GLOUCESTER CITY COUNCIL

COMMITTEE : PLANNING

DATE : 7th November 2017

ADDRESS/LOCATION : Land around Victoria Dock, The Docks

APPLICATION NO. & WARD : 17/01007/FUL

WESTGATE

EXPIRY DATE : 8th November 2017

APPLICANT : Gloucester Quays LLP

PROPOSAL : Temporary use of Mariners Square and

Victoria Dock for Christmas Markets and associated development. Proposal includes the erection of temporary buildings and plant. Permission sought for the Christmas and New Year periods 2017/18 & 2018/19

from 31 October to 15 January

REPORT BY : ADAM SMITH

NO. OF APPENDICES/ : SITE PLAN

OBJECTIONS PROPOSED SITE LAYOUT

1.0 SITE DESCRIPTION

- 1.1 The application site comprises land immediately to the north, east and south of Victoria basin, up to the Soldiers Museum at the north, the Southgate Moorings car park to the east, the Barge Arm flat blocks at the south and Mariners Church to the west. The application site does not include the Orchard Square area where the Christmas market and ice rink was located last year (and is still intended to be in forthcoming years).
- 1.2 In terms of the neighbouring buildings, there are residential units in the following;
 - The two 'Barge Arm' buildings to the south of the site;
 - Biddle and Shiptons; Double Reynolds; Vinings; and Albert Warehouses around the south western parts of the site;
 - Merchants Quay beyond Victoria Dock to the west of the site;
 - Priday Mill on Commercial Road, to the north west of the site;
 - Multiple residential properties on Southgate Street to the east of the site.

2.0 **PROPOSAL**

- 2.1 In effect, the proposal represents the extension of Gloucester Quays' Christmas activities, which have focused on Orchard Square previously with the ice rink and market stalls, etc. Members will be aware that a range of festivals already take place across this Docks area at various points through the year. It is the duration of the use in this case that means it requires planning permission. Permission for the activities in Orchard Square for the 2016/17, 2017/18 and 2018/19 Christmas was granted under ref. 16/01212/FUL subject to certain conditions. It is intended that those activities continue. The current proposal is for additional activities from Orchard Square northwards.
- 2.2 The proposal includes up to 140 market cabins sited between Albion Cottages and the McColls unit in the Barge Arm, across the open area between the Barge Arm block and Victoria Dock/Albert Warehouse, up the east side of the Dock and between the Dock and the Museum/27-29 Commercial Road at the north. In addition the proposal is for;
 - A traditional carousel to the south of Victoria Dock:
 - A bandstand between the Barge Arm flats and Albert Warehouse hosting seasonal live music and theatrical performances throughout the day until 6:30pm;
 - The 'big red bus' bar by the Docks entrance (converted double decker bus);
 - A helter skelter in front of the Soldiers Museum (this is the item noted as 'large features' on the submitted drawing and is clarified in the supporting documents).
- 2.3 These are sought for a temporary period from 31st October to 15th January for 2017/18 and 2018/19. The structures would be removed at the end of the periods sought. The applicant notes that these periods include an approximate 2 week period at the beginning and end to allow for construction and dismantling.
- 2.4 The application documents indicate that the northern part of the site would only represent an expansion of the activities from 2018 onwards, this includes the helter skelter.
- 2.5 The site is within the Docks Conservation Area, and there are numerous listed buildings in the vicinity.
- 2.6 The application is referred to the planning committee as it involves land in which the Council has an interest, and objections have been received.

3.0 RELEVANT PLANNING HISTORY

Adjacent land to south - 16/01212/FUL.

3.1 Temporary use of Orchard Square for the siting of an Ice Rink, Christmas Market and associated development. Proposal includes the erection of temporary buildings and plant. Permission sought for the Christmas and New

Year periods 2016/17, 2017/18 and 2018/19 from 31 October until 15 January. Granted subject to conditions 28.11.2016.

4.0 PLANNING POLICIES

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

Central Government Guidance - National Planning Policy Framework

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

Core planning principles

The NPPF sets out that planning should, among other things;

- Proactively drive and support sustainable economic development;
- Secure high quality design and a good standard of amenity;
- Take account of the different roles and character of different areas;
- 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:

It also includes more detailed guidance on;

Traffic and transport, requiring that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Good design, which should respond to local character and history, and create safe and accessible environments:

Conserving and enhancing the natural environment, including noise pollution – where planning should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;

Conserving and enhancing the historic environment, noting the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and establishing tests where harm to significance may be caused.

Planning conditions

Planning conditions should only be imposed where they are

Necessary;

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

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

The Development Plan

Local Plan

- 4.3 The 1983 Local Plan is more than thirty years old and, according to the Inspector who dealt with an appeal relating to the Peel Centre, St. Ann Way (13/00559/FUL), '...its sheer ages suggests it must be out of date...' (par. 11 of the Inspector's report). Therefore it is considered that the 1983 Local Plan is out-of-date and superseded by later planning policy including the NPPF.
- 4.4 Subsequent to the 1983 plan there has also been the City of Gloucester (Pre-1991 Boundary Extension) Interim Adoption Copy October 1996), and City of Gloucester First Stage Deposit Local Plan (June 2001).
- 4.5 Regard must also be had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. This cannot be saved as it is not a formally adopted plan, however with it being adopted for development control purposes it is still judged to be a material consideration.

4.6 2002 Plan Policies

FRP.9 – Light pollution

FRP.10 – Noise

FRP.11 – Pollution

BE.1 – Scale, massing and height

BE.2 – Views and skyline

BE.4 – Criteria for the layout, circulation and landscape of new development

BE.5 – Community safety

BE.6 – Access for all

BE.7 – Architectural design

BE.21 – Safeguarding of amenity

BE.23 – Development affecting the setting of a listed building

BE.29 – Development within Conservation Areas

TR.9 – Parking standards

TR.31 – Road safety

Emerging Plan

- 4.7 On adoption, the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy and Gloucester City Plan will provide a revised planning policy framework for the Council. In the interim period, as set out in the NPPF, 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

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Main Modifications Version, February 2017)

- 4.8 The Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Borough Councils (JCS) which was submitted for examination on 20 November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and are a material consideration. The Inspector published her Interim Findings in May 2016 and consultation on the Main Modifications took place in February/March 2017. Further examination hearings in relation to the Main Modifications were held in July 2017.
- 4.9 The JCS has therefore reached a further advanced stage, but it is not yet formally part of the development plan for the area and the weight that can be attached to each of its policies will be subject to the criteria set out above, including the extent to which there are unresolved objections.
- 4.10 The following policies in the JCS are of relevance and the plan is subject to representations through the consultation which affects the weight that can be attributed to the policy;

SD5 – Design requirements

SD9 – Historic environment

SD15 – Health and environmental quality

INF1 - Transport

Gloucester City Plan

4.11 The Draft Gloucester City Plan and "call for sites" was subject to consultation January and February 2017. The Plan is at an early stage and therefore carries limited weight.

Docks Conservation Area Appraisal

- 4.12 The site is within the 'Gloucester Docks' character area of the Conservation Area and is within the setting of several listed buildings.
- 4.13 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/.

5.0 CONSULTATIONS

5.1 The Conservation Officer notes that the use is temporary with the erection of freestanding sheds and marquees and therefore as the proposal does not involve permanent structures has no objections to the proposal as there will be no harm to the historic fabric or historic buildings within the area.

- 5.2 The Civic Trust was consulted but at the time of the report preparation has not commented.
- 5.3 The Highway Authority raises no objection.
- 5.4 The Environmental Health Officer raises no overall objection but raises three issues he seeks to prohibit amplified sound at the 'big red bus', restrict the bandstand use to the times set out in the application, and notes that a noise assessment may be required depending on what features are located at the '2018 expansion' area at the northern part of the site.
- 5.5 The Canal and River Trust (CRT) supports proposals to bring recreational facilities to the Docks and enliven these areas. They have made several observations as follows, and recommend that if permission is granted an informative note is added about the applicant contacting their waterways engineer.

In addition to the access rights and servicing arrangements listed by the applicant in paragraph 2.2.7 of the Transport Assessment, CRT notes that boaters mooring in Victoria Dock are permitted vehicular access for a maximum of 30 minutes for loading and unloading purposes. Access would also need to be retained for maintenance contractors, who visit the site for the surface litter clearance of the basin 3 times a week, and refuse vehicles that empty the Biffa bin store near the steps up to Southgate Street. The applicant recognises the need to retain access to Victoria Dock throughout the duration of the market for some existing uses, has carried out a swept path analysis for refuse and emergency vehicles and proposes that any vehicle travelling along Victoria Dock during opening times would be walked through the market by Gloucester Quays or security staff. Would welcome the applicant's confirmation that the Trust's access requirements, and those of our mooring customers, can be met.

CRT suggests that the Council should consider the impact on boaters mooring in Victoria Dock when it considers the applicant's noise assessment and the relevant policies. Boats frequently have a lower standard of insulation than buildings and the occupiers can, therefore, be more susceptible to noise disturbance.

6.0 PUBLICITY AND REPRESENTATIONS

- 6.1 242 neighbouring properties were notified and press and site notices were published.
- 6.2 4 representations have been received and may be summarised as follows;
 - · A resident in the Barge Arm apartment block commented specifically on the ice rink. They face the location occupied by the ice rink generators and chiller units last year:

They experienced noise issues from both the generator exhaust noise and the chiller units ventilation fan noise last year. The wooden acoustic enclosure made some limited improvement. They note that installing the units within the existing Orchard Square canopy and building noise prevention walling will no doubt help to some extent.

They raised concern about the diesel generators and the required exhaust ventilation noise, plus the chiller units and their required ventilation noise. The siting would be detrimental to residents of both The Barge Arm and Barge Arm East, particularly if the exhaust and ventilation units are positioned through the acoustic walls at either end of the canopy or on the canal side and opposite the residential apartments. They noted that when the air is mild and windows might be open, the plant is also operational to deal with the ice rink, and at its noisiest.

- · A second resident raised concerns about the siting of generators and chillers for the ice rink and asked if they can be placed away from the water edge at the top of the site 'in front of Fridays' (* Officer note it is assumed that this refers to TGI Fridays restaurant) on the basis of helping alleviate nuisance.
- (* Officer note on these first two comments this application does not relate to the ice rink and associated plant)
- · A third resident considered the application to be, in parts, misleading and inaccurate, noting that;

Applicant employs selective use of national planning guidelines (NPPF).

Applicant ignores involvement of local communities in the planning process.

No mention of any consultation with residents or even with the Docks Management Company.

Failure to mention that the area is overwhelmingly residential in character with 270 flats, about 400 residents and only 17 commercial businesses. The Events Management Team had a poor relationship with residents and had no meetings with them. The new team has had one meeting with residents, hosted in a noisy bar which took place after the application had been submitted giving no opportunity for residents to influence the plan. At that meeting residents made very clear their opposition to Gloucester Quays' events plans.

They suggested that the application for the following year should be rejected until the applicant or the City Council completes the NPPF-required consultations with the docks residential community, in line with Gloucester City Council's declared policy to listen to residents.

- \cdot A fourth resident noted that they endorsed the other comments submitted, adding that it is imperative that at no time is any resident unable to access their front door by foot or by vehicle, and no damage shall be caused to any part of the Docks estate by vehicles or features.
- 6.3 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting.

http://planningdocs.gloucester.gov.uk/default.aspx?custref=17/01007/FU

7.0 OFFICER OPINION

- 7.1 It is considered that the main issues with regard to this application are as follows:
 - Principle
 - Residential amenity and noise considerations
 - Heritage/design
 - Traffic and transport

Principle

- 7.2 The NPPF seeks to support economic growth, recognises town centres as the heart of communities and seeks to support their viability and vitality. It adopts a sequential test for main town centre uses focusing on town centres first (which for retail proposals is the primary shopping area), then edge, then out of centre sites, and also an impact test for proposals outside of town centres. The 2002 Plan pre-dates the NPPF but includes at Policy S4a a similar approach to the sequential and impact tests for retail development (as does Policy SD3 of the emerging Joint Core Strategy), and at Policies ST.4 and ST.5 seeks to minimise the need for car travel, and locate within the central area developments that attract a lot of people or which are intended to serve the whole city or wider area.
- 7.3 The site is within the city centre area and is considered to be a sustainable location with public transport options available in the locality. Events at the Docks are now well established. The proposals are likely to represent a continued visitor attraction for the City which weighs in favour of the application. While the site is outside the primary shopping area and therefore out of centre for the purposes of considering retail applications, the nature and temporary duration of the proposal is such that the principle of the development is considered acceptable subject to assessment against other planning considerations in the remaining sections of this report.

Residential amenity and noise considerations

7.4 Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraphs 109, 120 and 123 deal with noise pollution setting out that planning should prevent noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Planning decisions should mitigate and reduce to a minimum adverse impacts on health and quality of life arising from noise from new developments, including through the use of conditions. Policy SD15 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants and Policy BE.21 of the 2002 Plan seeks to protect amenity. In addition to this Policies FRP.10 and 11 of the 2002 Plan restrict development generating unacceptable levels of noise.

- 7.5 The area is mixed use in character although there is a large amount of residential units within the various flat blocks (as context, the Council's neighbour notifications for this application were sent to 242 premises). Residential properties at the Barge Arm and Albert Warehouse face directly onto the application site, while other residential blocks such as Biddle and Shipton, Double Reynolds and Vinings Warehouses, Merchants Quay, and Priday Mill are all in fairly close proximity.
- 7.6 The applicants consider that in this central, mixed-use area it is to be expected that a degree of noise and disturbance from the local vibrancy is to be expected. However as the policies outlined above set out, there is also clearly a need to protect local residents from significant impacts on the amenities they enjoy in their homes.
- 7.7 In terms of background, there have been noise complaints associated with the 'big red bus' bar in previous Docks events (it is also shown as part of this Christmas event proposal), and the representations received on this application indicate a level of dissatisfaction with previous events among some local residents. It should be noted that this application relates only to the 'new' proposals for the market from the Barge Arm northwards. It does not relate to the ice rink and associated facilities in Orchard Square, which have already been granted planning permission. These appear to be the focus of two of the representations. I understand that the big red bus bar previously had a DJ and soundsystem, which is no longer part of this attraction.
- 7.8 The market would operate from 1000 to 1800hrs Monday to Wednesday, from 1000 to 2000hrs Thursday to Saturday and 1000 to 1700hrs Sundays. The application also notes that for the 2017/18 period the stalls will only trade from 16th to 27th November.
- 7.9 The bandstand and carousel would be operational in the daytime not the evening. Specifically, the bandstand would operate between 1200 and 1830hrs Monday to Saturday, and between 1200 and 1630hrs Sundays. Performances are likely to include choirs, brass bands, Victorian themed theatrical performances and other festive acts. An example schedule of performances is included in the application.
- 7.10 Temporary generators are proposed to power the market and other facilities. The scheme would involve the use of generators between 0800 and 2100hours at most.
- 7.11 A noise report has been submitted on the recommendation of the Council's Environmental Health Officer. Noise surveys were undertaken and receptor locations were selected to represent the worst-case residential impacts around the site, and the assessment was made for windows being open and closed. The report concludes that no adverse effect would arise and no additional mitigation is required. The study shows noise levels below background noise levels at surrounding properties. Specifically, worst-case noise levels from generators are predicted to be at least 9dB below background noise levels at the closest receptors, which falls below the Lowest

Observed Adverse Effect Level (LOAEL) and is considered to represent a low impact. The worst case internal noise levels from the generators are predicted to be within the BS8233 noise intrusion criteria at all residential receptor locations with the windows open or closed during daytime periods. In addition, the applicant agreed to undertake a letter drop to residents with management details so that any concerns can be raised directly with the operators.

- 7.12 The Canal and River Trust raises the issue of impact on persons using barges in Victoria Dock. Notwithstanding that the boaters in the adjacent moorings are likely to be classed as transient recreational users, it is not considered that there would be undue adverse noise effects given the studies undertaken on the limited noise impacts and the cessation of use of the generators at 9pm at latest.
- 7.13 The Environmental Health Officer has reviewed the application and raises no overall objection subject to specifying certain comments. These can be addressed by conditions:
 - Firstly it is proposed that amplified sound is limited to that employed for the bandstand. I understand that the offending soundsystem used on the big red bus previously is no longer proposed anyway, but this condition would prevent such an occurrence, notably given that this impact has not been assessed in the planning application.
 - Secondly it is proposed that a condition limits the times of the bandstand's use and this would also be in line with what the applicant proposes and protect the amenities of residents.
 - Thirdly, the attraction at the northern expansion area that is of concern to the Environmental Health Officer, is stated to be a helter skelter. It is possible that this might be sought with associated music or sound effects. A condition to prevent amplified sound other than to the bandstand would ameliorate any potential impact.
- 7.14 In terms of impacts from the physical presence of the structures, the most noteworthy is the helter skelter at 14.5m high. The separation from residential properties (approximately 15m at the closest point) and temporary duration of its presence indicate that it would cause no significant harm to amenity. All the other structures are of such a scale and location that they would not be harmful either as a result of their physical presence.
- 7.15 Overall it is considered that, subject to conditions, the proposal complies with the above-cited policy in terms of residential amenity and no objection is raised in these terms.

Heritage/design

7.16 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides 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'. Sections 16(2) and 66(1) provide that the determining authority shall have special regard to the desirability of preserving a listed building or its setting.

- 7.17 Chapter 12 of the National Planning Policy Framework sets out the importance of protecting and enhancing the historic environment, and conserving heritage assets in a manner appropriate to their significance. In particular, paragraph 131 states that in determining planning applications, local authorities should take account of 'the desirability of sustaining and enhancing the significance of heritage assets'.
- 7.18 The development affects the character and appearance of the Docks Conservation Area and the setting of several grade 2 listed warehouses, Mariners Church and buildings on Commercial Road.
- 7.19 The structures will be in place temporarily and their effect will not be lasting on these heritage assets.
- 7.20 While the 1990 Listed Buildings and Conservation Areas Act conveys a special duty to have regard to heritage assets, no permanent harm would be caused and no objection is raised in these terms, nor against the above cited policy in relation to heritage matters.

Traffic and transport

- 7.21 The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network. Policy TR31 of the 2002 Plan seeks to ensure that new proposals deal satisfactorily with highway safety issues.
- 7.22 The proposed extension to the existing Christmas Market is expected to generate additional trips to the site, however it is expected that these activities would be undertaken in conjunction with other shopping and/or leisure activities within the City Centre/ Quays Outlet. Accordingly, many of the trips associated with the development would already be on the network, linked to existing trips into and out of the City.
- 7.23 There is no specific on-site parking within the application proposals but in this City Centre location the site is accessible via sustainable modes such as walking, cycling and public transport, and parking requirements would be adequately served by the existing parking facilities within the City Centre and at the Quays, some of which are immediately adjacent to the market area. It is noted that customers of the market would in the first instance be directed to use public transport or other sustainable modes of transport, and where the travel mode is by private car, customers would be directed to use the Quays Outlet car park or Park and Ride. There are around 2000 car parking spaces within a 5 10 minute walk from the site.
- 7.24 Vehicle tracking has been illustrated within the Transport Statement to demonstrate servicing, refuse and emergency vehicle manoeuvres along the routes kept open from the activities. A refuse vehicle can enter, manoeuvre within and egress the site safely in a forward gear without conflict and the arrangement is considered acceptable. Refuse storage and collection would be commercially managed by the Quays Outlet waste management and

therefore is not expected to impact on the highway. In relation to the Canal and River Trust's specific comments, the applicant has confirmed that the access concession that they refer to will be accommodated in the proposal, and also that access to the area for maintenance contractors can and will be accommodated.

7.25 The Highway Authority raises no objection. No severe residual impact would be caused to the highway. It is considered that the proposal complies with the above-cited policy in terms of highway safety.

Servicing and management

- 7.26 Servicing of the market stalls would be during restricted hours prior to the opening of the market in the morning (pre-0930hrs). Existing service access to persons using The Docks would be maintained generally.
- 7.27 The aspiration is to limit servicing to existing businesses to times outside of market opening. Any servicing which has the rights to take place during the operation of the market would have to give adequate notice and would be escorted to ensure no danger to market holders or visitors.
- 7.28 The market areas would be subject to regular litter collections by the Docks cleaning team and waste disposal as an extension to the operation of the outlet centre. Stall holders would be required to remove their own waste at the end of each day.
- 7.29 It is proposed that the existing Gloucester Quays security patrols would be extended during the day to take in the market area. Additional security would also be deployed overnight and at weekends for the duration of the ice rink (on Orchard Square to the south of the site) and the market to ensure that there is no unauthorised use or anti social behaviour.

Objectors' other comments

- 7.30 In relation to the objectors' comments, two are in relation to the ice rink, which this application does not deal with. In relation to concerns about community involvement, this is encouraged in guidance and would appear to be sensible in my view to seek to ensure ongoing good relations. However, the absence of, or quality of, community involvement in this project, would not form a reason for refusal in my view, and the material considerations have been reviewed here and the scheme is judged to be acceptable.
- 7.31 Access is shown to be retained to Docks buildings and there appears to be no indication that residents would be unable to access their front door by foot or by vehicle. Any damage to any part of the Docks estate would need to be taken up by the estate management team, and it does not appear to be an inevitable impact of the proposals.

8.0 CONCLUSION

8.1 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.

8.2 Subject to certain conditions to control activities in the interests of the amenities of the area the proposal would comply with the policy context set out above.

9.0 <u>RECOMMENDATIONS OF THE CITY GROWTH AND DELIVERY</u> <u>MANAGER</u>

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

Condition 1

The uses hereby permitted shall permanently cease and the land shall be restored to its former condition on or before 15th January 2019. Within that period the uses shall only be undertaken during the periods 31st October 2017 to 15th January 2018 and 31st October 2018 to 15th January 2019. Outside of these times associated structures and materials shall be removed from the site.

Reason

To clarify the terms on which the application is granted and to preserve the character and appearance of the Conservation Area and setting of the neighbouring listed buildings in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Main Modifications Version 2017, Paragraphs 58 and 131 of the National Planning Policy Framework and Policies BE.7, BE.23 and BE.29 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 2

During the period from 31st October 2017 to 15th January 2018 the development shall be undertaken in accordance with the layout plan ref. GFM-3.3-0809 – WHOLE SITE (Option A) received by the Local Planning Authority on 12th September 2017 unless otherwise required by conditions of this permission.

Reason

To maintain servicing and operational arrangements including to the waterway infrastructure and preserve the amenities of the locality in accordance with Policies FRP.9, FRP.10, FRP.11, BE.5 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policies SD5 and SD15 of the Joint Core Strategy Main Modifications Version 2017 and Paragraphs 17, 32 and 58 of the NPPF.

Condition 3

Within the authorised period of development in 2018/2019 the development shall be undertaken in accordance with a site layout plan that shall be

submitted to and approved in writing in advance by the Local Planning Authority. The site layout plan shall be submitted to the Local Planning Authority not less than 8 weeks in advance of the anticipated date of commencement of construction works on site.

Reason

To maintain servicing and operational arrangements including to the waterway infrastructure and preserve the amenities of the locality in accordance with Policies FRP.9, FRP.10, FRP.11, BE.5 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policies SD5 and SD15 of the Joint Core Strategy Main Modifications Version 2017 and Paragraphs 17, 32 and 58 of the NPPF.

Condition 4

Within the periods authorised by Condition 1, except where otherwise controlled by conditions of this permission, the uses hereby permitted shall only take place within the site between

0800hours and 1900hours Mondays to Wednesdays 0800hours and 2100hours Thursdays to Saturdays, and 0800hours and 1800hours Sundays.

Reason

In accordance with that proposed in the application, to safeguard the amenities of the area in accordance with Policies FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Main Modifications Version 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 5

The market stalls shall only be open to trade to customers between

1000hours and 1800hours Mondays to Wednesdays 1000hours and 2000hours Thursdays to Saturdays, and 1000hours and 1700hours Sundays.

Reason

In accordance with that proposed in the application, to safeguard the amenities of the area in accordance with Policies FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Main Modifications Version 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 6

The use of generators shall only take place within the site between

0800hours and 1900hours Mondays to Wednesdays

0800hours and 2100hours Thursdays to Saturdays, and 0800hours and 1800hours Sundays.

Reason

In accordance with that proposed in the application, to safeguard the amenities of the area in accordance with Policies FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Main Modifications Version 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 7

The bandstand shall only be used between

1200hours and 1830hours Monday to Saturday, and 1200hours and 1630hours Sundays.

Reason

To safeguard the amenities of the area in accordance with Policies FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Main Modifications Version 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 8

No amplified sound system shall be used anywhere on the site except in association with the bandstand and the amplified sound system shall not be used outside of the following hours: 1200 to 1830hrs Monday to Saturday, and 1200 to 1630hrs Sundays.

Reason

To safeguard the amenities of the area in accordance with Policies FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Main Modifications Version 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 9

Construction and dismantling of the structures associated with the development and the delivery and collection of materials shall be limited to the times of 0800hours to 1800hours Monday to Friday, 0800hours to 1300hours Saturdays and no construction/dismantling works or delivery/collection of materials shall take place at any time on Sundays or bank holidays.

Reason

To safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Main Modifications Version 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Decision:		 	
Notes:		 	
Person to contact:	Adam Smith (Tel: 396702)		

17/01007/FUL



Orchard Square The Docks Gloucester

Planning Committee 07.11.2017



