1.0 SITE DESCRIPTION AND PROPOSAL

1.1 The former Gloscat campuses continue to be redeveloped pursuant to the earlier planning permissions. The former Media site to the east of Brunswick Road is complete other than the frontage ‘Block M’, which was intended to house a General Practice surgery, community space and ground floor commercial units, and which has not progressed. The former main campus to the west of Brunswick Road is partially developed, with construction continuing on site.

1.2 Condition 29 of the planning permission requires detailed public art specifications for the square adjacent to the Greyfriars monument and the ‘Roman wall’ interpretation at the Brunswick Road frontage. These were provided only in indicative form at the time of the original application.

1.3 The submitted details comprise:

In respect of the square;
The angled subdivision of the square into grassed and planted areas with pathways through and hardstanding to the café side
6 illuminated solid granite benches set around the square. These would all be slightly different in shape and size but all have a layered design as horizontally stacked slabs, with text to the layered edges describing moments in Gloucester’s history, in particular the Friary. The text would be engraved into the edges and ink filled. Lighting would be fitted into the underside of the
bench on one side and would project down onto the ground. The tops would be contoured to allow water runoff and minimise unwanted sleeping. Granite ‘rumble strips’ would be installed around the benches to seek to prevent use by skateboards.

In respect of the Roman wall;
A series of granite benches aligned along the line of the Roman wall. These would be of different sizes and shapes but the same width along the alignment. Bronze plaques would be installed to the sides of the benches, with hand engraved text referencing the aesthetic of the Roman Military diplomas. These will be bonded into a recess in the bench blocks and lit by uplighters set into the ground.
Between the benches and on the same alignment in front of Block B (with the café), the same granite would be inlaid as paving.
Again granite ‘rumble strips’ would be installed either side of the benches to seek to prevent use by skateboards.

1.4 The application is referred to the Planning Committee in line with the request from Members of the Committee at the time of considering the original application that the public art details be referred back to Committee for consideration.

2.0 RELEVANT PLANNING HISTORY

10/01040/CON
2.1 Demolition of buildings comprising the nine storey tower block and associated outbuildings on the 'Main site' (to the north west of Brunswick Road) (demolition proposals exclude the Technical College building fronting Brunswick Road on the 'Main site' and the Dawn Redwood tree, any curtilage structures or parts of the Via Sacra, any foundations on the 'Main site', and all buildings on the 'Media site' (to the south east of Brunswick Road)). Granted subject to conditions 09.12.2010.

11/00107/FUL
2.2 Site clearance and mixed use redevelopment comprising 10 no. blocks on the Greyfriars site (land to the north west of Brunswick Road) and 5 no. blocks on the Media site (land to the south east of Brunswick Road). Residential dwellings comprise 254 total (including 183 dwellings on the Greyfriars site and 71 dwellings on the Media site). 350 square metres of Class A3 use on the Greyfriars site (ground floor to Blocks A and B), 1335 square metres of Class D1 and D2 uses on the Media site (Block M), 367 square metres of Class A1 use on the Media site (Block M) and 490 square metres of Class B1 use on the Media site (Blocks J and M). 207 car parking spaces total (including 132 spaces on the Greyfriars site and 75 spaces on the Media site). Construction of access roads, new public thoroughfares, spaces, squares and associated landscaping and infrastructure. Granted subject to conditions and legal agreement 30.03.2012.

11/00109/CON
2.3 Demolition of buildings comprising the Technical College building fronting Brunswick Road on the 'Greyfriars' site (site to the north west of Brunswick Road) and all buildings on the 'Media' site (site to the south east of Brunswick Road). Granted subject to conditions 22.12.2011.

12/00771/FUL

2.4 Variation of Conditions 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 19, 20, 21, 22, 25, 29, 31, 32, 33, 34, 35, 36, 44, 45, 46, 51 and 52 of planning permission ref. 11/00107/FUL, to allow for the discharge of conditions on a phased basis and to amend the Code for Sustainable Homes level for affordable dwellings. Granted subject to conditions 27.03.2013.

12/01114/MOD

2.5 Modification of provisions of extant Section 106 Agreement dated 30th March 2012 (Planning Ref: 11/00107/FUL). No objections raised, and amended 27.03.2013.

13/00537/FUL

2.6 Deletion of Condition 16 of planning permission 12/00771/FUL (introduction of vegetation screening in place of requirement to obscure-glaze upper floor rear windows at Block L), and variation of Condition 2 of planning permission 12/00771/FUL to amend layout plans to introduce maintenance strip at rear of Block L. Granted subject to conditions and legal agreement 27.09.2013.

14/01074/FUL

2.7 Variation of Condition 49 of permission ref. 13/00537/FUL to allow for the submission of temporary vehicular parking and turning arrangements for approval, for the Greyfriars part of the site only (not the former Media site). Granted subject to conditions 11.03.2015.

15/00362/FUL

2.8 Variation of Condition 2 of planning permission ref. 13/00537/FUL to make external and internal alterations to Blocks A and I (flat block) (both on site north west of Brunswick Road); reduced number of units, changes to unit mix, and division of Block A Class A3 unit into 2 no. units. Granted subject to conditions 12.06.2015.

3.0 PLANNING POLICIES

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

Central Government Guidance - National Planning Policy Framework

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

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.

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.

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

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

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

**Local Plan**

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

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

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.

3.7 *2002 Plan Policies*

BE.7 – Architectural design
BE.12 – Landscape schemes
BE.16 – Provision of public art
BE.21 – Safeguarding of amenity
BE.23 – Development affecting the setting of listed buildings
BE.29 – Development within Conservation Areas
BE.31 – Preserving sites of archaeological interest
BE.32 – Archaeological assessment
BE.33 – Archaeological field evaluation
BE.34 – Presumption in favour of preserving archaeology
BE.36 – Preservation in situ
BE.37 – Recording and preserving archaeology

**Emerging Plan**

3.8 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and NPPG and are a material consideration. The weight to be attached to them is limited, the Plan has not yet been the subject of independent scrutiny and does not have development plan status. The Examination in Public has been ongoing since May 2015. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council’s Local Development Framework Documents which reached Preferred Options stage in 2006.
On adoption, the Joint Core Strategy, City Plan and any Neighbourhood Plans will provide a revised planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to

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

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

SD5 – Design requirements  
SD9 – Historic environment  
SD15 – Health and environmental quality

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 Conservation Officer is generally supportive but wishes to agree further detail of the materials and the engraved text.

4.2 The Urban Design Officer considers the proposals to be positive. The Roman wall interpretation looks good in principle but we need to carefully consider the lighting approach and exact materials. The square is also considered interesting but again lighting and exact materials need careful consideration. He wishes to agree further detail of the materials and if the archaeological constraints prevent the use of trees, wishes to see the concept refined.

4.3 The City Archaeologist has no objections to the Roman Wall art piece, but is concerned to ensure that the square art piece (notably the trees and any foundations for the benches and light cabling) does not impact on the cloister remains. These sit only around 30cm below ground level. After considering various options with Officers, he recommends that the trees are ‘raised’ so they would sit above the remains. We should also secure a scaled cross section drawing of the proposals to show the depth of the tree pits, and the foundations and services for the benches and their lighting. The works would need to be monitored as part of the already- agreed watching brief for works across the site. It is also considered that the engraved text to the benches should be agreed.

5.0 PUBLICITY AND REPRESENTATIONS
6.0 OFFICER OPINION

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

- Conservation and design
- Archaeology
- Residential amenity

6.2 The schemes propose high quality materials from the description (though we would wish to see an exact sample), and in the square, soft landscaping, that should enhance the setting of this development.

6.3 The ideas to show layers of local history and in the wall a specific connection to the Roman garrison tie in to the heritage of this site and its surroundings. I consider that in content and appearance it appears to be an appropriate public art response to its context.

6.4 Landscaping schemes have already been approved at the application stage, so Officers have asked for clarification about the precise planting proposals for the square.

6.5 Also outstanding are a precise specification of the hard surfacing material for the main part of the square, and a timetable for its implementation.

6.6 Subject to agreeing appropriate hard surfacing and planting, and approving a sample of the material for the bench, it is considered that the proposals would deliver an enhancement of the character and appearance of the conservation area and the setting of listed buildings. There is therefore no conflict with the duties under the 1990 Listed Buildings and Conservation Areas Act, and the Policies of the adopted 1983 Plan, the 2002 Second Deposit Plan, the Pre-Submission JCS and the NPPF. The Urban Design Officer should also be able to assist in advising on lighting fixtures, and a timetable is required to ensure its implementation at an appropriate time. Scaled site plans and cross sections are also required to ensure precision.

6.7 Both proposals are located in an area of nationally important archaeological remains. The presence of the Roman wall is not of concern to the City Archaeologist given the current site conditions and the foundation detail provided.

6.8 The Square proposals however would sit over the cloister remains next to the Priory. It is currently unclear what impact the proposals would have on the remains although it seems likely that the trees would cause damage without further clarification or refinement of the design. The foundations of the
benches and servicing ducts required for their lighting, could similarly cause damage to the remains. Officers consider that, in the event that the developer does not wish to undertake an impact assessment (which would clarify the harm or otherwise and provide an evidence base for judging the current proposals), then the trees could be raised locally either through a raised bank or enclosed by the elevation of the stone perimeters proposed.

Residential amenity
6.9 There are new and pre-existing residential premises in the vicinity of the proposed works. Their nature and scale do not suggest that any harm would be caused to the amenities of neighbours. The works are controlled already by the hours of work condition on the overarching planning permission.

7.0 CONCLUSION
7.1 The concepts are considered broadly acceptable and the Committee’s endorsement of these is sought. There are several points on which further information is required. The one with the biggest scope to lead to an alteration to the scheme is the archaeological constraints in respect of tree planting. If this leads to tree planting not being possible in the current arrangement, we would seek a refinement of the scheme rather than just removing the trees out of the current version, however options appear to be available to raise the trees by tweaking the design – retaining some tree cover and avoiding the archaeological remains. It is recommended that if the Committee is happy with the concepts, Officers work through these matters of detail to an acceptable conclusion.

7.2 Subject to the approval of the outstanding matters the proposals comply with Policies BE.7, BE.16, BE.21, BE.23, BE.29, BE.31, BE.32, BE.33, BE.34, BE.36 and BE.37 of the 2002 Second Deposit Local Plan, Policies SD5, SD9 and SD15 of the Pre-Submission JCS, Policy A2 of the 1983 Adopted Plan and the NPPF. There is no conflict with the duties under the 1990 Listed Building and Conservation Areas Act as to listed buildings and conservation areas.

The balance of material considerations weighs in favour of approving the details subject to the caveats noted above.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER
8.1 That condition 29 is partially discharged in respect of the requirement to submit details, subject to the applicant providing:

1. an acceptable alternative arrangement for the tree planting to ensure the preservation in situ of the remains of the cloister;
2. an acceptable scaled layout (in context) and cross sections of both proposals including foundations and service runs. In respect of the Square proposals, in addition - the specification of tree pits if necessary, with ordnance datum heights for foundations, service runs and tree pits;
3. an acceptable sample of the material for the benches and surface inlays in both proposals;
4. an acceptable precise planting proposal for the square proposal;
5. an acceptable sample of the hard surfacing for the square proposal;
6. an acceptable timetable for the implementation of both proposals;
7. an acceptable full transcript for the engraved text for the benches in the square proposal.

Decision: ........................................................................................................................................

Notes: ...........................................................................................................................................

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(Tel: 396702)