

LATE MATERIAL (APPLICATIONS FOR DETERMINATION)

PLANNING COMMITTEE: 7TH NOVEMBER 2017

ITEM 5 – LAND AROUND VICTORIA DOCK, GLOUCESTER DOCKS – 17/01007/FUL

REQUEST FROM THE APPLICANT TO AMEND A DRAFT CONDITION

Having reviewed the proposed conditions in the Committee Report, the applicant has requested that draft Condition 8 be altered, because they wish to play seasonal background music via a speaker system. As drafted, this proposal would breach Condition 8 (which seeks to limit the use of amplified sound other than to the bandstand).

A technical note examining the noise impacts has been submitted in support of this request.

Within the application site the proposals include 4 speakers at 2m height sited along the market stalls to the east of Victoria Dock, and these have been assessed operating simultaneously.

The noise levels at all receptors are predicted to be within the BS8233 criteria and the Lowest Observed Adverse Effect Level.

The Environmental Health Officer accepts the technical note and is satisfied with condition 8 being altered to allow the playing of seasonal music in accordance with the note.

UPDATE ON STATUS OF THE JOINT CORE STRATEGY

The JCS Inspector's report was received in October 2017 and concluded that, subject to the main modifications and an immediate partial review, the JCS is sound and legally compliant. Therefore, in accordance with paragraph 216 of the NPPF, it is considered that the JCS policies can be given very significant weight.

REVISED RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER:

That planning permission is granted subject to the conditions in the Committee Report with the exception of Condition 8 which shall be altered as follows:

Amended Condition 8

No amplified sound system shall be used anywhere on the site except a) in association with the bandstand and b) to provide background seasonal music that shall be undertaken in accordance with the technical note received by the Local Planning Authority on 6th November 2017. The amplified sound system for the bandstand shall not be used outside of the following hours: 1200 to 1830hrs Monday to Saturday, and 1200 to 1630hrs Sundays. The amplified sound system for the background seasonal music shall not be used outside the trading hours of the market stalls set out in Condition 5.

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.