

GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **31ST MAY 2016**

ADDRESS/LOCATION : **18 BRUNSWICK SQUARE**

APPLICATION NO. & WARD : **15/00894/FUL & 15/00895/LBC
WESTGATE**

EXPIRY DATE : **3rd JUNE 2016 (EXTENSION OF TIME
AGREED)**

APPLICANT : **MR DAVID WATSON**

PROPOSAL : **CONVERSION OF EXISTING BUILDING
INTO 8 SINGLE BEDROOMED FLATS,
DEMOLITION OF THE EXISTING STORAGE
SHED TO THE REAR AND ERECTION OF A
REPLACEMENT BUILDING TO PROVIDE AN
ADDITIONAL 5 FLATS (2 NO. 1 BED & 2 NO.
2 BED).**

REPORT BY : **CAROLINE TOWNLEY**

**NO. OF APPENDICES/
OBJECTIONS** : **1. SITE LOCATION PLAN**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 18 Brunswick Square is a Grade II listed heritage asset located in the Spa Conservation Area, adjacent to Albion Street and Old Tram Road. The property is one of a terrace of seven houses and comprises the five storey town house built in 1825 fronting onto Brunswick Square with a three storey block to the rear. It was last used as offices but has been vacant for a few years and is showing signs of neglect. The site also includes a single storey brick building to the rear, referred to as the 'Old Tram Shed', together with limited car parking. The property is currently identified as 'vulnerable' on the City Council's Buildings at Risk Register.
- 1.2 There are two parts to this property, the original five storey town house fronting onto the square and the three storey block to the rear, which whilst not original does appear on the 1851 Ordnance Survey Map. The three storey block to the rear is much plainer than the front, with non-symmetrical fenestration, modern timber sash windows and is almost devoid of architectural features internally. The single storey brick building, known as the old tram shed has been altered many times and is in a very poor state of repair. There has been some sort of building on this site since the house was

built, probably a stable and coach house to start with. Due to all the changes that it has gone through it appears to have very little merit.

- 1.3 The applications as originally submitted sought planning permission and listed building consent to convert the listed building into 8 single bedroom flats, demolition of the existing 'shed' to the rear and the erection of a replacement building to provide an additional 6 one-bed flats.
- 1.4 The application was subsequently amended with the overall scale of the proposed new build element being reduced and separated from the rear of the listed building. These plans also introduced a conical roofed structure surrounded by a curved wall to provide the cycle/bin storage at the end of the site.
- 1.5 Following an objection from the Highway Authority relating to the location of the cycle/bin storage structure further amended drawings were submitted. The current plans propose a design where the new build element has been separated from the rear of the listed building with a single storey link providing access to the bin/cycle storage area at the centre of the site. The new apartment block is lower in height with a further step down in roof height approximately two thirds of the way along. The end of the site is to remain a landscaped open area with bollards proposed to prevent parking. The overall number of flats has been reduced with the new building providing an additional 3 one-bed flats and 2 two-bed flats.
- 1.6 The application has been referred to Planning Committee by Councillor Toleman on the grounds that there will be insufficient parking facilities, space for waste collection bins and the extra storey will block light into neighbouring property.

2.0 RELEVANT PLANNING HISTORY

- 2.1 Planning permission for a change of use to office accommodation was granted in 1965.
- 2.2 Planning and listed building applications for the erection of a three storey building providing parking on the ground floor (ref. 15265/01 & 15265/01/LBC) were refused in 1985 for the following reason:

15265/01

It is considered that the proposed building, by reason of its height, size and siting would be visually obtrusive in this location and would have an unacceptable dominating and overshadowing effect on the neighbouring residential properties to the detriment of their occupants.

15265/01/LBC

It is considered that the proposed building, by reason of its height, size and siting, would affect the character and setting of the listed building and its curtilage to an unacceptable degree.

- 2.3 A planning application for the demolition of the existing garage and formation of a car park with boundary walling (ref. 95/00159/FUL) was refused in 1995 for the following reason:

The building forms a prominent feature in the street scene at the junction of Albion Street and Old Tram Road. In the absence of any firm proposals for the redevelopment of the site, the loss of the building and its replacement by open car parking would be detrimental to the appearance and character of the designated Conservation Area.

3.0 PLANNING POLICIES

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

ST.1 (Sustainable Development)

ST.2 (Priority for Developing Previously Used Sites and Safeguarding Greenfield Land)

ST.4 (Reducing Travel by Car and Promoting Other Means of Travel)

ST.7 (Urban Design Principles)

FRP.15 (Contaminated Land)

BE.1 (Scale Massing and Height)

BE.2 (Views and Skyline)

BE.6 (Access for All)

BE.7 (Architectural Design)

BE.21 (Safeguarding of Amenity)

BE.22 (Alterations to and Development within the Curtilage of Listed Buildings)

BE.23 (Development Affecting the Setting of a Listed Building)

BE.24 (Demolition of a Listed Building)

BE.25 (Consent for Demolition of a Listed Building)

BE.30 (Demolition of Non-Listed Buildings in Conservation Areas)
BE.30a (Control of redevelopment within Conservation Areas)
BE.32 (Areas of Principal Archaeological Interest)
TR.31 (Road Safety)
TR.9 (Parking Standards)
TR.12 (Cycle Standards)

- 3.5 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and 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.
- 3.6 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.
- 3.7 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

- 4.1 **Gloucestershire County Council (Highways)** – Raise no highway objection to the revised drawings subject to conditions.
- 4.2 **Historic England (Comments to original plan)** - 18 Brunswick Square is made up of several parts; the original town house fronting the square, a slightly later addition attached to the rear and then a separate outbuilding that sits towards the east of the plot. The conversion of the primary building at 18 Brunswick Square is not within Historic England's remit, due to its grade II listing and the lack of demolition works being proposed. Our focus therefore relates to the proposed demolition of ancillary buildings at the rear of the property which are considered to be curtilage listed by Gloucester City Council.

This application proposes the complete demolition of the outbuilding to the east of the site and its replacement with a new apartment block. The outbuilding itself may include some fabric that once represented ancillary buildings relating the function of the properties on Brunswick Square; however it would appear from the evidence provided that if this was the case then little, if any, fabric remains. Its current form is of a relatively utilitarian hall, with a suggested date of the 1930s (Heritage Statement and Archaeological Desk Based Assessment - The Historic Environment Consultancy).

While Historic England is not against the principle of demolishing this building, it must be acknowledged that its ancillary form and low scale mean that it is considered a neutral contributor within the conservation area. Views from Albion Square clearly show the rear elevation of the terrace, with a utilitarian character that contrasts with the detail and architectural prowess of the front elevations. This contrast provides a clear understanding of the buildings hierarchy and use and contributes to their contextual understanding.

While the outbuilding is not contemporary with the use of the house as a dwelling, its subservient, utilitarian form is sympathetic to the character and understanding of the change in social status and hierarchy towards the rear of the building plot. This point is reinforced by the buildings that currently exist to the rear of Brunswick Square further along Old Tram Road and within views from Albion Street towards Brunswick Square.

Historic England is keen that any replacement building maintains this sense of hierarchy. We are concerned that the proposed replacement building, due to its height and form, has the potential to negatively impact on this character. The height of the building will result in a visual barrier in views towards the service elevations of Brunswick Square and will elevate the status of buildings within the plot, a feature which provides context to the way in which 18 Brunswick Square would have historically functioned.

Although the ridge height of the proposed new building would be marginally lower than the historic rear extension, we would ask that consideration be given to a lower building or perhaps the merits of a stepped arrangement that acknowledges the ancillary function of this long plot of land in relation to that of the main buildings towards Brunswick Square.

While the detail of the replacement building is not within Historic England's remit, we would suggest that it should be possible to better reflect the ancillary character of this rear plot through elevational treatments, an approach that has not been achieved by the proposed plans.

We urge you to address the above issues, and recommend that this application be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice. It is not necessary for us to be consulted again. If you feel you need further advice, please let us know why.

Please re-consult us if there are material changes to the proposals beyond those necessary to address the issues we have raised. We will then consider whether such changes might lead us to object. If they do, and if your authority is minded to grant consent, you should notify the Secretary of State of this application in accordance with the above Direction.

Comments on the amended plans - This advice follows on from that previously provided by Historic England on 8 October 2015. As previously outlined, the principle of demolishing the existing building on this plot is considered acceptable, subject to the appropriate design of replacement scheme.

The reduced roof height and stepped approach to the design of the amended scheme takes better account of the need for a building to reflect the ancillary character of this back-land plot within the Gloucester Spa Conservation Area and retaining the views through towards the rear elevation of the Grade II listed terraces on Brunswick Square. The treatment of the elevations creates a modern streetscape that reflects the bay rhythm of the more formal terraces, while acknowledging their lower status character and the glazed central tower and lower level curved structure provides interest and breaks up the linear form of the range.

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

- 4.3 **Gloucester Civic Trust (Original plans)** – Acceptable provided that the Conservation Officer is happy with the quality of the unspecified cladding on the new build and the details of the windows and rainwater goods.

Amended (current) Plans – The panel's earlier concerns about the materials for the new build is an improvement and will enhance this neglected corner of Regency Gloucester, alongside with redevelopment on the opposite side of Albion Street.

- 4.4 **Conservation Officer (First Amended Scheme)** – With regard to the conversion of the listed building, the concerns previously raised have been addressed to my satisfaction. The revised design of the new apartment block to the rear has also taken into account my original concerns. It has been separated from the rear of the listed building and is lower in height. A further step down in roof height and the creation of a conical roofed structure (bin store) surrounded by a curved wall at the end of the plot provide a hierarchy in building form thus reflecting the tradition of ancillary structures to the rear of large Georgian houses. There is good rhythm to the fenestration. It is important that details/samples of materials are submitted for approval before work starts. Recommends no objection subject to conditions.

Latest Plans - There have only been minor changes to the design of the new build block to the rear and the link with the existing building. The main change is that due to highway requirements the western end of the site is to remain a landscaped open area, with bollards to prevent parking. I have no objection to this, subject to conditions.

- 4.5 **Urban Design Officer** - No objections to the plans subject to conditions. The new arrangement of building forms works well. The inclusion of three 2-bedroomed flats is a positive alteration and will widen the market for the properties and create a more sustainable form of development.

The roof material and bricks are the key considerations. I would suggest that only a metal standing seam roof material would be appropriate, considering the modern style of the new-build extension and the need to distinguish that from the original building. The bricks should respond to the existing bricks found in the area and have some locally distinctive link. I would suggest that a simple character study should be carried out which identifies various brick types in the local area, which will aid the specification of a new brick for this development.

The plans show at least one of the main windows within Units 2, 4 and 5 facing the end gable of the new-build block, so the quality and finish of the brickwork must be very high.

- 4.6 **Environmental Health Officer** – No objections subject to the inclusion of conditions relating to operations during the construction phase.
- 4.7 **Severn Trent Water** – No objection to the proposal subject to the inclusion of a condition requiring the submission and approval of plans for the disposal of surface water and foul sewage.

It is also advised that there may be a public sewer located within the application site and the applicant should investigate this.

- 4.8 **Worcestershire Regulatory Services (Contaminated Land advisors)** – We have reviewed the report submitted with the application entitled ‘Phase I Geo-environmental Assessment for a Proposed Residential Development at Brunswick Square, Gloucester’ produced by GIP Ltd dated 10th September 2015 reference DPS/23793. The report identifies a number of potential pollutant linkages including made ground associated with the history of development and potential hydrocarbon impact. Based on the findings of the Phase 1 and recommendations for site investigation WRS recommend that a condition is attached to any planning permission.
- 4.9 **City Archaeologist** – The site is located approximately 50 metres south of a known Roman cemetery and about 60 metres east of a known Roman and medieval suburb running along Southgate Street. The site is also located in an area previously known as ‘Gaudy Green’ – the location of a Royalist gun employment during the siege of Gloucester in 1643. There is therefore some potential for significant archaeological remains to be present within the

proposed development and these are likely to be adversely impacted by the proposed development.

In light of the above conditions are recommended to provide for a programme of archaeological evaluation within the site. Following this further mitigation (in the form of an excavation or a watching brief) may be required depending on the likely impact of the development.

- 4.10 **Drainage Engineer** – No objection subject to the use of permeable paving for the external areas of hard standing.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 The application has been publicised through the display of a site notice and press notice. In addition 47 properties have been notified of the application in writing. These 47 properties were also re-notified on two occasions on the receipt of amended plans.

5.2 As a result of this publicity 34 letters of representation have been received. The main concerns raised can be summarised as:

To original plans (18 letters)

- Height, mass and scale of new building is too much.
- Unsatisfactory and overdevelopment.
- Physical impact on neighbours in Albion Street and Brunswick Square.
- Overshadowing and restriction of light to neighbouring properties/gardens.
- Detrimental effect on light quality to gardens at rear of Brunswick Square.
- Overlooking.
- Negative impact on neighbours.
- Extension is out of character.
- Huge impact on neighbouring properties and pedestrians.
- No parking provided in an already congested residential parking area.
- Will result in illegal/selfish parking.
- Demolition of Listed Building in a conservation area contradicts strict conservation guidelines.
- Insufficient bin storage
- Important to ensure that the new build can only take place after or at least during renovations on listed building.
- Should be provision for 2 and 3 bedroom flats to provide family housing.
- Flats are too small.
- Design is inflexible and does not support sustainability.
- No amenity space.
- Impact on sight lines across Albion Street and Old Tram Road.
- Windows should be better aligned and proportioned.
- Overshadowing diagram is not convincing.
- Need to consider proposed development at 19 Brunswick Square.

- Concern about amount of social housing in the area.
- Modern additions would completely change the nature of the Georgian Square.
- Impact on narrow road at the back of Old Tram Road.
- Requires use of land outside of the applicant's ownership as cycle parking cannot be accessed. Incorrect Certificate submitted.
- Intend to raise party wall issues.
- Main access door to new block opens across public path.
- No history of any high building.
- Proposal is a three storey building not two as described.
- Out of keeping.
- Roots of proposed trees would encroach and cause damage to drains, manholes and nearby buildings.
- Previous applications on the site have been refused.
- Generally supportive of redevelopment/regeneration of the right scale/type.

To first set of revised plans (9 letters) – new issues raised specific to the revisions.

- Impact from Albion Street has been reduced but impacts on properties in Brunswick Square remain.
- Subdivision of existing building remains substandard. Opportunity to create more desirable family apartments in the main house is being lost.
- Still too many one bedroom flats.
- Properties likely to be rented.
- Will result in the further decline of the area.
- Need to encourage families who will put down roots and take pride in the place they live.
- Unsustainable.
- Car parking survey is too narrowly focussed. Often no spaces available.
- Problems of car parking created by the development have not been addressed.
- Will result in a more dangerous, congested and hectic street.
- Could car parking be provided on ground floor level or at rear of plot.
- Redevelopment should make a positive contribution.
- Sunlight survey is wrong / flawed. Existing building already blocks light from 16 and 17 Brunswick Square and this will be made worse.
- Extent of building into the corner of Albion Street and Old Tram Road will impede /block traffic – particularly emergency vehicles, delivery lorries, refuse collection vehicles and caravan.
- Visibility at the corner would be insufficient and fear this will cause collisions.
- Design not in keeping.
- Building still too high.
- Bin storage area shows a high wall and 'pitched' circular roof directly in front of our lounge window.

- Question accuracy of plans.
- Bin storage should be closer to original building.
- Lack of bins will cause vermin, mice, rats and seagulls to exacerbate existing situation.
- Building is too high and will negatively affect the look and feel of Albion Street and light to properties.
- As owner of No. 17 Brunswick Square I intend to occupy the premises as a single dwelling in my retirement.
- Cycle storage is now accessible.
- Only a token reduction in height.
- Redesign fails to recognise difference between the architecture of the Square and subservient development of Albion Street and Old Tram Road.
- Existing rear extension to No. 18 is a development error of that time and should not be used as precedence for further inappropriate development.
- Proposed site coverage is excessive prohibiting amenity space and parking.
- Lack of design resolution resulting from overdevelopment.
- Will significantly impact on enjoyment of nos. 17, 16, 15 and others by way of reducing sunlight and increasing sense of enclosure.
- Should not be any additional development.
- Submitted information is not sufficiently developed to ensure proposal is achievable.
- Any consent should exclude 'minor amendment' applications.
- There is a well or drain at the end of the site with a covenant to prevent it being built over.

Additional comments to current plans (7 letters) – new issues raised.

- Reinstate principle objections.
- Parking problems.
- Methodology of car parking survey was not competent and includes the existing two spaces that will be lost and Southgate Moorings which is a temporary car park.
- Substandard units only suitable for short term letting.
- Development would not contribute to long term benefit of the Square.
- Elsewhere this type of development has shown to lead to a decline in general standards.
- Out of keeping with Georgian Square.
- Tree will cause damage and cut out light to our property.
- All objection letters should be taken into account.
- Conservation Officer objects to height of building.
- Have been objections to building on this plot since 1974 on the grounds of the proposed building being overpowering and dominating our property as being too close.
- Removal of curved structure is an improvement provided the space is not abused.

- Reduction in units is token and benefit lost in increasing number of 2 beds. Favour larger units but not at expense of increased development.
- Pleased that access to bin/cycle store has been improved.
- Sunlight/overshadowing diagram does not impress and photo provided appears to be self-condemning.
- Bin/cycle store is inadequate. Need to secure open areas. Smells in an inhabited unit is a risk.
- Time taken to process application surely reflect adverse public opinion.
- Impact on neighbours would be lessened by further reducing overall numbers and height of new block.
- Previous observations should be taken into account as part of objection.
- Application for virtual site coverage has no local precedent and should be refused so applicant can seek a fresh view of his aspirations by way of an appeal.

5.4 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=15/00894/FUL> and <http://planningdocs.gloucester.gov.uk/default.aspx?custref=15/00895/LBC>

6.0 OFFICER OPINION

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

6.2 The applications seek planning permission and listed building consent for the redevelopment of the site and in total would create 13 flats. The main issues with regards to the determination of the two applications are set out below:

Conversion and alterations to the Listed Building

6.3 18 Brunswick Square is a Grade II listed heritage asset located in the Spa Conservation Area, adjacent to Albion Street and Old Tram Road. The site also includes a single storey brick building to the rear, referred to as the 'Old Tram Shed', together with limited car parking. The property is currently identified as 'vulnerable' on the City Council's Buildings at Risk Register.

6.4 The applications have been assessed in light of the NPPF in particular Section 12; Policy SD9 in the JCS Submission Version November 2014 and Policies BE.22, BE.23, BE.24, BE.25, BE.30 and BE.30a in the Second Deposit City of Gloucester Local Plan (2002).

6.5 Many original internal architectural features remain in the 1825 house, particularly on the ground & first floors. The concerns raised by the

Conservation Officer to the originally submitted plans have now been satisfactorily addressed. Where full height partitions were proposed to sub-divide rooms on the ground, first and second floor, these have been lowered to 1.8m thus avoiding the decorative cornice and retaining the feeling of the original proportions of the rooms. Where historic doors will not be used, they will remain in situ and sealed up but not boarded over.

- 6.6 The reference to dry lining all the outer walls has been removed. It is accepted that because the property is to be sub-divided into flats there will be a need for some form of sound insulation & fire protection. In addition the applicant has expressed a desire to have secondary glazing installed to the sash windows. The City Council's Conservation Officer has raised no objections to the proposed internal alterations subject to a number of conditions.
- 6.7 The single storey brick building, known as the 'Old Tram Shed' has been altered many times and is in a very poor state of repair. There has been some sort of building on this site since the house was built, probably originally a stable and coach house. Due to all the changes that it has gone through it appears to have very little merit. The review of the significance of this building in the Heritage Statement submitted with the application comes to the same conclusion. The advice given in the past is that any application to demolish this building should be accompanied by an application for a replacement building. On this basis there is no in principle objection to the demolition of this building subject to its suitable replacement.
- 6.8 The proposed conversion works are considered appropriate and subject to compliance with conditions requiring the retention of original architectural features and sympathetic conversion works this element of the scheme is considered to be acceptable.
- 6.9 The removal of the existing building at the site and the proposed replacement building development are considered to preserve and enhance the setting of the listed building.

Siting and Design of the Proposed Replacement Building

- 6.10 The site is located within the Spa Conservation Area. The statutory test is that proposals within the Conservation Area must either preserve or enhance its character or appearance.
- 6.11 It is considered that the development site in question should very much be seen in the context of being separate from the frontage building which fronts Brunswick Square. Brunswick Square and the Albion Street area are distinct character areas, with different scales of development and different styles of architecture. The area shown as occupied by the proposed modern block (units 9-13), although sited directly behind the Brunswick Square building, is at present occupied by a single-storey brick structure referred to as the Old Tram Shed. The surrounding properties are generally small scale 2-storey forms, rising to 3-storey at numbers 1 and 5.

- 6.12 The location plan clearly shows the grain of the existing area, with the Brunswick Square properties forming a distinct line of development, with their rear wings forming another line. The modern block to the rear generally falls under the line of out-buildings and garages which are clearly subservient to the main buildings and wings.
- 6.13 The revised design of the new apartment block to the rear, has taken into account concerns raised by Officers. The inclusion of two 2-bedroom flats is seen as a positive alteration and will widen the market for the properties and create a more sustainable form of development. It has been separated from the rear of the listed building with a single storey link and is lower in height. A further step down in roof height approximately two thirds of the way along provides an appropriate hierarchy in building form, thus reflecting the tradition of ancillary structures to the rear of large Georgian houses, with a good rhythm to the fenestration. The choice of final materials will be important and it is recommended that these be conditioned.
- 6.14 The existing tram shed is in a poor state of repair and detracts from the appearance of the area. Overall subject to the use of appropriate materials it is considered that the proposed buildings are of a good quality design and the character and appearance of the Conservation Area will be enhanced.

Highways and Parking

- 6.15 The site is located close to the Docks and City centre with good links to facilities and public transport. On street parking is controlled and the Highway Authority is satisfied that capacity exists in nearby off road public car parks. It should be noted that there are no longer local minimum or maximum parking standards.
- 6.16 The trip generation and parking demand for 13 flats would be less than that for the existing office use. The latest plans remove the existing on-site parking spaces and do not propose any off road parking provision for the occupants of the flats. Given the central location and nearby surrounding amenities, connections and public transport links the Highway Authority accepts that it would be possible to live in the location without a car for most journeys and existing on-street parking restrictions protect from any obstructive parking that may arise.
- 6.17 A parking survey has been undertaken and submitted in support of the application which indicates car parking capacity on the surrounding streets of 204 spaces during an evening period of 6pm-9pm with additional parking spaces available in nearby car parks. The Highway Authority is satisfied that there is sufficient car parking available in the area particularly when considered with the availability of alternative sustainable connections.
- 6.18 The revised floorplan proposes to accommodate the bin and cycle store on the ground floor between the existing building and new building. The new build element does not now extend beyond the existing rear elevation of the old tram shed building between Albion Street and Old Tram Road and

maintains the inter-visibility at the corner of Albion Street and Old Tram Road to the satisfaction of the Highway Authority.

- 6.19 Revised floor plan 1508/03i illustrates the front entrance to the new build rear extension flats opening inwards and therefore not obstructing pedestrian movements. The entrance doorway to the bin and cycle store has been widened to a metre width which is stated will be glazed with a vision panel on the east side of the door to aid in access and egress for bins and cycles shown on Revised elevations plan 1508/04g. In addition a window has been provided west of or to the right exiting the bin/cycle store doorway which should aid in providing adequate visibility for exiting users with bicycles and bins to see approaching pedestrians on the footway. Given the angle of the position of the doorway and vision panel provided existing users with cycles or bins should be able to see pedestrians approaching from the east around the corner of the existing rear elevation of 18 Brunswick Square. Therefore adequate inter-visibility is considered available that there would not be a significant risk of conflict.
- 6.20 The site is located close to the Docks and City centre and has good access to shops, services, jobs and public transport. The location of the site would provide opportunities for travel other than by the private car
- 6.21 Given the proximity of public car parks and on-street parking as well as the sustainable location of the site and the provision of secure cycle parking, the proposed development is considered to be acceptable and would be in accordance with Paragraph 39 of the NPPF.
- 6.22 Paragraph 32 of the NPPF states 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. As set out above, the cumulative impact of the proposed development is not considered to be severe and the Highway Authority has raised no objection to the revised drawings subject to the inclusion of conditions.

Residential Amenity

- 6.23 A number of concerns have been raised from occupiers of neighbouring properties with regards to overlooking, overshadowing and overbearing impacts.
- 6.24 There are no windows proposed in the rear or end elevations of the new build element. All windows face onto Albion Street towards the proposed new houses at the site of 19 Albion Street.
- 6.25 The nearest property to the development is no. 9 Albion Street which is approximately 7.5 metres from the closest corner of the wall of the proposed new building to the front corner of existing dwelling. The rear of the proposed new building would be approximately 12.5 metres from the front corner of no. 1 Old Tram Road. There are, however, no windows facing towards nos. 9 Albion Street, 1 Old Tram Road or the rear of properties in Brunswick Square.

- 6.26 These separation distances and positioning of windows are more than sufficient to ensure no significant harmful overlooking or impacts on neighbouring properties including those on the proposed new development at 19 Albion Street.
- 6.27 The proposed replacement building is located to the south west of number 17 Brunswick Square. 17 Brunswick Square is currently occupied as offices and the rear of the property is laid to hard surfacing and used as a car park. The daylight/sunlight analysis indicates that the proposed new building will result in some exacerbated overshadowing during the summer months towards the end of the car park. In addition the proposed new building will result in some additional overshadowing to nos. 1 Old Tram Road and 9 Albion Street during the winter months but would be unaffected during the summer.
- 6.28 The existing buildings on the site already cause a degree of overshadowing to the neighbouring properties. It is acknowledged that the proposed new building will result in some additional overshadowing of the neighbouring and adjacent properties during the winter months specifically number 1 Old Tram Road, 9 Albion Street and numbers 17, 16 and 15 Brunswick Square but on balance the degree of additional overshadowing as a result of the proposed development is considered to be limited and not significant enough to warrant a refusal of planning permission.
- 6.29 Considering the separation and orientation of windows, the proposal would not result in any demonstrable harm to the amenities of the occupiers of neighbouring properties by way of any significant overshadowing, overbearing or overlooking.

Housing Need

- 6.30 The National Planning Policy Framework (NPPF) requires local planning authorities to maintain a five year housing land supply of suitable, available and deliverable sites, such a supply also requires a 5% buffer. The annual quantum of residential development required to be delivered in the City is currently being established through the Joint Core Strategy Examination in Public. The latest position as set out in the form of a Note submitted to the JCS Inspector dated 25th April 2016 indicates that the City does have a 5 year supply.
- 6.31 The NPPF states that windfall capacity can be included in 5 year housing land supply where such a supply can be evidenced to have historically contributed to housing delivery. The housing trajectory for the City has an annual quantum for the delivery from windfall sites, i.e.: those sites previously not known to be available for the delivery of housing or promoted through the Strategic Assessment of Land Availability. This site would contribute to the windfall supply and assist in maintaining the 5 year housing supply in the City and therefore is to be welcomed.
- 6.32 It is also important to note that the site lies within the Gloucester Growth Housing Zone where the accelerated delivery of new housing is to be supported. Smaller sites such as this, generally delivered by small or medium

sized builders, help contribute to the delivery of new homes within the Housing Zone alongside the larger established regeneration sites which tend to be delivered by volume housebuilders. To maintain housing delivery in the City and the Housing Zone it is important to ensure a supply of both large and small consented sites that provide a pipeline for both national house builders and smaller local and medium sized companies.

- 6.33 In terms of housing delivery the application is supported as it will provide smaller units of accommodation in a central location suitable for entry level purchase or rent; alternatively the units will be suitable for older downsizers wishing to choose a sustainable location in which to live.
- 6.34 Overall the location of the site displays a number of sustainability credentials and is appropriate, in principle, for new housing

7.0 CONCLUSION

- 7.1 The proposal would make effective use of previously developed land in a sustainable location close to the Docks and City centre. The existing building to the rear of the site is in a poor state of repair. The existing property is currently identified as 'vulnerable' on the City Council's Buildings at Risk Register and the proposed development will bring the building back into a meaningful use. The Conservation Officer is satisfied with the proposed conversion and alterations to the listed building and the replacement building.
- 7.2 The proposed new building is of a good quality design, which although architecturally modern, would respect the traditional character of the area. The character and appearance of the Conservation Area would be enhanced.
- 7.3 The impacts of the proposal have been carefully considered and it is concluded that subject to compliance with conditions, the proposal would provide an appropriate mix of accommodation in a sustainable location and would not significantly harm the amenities of the occupiers of neighbouring properties; the character and appearance of the listed building or conservation area; or adversely impact highways safety. For these reasons the proposal is considered to be in accordance with the principles outlined in the NPPF, relevant policies of the Second Deposit City of Gloucester Local Plan (2002) and the requirements of the Planning (Listed Building and Conservation Areas) Act 1990.
- 7.4 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, and having regard to the relevant Development Plan policies set out earlier in the report and other relevant material considerations, the proposals are considered acceptable. The proposal has also been considered with regard to the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Area) Act 1990, which require special attention to be paid to the desirability of preserving nearby Listed Buildings and their setting, as well as preserving or enhancing the character or appearance of the Conservation Area.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

That planning permission is granted for planning application ref. 15/00894/FUL subject to the following conditions:

Condition 1

The development hereby permitted shall be begun before the expiration of 18 months from the date of this permission.

Reason

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

Condition 2

The development hereby permitted shall be carried out in accordance with the approved submitted forms, supporting information and amended drawing nos. 1508/03I, 04F and 06 received by the Local Planning Authority on 12th April 2016 as well as any other conditions attached to this permission.

Reason

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

Condition 3

The existing building, (the Old Tram Shed), shall not be demolished in accordance with this consent until a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason

Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Condition 4

No development or demolition shall take place until full details of the proposed phasing and schedule of works have been submitted to and approved in writing by the Local Planning Authority. The phasing scheme shall make specific provision to complete the works to the Grade II Listed Heritage Asset at an early stage in the development. The development shall be undertaken strictly in accordance with the approved schedule.

Reason

To ensure that the phasing is agreed prior to the commencement of development to ensure that the works to the Grade II Listed Heritage Asset are undertaken at an early stage in the development to preserve the integrity of the building which is currently identified as vulnerable on the City Council's

Building at Risk Register in accordance with Policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 5

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

Reason

to make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework and Policies BE.36, BE.37 & BE.38 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 6

No development shall commence other than demolition down to ground floor slab only until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works of the proposed development (including drains and services) has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved scheme.

Reason

The site may contain significant heritage assets. The Council requires that disturbance or damage by foundations and related works is minimised, and that archaeological remains are, where appropriate, preserved in situ. This 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 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. measures to control the emission and distribution of dust, dirt and debris during construction;
- vii. construction traffic routing

Reason

To ensure that appropriate measures are in place prior to the commencement of development to reduce the potential impact on the public highway and

accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

Condition 8

Notwithstanding the submitted details and prior to the commencement of any conversion works to the Listed Building, full architectural details and where appropriate samples of the following (in relation to the conversion works to the Listed Building part of the development) shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of the first flat and shall be similarly maintained thereafter: -

- (a) Scaled drawings of the new internal doors and doorways;
- (b) Scaled drawings of any proposed secondary glazing and means of fixing;
- (c) A method statement for the sealing off of historic doors;
- (d) The proposed method of providing sound insulation and fire protection to the occupiers of the flats;
- (e) The requirement for any external flues or means of extraction;
- (f) Detailed drawings (1:20 scale) of the proposed new windows on the south facing side elevation to the listed building, including sections at 1:5 and details of the finish;
- (g) A method statement for the fitting of new internal partition walls;
- (h) A method statement for the demolition of the brick shed;
- (i) The external paint scheme

Reason

The precise details of works to the listed building are required prior to the commencement of works in order to ensure a satisfactory appearance to the development and to safeguard the character and appearance of this building of historical interest in accordance with policy BE.7 & BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

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

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is

subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

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

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

B. Submission of Remediation Scheme

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

C. Implementation of Approved Remediation Scheme

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

Following completion of measures identified in the approved remediation scheme, a verification report (referred to elsewhere as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part

A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part B, which is subject to the approval in writing of the Local Planning Authority.

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

E. Long Term Monitoring and Maintenance

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

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

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

Reason

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

Condition 10

The development hereby permitted shall not commence until details for the disposal of foul and surface water have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include proposals for the disposal of surface water in accordance with the principles of Sustainable Urban Drainage Systems (SUDS) and shall be implemented prior to the first use or occupation of the development and maintained thereafter for the life of the development.

Reason

Details of these 'underground' works are required prior to construction in order to ensure satisfactory drainage arrangements are provided in accordance with sustainable objectives of Gloucester City Council and Central Government and policy FRP.6 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 11

Prior to any above ground works associated with the new build elements of this development, full architectural details and where appropriate samples of the following (in relation to the new-build elements) shall be submitted to and

approved by the local planning authority . The development shall be completed in accordance with the approved details and shall be similarly maintained thereafter:

- a) All external materials and finishes, including details of colour, profile and texture and mortar colour.
- b) 1:5 & 1:10 scale drawings of windows, external doors (including colour, profiles and their reveals), oriel windows, parapets and their cappings
- c) Flues, vents, guttering and down pipes, including details of material and colour.
- d) Details of the bin and bike stores
- e) Details of all external meter boxes and their enclosures.

Reason

To ensure a satisfactory appearance to the development and to safeguard the setting of the building of historical interest in accordance with policy BE.7 & BE.29 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 12

No part of the development hereby permitted shall be occupied until precise details of the hard and soft landscaping to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in all respects not later than the first planting season following the first occupation of any part of the development or the completion of the development, whichever is the sooner.

Reason

To ensure a satisfactory and well planned appearance to the development in accordance with policy BE.7 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 13

Notwithstanding the submitted drawings, no part of the development hereby permitted shall be occupied until the proposed bollards on the site have been provided in accordance with details which shall be submitted to and approved in writing by the local Planning Authority.

Reason

These details are not included in the application and are required to ensure a satisfactory appearance to the development and in accordance with policy BE.4 & BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 14

No dwelling shall be occupied until the footway has been constructed in general accordance with drawing 1508/06.

Reason

To reduce the potential impact on the public highway by ensuring safe and suitable pedestrian access to and from the site to ensure the development is designed to give priority to pedestrian and cycle movements and provide

access to high quality public transport facilities in accordance with paragraph 35 of the National Planning Policy Framework.

Condition 15

No dwelling shall be occupied until Details of a pedestrian crossover from the proposed footway on Albion Street across to the existing footway on Albion Street have been submitted and approved in writing by the local planning authority and constructed in accordance with approved details prior to dwelling occupation.

Reason

To reduce the potential impact on the public highway by ensuring safe and suitable pedestrian access to and from the site to ensure the development is designed to give priority to pedestrian and cycle movements and provide access to high quality public transport facilities in accordance with paragraph 35 of the National Planning Policy Framework.

Condition 16

The development hereby permitted shall not be occupied until the cycle and bin storage facilities have been made available for use in accordance with the submitted plan 1508/03i and those facilities shall be maintained for the duration of the development.

Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

Condition 17

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays. During these construction hours between 8.00am and 8.30am Monday to Friday and between 8.00am and 9.00am on Saturday, no power tools or machinery (other than portable hand tools) shall be used on site.

Reason

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

Condition 18

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

Reason

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

Notes

1. The proposed development may involve works to be carried out on the public highway and the Applicant/Developer would be required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.
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.
3. Notwithstanding the submitted drawings, this permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.
4. 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.

Statement of Positive and Proactive Engagement

In accordance with the requirements of the National Planning Policy Framework (2012), 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.

That Listed Building Consent is granted for application ref. 15/00895/LBC subject to the following conditions:

Condition 1

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

Reason

To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Condition 2

The development hereby permitted shall be carried out in accordance with the approved submitted forms, supporting information and amended drawing nos. 1508/03I, 04F and 06 received by the Local Planning Authority on 12th April 2016 as well as any other conditions attached to this permission.

Reason

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

Condition 3

The existing building, (the Old Tram Shed), shall not be demolished in accordance with this consent until a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason

Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Condition 4

No development or demolition shall take place until full details of the proposed phasing and schedule of works have been submitted to and approved in writing by the Local Planning Authority. The phasing scheme shall make specific provision to complete the works to the Grade II Listed Heritage Asset at an early stage in the development. The development shall be undertaken strictly in accordance with the approved schedule.

Reason

To ensure that the phasing is agreed prior to the commencement of development to ensure that the works to the Grade II Listed Heritage Asset are undertaken at an early stage in the development to preserve the integrity of the building which is currently identified as vulnerable on the City Council's Building at Risk Register in accordance with Policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 5

Unless otherwise shown on the approved plans all existing historic fabric and architectural features shall be retained and protected during the course of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason

To safeguard the character and appearance of this building of architectural and historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 6

Notwithstanding the submitted details and prior to the commencement of any conversion works to the Listed Building, full architectural details and where appropriate samples of the following (in relation to the conversion works to the Listed Building part of the development) shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of the first flat and shall be similarly maintained thereafter: -

- (a) Scaled drawings of the new internal doors and doorways;
- (b) Scaled drawings of any proposed secondary glazing and means of fixing;
- (c) A method statement for the sealing off of historic doors;
- (d) The proposed method of providing sound insulation and fire protection to the occupiers of the flats;
- (e) The requirement for any external flues or means of extraction;
- (f) Detailed drawings (1:20 scale) of the proposed new windows on the south facing side elevation to the listed building, including sections at 1:5 and details of the finish;
- (g) A method statement for the fitting of new internal partition walls;
- (h) A method statement for the demolition of the brick shed;
- (i) The external paint scheme

Reason

The precise details of works to the listed building are required prior to the commencement of works in order to ensure a satisfactory appearance to the development and to safeguard the character and appearance of this building of historical interest in accordance with policy BE.7 & BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 7

All works of external repair, restoration and replacement to the listed building are to exactly match the original features and materials unless otherwise agreed in writing by the Local Planning Authority. Any re-pointing should be in a lime mortar and any replacement stone and/or brickwork shall be approved in writing by the local planning authority, and the works shall be undertaken in accordance with the approved details.

Reason

To safeguard the character and appearance of this building of historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 8

The developer shall provide the City Council 7 days written notice of the date of the completion of the development to enable the building to be inspected and recorded by the City Council Conservation Officer.

Reason

To ensure compliance with the approved details and to safeguard the character and appearance of this building of special architectural or historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

No dwelling shall be occupied until the footway has been constructed in general accordance with drawing 1508/06.

Reason

To reduce the potential impact on the public highway by ensuring safe and suitable pedestrian access to and from the site to ensure the development is designed to give priority to pedestrian and cycle movements and provide access to high quality public transport facilities in accordance with paragraph 35 of the National Planning Policy Framework.

Condition 10

No dwelling shall be occupied until Details of a pedestrian crossover from the proposed footway on Albion Street across to the existing footway on Albion Street have been submitted and approved in writing by the local planning authority and constructed in accordance with approved details prior to dwelling occupation.

Reason

To reduce the potential impact on the public highway by ensuring safe and suitable pedestrian access to and from the site to ensure the development is designed to give priority to pedestrian and cycle movements and provide access to high quality public transport facilities in accordance with paragraph 35 of the National Planning Policy Framework.

Condition 11

The development hereby permitted shall not be occupied until the cycle and bin storage facilities have been made available for use in accordance with the submitted plan 1508/03i and those facilities shall be maintained for the duration of the development.

Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

Condition 12

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays. During these construction hours between 8.00am and 8.30am Monday to Friday and

between 8.00am and 9.00am on Saturday, no power tools or machinery (other than portable hand tools) shall be used on site.

Reason

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

Condition 13

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

Reason

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

Statement of Positive and Proactive Engagement

In accordance with the requirements of the National Planning Policy Framework (2012), the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Decision:

Notes:

Person to contact: Caroline Townley
(Tel: 396780.)

15/00894/FUL & 15/00895/LBC

18 Brunswick Square
Gloucester
GL1 1UG

Planning Committee 31.05.2016

