELENJ

31/08/2018

Removal of existing side conservatory; Construction of new single storey side extension.

204 Stroud Road Gloucester GL1 5LA

18/00745/FUL

G3Y

ELENJ

10/08/2018

Single storey rear extension to existing dwelling

64 Calton Road Gloucester GL1 5DY

18/00778/FUL

G3Y

ELENJ

15/08/2018

SINGLE STOREY SIDE AND REAR EXTENSION TO PROPERTY

207 Seymour Road Gloucester GL1 5HR

18/00500/FUL		
REF	RHIAM	24/08/2018
Demolition of existing detached brick garage to the rear of 25 Tuffley Avenue and construction of a 3 bedroom detached dwelling with off road parking.		
25 Tuffley Avenue Gloucester GL1 5LS		
18/00760/FUL		
G3Y	ELENJ	30/08/2018
Single storey rear extension.		
107 Cecil Road Gloucester GL1 5HG		
18/00739/FUL		
G3Y	RHIAM	10/08/2018
Internal alterations to dwelling and construction of a replacement garage on the side elevation of 278 Linden Road.		
278 Linden Road Gloucester GL1 5DU		
18/00502/CONDIT		
ALDIS	RONM	09/08/2018
Discharge of condition 2 - External Materials in relation to planning approval reference : 17/00980/REM		
Peel Centre St Ann Way Gloucester		
18/00469/FUL		
G3Y	RHIAM	28/08/2018
Proposed single and two storey extension to rear of property. Resubmission following refusal of 17/00982/FUL.		
33 Churchill Road Gloucester GL1 5BS		

Podsmead

18/00699/FUL		
G3Y	RHIAM	31/08/2018
Extension to existing industrial unit.		
6A Capitol Park Pearce Way Gloucester		
18/00908/TPO		
TPDECS	JJH	29/08/2018
T1 - 1 x London Plane located adjacent to 'Bristol Rd' on NG land. The crown is to be raised over the public highway and footpath to 6m from ground level to prevent 'vehicle strikes' and top of boundary fence cleared of all branches by 1m. Major dead wood to be removed from retained sections of crowns over the highway. Access will be by means of a truck mounted 12m 4 x 4 MEWP and qualified operative		
National Grid Bristol Road Gloucester GL2 5YA		

18/00898/TPO

TPDECS

JJH

22/08/2018

Crown lift 3 London plane trees in car park. Branches hanging low. Lift 5-6m from ground. Reduce back from building 1 plane tree by 2-3m from building. Chip all waste onto vehicle and remove. Area will be cordoned off for works. All trees will need to be climbed. Remove all waste from works carried out.

Unit 1 Woodrow Way Gloucester GL2 5DX

Quedgeley Fieldcourt

18/00486/FUL

G3Y

PAULS

28/08/2018

Residential development consisting of the demolition of 2no. existing dwellings and erection of 5 no. new dwellings with associated car parking and access driveway (revised application).

Sunny Holm One Naas Lane Quedgeley Gloucester GL2 2SD

18/00493/FUL

G3Y

SHANE.

07/08/2018

Two storey side extension

52 Courtfield Road Quedgeley Gloucester GL2 4UG

18/00785/FUL

G3Y

ELENJ

15/08/2018

Single storey rear extension.

140 Church Drive Quedgeley Gloucester GL2 4UR

Quedgeley Severn Vale

17/01429/FUL

G3Y

FEH

21/08/2018

The formation of a new lake and ancillary services including WC's and cafe and associated car parking. For the creation of a Leisure Fishing business.

Elmore Back Rear Stonecroft Elmore Lane West Quedgeley Gloucester

18/00480/FUL

G3Y

FEH

29/08/2018

Proposed elevational treatments and physical works to the building, to facilitate the commercial building as previously approved under 17/01425/PRIOR

Severn Farm Elmore Lane West Quedgeley Gloucester GL2 3NW

18/00763/LAW

LAW

ELENJ

15/08/2018

Single storey rear extension together with alterations including new window and removal of a door on the side elevation of the existing dwelling.

108 The Causeway Quedgeley Gloucester GL2 4LH

18/00873/TPO
 TPDECS JJJH 09/08/2018
 T1 walnut - reduce crown by approx. 1.5-2 metres.
 3 Davillian Court Quedgeley Gloucester GL2 5EJ

18/00787/JPA
 NRPR FEH 24/08/2018
 Prior approval from Class B1(a) offices to Class C3 dwelling (6 apartments)
 Avening House Falcon Close Quedgeley Gloucester GL2 4LY

18/00788/JPA
 NRPR FEH 24/08/2018
 Prior approval from Class B1(a) offices to Class C3 dwelling (6 apartments)
 Arlingham House Falcon Close Quedgeley Gloucester GL2 4LY

18/00525/FUL
 G3Y RHAM 31/08/2018
 Two storey rear extension and introduction of rooflights to the front and rear of
 the existing roof.
 69 Saddlers Road Quedgeley Gloucester GL2 4SY

18/00507/FUL
 REFUSE SHANE. 24/08/2018
 First floor extension above existing single storey garage and ground floor W.C.
 25 Kestrel Gardens Quedgeley Gloucester GL2 4NR

Tuffley

18/00719/FUL
 G3Y RHAM 24/08/2018
 Single storey extension to the side of 1 Goddard Way. Revised scheme
 following refusal reference 18/00317/FUL.
 1 Goddard Way Gloucester GL4 0YA

18/00357/FUL
 G3Y RHAM 07/08/2018
 Two storey side extension, proposed dormer window on rear elevation and
 construction of shed in the side garden of 11 Rockleigh Close.
 11 Rockleigh Close Gloucester GL4 0JF

18/00792/FUL
 G3Y ELENJ 24/08/2018
 Rear two storey extension
 92 Tuffley Lane Gloucester GL4 0DU

18/00793/FUL
 G3Y ELENJ 24/08/2018
 First floor extension to dwelling
 90 Tuffley Lane Gloucester GL4 0DU

18/00851/FUL		
G3Y	ELENJ	31/08/2018
Demolition of timber porch and erection of traditional constructed cloakroom and porch		
29 Southfield Road Gloucester GL4 6UG		
18/00722/FUL		
G3Y	SHANE.	17/08/2018
Single storey and two storey rear extension. Proposed balcony above flat roof rear extension.		
337C Stroud Road Gloucester GL4 0BA		
18/00725/FUL		
G3Y	SHANE.	24/08/2018
Single storey rear extension to incorporate utility room and dependent relatives accommodation		
40 Longney Road Gloucester GL4 0LT		
18/00569/FUL		
REF	RHIAM	08/08/2018
Proposed new dwelling		
1 Tuffley Lane Gloucester GL4 0DT		
18/00588/FUL		
G3Y	FEH	10/08/2018
Change of windows from single glazed timber sash units, to double glazed heritage style uPVC units.		
Fox Elms House Fox Elms Road Gloucester GL4 0BH		

Westgate

17/00365/PREAPP		
CLOSED	RONM	09/08/2018
Proposed 60 dwellings in 2 Blocks of Flats Elevated above the Car Park Southgate Moorings Southgate Street Gloucester GL1 2DB		
17/00267/PREAPP		
CLOSED	RONM	09/08/2018
Proposed demolition of 12 -16 Quay Street and Construction of New Student Accommodation		
12 - 16 Quay Street Gloucester GL1 2JS		
17/01234/PREAPP		
CLOSED	RONM	09/08/2018
Erection of an eco amphibious 3 bed chalet style bungalow.		
Severnside Farm Walham Lane Gloucester GL2 9NF		

18/00056/PREAPP

CLOSED

RONM

09/08/2018

Phase 2 of student accommodation development comprising 194 no. bedrooms along with ancillary uses and works, including associated landscaping/ public realm and access / ground works.

Barbican Car Park Ladybellegate Street Gloucester

18/00012/LBC

G3Y

ANAPE

08/08/2018

Internal alterations to convert the building from an office (Use Class B1) to a 9 bedroom House in Multiple Occupation (Sui Generis).

30 Brunswick Road Gloucester GL1 1JJ

18/00014/CONDIT

ALDIS

RONM

09/08/2018

Discharge of conditions 2 - External brick facing, 3 - External panelling/render, 4 - Facing materials , 8 - Rainwater goods, and 9 - Colour finish of Capping Material on Planning Permission reference : 17/00400/FUL

Former Kwik Save 103 Northgate Street Gloucester

18/00017/CONDIT

ALDIS

RONM

09/08/2018

Discharge of condition 6 - External windows and doors on planning application reference : 17/00400/FUL for Residential development

Former Kwik Save 103 Northgate Street Gloucester

18/00023/FUL

G3Y

ANAPE

08/08/2018

Change of use from office (Use Class B1) to 9 bedroom House in Multiple Occupation (Sui Generis) .

30 Brunswick Road Gloucester GL1 1JJ

18/00093/FUL

G3Y

RHIAM

03/08/2018

Retrospective application for the demolition of an existing rear extension and construction of a new flat roof rear extension. Construction of single storey storage unit and siting of two cold storage units to the rear. Insertion of two external door openings at a first floor level to provide access to a walkway with guard rails over the proposed flat roof extension.

136 Eastgate Street Gloucester GL1 1QT

18/00904/TRECON

TCNOB

JJH

22/08/2018

T1 - Crown, T2 & T3 - Repollard lime trees, L1 - Cut back.

2 St Michaels Court St Michaels Square Gloucester GL1 1JB

18/00950/CONDIT		
PADIS	ADAMS	30/08/2018
Partial discharge of condition 15 (mechanical services) of consent ref. 15/01152/LBC for the Provender Mill Engine House		
Land At Bakers Quay Llanthony Wharf And Monkmeadow Bounded By Southgate Street Llanthony St Ann Way Gloucester		
18/00524/FUL		
G3Y	SHANE.	22/08/2018
New All Weather multi sports Pitch with associated Lighting and fencing on existing School playing field.		
Archdeacon Meadow St Oswalds Road Gloucester		
18/00715/CONDIT		
PADIS	ADAMS	30/08/2018
Discharge of condition 21 (extraction details) of permission ref. 15/01144/FUL		
Land At Bakers Quay Llanthony Wharf And Monkmeadow Bounded By Southgate Street Llanthony St Ann Way Gloucester		
18/00613/FUL		
G3Y	ADAMS	01/08/2018
Alterations to Pillar & Lucy Square including public realm improvements, resurfacing, provision for seating and canopy		
Bakers Quay St Ann Way Gloucester		
18/00614/LBC		
G3L	ADAMS	01/08/2018
External alterations to Grade 2 listed building to add festoon lighting fixtures		
Bakers Quay St Ann Way Gloucester		
18/00761/FUL		
G3Y	SHANE.	24/08/2018
Installation of Automatic Opening Vent (AOV) into roof slope on rear elevation		
21 Spa Road Gloucester GL1 1UY		
18/00762/LBC		
G3L	SHANE.	24/08/2018
Installation of Automatic Opening Vent (AOV) into roof slope on rear elevation		
21 Spa Road Gloucester GL1 1UY		
18/00771/FUL		
G3Y	ELENJ	23/08/2018
Proposed porch to front elevation and replacing tiles on the front to timber cladding		
80 Hempsted Lane Gloucester GL2 5JS		

18/00539/FUL
 GP RHIAM 09/08/2018
 Minor material amendment to planning application approved under 16/01204/FUL for a single storey rear extension.

54 Hempsted Lane Gloucester GL2 5JN

18/00424/FUL
 G3Y SHANE. 15/08/2018
 Double Storey side & rear extension to gain additional living space
 9 Upper Rea Gloucester GL2 5LR

18/00688/LBC
 GLB RHIAM 02/08/2018
 Re-fit of existing Coventry Building Society branch to include new partitions/doors/finishes/ceilings to suit revised layout. External alterations to building to include change of paint colour to retained existing timber shop front and doors.

11 Westgate Street Gloucester GL1 2NW

18/00662/CONDIT
 ALDIS RHIAM 16/08/2018
 Discharge of condition 5 (Landscape scheme), condition 7 (Tree protection), condition 10 (works within tree roof protection areas, Condition 11 (details of surfacing materials) and condition 12b (detailed information for lighting products) of 16/00743/LBC and 16/00625/FUL in relation to phase 2a (installation of proposed paving around war memorial, including ground lighting.)
 College Green Gloucester

18/00774/ADV
 GFY ELENJ 17/08/2018
 New HSBC signage (amended description)
 HSBC 1 - 3 Northgate Street Gloucester GL1 2AP

18/00535/FUL
 G3Y FEH 06/08/2018
 Subdivision of A3 unit to create new unit, creation of a new entrance and installation of windows and entrance.
 Prezzo 46 - 50 Southgate Street Gloucester GL1 2DR

18/00741/PRIOR
 GPA ANAPE 10/08/2018
 Proposed installation of roof mounted solar photovoltaic panels.
 Goodridge Business Park Goodridge Avenue Gloucester GL2 5EA

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

This page is intentionally left blank