

GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **3RD NOVEMBER 2015**

ADDRESS/LOCATION : **GLOUCESTER CATHEDRAL, COLLEGE GREEN**

APPLICATION NO. & WARD : **15/01094/FUL & 15/01095/LBC WESTGATE**

EXPIRY DATE : **7TH OCTOBER 2015**

APPLICANT : **DEAN & CHAPTER**

PROPOSAL : **LANDSCAPE WORKS TO RECONFIGURE COLLEGE GREEN INCLUDING REMOVAL OF PARKING FROM UPPER COLLEGE GREEN, NEW STEPS TO THE WEST FRONT OF THE CATHEDRAL, PAVING AND PLANTING WORKS.**

REPORT BY : **BOB RISTIC**

NO. OF APPENDICES/ OBJECTIONS : **SITE LOCATION PLAN LAYOUT PLAN**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located at College Green which is dominated by the Cathedral to the northern side and lined with a series of listed buildings to the southern, eastern and western boundaries, creating a strong sense of enclosure to the area.
- 1.2 The site breaks down into two distinct character areas known as Upper College green to the south of the cathedral and Lower College Green to the West.
- 1.3 Upper College Green was originally the lay cemetery of the Abbey, remaining in use as a cemetery for several centuries. This area has subsequently become a yard, and latterly a car park with just a small grass area remaining with burial ledger stones immediately below the south elevation of the Cathedral
- 1.4 Lower College Green had been the Great Court of the Abbey, the formal arrival space for visitors to the Abbey. It has been an open space, surrounded by buildings since then. There is no record of burials in this area. The layout of

the space has been subject to change over the centuries, including the addition of the War Memorial in 1922 and other gradual changes.

- 1.5 The application proposals seek planning permission and listed building consent to undertake significant landscaping works at upper and Lower College Green as part of a wider scheme of works termed 'Project Pilgrim'.
- 1.6 The applicant has advised that the aim of the project is to:
 - To remove parking and the dominance of cars from upper College Green in order to provide the Cathedral with the setting it deserves.
 - To create a welcoming and attractive space for all,
 - To draws people towards the main entrance to the Cathedral (the south porch)
 - To cater for a variety of uses, from day to day circulation to large organised one-off events
 - To provides a sense of processional approach to the Cathedral, a threshold between sacred space and the everyday world beyond.
 - To improves the setting of the Cathedral and the other Listed Buildings that enclose the site
 - To improves accessibility for all, particularly to the West Door of the Cathedral
 - To form a 'Cathedral Green' rather than 'Cathedral square'.
- 1.7 The proposal would comprise replacement of the car park at Upper College Green with a new landscaped space, which would broadly comprise a new pedestrianised space extending from College Street to the South Porch (main entrance) of the Cathedral. The eastern end of College Green would feature a landscaped green with seating and shrub planting incorporated within the elliptical layout. The centre point would also include a low plinth for the display of changing sculptural installations.
- 1.8 The area at Lower College Green would create a more formalised grassed square which would include additional and replacement tree planting. The edges of this part of the site would provide more formalised parking as well as an additional area of car parking upon the current lawn area to the front of nos. 7 & 8 College Green.
- 1.9 The area to the immediate West of the cathedral would form a level terrace with a series of steps leading down to lower College Green and accounting for the general change in levels which broadly falls to the northwest.
- 1.10 The whole area from St Mary's gate to the west to Via Sacra to the east would also be subject of a comprehensive scheme of space and architectural lighting.
- 1.11 The applications are referred to the Planning Committee at the discretion of the Development Control Manager given the prominent and sensitive nature of the site.

2.0 RELEVANT PLANNING HISTORY

- 2.1 While the area has been subject to numerous planning and listed building consent applications over the years, there have been no comparable proposals for similar landscaping works as those proposed.

3.0 PLANNING POLICIES

Central Government Guidance - National Planning Policy Framework

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

Decision-making

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

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

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

Core planning principles

Planning should:

- Be genuinely plan-led;
- Be a creative exercise in ways to enhance and improve places;
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Secure high quality design and a good standard of amenity;
- Take account of the different roles and character of different areas;
- Support the transition to a low carbon future, take account of flood risk and encourage the use of renewable resources;
- Contribute to conserving and enhancing the natural environment and reducing pollution;
- Encourage the effective use of land by reusing brownfield land;
- Promote mixed use developments;

- Conserve heritage assets in a manner appropriate to their significance;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;
- Take account of and support local strategies to improve health, social and cultural wellbeing and deliver sufficient community and cultural facilities and services to meet local needs.

Building a strong, competitive economy and Ensuring the vitality of town centres

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

Promoting sustainable transport

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

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

Requiring good design

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

Promoting healthy communities

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

- Opportunities for meetings between members of the community who might not otherwise come into contact;
- Safe and accessible environments;
- Clear and legible routes, high quality public space that encourage use.

Decisions should also;

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

Conserving and enhancing the natural environment

Sets out that the planning system should contribute to and enhance the natural and local environment by the prevention of unacceptable risks or adverse affects by pollution.

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

Conserving and enhancing the historic environment

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

Authorities should identify and assess the particular significance of any heritage asset that may be affected taking account of the available evidence and expertise. In determining applications, Authorities should take account of;

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

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

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

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

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

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

The Development Plan

- 3.2 Section 38 of the Planning and Compulsory Purchase Act 2004 has established that - “The development plan is
- (a) The regional spatial strategy for the region in which the area is situated, and
 - (b) The development plan documents (taken as a whole) which have been adopted or approved in relation to that area.
- If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy that is contained in the last document to be adopted, approved or published (as the case may be). If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

Local Plan

- 3.3 The statutory development plan for Gloucester remains the City of Gloucester Local Plan (Adopted 1983 and partially saved until the Local Development Framework is adopted). Under the terms of the NPPF, weight can be given to these policies according to their degree of consistency with the NPPF.
- 3.4 Relevant saved 1983 Local Plan policies are as follows:
- A2 – Particular regard will be given to the City’s heritage in terms of archaeological remains, listed buildings and conservation areas.
 - A5.a – The inclusion of tourist-orientated uses within the comprehensive redevelopment of the Docks area will be encouraged.
 - L3.c – The City Council will support the inclusion of leisure facilities within the Docks redevelopment.
- 3.5 Subsequent to the 1983 plan there has also been the City of Gloucester (Pre-1991 Boundary Extension) Interim Adoption Copy October 1996), and City of Gloucester First Stage Deposit Local Plan (June 2001).
- 3.6 Regard must also be had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. This cannot be saved as it is not a formally adopted plan, however with it being adopted for development control purposes it is still judged to be a material consideration. Appeal reference APP/U1620/A/07/2046996 dated 18th March 2008 confirms the degree of weight that may be afforded to the 2002 Revised Deposit Draft Local Plan. It is considered that particular weight may be afforded to those policies that attracted a limited number of, or no objections during the consultation stages. In his decision the Inspector stated the following;

“Although the local plan is not part of the development plan it has been adopted for development control purposes and I give considerable weight to it having regard to the amount of public consultation that it underwent....”

The following policies are of relevance:

BE.4 – Criteria for the layout, circulation and landscape of new development
 BE.5 – Community safety
 BE.6 – Access for all
 BE.7 – Architectural design
 BE.21 – Safeguarding of amenity
 BE.23 – Development affecting the setting of a listed building
 BE.29 – Development in Conservation Areas
 BE.31 – Preserving sites of archaeological interest
 BE.37 – Recording and preserving archaeology
 TR.11 – Provision of parking for people with disabilities
 TR.31 – Road safety
 T.1 – Visitor attractions in the central area

Emerging Plan

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

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

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

3.8 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; Gloucestershire Structure Plan policies – www.gloucestershire.gov.uk/index.cfm?articleid=2112 and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

4.1 The Civic Trust

- The panel welcomes the overall concept of Project Pilgrim.
- Tackles what must be the worst setting of any cathedral in Britain
- Removal of the cars was first suggested by the Gloucester Civic Design Group in 1958 when the close was described as “*a sea of multi-coloured metal.*”

- The panel is reassured by the archaeological evidence, and expects a watching brief and strict adherence to conditions.
- Planting should be low level so as to provide no hiding places.
- Careful choice of plants will be necessary
- Lighting of this very public area at night is a high priority for design and security
- Panel has misgivings about the lower College Green proposals, in particular the traffic circulation system which takes cars past the proposed reconstruction of the West Door steps and conflicts with pedestrians
- Tree planting will be vital to the appearance of Lower College Green.
- Happy with the palette of materials proposed

4.2 Historic England

- The Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) requires the local authority to “have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses”.
- Para 132 of the NPPF states that in considering the impact of proposed development on significance, great weight should be given to the asset’s conservation and that the more important the asset the greater the weight should be.
- Current arrangement, of Upper College Green which is dominated by car parking, causes substantial harm to the setting of the Cathedral.
- Proposed scheme significantly improves the setting to the south and to the west front.
- Visitors should be encouraged to walk around the cathedral to understand its full external form. Whilst the design as submitted does not block this, the spiral form does not branch off eastwards.

4.3 County Council Highway Authority - No objection.

4.4 City Council Conservation Officer - No objection subject to conditions

4.5 City Council Archaeologist - No objection subject to conditions

4.6 Urban Design Officer - No objection subject to conditions

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 The occupiers of 63 neighbouring premises were notified by letter. In addition site notices were posted as and a press notices was published. In response, 8 individual representations have been received, (5 letters of objection have been received and 3 individual letters in support. The comments raised are summarised below:

Objections

- Removing the Upper Green car park reduces the sustainability of Gloucester Cathedral as both a place of worship and a venue for activities and events.

- Proposal is contrary to 'presumption in favour of sustainable development' of NPPF.
- Cathedral is a weekly place of worship attracting up to 300 Sunday worshippers who need car parking
- Cathedral is a weekly activity venue on Monday evenings attracting up to 100 members of the Gloucester Choral Society
- Cathedral is a weekly activity venue on Tuesday evenings attracting up to 200 members of the Caring Chorus
- Cathedral is often a venue for filming and many other events attracting up to 1500 people
- Cathedral needs car parking spaces more than many other Cathedrals as most of its users do not live within convenient walking distance
- Proposal to remove 47 car parking spaces in their Upper Green car park will reduce parking by more than 60%
- Cathedral's own consultation showed 44% of respondents expressed concerns about losing the Upper Green car park
- Cathedral has responsibility to provide car parking necessary to operate as a place of worship and as a venue for activities and events.
- Loss of parking will increase parking congestion in neighbouring streets
- The number of parking spaces proposed is inaccurate
- There would be 37 spaces rather than claimed 45
- 8 of the 45 would be 'accessible bays'
- 35 of the 37 bays will be required by residents
- Will only leave 2 spaces for the Chapter
- No allowance for emergencies
- Lack of access to Upper College Green would cause difficulty for residents and College Court
- No provisions for deliveries to properties in Upper College Green or College Court
- Residents at Upper College Green will be forced to park at other end of close
- Would be a serious burden to elderly residents
- Residents would be denied visitor parking
- Parking could be provided parallel to houses in Upper College Green
- Parking survey understates need of cathedral - choir, office workers and residents were away
- Greater demand for parking in term times than accounted for
- 20 vehicles can not be parked in Millers Green
- People will be put-off by parking elsewhere and walking
- Members of congregation will decide to worship elsewhere
- Parking charges will be a burden
- Emergency access will be difficult
- Proposals would provide seating outside residential properties
- Already problems with anti-social behaviour
- Will encourage young people to 'hang around' - Police aware of problems
- Improvements to the approach to cathedral do not warrant the extensive landscaping works proposed

- Fails to take account of impacts on surrounding properties and businesses
- City centre and Quays has ample public spaces which are underused
- No toilet facilities for proposed events
- Not a suitable area for quiet reflection if it becomes a thoroughfare
- Already areas for quiet reflection at cathedral
- Cathedral green is already a magnet for jobs
- No plan 'B' for retaining parking for residents or volunteers
- Fear for personal safety

Support

- Cathedral influence goes beyond Gloucester's boundary, drawing visitors and pilgrims from across the country, and across the globe.
- Presently visitors are confronted with extensive car parking.
- Parking should not take precedence over the wider significant objectives and outputs.
- Car park is out of keeping with the setting of the Cathedral
- Will create a magnificent new space for Gloucester
- Will it improve the Cathedrals setting
- Will create a space where visitors can sit and reflect, and enjoying the cathedral architecture
- Will create an events space which will add to and draw visitors to the city
- It is in keeping with the City Council's regeneration objectives
- The delivery of regeneration projects are challenging let alone when you are working with such an old and sensitive building.
- Welcome more space for pedestrians to walk
- Good mixture between having space for pedestrians and also having a handful of disabled parking bays for visitors
- Hope that the mountain ash and evergreens can be retained
- Cathedral has secured HLF funding to cover the huge cost of construction.
- The scheme will transform the grounds around the Cathedral and will benefit the City of Gloucester, its residents, businesses and importantly the thousands of extra visitors.
- It will require change by all who use College Green, but is that too much to ask for the long term benefits of creating this new setting with an open space the Cathedral deserves and the Citizens of Gloucester can be proud to share with the visitors.

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

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=14/00415/FUL>

6.0 **OFFICER OPINION**

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

- Design & Layout
- Historic Environment
- Archaeology
- Traffic and transport

Design & layout

- 6.2 Gloucester Cathedral is one of the finest medieval buildings in England and acknowledged as an exceptional example of the 'Perpendicular' style which is of international significance.
- 6.3 The application proposes considerable changes to the environment to the south and west of the Cathedral at Upper and Lower College Green, with the aim of enhancing the setting of this important building and improving the social and liturgical use of the space.
- 6.4 At present the area is dominated by a car park which sprawls across the area to the immediate south of the Cathedral, to the north and west of a series of important listed buildings which frame Upper College Green.
- 6.5 The present car park is considered to be detrimental to the setting of these historic building and detracts from the openness and significance of this area which was originally the burial ground serving the Cathedral.
- 6.6 The current proposal would eliminate vehicles from Upper College Green and would open the space up to the public, drawing people into the heart of the space, where at present pedestrians are confined to the site edges in order to avoid conflict with parked and manoeuvring vehicles.
- 6.7 The proposal would re-introduce a sympathetic sense of openness, with selected low level planting and street furniture which would in turn enhance views and sightlines towards the South Porch of the Cathedral and draw pedestrians from the numerous entrance points into College Green and towards the Cathedral entrance.
- 6.8 As well as being 'day-to-day' space for residents and visitors the space has been designed with scope to host events and other activities enhancing the draw for city residents and tourists which in turn contribute to the vitality of the City.
- 6.9 The area at Lower College Green would retain a similar character to the present, albeit with enhancements to move parking away from the West Door, provide a terrace wrapping around the Southwestern Corner of the Cathedral and provision of an additional 11 parking spaces behind the hedge to the front of 7-8 College Green.
- 6.10 The proposals would also result in an enhancement to the surfacing materials and would tie in with the works at Upper College Green.

- 6.11 While a lighting strategy has been submitted the precise details will require further consideration and refinement in order to provide a safe and well lit environment particularly at night times and to ensure the scheme enhances the architectural qualities of the Cathedral and surrounding buildings. The precise details can be controlled by condition.

Historic Environment

- 6.12 The Cathedral is a Grade I designated heritage asset. In addition, there are numerous individually designated assets, attached to and surrounding the cathedral, including the Church House, The Cloisters and the Gymnasium, together with the designated assets of College Green.

- 6.13 Section 72 of the planning (listed Buildings and Conservation Areas) act 1990 states that where an area is designated as a conservation area '*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area*'.

- 6.14 Additionally the NPPF stresses the importance of achieving sustainable development by protecting and enhancing the historic environment so that heritage assets can be enjoyed for their contribution to the quality of life of this and future generations

- 6.15 Paragraph 131 of the Framework states that:

'In determining planning applications in relation to the historic environment, local planning authorities should take account of:

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

- 6.16 Paragraph 132 continues and advises that:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'.

- 6.17 Section 9.5 'Public realm, pedestrian movement and traffic' of the Cathedral Precincts Conservation Area - Appraisal & Management Proposals 2007 identifies that; 'the car is a dominant feature of the Cathedral Precincts conservation area, and this is particularly acute within the cathedral close, where cars dominate almost every view, along with the associated clutter of brightly coloured cones and signage.

- 6.18 The present car park in Upper College Green has a harmful impact on the character, setting and significance of the Cathedral and the adjacent listed buildings, the landscaping proposals and removal of parking from Upper College Green is considered to be positive enhancement to the area.
- 6.19 The area at Lower College Green has been subject to amendments since the application was first submitted and in response to comments from the City Conservation and Landscape Officers.
- 6.20 The proposal in its revised form would result in positive changes to the terrace to the West Door, the retention of more of the existing trees around the green and a higher quality stone sett paving to the drive and parking spaces outside of 7-8 College Green and addresses the initial concerns expressed by officers.
- 6.21 It is considered that the proposed works would as a whole enhance the Setting of the listed buildings and would enhance the character and appearance of the containing Conservation Area.

Archaeology

- 6.22 An archaeological evaluation (trial trenching) has been undertaken and a Heritage Impact Statement provided by the applicant. The evidence indicates that the site of Upper College Green has been in use as a cemetery since the medieval period until the 19th century.
- 6.23 Archaeological investigations have confirmed that inhumation burials survive at depths between 30cm below ground level in the north of the site through to 1.2m below ground level in the south.
- 6.24 Disarticulated human remains are found at levels beginning just below the current hard standing. Funerary monuments and undated structural remains have also been identified.
- 6.25 Lower College Green is somewhat less sensitive, but has the potential to contain significant archaeological remains at depth.
- 6.26 While the proposed scheme presents some complexities, the application has been informed by comprehensive surveys and supporting information with regard to the archaeology of the site.
- 6.27 Given the potential of works to damage or destroy significant heritage assets, most particularly human burials it is considered that the precise details of all ground works are controlled by condition in order to protect the existing archaeology.

Traffic and Transport

- 6.28 The most contentious aspect of this application is the wholesale removal of parking from Upper College Green. The applicant has advised that at present

there are 89 parking spaces (excluding 20 spaces at Millers Green which fall outside of the application site).

- 6.29 The proposal would result in a total of 44 Parking spaces (excluding those at Milers Green) of which 8 would be disabled standard spaces.
- 6.30 The applicant has advised that those living outside of the close will no longer be allowed to park in the close. Residents within the close would get priority (permits) for 35 of the 37 regular car parking spaces at Lower College Green, and that the Disabled spaces would also be available for use by residents. Additionally residents would also be entitled to apply for City Centre residents parking permits should they have more than one vehicle.
- 6.31 It is considered that the development would provide sufficient parking to meet the reasonable requirements of residents of College Green.
- 6.32 All other users will be required to find and make use of alternative public parking provision, such as on street parking and parking within public car parks or indeed utilise public transport.
- 6.33 A number of on-street parking spaces are available at St Mary's Square to the west of St Mary's and entrance into Lower College Green. Further parking provision is available within numerous city centre car parks which are in the order of 3-5 minutes walk from the Cathedral.
- 6.34 While the requirement to make alternative parking arrangements is an 'inconvenience' particularly in the short term, the loss of on site parking and displacement of vehicles to established city centre car parks would not result in a severe impact which would warrant the refusal of planning permission.
- 6.35 It should also be noted that the car park is in private ownership and the cathedral can at any time and at its whim close access to the present car park without requiring planning permission to do so.
- 6.36 The applicant has advised that at present there is no access to the cathedral grounds by coaches and these will still continue to drop-off passengers outside the Dick Whittington on Westgate Street as well as Council's 'Meet & Greet' service which meets coach passengers at the Westgate coach park. These visitors would remain unaffected by the proposed changes.
- 6.37 The nursery at Wardle House in Upper College Green, makes use of the present car park as a drop-off/pick up area. It is understood from the applicant that alternative arrangements are being made to serve Wardle House and no objections have been received from the Nursery.
- 6.38 The National Planning Policy Framework is explicit at Paragraph 32 that '*...development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*'.

6.39 It is therefore considered that the proposal would not lead to a severe residual impact on the highway and the loss of parking provision would not outweigh the benefits to the setting of the listed buildings and character of the conservation area.

7.0 CONCLUSION

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

7.2 The application proposes a comprehensive scheme to redevelop the area around the south and west of the Cathedral by removing the present area of extensive surface car parking and providing a new public square. The impacts of the proposal have been considered and it is concluded that the proposal would result in a significant enhancement to the setting of the cathedral and adjoining listed buildings as well as enhancing the character of the Cathedral Precincts Conservation Area. While there will be a loss in on site parking the proposal would not result in an adverse impact on highway safety. For these reasons and subject to compliance with conditions, the proposal is considered to be in accordance with policies BE.4, BE.6, BE.7, BE.21, BE.23, BE.29 and TR.31 of the Second Deposit City of Gloucester Local Plan (2002).

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

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

15/01094FUL

Condition 1

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

Reason

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

15/01095/LCB

Condition 1

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

Reason

Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

15/01094/FUL & 15/01095/LBC

Condition 2

The development hereby permitted shall be carried out in accordance with the approved drawing nos. GLS535/Drg05B – Reduced levels, GLS535/Drg07E – Detailed Proposals - Lower College Green, Drg08C – Detailed Proposals - upper CG, Drg10 – Low stone walls, Drg11A – west front - detail, Drg12G – Masterplan, Drg14A – Tree pit details, Drg15 – Proposed tree planting, 4943 A[–]002 – External Drainage Layout received by the Local Planning authority on 16th October 2015 and any other conditions attached to this permission.

Reason

To ensure that the works are undertaken in accordance with the approved plans.

Condition 3

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

Reason

These details are required prior to commencement of works in order ensure the protection of below ground remains and to make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework and Policies BE.36, BE.37 & BE.38 of the Gloucester Local Plan (2002 Second Stage Deposit).

Condition 4

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

Reason

The site contains significant heritage assets. The Council requires that disturbance or damage by groundworks and landscaping is minimised, and that archaeological remains are, where appropriate, preserved in situ. These accords with Policy BE.31 and BE.36 of the Second Deposit City of Gloucester Local Plan (2002) and paragraph 141 of the NPPF.

Condition 5

Prior to the commencement of development works (excluding site clearance and archaeological excavation) a precise landscape scheme shall be 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 a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with policy BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 6

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

Reason

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

Condition 7

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

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

planning authority. The TPZ shall be maintained during the course of development

Reason

To ensure adequate protection to existing trees which are to be retained, 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).

Condition 8

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of [1 year] from completion of the development.

- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any works approved shall be carried out in accordance with British Standard 3998:1989 (Tree Work).
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as specified in writing by the local planning authority.

Reason

In order to preserve the character and amenity of the area in accordance with policies B.10 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

Any damage caused to any tree which it has been agreed shall be retained shall immediately be notified to the local planning authority and any such remedial work as is advised by the Authority shall be undertaken immediately. As soon as possible thereafter such further work as is necessary to secure the preservation of the tree shall be undertaken in accordance with BS 3998:1989 Tree Work.

Reason

The trees form an integral part of the visual environment and this condition is imposed to preserve 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).

Condition 10

Where excavations or surface treatments are proposed within the root protection areas (RPA) of retained trees and hedgerows full details must be submitted to and approved in writing by the local planning authority. The RPA is defined in BS5837:2005. Details must include accurate scale plans of

proposed locations of excavations and / or surface treatments, proposed methods & specifications of excavations and / or surface treatments and any post excavation remedial works. The development shall then only be carried out in accordance with the approved plans.

Reason

To prevent the unnecessary damage to or loss of trees in accordance with policies B.10 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 11

Prior to the commencement of development works (excluding site clearance and archaeological excavation) details and where appropriate samples of surfacing materials to be used externally shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details..

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with policy BE.12, BE.22 and BE.29 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 12

Notwithstanding the approved drawings, precise details of the following shall be submitted to and approved by the local planning authority prior to the commencement of any works. The development shall be carried out in accordance with the approved details:-

- (a) Detailed methodology for works to implement the landscaping scheme and how the grave stones will be protected, recorded and/or integrated into the scheme.
- (b) Detailed information for lighting products, location of lights, junction boxes and associated cabling
- (c) Specification for all street furniture including the relocation of postal box and rising bollards
- (d) Scaled drawing detailing proposals for the interpretive installation
- (e) Details of external interpretation panel for archaeological excavations.

Reason

To these details are required in order to safeguard the special architectural and historical significance of the area in accordance with policy BE.29 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 13

No external signage or notices shall; be installed unless otherwise agreed in writing by the local planning authority.

Reason

These details will require further consideration in order to reduce clutter and secure a satisfactory appearance to the development and in accordance with

policies BE.21 Be.23 and BE.29 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 14

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

Reason

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

Decision:

Notes:

.....
.....

Person to contact: Bob Ristic
(Tel: 396822)