

GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **9TH JANUARY 2018**

ADDRESS/LOCATION : **25-31 EASTGATE STREET**

APPLICATION NO. & WARD : **17/01177/FUL
WESTGATE**

EXPIRY DATE : **13TH DECEMBER 2017**

APPLICANT : **REEF ESTATES LTD**

PROPOSAL : **Eastgate Street facade refurbishment works, relocation of concrete artwork panels, extension of building at ground floor over highway, alteration of existing canopy over Eastgate Street, and subdivision of the former BHS retail store to provide a class A1 retail unit over ground and first floor along with a new class A1/A3 Cafe unit at ground floor and associated outdoor seating area.**

REPORT BY : **ADAM SMITH**

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

1.0 SITE DESCRIPTION AND PROPOSAL

1.1 The application site is 25-31 Eastgate Street. This comprises the former BHS retail unit, and the adjacent Dorothy Perkins/Burtons retail unit to the north west. The site also includes part of Eastgate Street in front of the former BHS unit. The site is within the City Centre Conservation Area and there are listed buildings adjacent to the north west (the Guildhall) and on the opposite side of Eastgate Street (the Eastgate Centre entrance portico).

1.2 The application proposes:
Subdivision of the former BHS unit to provide a new Class A1/A3 café unit of 186sq m (retention of the remainder of the building for the existing A1 retail use)
An associated external seating area for the café unit to the front within Eastgate Street
Extension of the ground floor of the former BHS unit forwards to infill the current undercroft area including new shopfronts

Infill extension of the entrance area of the Dorothy Perkins/Burtons unit and new shopfront
Replacement of the existing canopy at the Dorothy Perkins/Burtons unit with a new shorter canopy
Replacement windows to the upper floors

- 1.3 The application is referred to the planning committee as it involves Council land and an objection has been received.

2.0 RELEVANT PLANNING HISTORY

- 2.1 No relevant recent history. It appears that the building may have gained planning permission in the mid 1960s.

3.0 PLANNING POLICIES

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

Central Government Guidance - National Planning Policy Framework

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

Decision-making

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

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

The NPPF includes relevant guidance on ensuring the vitality of town centres, promoting sustainable transport, requiring good design, and conserving and enhancing the natural and historic environment. These are commented on in more detail in the Officer considerations below.

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.

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

The Development Plan

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adoption Version, 2017)

- 3.3 The Joint Core Strategy has been adopted by all 3 Councils and therefore is now a statutory development plan. Relevant policies from the JCS include:

SP2 – Distribution of new development
 SD2 – Retail and city/town centres
 SD4 – Design requirements
 SD8 – Historic environment
 SD14 – Health and environmental quality
 INF1 – Transport network

Emerging Development Plan

Gloucester City Plan

- 3.4 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 in accordance with paragraph 216 of the NPPF.

Other Relevant Planning Policy Documents

- 3.5 Regard must also be had to certain policies of 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. However the majority of policies in this Plan are no longer relied upon because they are superseded by policies of the adopted Joint Core Strategy, lack of compliance with the NPPF, or the policies relate to completed developments.

2002 Plan designations

Conservation Area
 Area of principal archaeological interest

Still-relevant 2002 Plan Policies

BE.11 – Shopfronts, shutters and signs

Supplementary Planning Documents

- 3.6 Shopfronts, Shutters and Signage: Design Guidelines for Gloucester (Adopted November 2017)
- 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 The Conservation Officer commented originally and noted the site location within the City Centre Conservation Area and adjacent to the grade 2 listed Guildhall, and the intended re-location of the artwork panels from BHS to a blind elevation on Clarence Street, and concluded the following;
- reconfiguration of shop front to BHS would create a more active frontage to the building;
 - partial removal of large canopy to Dorothy Perkins would improve the visibility of the Guild Hall façade;
 - overall the proposed changes should be considered an enhancement to the Conservation Area;
 - the scheme has taken on board the Conservation Officer’s comments offered previously and adjusted the scheme to reflect these;
 - the application can be supported.

The Principal Conservation Officer has also reviewed the application specifically the issue of the artwork panels on the Eastgate Street frontage and the issue of their significance. The Officer has suggested that conditions are imposed to require a building recording exercise to be undertaken of the panels, and their removal and storage.

- 4.2 The Civic Trust has commented:
- Support retention of mural and relocation to Clarence Street with interpretation;
 - Concerns about whether it is removeable – this is unresolved;
 - Extension will necessitate an archaeological condition;
 - Narrowing of pavement area is not of concern;
 - Revised canopy will improve view of Guildhall and improve design;
 - Welcome cleaning of slate and stone frontage.
- 4.3 The Highway Authority raised no objection subject to conditions to secure cycle parking, and prevent doors opening outwards onto the street. The Highway Authority also considered further the issue of the impact of the proposed extension on pedestrian passage over recent weeks and has now confirmed that they raise no objection in this regard subject to a condition that would require street furniture to be relocated away from the new unit frontage to give a 4 metre clearance from the new shop frontage.

- 4.4 The Environmental Health Officer raises no objection subject to a condition to secure the installation and maintenance of a suitable kitchen extraction system to the café.
- 4.5 The City Archaeologist raises no in-principle objection and recommends a condition to secure a programme of archaeological work and approval of the foundation design and ground works.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 13 neighbouring properties were notified and press and site notices were published.
- 5.2 An objection has been received from WH Smith, which occupies the adjacent unit to the east, and may be summarised as follows:
- Reduced visibility to the WH Smith unit;
 - Reduced accessibility along Eastgate Street as a result of narrowing the street;
 - Potential long term harm to the commercial viability of the WH Smith unit;
 - Little evidence put forward in application to support need for additional floorspace, and unclear whether it would actually increase interest in the unit;
 - Council should ask for evidence of the need for the extension and why the coffee shop is required.
 - Proposal would contradict emerging City Plan Policy C2B as it would result in a reduction in the Primary Shopping Area's vitality if long term trading patterns are adversely affected, and reduced accessibility on Eastgate Street.
 - Safety issues in the case of emergencies.

A City Councillor has also commented, which may be summarised as follows:

The three murals should be removed safely and relocated to another location, confirmation is needed about how they will safely remove them. This is good public art and should be saved for the future.

The proposals to relocate the murals to Clarence Street is acceptable, but they must be fixed to their new location in a way that means that they could be relocated in future.

The murals should be displayed and illuminated in a way that shows them off most effectively and have an interpretation board nearby explaining how they were made, who the artist was, etc.

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

6.0 OFFICER OPINION

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

- Principle
- Design and heritage
- Traffic and transport
- Archaeology
- Environmental health
- Economic considerations

Principle

6.2 Policy SP2 of the JCS seeks to focus development within Gloucester and Cheltenham to support their roles as principal providers of jobs, services and housing and to promote sustainable transport. Policy SD2 places Gloucester City Centre at the top of the hierarchy of centres and seeks to support and strengthen it to ensure it continues to be the focus of communities. The site is within the City Centre Boundary, Primary Shopping Area, and Primary Shopping Frontage. A1 retail development will be supported within the defined Primary Shopping Area. Leisure, entertainment and recreation development will be supported within the City Centre subject to amenity issues. Within the primary shopping frontage, the change of use of A1 retail premises will not be permitted unless it can be demonstrated that the unit is not suitable for continued A1 use, the proposal would maintain or enhance vitality and viability and subject to amenity issues. It also sets out that town centre development will be of a scale appropriate to its role and function and will not compromise the health of other centres or sustainable development principles.

6.3 The NPPF seeks to proactively drive and support sustainable economic development, and promote competitive town centres that provide customer choice and a diverse retail offer. It requires the sequential test to be applied to applications for main town centre uses that are not in an existing centre and not in accordance with an up to date local plan. It also requires an impact test for retail and leisure development outside of town centres.

6.4 The proposal involves an extension of the retail use within the primary shopping area. In this location, no sequential or impact test is necessary.

6.5 The proposal also involves the subdivision of the ground floor premises for a new Class A3/A1 café unit. The broad principle of this type of use in the city centre is acceptable but the subdivision of a retail unit to facilitate it prompts consideration of JCS Policy SD2. In this context the following changes are relevant;

The 'lost' area of A1 retail floorspace from the subdivision is 167sq m
The extension would create 112sq m of retail floorspace

The first floor alterations remove the former internal café and replace it with retail floorspace, comprising 468sq m

In this context there would be a net gain of 413sq m of useable retail floorspace arising from the proposals. Therefore the underlying concern for loss of A1 floorspace in the primary shopping area would not be apparent as that would not occur. Notwithstanding this, in considering the tests within the above policies, while the application does not show that the unit is unsuitable for continued A1 usage nor that marketing for an A1 use has been unsuccessful, it is considered that the proposal would maintain the vitality and viability of the area and would not have a significant adverse impact on the amenity of adjacent residents or businesses. It would be a single non-A1 use between A1 uses either side, and the street would continue to have a significant predominance of retail use. In this context of the overall net gain of retail floorspace, the existing uses on the street and the proposed arrangement of floorspace, I recommend that no objection is raised to the subdivision of part of the unit for A1/A3 café use.

- 6.6 There is no test of 'need' for the development (it appeared in the 2002 Second Deposit Policy S.4a but this aspect is no longer in line with government policy and the policy is partially superseded by the JCS). This is noteworthy in relation to the WH Smith objection which asks for evidence of need.
- 6.7 WH Smith also raises the issue of long-term harm to the commercial viability of the unit it currently occupies. This would appear to be in relation to the visibility of the unit which could be moderately adversely affected by the proposals and is commented on in design terms below. I do not consider that this moderate adverse impact would harm the vitality and viability of the city centre and the limited impact is outweighed by the benefits of the increased A1 retail offer in an improved unit.
- 6.8 I understand that the extension would occupy existing highway land beneath the undercroft. Further analysis of the design implications of this and the Highway Authority's view are set out below, but as a matter of principle no objection is raised to the loss of highway land.
- 6.9 External seating for food and drink uses is generally encouraged in the gate streets to enliven the streets and the use of part of Eastgate Street for this purpose is not considered objectionable.
- 6.10 Overall no objection is raised to the principle of the development.

Design and heritage

- 6.11 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.

- 6.12 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'*. Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 6.13 In terms of design the NPPF states that new developments should be of high quality design, respond to local character and be visually attractive as a result of good landscaping.
- 6.14 In terms of heritage JCS Policy SD8 is similarly relevant in terms of assessing the impact on the Conservation Area and setting of listed buildings, requiring heritage assets and their settings to be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. Development should aim to sustain and enhance the significance of heritage assets.
- 6.15 In terms of design JCS Policy SD4 sets out requirements to respond positively to, and respect the character of, the site and surroundings, and enhance local distinctiveness. Part vi of the policy sets out that new development should provide access for all potential users, including people with disabilities, to buildings, spaces and the transport network, to ensure the highest standards of inclusive design.

Design and heritage assessment

- 6.16 The proposals would modernise the appearance of the ground and upper floors of the building and it is considered that they would enhance the appearance of the building.
- 6.17 The replacement of the large existing canopy at the Dorothy Perkins/Burtons unit with a shallower canopy would open up views of the adjacent listed Guildhall and improve its setting. No harm would be caused to the setting of the listed Eastgate Centre entrance portico across the street.
- 6.18 The proposal would result in a 'stepped' row of shop frontages, where the extension would sit forward of the adjacent units in the same manner as the existing oversailing upper floors. The existing building form exhibits this projecting arrangement within the streetscene already (the extension would only enclose the existing open projection), and is similar to other buildings in the city centre such as the row of units opposite the application site comprising H&M to Boots, the Marks and Spencer/Carphone Warehouse units on Eastgate Street, and the Paddy Power/Costa units on Southgate Street which have staggered build lines at the undercroft ground floor. There are also staggered building arrangements in a different building form nearby, most notably with St Michael's tower at the cross, and also at the EE/Ernest Jones units on Northgate Street, and the Patisserie Valerie/Vodafone units

on Southgate Street. It is not considered that the proposed extension would be harmful to the character of the street.

- 6.19 The proposal would slightly narrow Eastgate Street at ground floor. This is already the case with the oversailing upper floors and in terms of appearance of the street this additional 'narrowing' effect is not considered to be harmful. In terms of 'useability', the current undercroft arrangement serves as a shelter from the elements at present. Its loss might be seen as something of a disbenefit but in the context of having the entrances to the Kings Walk and Eastgate Centre in close proximity (and to a lesser degree the car park bridge over the street), this is not considered to be of significant detriment.
- 6.20 Enclosing the ground floor undercroft area within the extension would have some impact upon the views of the adjacent unit to the east (currently WH Smiths), depending the treatment of the glazing to the extension and the arrangement of internal furniture. Glimpsed views of this unit between the undercroft pillars are currently possible when approaching from the west. It would not affect views from in front of the unit or approaching from the east, and would still be visible when approaching the unit from the west and the angle of view opens up. WH Smith currently has a fascia sign that is part-obscured by the existing building on the eastbound approach and a hanging sign in the Kings Walk entrance. Overall it is considered that the proposal is likely to moderately decrease visibility of this adjacent unit and I do not consider the proposed arrangement would be a significant detriment in planning terms in this respect.
- 6.21 The building currently has a series of artwork mural panels on the Eastgate Street frontage, which are proposed by the applicant to be retained and relocated to the Clarence Street elevation of the shopping centre. I understand at the time of writing that the applicant does not control this part of the shopping centre, and the works would require planning permission (which I am advised is to be made separately in the future), however the principle of the relocation is considered acceptable. Queries have been raised in one representation about the safe dismantling of the panels. At the time of writing asbestos removal is still taking place at the site so the investigation into the back of the panels has been limited. However the applicant has determined that the panels were made with pre-cast concrete construction off-site prior to being mechanically fixed to the building. The applicant is therefore content that the panels can be mechanically unfixed, and lifted away from the building for relocation. If there is any further update on the investigations at the time of the Committee meeting, Members will be advised.
- 6.22 The Principal Conservation and Design Officer has provided further comment on the panels which raises the issue of the communal value of the panels and queries about their provenance. The Officer has also requested that they be removed and stored, which the applicant is content can be done, and also that they be recorded prior to removal. It is not considered that a condition positively requiring their reinstatement elsewhere is reasonable or enforceable because the currently-suggested location is not in the application site or in the control of the applicant and would require planning permission in itself.

Discussions about a suitable relocation position, and securing of any necessary permission to install them could take place outside of this planning application.

- 6.23 Overall it is considered that the development would enhance the character and appearance of the conservation area and the setting of the adjacent listed building. It would comply with the above cited legislative and design/heritage policy context subject to securing approval of the precise materials and the recording and safe storage of the artwork panels.

Traffic and transport

- 6.24 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.
- 6.25 The proposed extension may result in an intensification in associated trips generated by the existing units, however in this city centre location where most trips would be expected to occur on foot and with good public transport links and parking provision the extension would not be expected to result in a significant impact on the highway network. The subdivision to form the café unit may generate unrelated trips however it is considered the larger existing store could generate similar numbers.
- 6.26 The loss of the pedestrian access to the unit from inside Kings Walk (it appears that a single independent unit would remain of the same depth as the adjacent Kings Walk units) would reduce permeability slightly but suitable access would still remain for pedestrians.
- 6.27 The proposal would slightly reduce the width of Eastgate Street but the Highway Authority considers that sufficient width remains overall and there is no in-principle objection to this. A stopping up order would be required and is part of a separate process from planning permission that would not prevent the application from being determined. WH Smith's objection also raises concerns about safety in the case of emergencies as a result of the works, and the absence of an in-principle objection from the Highway Authority is relevant in this regard. It appears unlikely that emergency services would use the existing undercroft area for emergency access so the physical works that are proposed would not alter the part of the road available for emergency access. Extending the property would push some pedestrian flow further out from the building into the remaining street area but it is not considered that this would significantly impede emergency access.
- 6.28 The Highway Authority does however seek a condition to restrict the Eastgate Street extension works until the street furniture outside the unit has been relocated away from the new site frontage to give a 4 metre clearance. This is because they have identified that conflict would be caused by the reduced width between the existing street furniture and the proposed shop frontage, which would be too narrow to accommodate the current pedestrian flows and

desire lines in a busy street, according to local and national guidance. This mitigation measure is therefore necessary to achieve safe and suitable access for all people policy in accordance with the NPPF and Policy SD4 (vi) of the JCS. New plans have now been submitted by the applicant showing street furniture relocated to demonstrate this clearance. The measures would likely involve the relocation of several litter bins, bollards and seats. I have discussed this with the City Centre Improvement Officer who has advised that the City Council manages the street furniture and can assist with any relocation, and the process ought to be fairly straightforward. There is therefore more than a reasonable prospect of this mitigation measure being achievable.

- 6.29 In these circumstances I recommend that the mitigation measure is secured as a 'Grampian' style condition preventing any works to implement the extension prior to the 4 metre separation being achieved, so that the clearance space is not inhibited. The main issue is securing the necessary separation distance, so it is not considered necessary to approve a scheme under the condition – authorisation and implementation of the furniture relocation would be done by other bodies outside the planning system.
- 6.30 The Highway Authority also seeks the provision of additional visitor cycle parking near to the store on Eastgate Street. This would add more street furniture if sited in front of the unit. There are a significant number of existing cycle parking stands a short distance further down Eastgate Street (opposite Boots) and it is considered that in this context, including the proposal for an external café seating area within Eastgate Street, the provision of additional cycle parking outside the unit is unnecessary and could potentially create an undesirable amount of clutter. In the context of a modest change to the size of the premises and the existing cycle parking provision, it is not considered that this should be sought by condition.
- 6.31 In terms of the condition to prevent outward-opening doors, the applicant has now altered the proposed plans to ensure that the doors do not swing over the highway by using a recessed entrance and this condition therefore also becomes unnecessary.
- 6.32 Overall it is considered that the proposal would be acceptable in terms of impact upon the highway and would provide for safe and suitable access for all subject to a condition to secure the 4 metre clearance from the extended shop frontage.

Archaeology

- 6.33 As above, the NPPF sets out the importance of protecting and enhancing the historic environment. Policy SD8 of the JCS seeks to preserve and enhance heritage assets as appropriate to their significance.
- 6.34 The site occupies an area of archaeological interest and the extension is likely to have a below-ground impact. An archaeological report was produced at the request of the City Archaeologist. The City Archaeologist considers the proposal to be acceptable subject to conditions securing a programme of

archaeological work and approval of the foundation design and ground works. These are considered to be necessary and reasonable.

- 6.35 Subject to these conditions it is considered that the proposals comply with the above cited policy context and no objection is raised in these terms.

Environmental Health

- 6.36 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 and 120 deal with pollution setting out that planning should prevent new uses from contributing to air or noise pollution, and that effects on general amenity should be taken into account. Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

- 6.37 As the proposal involves a café use and likely associated cooking processes, it is considered necessary to impose a condition requiring approval of the tenant's extraction system and its implementation prior to first use.

- 6.38 Subject to this condition the proposal is considered to comply with the above-cited policy context, and no objection is raised in these terms.

Economic considerations

- 6.39 The development would generate economic activity from the construction phase, and potentially an increase in employment opportunities over and above the existing use, which weighs modestly in favour of the scheme.

7.0 CONCLUSION

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

- 7.2 The proposals would comply with the development plan and the other national and un-adopted local policy context cited above subject to certain conditions. Notably, the proposals would represent an enhancement to the setting of a listed building and to the character and appearance of the Conservation Area, which are positive benefits of the scheme. The proposals would also provide benefits in delivering additional retail floorspace in a City Centre location. The benefits outweigh the limited disbenefits of the scheme.

8.0 RECOMMENDATIONS OF THE CITY GROWTH AND DELIVERY MANAGER

- 8.1 That planning permission is granted subject to the following conditions:

Condition 1

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

Reason

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

Condition 2

The development shall be undertaken in accordance with the plans referenced;

P.1.1 Site location plan (received by the Local Planning Authority on 14th October 2017)

P.3.1 Rev. B Proposed ground floor plan

P.3.4 Rev. B Store front extension floor plan

(received by the Local Planning Authority on 13th December 2017)

P.3.5 Rev. A Proposed elevation

(received by the Local Planning Authority on 20th November 2017)

P.3.2 Proposed first floor plan

P.3.3 Proposed second floor plan

(all received by the Local Planning Authority on 15th November 2017)

except where otherwise required by conditions of this permission.

Reason

To ensure the works are carried out in accordance with the approved plans.

Condition 3

No above ground construction shall be commenced until details of all facing materials and finishes to the development including new shopfronts, doors, window frames and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the materials and exterior building components are appropriate to their context, in accordance with Policies SD4 and SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adoption Version 2017, and Paragraphs 58 and 131 of the National Planning Policy Framework.

Condition 4

The Use Class A1/A3 café unit hereby permitted shall not be occupied until ventilation and cooking fume control measures have been installed in

accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the equipment shall be operated and maintained in accordance with the manufacturer's instructions and the use shall only take place whilst the equipment is operational.

Reason

In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality in accordance with Policy SD14 of the Joint Core Strategy Adoption Version 2017, and Paragraphs 17 and 120 of the NPPF.

Condition 5

The land defined as a rectangle and labelled "A3 café outdoor seating area" within Eastgate Street on plan ref. P.3.1 Rev. B Proposed ground floor plan shall only be used for external seating associated with the class A1/A3 café unit hereby approved, or as highway. For the avoidance of doubt the land shall not be used for the external display or storage of goods.

Reason

In the interests of the visual amenities of the area and preserving the character and appearance of the Conservation Area in accordance with Policy SD8 of the Joint Core Strategy Adoption Version 2017, and Paragraphs 58 and 131 of the National Planning Policy Framework.

Condition 6

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 Policy SD8 of the Joint Core Strategy Adoption Version 2017, paragraphs 131 and 141 of the National Planning Policy Framework.

Condition 7

No development shall commence 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 SD8 of the Joint Core Strategy Adoption Version 2017, and paragraphs 131 and 141 of the NPPF.

Condition 8

No works shall be undertaken to the ground floor front wall of the building facing Eastgate Street until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic environment work for that building in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme will provide for recording of the artwork mural panels to the Eastgate Street frontage of the building and depositing of the results with the Local Planning Authority. Furthermore no works shall be undertaken to the ground floor front wall of the building facing Eastgate Street until all of the artwork mural panels have been carefully removed from the building and put into safe and secure storage.

Reason

To preserve this historic piece of public art with a view to its future relocation, in accordance with Policy SD8 of the Joint Core Strategy Adoption Version 2017, and paragraphs 131 and 141 of the National Planning Policy Framework.

Condition 9

Works to implement the extension to the Eastgate Street frontage of the building shall not take place prior to the relocation of any street furniture within Eastgate Street parallel with the application site so as to maintain a 4 metre wide space that is clear of furniture between the forwardmost point of the new extension hereby approved and the nearest part of any item of street furniture.

Reason

To reduce potential highway impact by ensuring safe, suitable access for all people that minimises the conflict between highway users is provided in accordance with the National Planning Policy Framework paragraphs 32 and 35 and the Local Plan.

Note:

This planning permission does not give any authority to the applicant to carry out any works on the public highway. Any street furniture relocation works must be carried out by either the owner of the street furniture, the Local Highway Authority or the applicant with permission from the street furniture owner and highway authority. This permission also does not convey any approval to a stopping up order, which would be required separately.

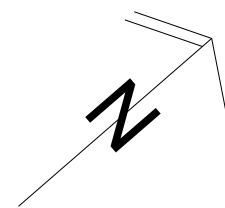
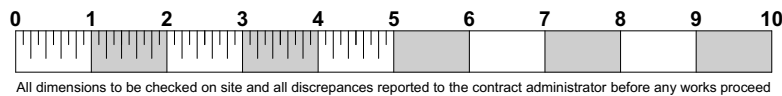
Decision:

Notes:

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Person to contact: Adam Smith
(Tel: 396702)



Rev	Date	Description	Drawing Name
		REEF ESTATES Gloucester - Kings walk 25 - 39 Eastgate Street Gloucester GL1 1NS	PROPOSED GROUND FLOOR PLAN
		14 Little Portland Street, London, W1W 8BN T: 020 7637 0601 W: www.reefestates.co.uk	Drawing Status Planning
		URBAN REEF DESIGN AND CONSTRUCTION	Drawing Scale 1:200 @A2
		Date first Issued 20.11.17	Layout ID P.3.1
			Revision B

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