

GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	1ST MAY 2018
ADDRESS/LOCATION	:	FORMER HM PRISON, BARRACK SQUARE
APPLICATION NO. & WARD	:	17/00659/FUL 17/00662/LBC WESTGATE
EXPIRY DATE	:	FUL – 10th May 2018 LBC – 15th August 2017
APPLICANT	:	CITY & COUNTRY GLOUCESTER LTD
PROPOSAL	:	Redevelopment of the former HMP Gloucester site comprising the partial demolition and conversion of Grade II* and Grade II listed buildings to provide 38 residential dwellings (Use Class C3) and 481 sqm (GIA) of flexible commercial / community floorspace (Use Classes A2, A3, A4, A5, B1, D1, D2) at ground floor and first floor of Block C (Chapel wing); demolition of non-listed structures and the construction of seven new buildings up to six storeys to accommodate 164 residential dwellings (Use Class C3); and associated car parking, cycle parking, private and communal amenity space, landscaping, access and related infrastructure works.
REPORT BY	:	ADAM SMITH
NO. OF APPENDICES/ OBJECTIONS	:	SITE PLAN CONTEXT/CONSTRAINTS PLAN PROPOSED GROUND FLOOR PLAN (WITH BLOCK REFERENCES)

1.0 SITE DESCRIPTION AND PROPOSAL

The site

- 1.1 The application site is the HM Prison complex at Barrack Square. As an operational prison it was closed in 2013 but has been opened up to the public since for tours. It comprises a range of buildings including Grade II and II* listed buildings and is largely surrounded by a substantial brick wall associated with the historic use. Unsurprisingly existing access is limited with visitor access provided for through the modern accommodation building at the

north west off Barrack Square, with a vehicular servicing access point adjacent to this. There is also a historic gatehouse on the north side.

- 1.2 The site is within the Barbican Conservation Area and close to the edge of the Docks Conservation Area (across Commercial Road to the south). The site also contains the buried remains of a medieval castle as well as other buried heritage assets. In addition, the site is partially within Flood Zones 1, 2 and 3. All are discussed in greater depth later in the report.
- 1.3 The proposed site area is approximately 1.45 hectares. The site is bounded by Barrack Square to the north and the County Council's 'Quayside House' building (understood to be due for imminent demolition) and car park beyond. A new courts building has recently been constructed to the north fronting Barbican Road. To the east the site is bounded by Barbican Way and then the former Council and public car park that is under construction for student halls, and also Barbican House fronting Commercial Road that is currently in use as a music studio. To the south is Commercial Road with the City Council offices, Canal and River Trust and shared 'Regus' offices beyond. To the west is The Quay and then the River Severn and Alney Island beyond.

Proposals

- 1.4 The proposals have been amended during the course of the application process and now include a total of 202 residential units. Of these 38 units are proposed by converting retained listed buildings, with 7 new buildings in addition accommodating 164 units. 481sq m of commercial use is proposed by converting part of the retained Block C (chapel wing) building at ground and first floor; now proposed for Class A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food take aways), B1 (business), D1 (non residential institutions) or D2 (assembly and leisure) use.
- 1.5 All residential units are proposed as market housing (affordable housing is discussed later in terms of the development's viability). The overall breakdown comprises 64 x 1-bedroom units, 128 x 2-bedroom, and 10 x 3-bedroom.
- 1.6 New vehicular and pedestrian accesses are proposed, with an in and out vehicular access off Barrack Square at the position of the existing restricted vehicular access. This would facilitate a circulatory access road between the buildings. A restricted emergency vehicular access is proposed to the south onto Commercial Road adjacent to the Governor's house (Block F). In addition to these, pedestrian accesses are proposed through the historic Gatehouse (Block D) to the north onto Barrack Square and between new build Blocks H and J onto The Quay.
- 1.7 114 parking spaces are provided partially at ground floor in the new build flat blocks, and partially in open surface level car parking around the site. 188 cycle parking spaces are provided.

Summary of proposals for buildings

- 1.8 The existing buildings on site include a variety of historic and modern buildings. There are a range of modern (mid/late 20th century) buildings along the western edge of the site, the southern edge inside the perimeter wall, the extension to the end of the chapel wing, and between Blocks A/B/C and the Debtors prison (Block E), that are all proposed for demolition.
- 1.9 Blocks A/B/C date from 1840-1863, are grade II* listed and are proposed to be retained and altered. This comprises of two wings either side of the older gatehouse that provides access. Attached to these on the west side is the historic chapel block. The kitchen/boiler house extension at the west end is to be demolished which would open up the remainder of the western elevation of the chapel block. The chapel itself is a two storey scale space located at first floor. The proposals for the chapel block have been amended during the course of the application, with the proposals for subdivision and conversion of the upper floor to two flats (with a café at ground floor) now removed and replaced with a proposal for class A2, A3, A4, A5, B1, D1 or D2 use across both floors with the chapel space retained as a whole. The cells and ancillary facilities in the two wings would be converted to residential units.
- 1.10 The Debtor's prison (Block E) is grade 2 listed and located at the east corner of the site and dates from the early 19th century. It is proposed to be retained and altered (notably with an additional storey on top), for residential units.
- 1.11 The gatehouse (Block D) fronts onto Barrack Square and is grade 2 listed, dating from the early 19th century. It is proposed to be retained and altered for residential units.
- 1.12 The Governor's house (Block F) fronts Commercial Road at the south of the site and is grade 2 listed, dating from 1840-1863. It is to be retained and altered for residential units.
- 1.13 The perimeter wall to the north and east sides is also grade 2 listed, dates from the early 19th century, while the southern section from the Governor's house probably from the mid 19th century. These are to be retained in the main, with some adaptations.
- 1.14 The proposed new buildings, all for residential flats, comprise:
 - Block G, 4 storeys with parking space in part of the ground floor, at the northern perimeter onto Barrack Square
 - Blocks M and N, 3 storeys, at the eastern part of the site either side of the retained Debtors prison
 - Block K, 4 storeys with parking space in part of the ground floor, at the southern perimeter
 - Blocks J and H, 6 storeys with parking space in part of the ground floor, at the western perimeter onto The Quay
 - Block L, 4 storeys, at the centre of the site parallel with the chapel block.
- 1.15 Soft landscaping is proposed with several new features trees and a semi private garden area to the eastern corner. Extensive new hard surfacing is

proposed across the site including interpretation of the castle keep, and a proposal for retaining part of the keep wall exposed under a glazed panel at ground level to allow public viewing.

- 1.16 The application is referred to the planning committee given the scale and significance of the proposals and because it is accompanied by an Environmental Statement under the Environmental Impact Assessment Regulations.

2.0 RELEVANT PLANNING HISTORY

- 2.1 There are no recent applications for the application site of particular relevance to this case. Numerous works were undertaken to the buildings including the listed buildings by the prison service.

- 2.2 The most recent significant new build appears to be the reception, administration, visiting block and new access, which appear to have been implemented pursuant to a permission in 1982.

Neighbouring land

- 2.3 It is of note for context that a Local Development Order (LDO) has been approved by the Local Planning Authority for the land to the north (the County Council landholdings) and to the east (the former Barbican car park). Separate to this, permission has been granted on part of the Barbican car park to the east for a development of student accommodation that is under construction, and a further application for a second phase of development is under consideration.

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 building a strong, competitive economy, ensuring the vitality of town centres, promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities, meeting the challenge of climate change and flooding, and conserving and enhancing the natural and historic environments. These are commented on in more detail in the Officer considerations below where relevant.

Planning obligations and conditions

Planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

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.

Consultation on the Revised National Planning Policy Framework

A draft revised NPPF was published on 5 March 2018 for consultation until 10 May 2018.

The Development Plan

3.3 Section 38 of the Planning and Compulsory Purchase Act 2004 has established that - "The development plan is

(a) The regional spatial strategy for the region in which the area is situated, and

(b) The development plan documents (taken as a whole) which have been adopted or approved in relation to that area.

If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in

favour of the policy that is contained in the last document to be adopted, approved or published (as the case may be). If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 2017)

The following policies are of relevance;

- SP1 – The need for new development
- SP2 – Distribution of new development
- SD1 – Employment – except retail development
- SD2 – Retail and city/town centres
- SD3 – Sustainable design and construction
- SD4 – Design requirements
- SD6 - Landscape
- SD8 – Historic environment
- SD9 – Biodiversity and geodiversity
- SD10 – Residential development
- SD11 – Housing mix and standards
- SD12 – Affordable housing
- SD14 – Health and environmental quality
- INF1 – Transport network
- INF2 – Flood risk management
- INF3 – Green infrastructure
- INF4 – Social and community infrastructure
- INF6 – Infrastructure delivery
- INF7 – Developer contributions

City of Gloucester Local Plan (Adopted 14 September 1983)

- 3.4 The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 215 of the NPPF states that ‘...*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*’ The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy.

However Policy A1a – Heights of buildings and protection of views, is relevant to this application.

Emerging Development Plan Gloucester City Plan

- 3.5 The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As

the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 216 of the NPPF.

The site is within allocation SA16 for a residential-led development (at least 400 dwellings), student accommodation and retail and ancillary town centre uses (this allocation also includes other neighbouring land). The policy context says:

- Long been in need of regeneration.
- Successful redevelopment would have positive effects on the vitality and viability of the city centre and local linkages.
- Site located within the Regeneration Area and identified as a priority site in the Housing Zone.

Site specific requirements across the whole allocation are;

- At least 400 dwellings
- 4000sq m gross retail
- Active ground floor frontages
- Student accommodation
- Multi storey car park to replace parking lost elsewhere on site
- Enhanced pedestrian connectivity between city centre, Docks and Alney Island
- New public open space/square to enhance setting of Blackfriars Priory
- Active interpretation and public access to Gloucester Castle
- Contributions to strategic infrastructure delivery

Other Planning Policy Documents

2002 Revised Deposit Draft Local Plan

- 3.6 Regard is also 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.

2002 Plan allocations

The 2002 Second Deposit Local Plan included the application site within the 'Western Waterfront' mixed use allocation which included a large part of the western edge of the City. This included an indicative quantum of 2000 residential units.

The following "day-to-day" development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight:

BE.2 – Views and skyline

BE.16 – Provision of public art

BE.30a – Control of redevelopment within Conservation Areas

OS.2 – Public Open Space standard for new residential development

OS.3 – New housing and Public Open Space

OS.4 – Design of Public Open Space

Gloucestershire Waste Core Strategy (2012)

Supplementary Planning Guidance/Documents

- 3.7 SPG1 – Sustainable Urban Drainage Systems (Interim adoption 2004) & SUDS Design Guide 2013

SPG6 – New housing and open space (interim adoption 2004)

Waste Minimisation in Development Projects SPD (adopted 2006)

Heights of buildings (Interim adoption 2008) (this sets out a range of local and strategic view corridors which retain the unique character and distinctiveness of Gloucester).

Public Realm Strategy (Adopted 2017 as a supplementary planning document)

Barbican Conservation Area (Area 6) Appraisal and Management Proposals

This identifies the key components of the Conservation Area. The map notes the listed buildings on the Prison complex, and also the gatehouse and Governor's House are noted as 'focal buildings'. Important views are noted across the River from the Quay. Southwards down The Quay alongside the prison, north east along Barbican Road by the perimeter wall, and from the Gatehouse area west along Barrack Square and south east along Barbican Way. It notes the unknown future of the Prison as a key negative feature. The management proposals note the likely opportunity to redevelopment the prison, open it up to the River Severn, create a new visitor attraction, and enable public access. It encourages sensitive redevelopment.

The Docks (3), City Centre (5) and Cathedral Precincts (7) Conservation Area Appraisals and Management Proposals

These are on a similar basis to the Barbican appraisal. Notable elements for this application include;

- The status of the Cathedral as a focal point in views within the City
- Views to St Nicholas Church from within the City
- Views north east from the Dry Dock and up the river from the lock bridge.

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 Historic England originally raised concerns regarding the proposed use of and works to the Chapel (now altered), the massing, height and design of Blocks H and J, the opening through the east prison wall, the lack of clarification and justification for the proposed lift and removal of balustrade in A and B wing, and sought the submission of an Archaeological Mitigation Statement.

Their updated position on the amended scheme is that one concern remains; the impact and design of Blocks H and J. While they identify harm to the listed

buildings as a result of the proposals it is acknowledged that this is less than substantial harm and needed to facilitate use.

In terms of Blocks H and J, they consider that the design does not preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. While they understand that the viability appraisal indicates that the quantum of development is needed to make the scheme viable, they raise the issue of possible off site car parking which could remove some or all of the undercroft parking and reduce the scale. They are disappointed that aspirations to provide off-site parking have not come to fruition given the subsequent benefits in reducing heritage impact. If the Council accepts the height, they recommend that further work is required for the design of the top two storeys.

In respect of archaeology they support the advice of the Council's Archaeologist.

Historic England does not object outright to the listed building consent application, although they cite 'less than substantial harm' due to the extent of alterations that are required for the conversions. In terms of the planning application they consider that in light of paragraphs 132 and 137 of the NPPF, the design of Blocks H and J does not 'preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset'. They consider that their concerns need to be addressed in order to meet the requirements of paragraphs 132, 134 and 137 of the NPPF.

4.2 The Council for British Archaeology originally raised concerns regarding;

- Poor quality Heritage Impact Assessment
- Substantial harm to the chapel part of the grade 2 listed building through subdivision and permanent loss of historic fabric (* *officer comment - now amended*)
- Harm to the setting of heritage assets through the proposed scale and massing of new buildings
- Lack of consistency in applicant's assessment of significance and impact
- Applicant has not met the requirements of the NPPF
- No clear and convincing justification for harm, as required by NPPF
- No detailed schedule of works provided
- No strategy for archaeological investigation including building recording
- A Watching Brief should be undertaken on all invasive works affecting historic building fabric

Although consulted, they have not commented on the amended scheme.

4.3 The Civic Trust comments may be summarised as follows:

- Wholly in favour of the comprehensive redevelopment of the site retaining all listed structures and revealing as much as possible of the castle keep.

- No objections to demolition of modern buildings. Notably the demolition of C wing would provide a great planning gain in revealing the original 1791 prison entrance.
- Support the opening up of the perimeter wall, and to provide further pedestrian flow between the City Centre and Docks.
- The removal of the earlier subdivision proposal for the chapel is welcomed. Care is needed to retain features on the to-be exposed façade of the chapel block.
- Block L should be amended using more sympathetic materials than the metal cladding.
- The greatest concern is the impact of the 6 storey Blocks H and J which will be highly visible. The metal cladding to the upper floors makes the upper floors more prominent and emphasises the jump in storey heights. They are particularly concerned about the awkward elevations on the corner of The Quay and Commercial Road.
- The perimeter wall opening to Barbican Road would give greater access but they query the need for it to be so big (** officer comment - now removed from the scheme*).
- Welcome the use of the Governor's House and ground floor beneath the chapel.
- Proposals for the cell blocks retain the proportions and landing details. The Panel prefers the window detail retaining the stone string course with new window below.
- Maximum amount of internal features should be retained.
- The serious lack of parking is bound to cause problems.
- Great care would be needed in selecting the brick where such a huge amount is proposed.
- The application cannot be resolved without knowing how the adjoining roads will be altered.
- The Panel regrets the lack of affordable housing.
- Concerns about tree planting – the area around the castle was called Bare Land. If planted they would eventually block views to the west.

- 4.4 The Highway Authority raises no objection subject to conditions to secure a Construction Method Statement, sufficient implementation of the carriageways and footways prior to occupation, provision of the cycle storage, provision of the parking and turning facilities, provision of the approved vehicular access, a pedestrian crossing point from the Gate House to the north side of Barrack Square, and implementation of the Travel Plan.
- 4.5 The County Council (planning obligations) set out its s106 as updated to reflect the reduced number of units in the amended plan.
- 4.6 The Lead Local Flood Authority raises no objection but recommends conditions to secure a SuDS management and maintenance plan, an exceedance flow routing plan and details of the surface water drainage design.
- 4.7 The Canal & River Trust have offered general advice. They welcome any opportunity to improve the appearance of the former Prison and bring it into

economic use. They consider the scheme will greatly enhance the area between the docks and town centre. The proximity to the docks and canal suggests that the impacts in terms of drainage and possible pollution from ground contamination, dust or from ground water contamination from parking areas, with water from the river flowing into the dock basin, and ask the Council to consider if conditions are needed.

4.8 The Environment Agency raises no objection in principle but wishes to make comments that may be summarised as follows;

- The Local Planning Authority needs to address the sequential test.
- The redevelopment will not change the flood risk vulnerability classification on the site.
- The site is almost entirely in flood zones 1 and 2, however parts of the existing hardstanding between buildings would be within flood zone 3.
- The application will be able to pass the principles of the exception test based on the finished floor levels and the proposed flood compensation scheme as submitted, which should be secured.
- Safe dry pedestrian access will be available for all residents over the lifetime of the development.
- Recommend that Emergency planners and emergency services are consulted, and a condition to secure implementation of the compensatory flood storage works.

4.9 Severn Trent Water raises no objection subject to a condition to secure drainage plans for foul and surface water flows.

4.10 Natural England has requested further information to enable it to respond; seeking a Habitats Regulations Assessment, considering the likelihood of significant effects on the Cotswolds Beechwoods Special Area of Conservation. This matter is currently under consideration.

4.11 The Police Architectural Liaison Officer has not commented.

4.12 The Victorian Society's original comments gave general support but raised concerns;

- Any subdivision of the Chapel can only be considered to be particularly harmful and consider residential use is not appropriate here (** officer comment – now amended*)
- Strongly encourage exploration of reinstating the lost gallery and void in Block B.
- The height and massing of new buildings are of concern, being particularly dominant in relation to the original prison block.

In response to the second consultation The Victorian Society has now confirmed that they do not want to pursue further objections, on the basis of the amendments to the application notably the removal of the chapel subdivision.

4.13 The Society for Protection of Ancient Buildings, the Ancient Monuments Society, the Georgian Group, and the Twentieth Century Society have all not commented.

4.14 The Conservation Officer commented on the original scheme and updated comments in light of the amendments to the scheme;

- The amendments to re-use the chapel space without subdivision are welcomed. The removal of the boiler room extension is not objectionable. Further details would be required by condition on the precise treatment of this part of the building.

- The amendments to retain the openings and balustrades in the central atrium of A/B wings are welcomed.

- The removal of the previously-proposed opening in the listed wall onto Barbican Road is welcomed.

- It is acknowledged that facilitating the reuse of the cells in A and B wings will require alteration and 'harm' to the asset. Further details including on the central balustrade, retention of features, and securing building recording would be required by condition.

- Conversion and works to the Gate House (Block D) and Governor's House (Block F) is accepted, although precise details will be required by condition.

- No objection is raised to the reinstatement of the upper floor of the Debtors Prison (Block E) in a contemporary form, again precise details of works would be required by condition.

- Welcome the retention of the existing perimeter wall along Barrack Square into the new building. The reduction in height of the non-designated stretches is not objectionable.

- No objection is raised to the introduction of new buildings to the site and their locations are agreed. The selection of brick needs thought and use of an additional material could prevent it having a bland appearance. Concerns are raised in terms of the precise form of certain new buildings; principally:

- The height of Blocks H and J fronting The Quay which comprise of 6 storeys is of concern, and the choice of materials to the top two floors which in light grey does little to enhance the scheme or reduce its impact. The proposal would have a harmful impact on the setting of the designated assets and the wider undulating low level skyline, the Barbican and Docks Conservation Area and views of the Cathedral, St Nicholas Church, St Michael's Tower and within the site views of the Grade II* cell block and chapel.

- The roof form of Blocks G and K is of concern. These were flat roofs in an earlier design and this would distinguish them from the Docks Warehouses.

- Concerns remain about the appropriateness of the wildflower meadow and its impact on the character of the assets.

Overall the revised scheme would cause "less than substantial harm" as defined in the NPPF and is contrary to Section 66 and 72 of the 1990 Listed Buildings and Conservation Areas Act.

A list of conditions is recommended in the event of approval being given.

- 4.15 The City Council Archaeologist identifies the high archaeological significance of the site including perhaps most notably the survival of the remains of a castle. A high level of archaeological investigation was undertaken prior to and during the application process. The key points are;
- The remains of the 12th Century castle keep would be entirely preserved in situ;
 - The scheme would achieve a very low level of impact from foundations;
 - The scheme would not alter the site hydrology such as to damage archaeological remains;
 - Impact can be further reduced by reuse of existing services and foundations;
 - Robust archaeological mitigation would ensure that where impacts are unavoidable, remains are recorded to advance understanding of them.

Overall he raises no objection subject to conditions to secure a programme of building recording; a programme of archaeological mitigation; a feasibility study for re-use of piles at Block H; details of foundations and groundworks; details for the Keep viewing chamber and its implementation; and a scheme of heritage interpretation.

- 4.16 The Urban Design Officer raised no objection overall and made the following comments;
- The design is a considered response to the context.
 - The proposal would have a positive impact, provide a unique living environment and ensure the retention of heritage assets.
 - The layout achieves a balance between open space, parking, vehicle circulation, and siting of buildings including the position of the tallest buildings at the farthest point from the designated heritage assets.
 - Ground floors provide a good level of activity and surveillance.
 - Ground floor back doors could provide more convenient access to parking and improve surveillance.
 - The pedestrian access through the southeast facing part of the listed wall is supported to enhance permeability and provide a better link to neighbouring development.
 - Queries the design of the southern end of the west elevation of Block J; it departs from the more consistent approach through the other blocks – in its roof form and wider window.
 - Block L has a significant level of solid to void which could be improved.
 - Further study is needed on the materials. A red brick that contrasts slightly with the existing wall is recommended to develop the layered horizontal sequence and distinguish the historic and new elements. Testing options for the metal cladding is also recommended, and a lighter grey zinc or lead, or a darker brown copper/bronze, are suggested.
 - The landscape proposals are generally well-considered.
 - Further interpretation of the historic building forms through hard landscaping is suggested.
 - Some form of visual /descriptive interpretation of the historic value of the site is needed.

- 4.17 The Council's Landscape consultant made comments as follows;

- The proposed layout includes a strong framework of public, communal and private gardens and courtyards.
- The landscape proposals are well considered and would provide a high quality landscape that will respect the existing heritage of the site, enhance the routes through the site, provide focal points and create distinct and attractive spaces.
- The proposed planting is varied and will provide seasonal interest, local wildlife and biodiversity value and help to define the public realm.
- The 4 trees inside the site are landmark trees that provide shade and cooling.
- Including smaller trees should be considered.
- Conditions should secure submission and approval of detailed planting plans, tree pit specifications, a 5 year landscape management and maintenance plan, and detailed hard landscaping proposals.

- 4.18 The Tree Officer noted that he is reasonably content with the proposed tree planting strategy however he made suggestions for alternative tree species and requested that planters be replaced so trees can grow from the ground.
- 4.19 The Council's Public Open Space consultant has provided details of the Public Open Space s106 request arising from the proposed development (set out in the Officer assessment below).
- 4.20 The Environmental Health Officer raises no objection subject to conditions to secure the noise mitigation measures to the flats; extraction details for café uses; an overall noise limit from plant from the site; restricted construction hours; and a restriction on burning.
- 4.21 In terms of Ecology the City Improvement and Environment Manager considers the site to be of negligible interest but recommends conditions to secure enhancement by bat boxes and bird boxes and bricks.
- 4.22 The Drainage Engineer raises no objection subject to conditions and comments as follows:
- The proposal is for 'more vulnerable' development in flood zones 1, 2 and 3 so both the sequential and exception tests need to be passed.
 - Following submission of the further sequential test information, he raises no objection to this and is overall happy that a sequential approach has been taken within the site and that the exception test is passed.
 - The Environment Agency has agreed finished floor levels and the Engineer does not wish to add anything in this regard.
 - The development offers safe, dry pedestrian access for all residents over the lifetime of the development and dry emergency access is catered for. This element of the exception test is passed, subject to a flood warning and evacuation plan being secured.
 - The proposals for mitigation against loss in flood plain storage are acceptable.
 - The proposed discharge rate of 38 l/s offers a 40% reduction over the current 100 year event rate and so is acceptable.

- The proposed attenuation volume of 380m³ allows for a 40% uplift on rainfall to account for climate change and is acceptable.
- Vehicular areas are drained by permeable paving, which accords with our requirement that the water quality objectives set in CIRIA C753 are met.

- 4.23 The Strategic Housing Officer comments as follows;
- There is a substantial housing need in the City and highlights the impact of development sites not delivering an affordable housing component;
 - It is vital that any proposal seeks to maximise the viability of the site in order to deliver an affordable housing contribution, looking at alternative development and funding types;
 - Any flatted development should be mixed tenure and be of high design standard, and a wide range of open market units are required;
 - The limited offer of 3 bedroom units will not encourage downsizing, with a significant proportion of market housing in Gloucester under-occupied;
 - Clarity on viability is needed in order to meet Policy SD12 requirements;
 - Retesting of viability at a later date is sought;
 - He also sets out the affordable housing mix required if the development is able to provide affordable housing.
- 4.24 The Streetcare Team has provided the refuse collection guidance and liaised with the applicant's architect about the collection arrangements for the converted buildings.
- 4.25 The Planning Policy Team supports the principle of development on this site and its contribution to housing supply. They note that Gloucester has a 5 year housing land supply with the adoption of the JCS but there is a shortfall of about 1000 dwellings from 2028/29. Part of the City's housing supply is made up of sites that are not permitted but broadly suitable, available and achievable – redevelopment of the Prison site is a component part of this, so the proposal would make an important contribution to Gloucester's housing supply. The site is also part of a proposed mixed use allocation in the emerging City Plan.
- 4.26 The Council's Contaminated Land consultant notes that a number of potential contamination concerns were identified as part of the risk assessment. No issues are raised with the assessment method but they do note that some parts of the site were not investigated due to site constraints and further site investigation would be required in these areas once access is available. Furthermore there are a couple of points of clarification needed in their Remedial Strategy. In light of this while there is no overall objection, the standard contaminated land condition is recommended.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 35 neighbouring properties were notified and press and site notices were published. Publicity was also undertaken by the developer upon submission of the Environmental Statement during the application process. Reconsultation was also undertaken upon receipt of amended plans.

5.2 2 representations have been received from the public which may be summarised as follows:

- No concerns about the redevelopment of the listed buildings that will remain;
- Serious concerns about the proposed height of the new buildings. 6 storeys is wholly unacceptable;
- Concern about violation of conservation area rules.

- Concern at proposed height of buildings; should not exceed 5 storeys at maximum; blocking views of the Cathedral; risk of precedent;
- Should be adequate parking on site – should have allocated spaces. Everyone has a car these days;
- Should retain as much history of the site as possible; preservation of the listed buildings; outline of the original castle keep should not be built over; a museum should be on the site, possibly the gatehouse;
- Main prison block should have public access;
- Suggests a hotel use.

5.3 The full content of all correspondence on these applications can be inspected at Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting.

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=17/00659/FUL>

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=17/00662/LBC>

6.0 **OFFICER OPINION**

Legislative background

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be largely out-of-date.

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

- Principle
- Archaeology
- Design and impact on heritage assets
- Traffic and transport
- Residential amenity
- Economic and regeneration considerations
- Drainage and flood risk
- Land contamination
- Ecology
- Affordable housing and infrastructure requirements / Scheme viability

Environmental Impact Assessment (EIA) - background

After submission of the application the Authority adopted an EIA Screening Opinion setting out that the development was EIA development and required an Environmental Statement (ES). The applicant sought a screening direction from the Secretary of State which confirmed that this is an EIA development. An Environmental Statement has subsequently been submitted during the course of the application addressing archaeology and built heritage issues, and a new round of publicity was undertaken on the ES.

Environmental Statements are usually concluded by reference to a common list of EIA significance criteria (e.g. 'substantial / moderate / minor beneficial', 'neutral/negligible', 'minor / moderate / substantial adverse') which are referenced in parts of the Officer assessment. The assessment in the ES is referred to specifically within the Officer analysis of archaeology and conservation matters below.

The Authority is restricted from granting planning permission for EIA development unless an EIA has been carried out; must ensure they have sufficient expertise to examine the ES; and must take it into account and reach a conclusion on the significant effects of the development on the environment and integrate that into the decision on granting permission. If permission is to be granted, the Authority must consider whether it is appropriate to impose monitoring measures.

Principle

Loss of the existing use

- 6.5 Prisons are a 'sui generis' use. The facility has been closed for several years and it is understood that the facilities had fallen short of modern standards for prison accommodation. It is not considered that the loss of the existing use is objectionable as a matter of principle.

Residential use

- 6.6 Policy SP1 of the JCS sets out the need for approximately 35,175 new homes during the plan period to 2031. The housing requirement for Gloucester is at least 14,359 new homes. Policy SP2 deals with the distribution of new development and seeks to focus development at Gloucester and Cheltenham, to support their economic roles as the principal providers of jobs, services and housing, and in the interests of promoting sustainable transport.

- 6.7 Policy SD10 of the JCS sets out that on un-allocated sites, housing development and conversions to dwellings will be permitted on previously-developed land in the existing built-up areas of the City except where otherwise restricted by policies in district plans. Also, proposals involving the sensitive, adaptive re-use of vacant or redundant buildings will be encouraged subject to the requirements of other policies. The Policy also seeks to maximise the density compatible with good design, protection of heritage, local amenity, the character and quality of the environment and safety and convenience of the road network. Policy SD11 requires an appropriate mix of dwelling sizes, types and tenures, addressing the needs of the local area. New housing should meet and where possible exceed appropriate minimum space standards, and be accessible and adaptable as far as compatible with local context and other policies.
- 6.8 The NPPF sets out proposals to ‘boost significantly the supply of housing’. Local Planning Authorities are required to ensure that their local plan meets the full objectively assessed needs for market and affordable housing in the market area, identify a 5 year supply of specific deliverable sites for housing with an additional buffer of 5%, and identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and where possible 11-15. Paragraph 49 sets out that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local Planning authority cannot demonstrate a five year supply of deliverable housing sites.
- 6.9 In terms of the principle of development on this central brownfield site and the contribution to housing supply, the residential component of the application is positive and sustainable.
- 6.10 With the adoption of the JCS in December 2017 Gloucester has a housing land supply of 5.8 years (for the period 1 April 2017 to 31 March 2022). This positive housing land supply position means that the housing policies in the Joint Core Strategy can be given full weight. There is however a shortfall of about 1,000 dwellings from 2028/29 and as a result of this shortfall there is a requirement for an immediate review of Gloucester’s (and Tewkesbury’s) housing supply as set out in the JCS.
- 6.11 Part of Gloucester’s housing supply is made up of sites which are not permitted but are broadly suitable, available and achievable – these make up the ‘City Plan Potential’ (Proposed site allocations in City Plan) of 1,518 units. Of this number c.400 are attributed to ‘Greater Blackfriars’ and c.200 of this c.400 are estimated from Former Gloucester Prison.
- 6.12 Therefore, development of the application site as proposed would make an important contribution to the City Plan Potential element of Gloucester’s housing supply (including the 5 year element). The site is also part of a proposed mixed use allocation in the emerging City Plan. In terms of broad principles, the delivery of residential units as part of the proposal represents

the redevelopment of a brownfield site that has previously been allocated in the un-adopted 2002 Second Deposit Local Plan and would contribute to the City's housing supply. This weighs in favour of the application. Layout options are constrained in terms of heritage assets and the mix and accessibility of units is considered acceptable in this context. Detailed assessment of planning issues associated with the residential element of the proposal is set out in the remainder of the report.

Non residential uses

- 6.13 Policy SD1 of the JCS supports employment-related development within the City and where it would encourage and support the development of small and medium sized enterprises. Policy SD2 relates to retail and city/town centres, establishing Gloucester City Centre as a key urban area. Within the City Centre proposals for leisure, entertainment and recreation, office, arts, culture, tourism, community facilities and residential development will be supported provided they would not have a significant adverse impact on the amenity. New residential, retail, leisure, culture, tourism, office development and community facilities that contribute to the vitality and viability of designated centres will be promoted and supported; town centre development will be of an appropriate scale and not compromise other centres. Proposals that help deliver regeneration strategies for the City Centre will be supported.
- 6.14 The NPPF sets out sequential and impact tests for main town centre uses that are not in an existing centre and not in accordance with an up to date local plan.
- 6.15 In terms of the use classes applied for in the chapel and the ground floor below (Block C), several would allow for 'main town centre' uses to be implemented. Policy SD2 and the NPPF set out policy requirements for main town centre uses.
- 6.16 As the site is within the city centre boundary (for non-retail uses), no sequential or impact tests are considered to be necessary; the broad principle of the main town centre uses is considered appropriate. Equally, other uses that could be implemented under the range of use classes applied for would be acceptable in this sustainable location. They would also help to mix the uses on site somewhat, add to the vitality of the area and help deliver the regeneration strategy. More detailed consideration of the impacts of these uses is set out later in the report.
- 6.17 A class A1 retail use at this location would be outside the primary shopping area and no sequential or impact test has been undertaken for it. It is recommended therefore that a 'permitted development' change of use to A1 retail is prevented by condition.
- 6.18 Overall subject to conditions the principle of the proposed uses at the site is considered to be in compliance with the above mentioned policy context.

Archaeology

- 6.19 Policy SD8 of the JCS sets out that heritage assets and their settings will be considered and enhanced as appropriate to their significance. Development should aim to sustain and enhance their significance and put them to viable uses consistent with their conservation whilst improving accessibility. Proposals that secure the future conservation and maintenance of heritage assets and their settings that are at risk through neglect, decay or other threats, also those that bring vacant or derelict heritage assets back into appropriate use, will be encouraged.
- 6.20 The NPPF requires appropriate desk-based assessment and where necessary a field evaluation. Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The more important the asset the greater the weight should be that is given to its conservation. Any harm or loss should require clear and convincing justification; substantial harm to or loss of assets of the highest significance such as scheduled monuments should be wholly exceptional. Paragraph 139 sets out that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets, while Paragraph 141 requires developers to record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and the impact, and to make this evidence publicly accessible.
- 6.21 The Prison is the most archaeologically significant site to be subject to redevelopment proposals in the City in recent years. As previously stated the site contains archaeological remains of high significance – nationally important remains of Roman, Saxon, medieval and later date. While not formally scheduled, they are considered by Officers to be of schedule-able quality. They are summarised briefly as follows:
- 6.22 The site lies outside the Roman City but in the vicinity of a roman quay/river frontage. There is potential for remains associated with the Roman quays within the site, potentially from depths of 4-6m below ground level but likely to be shallower at the eastern part of the site.
- 6.23 Saxon period remains have not been identified within the site to date (but as with the Roman deposits they are likely to be present at depth).
- 6.24 The medieval castle lay within the site, and the castle keep and other structures have been established as lying within the central part of the site. These are known to occur at shallow depths and are likely to also exist in other areas of the site that to date have not been subject to intrusive evaluation, potentially at shallower depth. Most significantly the 12th century keep survives as a buried standing structure and is considered to be an asset of national importance. Elsewhere the remains of the castle are more fragmentary and less well preserved.
- 6.25 In the later post-medieval and modern periods the site was the location for the prison (initially from the late 1700s on the western part of the current site with

the eastern part acquired and extended over in the early 1800s), and there are remains of various phases of construction. The last of these 'Blackburn' buildings were demolished in the early 1900s. In addition post-medieval burials of executed prisoners and those who passed away while imprisoned, lie within the site.

- 6.26 Archaeological investigations have previously been undertaken on this site and further intrusive evaluation has taken place by the applicant prior to making this application. It is important to note that while work has been undertaken in a range of difficult-to-access parts of the site (including within some buildings), there are significant parts of the site that have not been intrusively evaluated due to the presence of the standing buildings. A range of supporting information has been provided alongside the application to aid assessment.

Potential development impacts

- 6.27 In terms of foundation construction, ground beams and pile caps would generally be located above the archaeological remains, and continuous flight auger piling is proposed to assist in minimising damage to remains adjacent to the pile. The percentage impact from piling is generally very low, generally no more than 1.3% of the building footprint (and below the 2% target recommended by Historic England guidance). This is considered to represent an acceptable level of loss as a result of the development. Precise details of foundations and ground works would need to be secured by condition. Discussions have also been held with the applicants about re-using existing piles at the location of the 1980s reception block (which had large piled foundations that are likely to have damaged/destroyed a large proportion of the remains, and would be replaced by Block H). Broadly this appears to be feasible and would serve to limit the impact of the foundations on the archaeological remains. A condition is also proposed to control this matter.
- 6.28 Borehole and hydrographic surveys have been undertaken in response to concerns about how the water environment might be affected by the development and the impact of this on waterlogged remains. It is noted that the results indicate that well preserved significant organic remains are not especially common in the archaeological sequence, preserved waterlogged deposits are restricted to lower levels, and piling will not penetrate to a depth which will lead to a drop in the hydrological head level. It has been observed that further sampling might be necessary but the City Archaeologist is satisfied that the evidence indicates that development can proceed.
- 6.29 The proposed drainage system has been revised during the course of the application to seek to respond to the Archaeologist's concerns. As much as possible the intention is to reuse existing runs, which should assist in preserving remains. Where that is not possible the requirement for mitigation could be considerable (hand excavation where they impact on archaeological remains) and would be secured by condition.
- 6.30 Human remains are known to survive within the site, the available evidence indicates these are in isolated clusters. The likelihood of any one pile

impacting a human burial is very small. Where human remains are exposed the preferred approach is to preserve in situ, if not then excavation is required. There is other legislation dealing with human remains outside the planning system.

- 6.31 The creation of the public viewing chamber would require excavation prior to installation. A condition is considered to be necessary in order to secure precise details of its form, its implementation, and subsequent maintenance. This should assist in preserving the archaeological remains and advancing public understanding of the site history.
- 6.32 Given the national importance of the remains a programme of public engagement is considered to be reasonable and is proposed by condition.
- 6.33 Structures proposed for demolition would need to be recorded in advance, and this is recommended by condition. For the protection of below ground remains, demolition works will need to stop at slab level and be monitored archaeologically.

ES – Archaeological assessment

- 6.34 The ES notes that with mitigation through archaeological work, the impacts of the demolition and construction would be between 'minor' and 'moderate adverse'. During the operational phase of the development there would be moderate to substantial beneficial effects as a result of interpretive features. No cumulative effects were identified with other environmental effects of the scheme or with other local developments.

Archaeology conclusions

- 6.35 Overall, the key points are that the remains of the 12th century keep would be entirely preserved in situ and partially exposed to public viewing; the scheme achieves a very low impact from foundations; advice indicates that the hydrology of the site would not be altered in a manner that would damage remains; re-use of existing service runs and foundations would assist in reducing impact; and robust mitigation is proposed, that would ensure that where impacts are unavoidable, remains are recorded and better understood in accordance with the NPPF.
- 6.36 In conclusion, subject to conditions, the proposals are considered to have an acceptable impact on archaeology, by preserving the buried heritage assets at the site to an acceptable degree, advancing public understanding of and access to the site and therefore would comply with the above policy context.

Design and Impact on heritage assets

- 6.37 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Authority 'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses';
Section 66 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Authority 'shall have special regard to the desirability of preserving the building or its

setting or any features of special architectural or historic interest which it possesses’;

Section 72 requires that in the exercise, with respect to any buildings or other land in a conservation area, ‘special attention shall be paid to the desirability preserving or enhancing the character or appearance of that area’.

- 6.38 In terms of design policy, Policy SD4 of the JCS sets out a series of design principles, including; responding positively to, and respecting the character of the site and surroundings, enhancing local distinctiveness, being of a scale, type, density and materials appropriate to the site and its setting, and having appropriate regard to the historic environment; legibility and identity; amenity and space; providing high quality public realm and landscape; addressing safety and security; providing access for all potential users; and integrating with existing development and prioritise sustainable transport modes.
- 6.39 Policy SD3 of the JCS sets out expectations for development contributing to sustainability aims, being adaptable to climate change, minimising waste and addressing energy efficiency.
- 6.40 In terms of landscaping, JCS policy INF3 deals with green infrastructure and requires proposals to contribute positively towards it. Landscaping should be properly integrated into the design and contribute to local character and distinctiveness.
- 6.41 The NPPF sets out that planning should always seek to secure high quality design and support the transition to a low carbon future, encourage the conversion of existing buildings and the use of renewable resources. It seeks to ensure developments function well and add to the quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation, create safe and accessible environments, and are visually attractive as a result of good architecture and appropriate landscaping.
- 6.42 In terms of heritage policy, Policy SD8 of the JCS sets out that development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. Designated and undesignated heritage assets and their settings will be considered 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 and put them to viable uses consistent with their conservation whilst improving accessibility where appropriate. Proposals that secure the future conservation and maintenance of heritage assets and their settings that are at risk through neglect, decay or other threats, also those that bring vacant or derelict heritage assets back into appropriate use, will be encouraged.
- 6.43 The NPPF (Paragraph 131) sets out that in determining applications, authorities should take account of; the desirability of sustaining and enhancing

the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

- 6.44 Paragraph 132 sets out that in considering impact on significance, great weight should be given to the asset's conservation. The more important the asset the greater the weight should be that is given to its conservation. Significance can be harmed or lost through alteration or destruction of the asset or development within its setting. Any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade 2 listed building should be exceptional, substantial harm to or loss of assets of the highest significance such as grade 1 and 2* listed buildings, should be wholly exceptional.
- 6.45 Paragraphs 133 and 134 set out tests where a proposed development will lead to a level of harm. Where it would lead to substantial harm to or total loss of significance (Paragraph 133), authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: the nature of the heritage asset prevents all reasonable uses of the site; and no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and the harm is outweighed by the benefit of bringing the site back into use. Where a development proposal will lead to less than substantial harm to the significance of an asset (Paragraph 134), this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.46 Policy BE.2 of the 2002 Plan sets out that development should respect and protect the city skyline and important views and vista, noting particular importance to protecting views of the Cathedral.
- 6.47 Policy BE.30a requires permissions for demolition in Conservation Areas to be subject to a condition or obligation that demolition not take place until a contract for redevelopment is secured.
- 6.48 Policy A1.a of the 1983 Plan alongside the appendices set out a heights of buildings policy with a zoned approach to permissible heights.

Status of heritage assets

- 6.49 The central ABC wings are grade 2* listed, and the Debtors prison, Gate house, Governor's house, and the eastern perimeter wall are grade 2 listed. The site is within the Barbican Conservation Area. The Barbican Conservation Area Appraisal also records the Gatehouse and Governor's House as 'focal buildings'. As will be seen the scheme also affects views out of, and views of heritage assets within, the City Centre, Cathedral Precincts, and The Docks Conservation Areas.

Demolition of non-listed buildings in the Conservation Area

- 6.50 There is a range of modern (mid/late 20th century) buildings along the western edge of the site, the southern edge inside the perimeter wall, the extension to the end of the chapel wing, and between Blocks ABC and the Debtors prison, that are all proposed for demolition.
- 6.51 The demolition of much of this unlisted fabric would improve the setting of the listed buildings – for example demolishing the 20th century education block would expose the listed Debtors prison and the earlier gatehouse of A/B wings to allow better appreciation. Overall the loss of the unlisted fabric is considered acceptable.

Works to retained listed buildings

Blocks A/B/C

- 6.52 Blocks A/B/C date from 1840-1863, are Grade II* listed and are to be retained and altered. Greater weight should be given to the preservation of the building given its 2* status. The building comprises of two wings either side of the older gatehouse that provides access. Attached to these on the west side is the historic chapel block onto which a modern kitchen and boiler house extension has been added. The kitchen/boiler house extension to the west is to be demolished. This would open up the remainder of the western elevation of the building. Modern sanitary extensions on the west side of A and B wings would also be demolished with the original façade reinstated.
- 6.53 The original proposal to subdivide the chapel into two flats has now been removed. This is welcomed. It is now to be effectively kept as a single open space with some ancillary rooms provided for future use. The amended proposal retains the importance of the chapel as an open space preserving its function and architecture and the legibility of the chapel's historic and evidential value. The altered proposal introduces a series of new interventions to the chapel with a stair access insertion through the floor and subdivision of the area beneath the gallery.
- 6.54 The proposed uses for the chapel space and below could include cooking processes and a likely need for extraction equipment. Because of this and the high grade listing Officers sought an indicative routing for the ventilation ducting. The applicants have confirmed a potential route inside the building that would be of modest impact. With this in-principle solution set out, it is recommended that a condition secure precise details as and when they are required.
- 6.55 The cells in A and B wings would be converted to flats with dividing walls partially removed to provide sufficient useable living space for each unit. Further alterations within the building include inserting new windows, alterations to selected door openings for legislative compliance, and encapsulation of historic doors and infilling of modern doors with a recess to allow the 'reading' of historic door location. The balcony balustrading is proposed to be enhanced for health and safety reasons. The form of this requires further structural development and its appearance is proposed to be

agreed pursuant to a condition. The original proposal to remove balustrades and floor openings around the central atrium walkway between the wings was objected to by heritage consultees and has also now been removed from the proposals – the arrangement would be retained as existing.

- 6.56 The applicant's analysis considered there to be minor adverse impacts to A/B/C blocks that should be considered as 'less than substantial harm', and that it is justified by the heritage benefits of the works. Consultees agree that there is 'less than substantial harm' caused.

Debtor's prison

- 6.57 The Debtor's prison dates from the early 19th century and is proposed to be retained and altered, notably with an additional storey added. This building was previously altered with the original top storey removed (at some point after 1928) and a new roof added.
- 6.58 The proposals would reinstate the earlier full height building in the 'silhouette' of the original upper floor/roof, but in a modern form to mark the intervention. This is broadly accepted by consultees. The interior has been substantially altered already. Subject to securing precise details for the works no objection is raised to the proposals here.

Gatehouse and Governor's House

- 6.59 The gatehouse dates from the early 19th century and is proposed to be retained and altered. The Governor's house dates from 1840-1863 and is similarly to be retained and altered. The works are considered to be acceptable subject to securing precise details by condition.

Perimeter wall

- 6.60 The perimeter wall to the north and east sides dates from the early 19th century, and the southern section from the Governor's house probably from the mid 19th century. These are to be retained in the main, with adaptations to insert new openings. The original proposal to insert an opening to provide pedestrian access to Barbican Road has now been removed. This impacts on accessibility (discussed further below), but would retain the integrity of the historic wall here. The remaining proposed works to the perimeter wall are considered to be acceptable subject to securing details by condition.
- 6.61 Overall, although harm would be caused to the listed buildings by adaptation the works are broadly considered to be acceptable to facilitate re-use subject to securing certain precise details by conditions.

New build / Development impact on the setting of listed buildings and Conservation Areas

- 6.62 The analyses by consultees and the applicant come to different views on the heritage impacts of the proposed new buildings.
- 6.63 The siting of new buildings was subject to considerable discussion with Officers prior to the application submission. Most notably, the applicant has managed to avoid siting new buildings over the remains of the castle keep.

This arrangement is most welcome. The constraints of the site are such that an access road still passes over part of the keep and one corner sits under a cantilevered section of Block G, nevertheless most of the footprint of the keep is given over to a landscaped open space and overall this solution is supported.

- 6.64 Blocks H and J fronting The Quay are 6 storeys in height and this scale of development has been subject to ongoing scrutiny over the life of the proposal. This scale pushes at the limits of building heights that have been granted within the City in recent years and is considered to be one of the most challenging design and heritage issues that needs to be considered in this application, and is mentioned also in the public representations. This issue was subject to extensive discussion at pre-application stage relating to the scale as a matter of principle and the design treatment of the upper floors. The submitted design exhibits a '4+2' approach whereby the upper two storeys have a particular design approach that is distinct from the lower four, most notably the upper storeys are metal clad and set back from the brick faced lower four storeys.
- 6.65 Historic England, The Council for British Archaeology, the Conservation Officer and the Civic Trust have all raised concerns about Blocks H and J blocking views of the prison and legibility of the city skyline from the west, the impact on the setting of heritage assets, and also the design treatment of the upper two floors. The Urban Design Officer however raised no objection. It should also be noted that the applicant has consistently argued that the quantum of development here underpins the viability of the site.
- 6.66 The planning history of adjacent sites merits consideration here. The Local Development Order (LDO) scheme on the adjacent land to the north and east is cited in the applicant's justification. However while the LDO accepts 6 storeys it sets out that it is 'up to a maximum of 6 storeys' along the edge of the site facing The Quay, and does not explicitly allow for a relentless mass of 6 storeys. It is considered that this precedent indicates a broad acceptance of 6 storeys being tolerable in the vicinity but not as a justification in itself for the Prison site. The concerns raised in relation to the prison buildings and the views of this part of the city are related directly to this site, and are not replicated at the LDO site in the same manner.
- 6.67 Also in the vicinity of the site are the retirement complex at the end of Westgate Street (a building of staggered heights, 4 to 6 storeys at the feature corner, with the 'ground' floor raise up above external ground levels), and Priday Mill, again of staggered height up to 6 storeys (with a 7th in the roof space on the Docks side). The student accommodation on the Barbican car park site is up to 5 storeys in height. North Warehouse and Lock Warehouse to the south are 4 and 5 storeys respectively, while the modern flat blocks at West Quay on the Docks are 5 storeys. Again these indicate a context of some, limited, instances of 6 storeys but not to the whole building envelope.
- 6.68 The applicant's townscape and heritage analyses acknowledge that the buildings would impact on some views including from Castlemeads, The

Quay, Commercial Road and The Docks. It is also the case that the land rises up behind the site towards the city centre, and the large form of Shire Hall is also prominent in some of these views.

- 6.69 The Townscape and Visual Impact study refers to the Council's Heights of Buildings SPD, and includes analysis of the impact of two of the identified 'Views' in the SPD. It also includes a 'cumulative' analysis including the LDO proposals and Blackfriars student halls scheme in block form.
- 6.70 The study concludes that the scheme would have a major beneficial effect on the townscape character of the application site and its immediate surroundings, further afield the effects would be between 'neutral' and 'moderate beneficial'. Notably the applicant considers that the design, height, scale and massing of the proposed development harmonises with the characteristics of the Conservation Area and sits comfortably within the wider townscape.
- 6.71 In terms of the visual effects, the study concludes that they are beneficial in the main, and at worst, a 'minor adverse' effect from the Dry dock looking north east (the view of St Nicholas church is lost). The study considers that the scheme would preserve strategic views of the Cathedral and city skyline, although it would partially conceal the cathedral from the Castle Meads approach across the causeway and next to the river.

Views of the Cathedral (Grade 1 listed), Cathedral Precincts Conservation Area.

- 6.72 The applicant acknowledges that the development would obscure views of the Cathedral in close range views from Castle Meads which they consider a negligible adverse effect or very minor 'less than substantial harm' in NPPF terms to these assets.

Views of the Church of St Nicholas (Grade 1 listed), City Centre Conservation Area / Docks Conservation Area

- 6.73 The applicant acknowledges that the development would lead to loss of views of the church from Castle Meads and the Docks, although they consider the magnitude of change to the overall visual setting of the church would be low, and the development would create a more attractive setting to the Castle Meads view, with an 'attractive new frontage to the Quay' considered to be of comparable height to those in the Docks Conservation Area, representing a minor 'less than substantial harm' in NPPF terms to these assets.

Barbican Conservation Area

- 6.74 The applicant acknowledges a high magnitude of change to the Conservation Area. They note the loss of building fabric and floorplan, and the loss of views of A/B/C blocks as a result of the height of blocks H and J and the reduced prominence of A & B wings. They also note a number of benefits including repair, restoration and reuse of the site, accessibility and high quality public spaces, securing a viable long term use, and retaining the formal and defensive character of the prison. On balance they consider the effect to be substantially beneficial. They consider there to be 'less than substantial harm'

that would be justified by the benefits. As noted, consultees meanwhile raise objections to the impact of the 6 storey blocks on the Conservation Area.

- 6.75 While the professional merit of the townscape study is not criticised, it is felt that the conclusions play down somewhat the substantial change in the appearance of the site that most passers-by would experience. There is no doubt that the proposals would create a significant change in the appearance of the site, most notably the two 6 storey blocks at the western Quay frontage, which will clearly be perceived in views from the west, along The Quay and along Commercial Road, and in other glimpsed views around the City.
- 6.76 The concerns of heritage consultees refer to the change that would occur to the more varied, undulating form of the conservation area heights/roofscape that form part of the assets' setting and in blocking certain views into and beyond the site. The applicant's analysis however interprets the effect concealing an unattractive backdrop to the River Severn from the western approach and overall benefit from the demolition and construction proposed. Historic England cite Paragraph 137 of the NPPF noting that Blocks H and J do not 'preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset'. In essence, the height of the blocks would obscure views of the articulated and varied city skyline that they have identified as being a contributing factor to the setting of high-graded assets. The proposed finishing material to the upper two floors is also of concern in contributing to this.
- 6.77 As noted earlier, the applicant asserts that the height of these buildings underpins the viability of the scheme and in broad terms this is supported by the analysis of the Council's viability consultants (examined in detail below in the viability considerations). As such, it is not as straightforward as being able to simply require a reduction in the height by a storey and continue to also have a developable scheme.
- 6.78 With regard to other proposed new buildings the Conservation Officer raises objections to the roof form of Blocks G and K which fail to differentiate from the character of neighbouring Docks buildings, where a distinct variation in the proposed form could serve to better retain the Docks Conservation Area warehouses' particular character. The applicant meanwhile considers the significance of North Warehouse (which is the closest) to be preserved.
- 6.79 Apart from the issues raised above, the design of the new buildings is otherwise considered to be acceptable. While the Urban Design Officer, Civic Trust and others make suggestions for improvement of certain blocks, they are not overall considered to be objectionable.

Heights of buildings policy

- 6.80 The 1983 Plan sets out zones for restrictions on heights of buildings and the site is within a zone of special control where new development will be given individual consideration but no new buildings will exceed 23 metres above ground level. At approximately 21.5m at maximum, the proposal would not breach this criteria. In any respect there are some local examples of 6 storeys

being accepted in general terms, and there is a more recent Heights of Buildings SPD. In terms of this SPD, key views for the townscape analysis were agreed with the Urban Design Officer who wrote the SPD. The height per se, is not considered to be the main issue, it is the extent and form of the Blocks together. Policy BE.2 of the 2002 Plan is also relevant in that consultees have identified the impact the scheme would have on the City skyline, and the policy notes that it will be particularly important to protect views of the Cathedral – these would be modestly affected by the development.

New buildings - conclusions

- 6.81 Overall in terms of the new buildings the locations are agreed as is the general design approach. However the combination of the scale, form and facing material treatment for the 6 storey Blocks H and J would not preserve the setting of heritage assets or the city skyline, and the roof form of Blocks G and K would fail to preserve the distinct character of the Docks warehouses.

Hard and soft landscape strategy

- 6.82 As is common with redevelopment of urban sites in the City, there are different views between heritage and landscape consultees on the merits of new tree planting. Taking these into consideration it is considered that there is a need to balance between the aesthetic value of new planting, maintaining the character of the prison site and preserving buried archaeology.
- 6.83 The addition of trees to the parking area at the south is welcome for visual amenity and biodiversity benefit. Trees and ground conditions may need to be refined to cater for appropriate trees and soil amounts/conditions suitable for the species and the archaeology. It would also be desirable to secure trees without the use of planters. Both could be secured by and landscape condition. Overall I consider that the soft planting proposals would make for a more attractive living environment and would not physically damage nor inhibit the significance of the site's many heritage assets.
- 6.84 The opening up of part of the keep wall to public viewing and its interpretation in the surfacing is considered to be a positive benefit from the scheme and enhances the public realm as well as advancing public understanding of the site in accordance with Paragraph 141 of the NPPF. The exhibition of the partial keep remains within the open space satisfies the provisions of Policy BE.16 of the 2002 Plan, in providing for the public display of this asset. As noted above it is considered that a condition is necessary to secure precise details, its maintenance and its implementation within a reasonable period. The general strategy for hard surfacing is unobjectionable, and it is recommended that a condition secure precise details of the materials.
- 6.85 Overall it is considered that the landscape strategy is generally acceptable subject to certain conditions.

Other layout and design issues

- 6.86 The area is characterised by vacant sites and institutional/administrative uses. The introduction of residential uses would significantly improve natural

surveillance, and activity during the evening, which is of benefit in terms of the safety and security of the area.

- 6.87 The applicant has discussed the waste collection strategy for this constrained site with colleagues. Concern was raised about refuse vehicle access, which has been shown to be achievable albeit that it is tight in parts of the site and on street parking would need to be managed to prevent blockages. In terms of residents' use of facilities the applicant has confirmed that this will be addressed as part of their site management strategy. Overall it is considered that the site can be serviced subject to appropriate future management.
- 6.88 A Waste Minimisation Statement has been produced. Waste is to be reused and recycled on site as far as possible, maximizing off site fabrication and minimising storage of goods on site. It is recommended that a condition is imposed to secure details of the measures for the construction and operational phases.
- 6.89 Given the heritage constraints of the site it is recommended that a condition is imposed to secure a strategy for the implementation of energy efficiency measures which may be limited by the nature of the buildings.

Environmental Statement – Built Heritage Assessment

- 6.90 The ES concludes that the scheme would result in either neutral or beneficial effects to the majority of heritage assets and their settings, taking into account mitigation through design and compensated for by a number of heritage benefits. 'Minor adverse' effects on the Church of St Nicholas, and the City Centre and The Docks Conservation Areas are identified, by the loss of views of the Church from Castle Meads and The Docks, although the ES considers these are not significant effects in environmental terms and 'less than substantial harm' in NPPF terms. No 'significant adverse' environmental effects are identified in the ES. The only significant effects are 'substantial beneficial' effects on the listed A/B/C Blocks, gatehouse, perimeter wall, Debtors' Prison, Governor's house and the Barbican Conservation Area.
- 6.91 Overall The ES assesses that the effects of the demolition and construction phase would be 'minor' to 'moderate adverse' impacts; with mitigation measures this would be 'minor adverse' at worst. The effects of the operational phase would be between 'minor adverse' to 'substantial beneficial' effects; with mitigation measures proposed they consider the residual effects would be neutral or beneficial, and emphasise that the scheme is considered acceptable and no further resultant adverse residual effects are likely to arise. As noted above the ES also undertakes a cumulative assessment, and in terms of built heritage it identifies the LDO scheme, where additional harm would be caused to the setting of the Cathedral and St Nicholas Church, but this is not considered to be significant.

Design and heritage impact conclusions

- 6.92 This is a challenging proposal from a design and heritage impact perspective where consultees and the applicant come to different conclusions on the impacts.

6.93 The applicant's Heritage Impact Assessment concludes that;

- Cumulatively there would be no residual harm on the character of the listed buildings but rather an overall beneficial impact on the heritage assets
- There would be an enhancement to the setting of heritage assets by removing detrimental elements and creating a coherent landscape scheme, and making a positive contribution to local character and distinctiveness. The benefits are seen to outweigh the intrusion of the proposed housing in the western part.
- Securing a long-term use will ensure the asset's ongoing maintenance
- In terms of the character of the conservation area – the proposed design would improve the architectural character of the immediate surroundings, in keeping with the heights evident across the character area with the western blocks masked by the topography. The scheme will not challenge the strong character of the historic buildings.
- The proposals would cause slight harm to the heritage assets through the siting of large residential blocks to the west and through loss of historic fabric – this would be cancelled out by the countervailing effects of the removal of the 20th century structures. The applicant considers that the residual adverse effects on the Church of St Nicholas, and the City Centre and The Docks Conservation Areas (by virtue of loss of views of the Church) should be weighed against the public benefits. There would be 'minor beneficial' effects on the designated heritage assets and their setting and as such they contend that paragraph 134 of the NPPF is not engaged.

6.94 In opposition consultees identify harm to the setting of designated assets and the Conservation Area; Blocks H and J would not preserve the setting of heritage assets or the city skyline, and the roof form of Blocks G and K would fail to preserve the distinct character of the Docks warehouses. In NPPF terms this is identified by consultees as 'less than substantial harm'.

6.95 Various policy and legislative requirements need to be considered; the NPPF, the Local Plan, and the 1990 Listed Buildings and Conservation Areas Act.

6.96 Although consultees consider that there would be less than substantial harm to the significance of designated heritage assets, paragraph 132 of the NPPF requires 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. If there is less than substantial harm, this should be weighed against the public benefits of the proposal, including securing its optimum viable use.

6.97 The planning practice guidance advises that such public benefits could be anything that delivers economic, social or environmental progress. They should flow from the proposed development, and should be of a nature or

scale to be of benefit to the public at large and not just be a private benefit, although they do not have to be visible or accessible to the public necessarily. They may include heritage benefits such as;

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long term conservation.

6.98 The applicant identifies public benefits including;

- Removal of unsympathetic later structures and replacement with complementary ones
- Greater public access and understanding of heritage assets
- Beneficial use of assets including optimal viable use
- Conversion of existing buildings being more efficient and using less CO2 than building a new house
- High design quality
- High quality public spaces
- Provision of housing
- Job creation
- Wider economic benefits from investment
- Improving food and drink offer and/or other commercial uses
- Brownfield site redevelopment
- Regeneration benefits
- Conservation of listed buildings and enhancements including to setting
- Preservation and interpretation of significant archaeological findings
- Improvements to townscape character and wider character of conservation area and enhancing views by screening poorer buildings
- Improving ecological value of site
- Improvements to the permeability between the historic and commercial core of the City, River Severn and The Docks.

In addition it is noted that the proposals would deliver on some of the management proposals of the Conservation Area Appraisal, and would increase activity and natural surveillance of the area.

6.99 These benefits are considered to be a reasonable assessment. It is also of note that although Historic England query the option of off-site or reduced parking potentially leading to a reduction in height of Blocks H and J, the viability analysis does indicate that the quantum of development here does underpin the developability of the site, while a reduction in parking is likely to reduce values and make it less viable. Without detailed viability analysis of a range of schemes it is difficult to be categorical, however the constraints of the site and the aspiration for high quality solutions for the retained assets do indicate that if the Authority wishes to see this vacant heritage asset and regeneration site developed it will need to consider the need for a high quantum of residential units (notwithstanding the support there is for maximising unit output from a housing delivery perspective). Overall it is considered that the public benefits outweigh the 'less than substantial harm' identified by consultees.

- 6.100 In terms of JCS Policy SD8 similar conclusions apply. It is considered that the proposals would secure the future conservation and maintenance of vacant heritage assets that are at risk of decay and improve accessibility to them. While harm is identified to heritage assets, in terms of works to the listed buildings it is considered that these are reasonably required to enable the buildings' re-use, although harm is also identified to the setting of heritage assets and conservation areas. Notwithstanding these issues the development would elsewhere make a positive contribution to local character and distinctiveness.
- 6.101 The 1990 Listed Buildings and Conservation Area Act sets out separate mandatory requirements which necessitate giving 'special' regard or attention to preservation/enhancement, and greater weight is given to these in the assessment. While harm is identified by consultees to Conservation Areas, listed buildings and their settings and is given special regard in the overall assessment, there are also numerous examples of enhancement as well as preservation of heritage assets, and other considerable public benefits from the scheme. In this context the requirements of the 1990 Act are met and no objection is raised in these terms overall.
- 6.102 In accordance with the Act, and local and national policies, it is also recommended that no demolition take place until a contract is let for the redevelopment works; this can be secured by condition.
- 6.103 The applicants have agreed to a phasing plan that shows the listed building conversions in the first of two phases of work. It is considered that the benefits of reusing the listed buildings are an integral part of the conclusions and in order to ensure these works take effect I recommend that a condition secures the phasing plan or a comparable alternative that meets the same aspirations.
- 6.104 Overall in terms of design and impacts on heritage assets while consultees do not consider the impacts to be fully acceptable, there is less than substantial harm to the significance of designated heritage assets that is justified (subject to conditions) by the public benefits.

Traffic and transport

- 6.105 Policy INF 1 of the JCS requires safe and efficient highway access for all transport modes; connections are provided to existing walking, cycling and passenger transport networks and use of them maximised; and opportunities are taken to extend or modify existing sustainable transport networks and links. Planning permission will be granted only where the impact of development is not considered to be severe. Severe impacts must be mitigated.
- 6.106 The NPPF requires decisions to take account of whether opportunities for sustainable transport modes have been taken up; safe and suitable access can be achieved for all people to the site; and if improvements can be undertaken to the network that cost effectively limit the significant impact of

development. Development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

Access

- 6.107 A suitable vehicular access is proposed off Barrack Square from the position of the existing service access next to the administration block. An emergency access, with removable bollard is proposed between the Governor's House (Block F) and the new build block adjacent, off Commercial Road. Additional accesses, for pedestrians and cyclists at the existing gatehouse and for pedestrians onto The Quay to the west (between the new build blocks) are also provided.
- 6.108 The removal of the proposed opening in the perimeter wall onto Barbican Road deals with the safety concern that was evident with this arrangement due to limited visibility. The applicant's proposal was to use the opening to access car parking on the Barbican site however that parking has never formed part of the proposal and is of limited relevance. The opening did however, potentially provide a benefit in terms of site permeability. Its removal, while beneficial for historic integrity, leaves the main pedestrian access towards the city centre as being through the gatehouse.
- 6.109 At this northern edge of the site a 2m footway would be built out to provide for pedestrian access including to the residential entrances along the perimeter wall. This means that the current angled parking on Barrack Square would be altered to a parallel parking arrangement reducing the provision. However the proposal only provides for the footway to link westwards to The Quay. Eastwards the footway ends at the corner by the Gatehouse (Block D), although there is a partially elevated footway on the far side of Barbican Way next to the courts building and proposed improved linkages through the LDO site to the north. The applicant has indicated provision for a crossing at the Gatehouse, which would need to be detailed pursuant to a condition. The precise arrangement could take different forms, but is likely to be deliverable within the timescale for the development; it would need to be in place prior to the first residential occupation.
- 6.110 Vehicular circulation would be a one-way loop within the site. This is likely to provide for a tight and unusual driving experience as the road network is very much dictated by the existing retained buildings and the swept path analyses show that the space to manoeuvre around the site is tight in several locations, however this is an inevitable product of the constrained site.

Accessibility

- 6.111 The site is located within the city centre and is considered to be a highly sustainable location for residential use. The bus station is approximately a 900m walk away, and the train station approximately 1150m, providing for a wide range of destinations by sustainable transport. There are also bus routes passing closer to the site including services to the south of the City and to Cheltenham.

Parking

- 6.112 114 parking spaces are provided in total, 40 within the building envelopes and 74 externally. The calculated number of spaces required is 104, based primarily from census car ownership levels for areas surrounding the site including residencies with similar characteristics to the proposed (only approximately 51% of households own a car). Parking restrictions are likely to be required as the vehicle tracking plans indicate that cars parked outside of the marked bays would obstruct the movement of large vehicles around the site. As noted above, although reference has been made to additional off site parking provision, the application needs to be considered as it stands with only the on site parking included in the proposal. In addition 168 dedicated residential cycle parking spaces, and 24 communal cycle parking spaces are proposed.

Traffic impact

- 6.113 The trip rates for the development have been based on 210 dwellings and therefore provide a robust assessment (the non residential uses in this location would not be expected to generate a material number of vehicle movements as the users would primarily already be in the area);

Time	Arrivals	Departures	Two way total
AM peak (8-9)	17	51	68
PM peak (5-6)	41	22	63
Typical weekday (7am-7pm)	268	288	556

- 6.114 The development impact on the network has been tested, including cumulative impact of committed development at Bakers Quay, Barbican student halls and the LDO site and background traffic growth. The assessment has also considered existing and potential future arrangements of the local junctions at Barrack Square/The Quay and at Quay Street/The Quay associated with potential future highway alterations and development. The impact of the Prison development traffic can be accommodated within the junctions' capacity.
- 6.115 The potential impact of traffic queuing back from the pedestrian crossing at Southgate Street on the junction of Barrack Square/The Quay has also been considered with surveys identifying limited impact and it is not considered that further assessment is necessary. In addition, as context, the County Council is pursuing an improvement scheme to the South West Bypass that is expected to take a significant portion of traffic off The Quay and Commercial Road, which would improve this situation.
- 6.116 Given the constrained nature of the site, it is also considered that a condition is necessary to secure a Deliveries Management Plan, for reasons of residential amenity as well as highway safety.

- 6.117 Overall the cumulative impact of the vehicle movements generated by the development is not significant. Safe and suitable access can be provided to the development for all users. Subject to conditions there would be no severe residual impact on the highway and the proposals comply with the above mentioned policy context.

Residential amenity

- 6.118 Policy SD14 of the JCS requires that development should protect and seek to improve environmental quality, that it must cause no unacceptable harm to local amenity, no unacceptable levels of pollution, and suggests locating uses appropriately and securing mitigation to ensure appropriate levels.
- 6.119 The NPPF seeks a good standard of amenity for all existing and future occupants. The effects of pollution on health, the environment and general amenity should be taken into account.
- 6.120 The nearest existing residential properties are at Pridays Mill to the south east on Commercial Road, at Lock Warehouse to the south west on Severn Road/The Docks, and the student halls to the east on the Barbican site that are under construction. In addition the LDO includes provision for residential accommodation that could take place in close proximity to the north and east, while there are residential premises elsewhere in the local vicinity notably the Docks to the south. Barbican House on Barbican Road had a prior approval for conversion to flats prior to the occupation of the current music academy use.
- 6.121 Given their form and orientation, the new buildings and the converted existing buildings are sufficiently far from the neighbouring existing properties and consented residential sites in this urban context that no harm would be caused by virtue of any overlooking or overbearing effects. The taller new buildings could possibly have an overshadowing effect in the middle and later parts of the day onto the LDO site to the north but as there are no detailed proposals for this site it is not possible to establish an accurate position that significant harm would arise. Detailed proposals for the LDO site would need to consider the Prison redevelopment if approval were given and could mitigate by design or other methods. Overall no objection is raised in terms of overshadowing effects either.
- 6.122 Opening hours for the commercial use/s were proposed originally as 8am to 11pm daily for food and drink use, and 8am to 9pm for a D1 non-residential use. In the context of the site these hours are considered reasonable and would not cause harm to living conditions in the locality. The use of any external areas for seating may need to be dealt with in future, perhaps by a future tenant. The licensing regime would apply to any use proposing late night refreshment between 11pm and 5am, nevertheless as the proposed uses have expanded since the original submission, there is a possibility that certain uses including those outside the licensing regime might be proposed to times later than originally indicated and could be harmful to the amenities of residents. It is therefore recommended that a condition control hours of operation.

- 6.123 The nature of some of the uses that would be allowed in the commercial unit/s means some could involve cooking processes. This would necessitate some form of extraction facility and in a listed building this needs to be done sensitively. As noted earlier the applicant has provided an indicative route that would limit the intrusion to the building and prominence of the equipment. The provision therefore appears to be acceptable in principle and it is recommended that the precise specification is secured by condition.
- 6.124 In terms of future living conditions, a noise report has been submitted; this concludes that noise levels from Commercial Road would exceed the internal noise limit criteria in the British Standard for habitable rooms. The effect can be mitigated to a suitable level by the façade specifications in the report. The precise solution could take a number of forms and it is recommended that a condition secures this detail.
- 6.125 In light of the Environmental Health Officer's request for an overall noise limit for plant from the site, the applicant's amended their Noise Assessment. This indicates that tolerable noise levels would be achievable. The Environmental Health Officer is satisfied with this and again a condition is proposed to secure the detailed arrangements.
- 6.126 Overall, subject to certain conditions it is considered that the proposal complies with the above cited policy context. In this context, it is not considered that the Environmental Health Officer's suggested condition preventing burning is a necessary condition where other legislation exists.

Economic and regeneration considerations

- 6.127 The JCS seeks to support a thriving economy through building a strong and competitive urban economy, and the promotion and regeneration of Gloucester City, noting that the reuse and regeneration of sites within the urban areas is a high priority. Policy SD1 of the JCS Policy supports employment-related development within Gloucester City and where it would encourage and support the development of small and medium sized enterprises. Policy SD2 sets out that proposals that help to deliver the regeneration strategy for Gloucester City Centre will be supported.
- 6.128 The NPPF seeks to drive and support sustainable economic development to deliver homes and business units and seeks to ensure the planning system does everything it can to do so. Significant weight should be placed on the need to support economic growth.
- 6.129 The proposed commercial uses would create a limited number of jobs, as would the construction phase on a temporary basis (the applicant suggests 56 full time equivalent direct construction jobs and 31 indirect jobs, plus those from a commercial use/s). In this regard the proposal would have a positive economic impact that weighs modestly in favour of the proposals.
- 6.130 Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment

and job growth. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth through the planning system', this adds some weight to the case for granting permission.

- 6.131 The scheme would regenerate a highly sustainable vacant site that would otherwise lead to an increased danger of deteriorating listed buildings in an important and prominent part of the Conservation Area and City Centre. It would also continue the part-underway redevelopment of the wider Blackfriars area and deliver on regeneration aspirations of the Authority. This would not be an overriding factor if significant harm were identified in other planning respects however these factors add considerable weight in favour of the proposal.

Drainage and flood risk

- 6.132 Policy INF2 of the JCS sets out that development must avoid areas at risk of flooding in accordance with a risk-based sequential approach, and must not increase risk to safety of site occupants, the local community or wider environment. The policy also sets out requirements for; development to reduce existing flood risk where possible; the sequential test giving priority to Flood Zone 1, and if no suitable land can be found there, applying the exception test; development that could cause or exacerbate flooding to be subject to a flood risk assessment; incorporation of Sustainable Drainage Systems (SuDS) where appropriate; and working with partners to mitigate flood risk.
- 6.133 The NPPF seeks to direct development away from areas at highest risk of flooding but where it is necessary making it safe without increasing flood risk elsewhere, through applying the sequential test; if necessary applying the exception test; and using opportunities in new development to reduce causes and impacts of flooding.
- 6.134 The site is partially located within flood zones 2 and 1, with some small areas of flood zone 3 in the northern part of the site. The River Severn is close by to the west of the site beyond the highway and the Quay wall.
- 6.135 The site is relatively level with existing levels ranging from 10.27m AOD in the southwest corner to 12.16m AOD in the eastern corner. Levels beyond the site at Barrack Square to the north and to The Quay to the west are slightly lower than the site.

Sequential test

- 6.136 As the site includes flood zone 2 and 3 the sequential test is a relevant consideration. The National Planning Practice Guidance provides that the sequential test does not need to be applied for individual developments on sites which have been allocated in development plans through the sequential test. In this respect the site appeared within the 'Western Waterfront' mixed use allocation in the 2002 Second Deposit Local Plan which was not progressed further but was adopted for development control purposes. This allocation includes an indicative capacity of 2000 dwellings (the allocation was for a much wider extent than just the Prison site).

- 6.137 PPG25 and its sequential requirements were published in 2001. I am advised that discussions were held with the Environment Agency at the time with a view to delivering regeneration in the Western Waterfront area. Furthermore the Strategic Flood Risk Assessment sets out that opportunities to manage and improve flood risk within brownfield/regeneration sites should be considered in the first instance rather than ruling out sites altogether.
- 6.138 Notwithstanding that allocation process, the presence of the listed buildings and the need to secure their future is also a consideration in terms of alternative sites for the proposed development. This aspiration could clearly not take effect on another site in flood zone 1.
- 6.139 In the context of wider aspirations for regeneration within this area, the need to put this historic site to use to secure its future, and the history of discussions with the Environment Agency about development in the earlier Western Waterfront allocation it is considered that sequential test considerations for the proposal have been satisfied given the particular circumstances as outlined above. No other sites are available that could deliver this particular form of development. The proposals also take an acceptable sequential approach within the site.
- 6.140 The exception test applies in relation to Flood Zone 3a ,which covers part of the site. This requires that the development provides wider sustainability benefits to the community that outweigh flood risk; and that a site specific flood risk assessment demonstrates that the development will be safe for its lifetime taking account of user vulnerability, without increasing flood risk elsewhere and where possible, reduce flood risk overall.

Flood risk

- 6.141 The redevelopment of the former Prison to residential will result in no change to the flood risk vulnerability classification at the site.
- 6.142 The flow outfall proposed with Severn Trent is 38 l/s which is 40% betterment up to the 1 in 100 year plus climate change and is considered acceptable.

Safe access

- 6.143 A safe/dry egress is provided for into Flood Zone 1 areas via the emergency access adjacent to the Governors House at Commercial Road. The Drainage Engineer recommends that a flood warning and evacuation plan is also secured by condition.

Finished floor levels

- 6.144 Correspondence was held with the Environment Agency prior to the application to agree finished floor levels. All the new build blocks would have minimum ground finished floor levels of 11.43m AOD. This is 600mm of freeboard above the recently remodelled 1 in 100 year plus 35% climate change flood level of 10.83m AOD for this area.

6.145 Retained blocks A, B, C, E and F are already above the 1 in 100 plus 35% climate change and the 1 in 100 plus 70% climate change levels and will remain as existing (between 11.32 and 12.75m AOD). Retained Block D (the gatehouse) is the lowest building on site and it is proposed to raise levels by approximately 340mm to 11.32m AOD.

6.146 All proposed finished floor levels will also therefore be set above the historical 2007 and 1947 flood levels of 10.92 and 10.97m AOD respectively. It is considered that the levels should be secured by condition.

SuDS proposals

6.147 The application reports conclude that ground conditions are not considered suitable for soakaways. Porous paving is proposed to parking bays (which addresses water quality objectives), with modular storage below bays. The strategy also includes attenuation planted beds, rainwater harvesting and rain gardens. The attenuation volume is considered to be acceptable by the Drainage Engineer, allowing for a 40% uplift on rainfall to account for climate change. The detail of this should be secured by condition and would need to have regard to archaeological constraints.

Flood compensation proposals

6.148 The proposals seek to ensure that there is no loss of floodplain storage up to the historical flood level of 10.92m AOD. This involves reducing the land levels in various areas from a few centimetres up to almost half a metre in some. It is recommended that this is secured by condition.

6.149 On the basis of the above, it is considered that the application demonstrates that the development will be safe for its lifetime without increasing flood risk elsewhere. Furthermore, it is considered that in regenerating a vacant site, providing residential development in a highly sustainable location and securing the future of listed buildings, the development provides wider sustainability benefits to the community that outweigh flood risk. It is therefore considered that the exception test is passed.

Foul drainage

6.150 Severn Trent raises no in-principle issues and it is recommended that the detailed arrangements are secured by condition.

6.151 Overall, subject to conditions, no objections are raised by Severn Trent, the Lead Local Flood Authority, the Environment Agency or the Council's Drainage Engineer. It is considered that the sequential test and exception test are passed. It is considered that the proposals comply with the above-mentioned policy context and no objection is raised in these terms.

Land contamination

6.152 Policy SD14 of the JCS requires that new development must result in no unacceptable levels of soil pollution either alone or cumulatively, and result in no exposure to unacceptable risk from existing or potential sources of pollution, suggesting appropriately locating uses or including suitable

mitigation measures. Development must also incorporate the investigation and remediation of contamination.

- 6.153 The NPPF seeks to prevent new and existing development from contributing to or being adversely affected by pollution, and to remediate and mitigate contaminated land where appropriate. Planning decisions should ensure that the site is suitable for its new use taking account of ground conditions
- 6.154 Preliminary Risk and Geo-Environmental Site Assessments have been undertaken. These recommended that a remedial strategy is produced given the findings. The Council's consultants have reviewed the Remedial Strategy that has now been submitted and recommend that it is broadly acceptable and with some points of clarification could be approved. This is likely to address part of the Council's standard contaminated land condition. The applicants have responded to some of the matters in the response and the recommended condition, and suggested that a bespoke condition is written for this site.
- 6.155 Subject to a condition, the proposal is considered to comply with the above-mentioned policy context and no objection is raised in these terms

Ecology

- 6.156 Policy SD9 of the JCS seeks to protect and enhance biodiversity; new development is encouraged to contribute positively in this respect. It also notes that harm to the biodiversity of an undesignated site should be avoided where possible. Where there is a risk of harm as a consequence of development, this should be mitigated by integrating enhancements into the scheme.
- 6.157 The NPPF requires planning to minimise impacts on biodiversity and provide net gains in biodiversity where possible. It also sets out criteria for assessing certain types of application, including noting that opportunities to incorporate biodiversity in and around developments should be encouraged.
- 6.158 A preliminary ecological assessment and buildings assessment for roosting bats has been undertaken. No evidence of bat presence was found within the internal roof voids of the prison buildings and the external features were also considered to have negligible potential to support crevice-dwelling bat species.
- 6.159 It is agreed that this is a site itself of limited ecological interest. In accordance with the recommendations and to enhance the ecological benefit of the proposals, it is suggested that a condition secures the provision of bird and bat boxes that are shown on the plans for the proposed new buildings. Natural England has however advised that the proposals may have the potential to affect the Cotswold Beechwoods Special Area of Conservation (SAC) and recommends that a habitats regulations assessment screening is undertaken. Under the Habitats Directive, an appropriate assessment is required where a project is likely to have a significant effect upon a European site. The site is some distance from the SAC so it is a screening issue at this stage. This

would identify likely impacts of the proposals and consider if they are likely to be significant.

- 6.160 The potential effect on the SAC requires resolution. If acceptable, it is considered that the proposals would comply with the above mentioned policy context subject to a condition.

Affordable housing and infrastructure requirements / Scheme viability

- 6.161 Planning legislation and the NPPF provide that planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development: and
- Fairly and reasonable related in scale and kind to the development.

- 6.162 The NPPF states that where local authorities have identified the need for affordable housing, policies should be set for meeting this need on site unless off site provision or a financial contribution can be robustly justified. Policy SD12 of the JCS provides that a minimum of 20% affordable housing will be sought on sites of 11 or more dwellings in Gloucester although it also sets out that the viability of the site may enable additional levels of affordable housing to be provided and furthermore requires exploration of design, mix and subsidy options for development if there is a viability obstacle to delivering affordable housing. If the full requirement cannot be met, a viability assessment will be required. The Authority will negotiate to find an appropriate balance to deliver affordable housing and infrastructure needs.

- 6.163 The National Planning Practice Guidance also sets out that where a vacant building is brought back into any lawful use or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the Authority calculates any affordable housing contribution. Contributions may be required for any increased in floorspace.

- 6.164 The NPPF sets out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Policies INF3, INF4 and INF6 of the JCS require new residential developments to provide for any additional infrastructure and community facilities required to serve the proposed development such as publicly accessible green space or outdoor space for sports and recreation, education, transport and highways mitigation, and the protection and enhancement of cultural and heritage assets. Policies OS.2, OS.3, and OS.7 of the 2002 Plan set out the council's requirements for open space and the SPG Housing and Open Space sets out the basis for requests. Priority for provision will be assessed both on a site by site basis and having regard to the mitigation of cumulative impact and the JCS Infrastructure Delivery Plan. Permission will be granted only where sufficient provision has been made for infrastructure and services (and maintenance) to meet the needs/mitigate the impact of development. Policy INF7 notes that where there is a concern regarding viability, a viability assessment will be required.

6.165 Paragraph 173 of the NPPF sets out that viability is an important consideration; development should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability the costs of any requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. The PPG advises that where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible.

6.166 The proposals require the following affordable housing and infrastructure to accord with the Council's policies:

Affordable Housing

As above, a minimum of 20% of the total number with scope for greater where viability allows. The application site is within the lowest sales value zone 1, within the study that supports the JCS.

Vacant buildings credit

The existing floorspace of the vacant buildings is 11,967 sqm and the proposed floorspace is 21,881 sqm. This means that the affordable housing contribution sought should be 45% of the normal requirement. If the starting point is 20% of the 202 residential units to be affordable housing (which would be 40.4 units), this would represent a requirement of 18.2 affordable units.

No affordable housing provision is offered by the applicant.

Public Open Space

1.55ha on site open space

Or a financial contribution of;

£533,145 to formal sport

£150,557 to formal play

£75,546 to general public open space

No contributions are offered by the applicant. There are however suggestions for sculptural play elements in the eastern garden area which could provide a limited 'play' facility for children, and there is a central 'square' within the scheme and a shared garden space at the eastern corner.

Education

Pre-school places - £60,808 – Gloucester City wide

Primary school places - £74,192 – for additional places at St Paul's primary school

No education contributions are offered by the applicant.

Libraries

£39,592 – towards space for arts, cultural and innovation events and improved accessibility at Gloucester Main Library

No library contributions are offered by the applicant.

Public art/heritage conservation

Policy BE.16 of the 2002 Plan seeks the provision of or a contribution to public art or the conservation of part of a public heritage asset

As above, the applicant proposes a public viewing chamber/platform for part of the castle keep.

Viability assessment

- 6.167 The applicant submitted a viability appraisal to justify their assertion that no s106 contributions can be supported. Their cost plan sets out the anticipated construction costs of the development, and given the nature of the development with significant heritage constraints, this has been reviewed by a quantity surveyor. It sets out a range of non-standard costs for this particular site including foundations to cater for the presence of archaeological remains, archaeological viewing chamber, removal of asbestos, conversion of retained listed buildings, etc. This was subject to further discussions between the respective consultants during the application's consideration (see below).
- 6.168 The applicant's original appraisal set out a profit of 25% on cost or 20% on gross development value, along with assumptions around sales rates, commercial revenue, ground rent revenue, construction costs, professional fees, finance costs, marketing, sales, letting and disposal fees and project programme timetable, with no s106 contributions. The appraisal set out that the scheme generated a negative residual land value of c. -£13.2million and when compared their benchmark site value of £1 generates a deficit of £13.2million and that therefore the scheme was unviable. This has been tested by independent consultants on behalf of the Council, including the advice of the quantity surveyor on development costs.
- 6.169 The main conclusions of the Council's consultants are that the proposal is financially unviable to provide for a policy compliant mix of s106 contributions, in view of the negative residual land value (RLV) of -£10,638,000. Therefore, the proposal cannot support any s106 contributions.
- 6.170 The analysis by the Council's consultant involved refining the market values achievable from the scheme, assessing and considering further information on the cost plan, and adopting their own judgement on certain fees, differing from that proposed by the applicant. Further discussions were held between the respective consultants given the significant differences in the deficit concluded by the respective consultants in their initial analyses. A significant element of the disparity was due to the analysis of the cost plan. Following the further review the parties have agreed on a cost of £37,832,990 or £189 per sq ft. Further discussions have also amended the phasing and timing of the development which influence the programme and interest costs. These have informed the updated assessment. The assessment is based on the site being a prison; it doesn't have a value, being effectively unuseable and has costs associated with running it. It is given a value of a pound, and the scheme is still unviable.

- 6.171 As noted, a policy compliant development generates a negative RLV of – £10,638,000. A 100% market housing scheme with no s106 contributions still generates a negative RLV of - £7,759,283. To achieve the Benchmark Land Value of £1, a reduced developer profit of 3.59% profit on GDV would need to be accepted.
- 6.172 The viability circumstances impact on delivery of affordable housing and this engages consideration of criterion 8 of Policy SD12 referenced above, requiring an applicant to explore options where viability inhibits affordable housing provision. It is noted that this is a heavily constrained site and realistic options for significantly changing the quantum or density of development are limited by those constraints. As has been seen, even the existing quantum of development has presented challenges in terms of impacts on heritage assets. The applicant has submitted a note on this that sets out the sensitivities of the site including the high significance heritage assets and their arrangement, design and highways considerations, and flood risk constraints, and also the research and negotiations that were undertaken with Council Officers and other consultees at an early stage of the project that have led to a balanced consideration of development options. They also cite the bespoke design solutions and associated costs needed for the development proposed. Furthermore they note that the cost assessment undertaken by the Council's consultant indicates that a 'reduced cost' development proposal was also unviable and unable to support affordable housing, in addition to which, significant reductions in design specification could have associated reductions in sales values contributing negatively to scheme viability. They also note that their viability work is based on all units having a car parking space which is not currently the case in the application.
- 6.173 It is considered that the developer's submission in respect of development options is broadly fair and reflects the site constraints' influence on amending the scheme to make more viable. It is also noted that the Council's consultants re-calibrated their appraisal with all affordable units as shared ownership and this still generated a negative RLV of -£9,918,000.
- 6.174 In terms of the availability of other subsidy, the applicant notes that there is no available public funding to support the delivery of the development, and that a Housing Infrastructure Funding bid was unsuccessful. It could theoretically assist but would not be sufficient to address the extent of the viability deficit for the development. They note that from experience of other sites there are no significant grants for heritage schemes and they could not bridge the viability gap either. It is considered that given the size of the viability gap, it does not appear likely that public subsidy could close it and support an affordable housing component. Overall it is considered that the applicant has undertaken an acceptable approach in respect of Policy SD12 part 8.
- 6.175 The assessment complies with Policy INF7 of the JCS which provides for situations where there is a concern relating to viability of the development - a viability assessment has been undertaken and independently appraised.

6.176 In conclusion on s106 matters, it is considered that the display of part of the castle keep satisfies the aspirations of Policy BE.16 of the 2002 Plan. However, overall, by not achieving the required levels of affordable housing, open space, sport and play, education and libraries, the application is not in accordance with policy in that it doesn't secure the required levels of mitigation for the development. Policies SD12 and INF7 and the NPPF provide for scheme viability to be taken in consideration and the Council's analysis concurs that such mitigation cannot be supported by the development. This will be balanced into the overall deliberation on the application later in the report.

Environmental Statement – Cumulative assessment

6.177 The archaeological and built heritage parts of the ES have been commented on earlier. As noted, the ES also makes a cumulative assessment. This considers schemes being built out simultaneously within the locality. In this case there would be a higher magnitude of change; moderate adverse effects from noise vibration and dust, and additional visual impact from construction equipment. This could however be managed through phasing.

6.178 The LDO and student accommodation schemes would also affect the heritage assets identified in the built heritage assessment. The Townscape and Visual Impact Assessment has included the LDO parameters that are relevant also to the student halls scheme, and show the relationship to the Prison proposals. In the applicant's view these work well together and there would be no additional adverse effects on heritage assets.

6.179 The LDO parameters would also result in the partial obstruction of view of the Cathedral and Church of St Nicholas. In cumulation the applicant considered the effects not to be significant in environmental terms.

6.180 The student halls scheme in combination would result in moderate effects to the listed buildings on Commercial Road rather than minor effects of the Prison scheme alone, but no additional adverse effects and the qualitative effect would remain as assessed, while the magnitude of change to the Docks Conservation Area would remain low.

6.181 The scheduled Glevum Roman Colonia would experience a high magnitude of change with moderate neutral effect. There are not anticipated to be any cumulative impacts in terms of archaeology due to there being no inter-connectivity between the development site and any other identified site.

6.182 Overall there are unlikely to be any additional adverse impacts on or as a result of, the cumulative schemes, beyond those identified in the main assessment.

Remaining issues raised in public representations

6.183 The issues raised in public representations have mostly been covered in the analysis so far. Two remaining issues merit comment. In terms of concerns about precedent, Members will be aware that each case needs to be considered on its own merits. Notwithstanding this, the Prison site has a

unique set of circumstances and position within the city that are unlikely to be replicated. In terms of securing public access to the buildings, the ability to do so is naturally a product of its future use. As private accommodation is proposed it is not considered reasonable to require public access nor insist on an alternative use that in itself would involve public access. On a related point, since purchasing the site the applicant has made the site available to public viewing by tours of the Prison, and the interpretation requirements that are recommended by condition will assist in dissemination of information and public understanding of the site's form and history.

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. The proposals have been assessed against development plan policies within this report.

As identified the proposals would provide benefits including regenerating a highly sustainable, redundant site in a prominent position within the City Centre; delivering housing in line with the government's objectives of boosting housing delivery; reusing and securing the future of listed buildings, improving their setting by removing modern buildings and opening up a historic site further to the public; and increasing activity and natural surveillance in the area.

The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes requirements as set out in the report. Great weight has been given to the impacts on listed buildings as a result of the proposed alterations, and to the impacts on the setting of listed buildings and conservation areas as a result of the scale and design of the proposed new buildings, but it is considered that this less than substantial harm is justified in the public interest. In addition to the less than substantial harm to heritage assets as outlined in this report, the proposals also fail to provide any affordable housing or s106 contributions to mitigate the impacts of the proposed development upon existing community facilities and open space. Furthermore, there is insufficient assessment as to whether the proposal is likely to have significant effects on the Cotswold Beechwoods Special Area of Conservation.

The proposals mitigate their impact on below ground heritage assets, on highway safety, on flood risk and drainage, and on existing and future residents, subject to certain conditions.

- 7.2 It is considered that the Environmental Statement contains sufficient information and analysis to reach a reasoned conclusion on the significant effects of the development on the environment. The Environmental Statement has been taken into account in making this recommendation. Monitoring measures have been considered and are included in proposed conditions where considered necessary.

- 7.3 Therefore, placing all of the relevant material considerations in the balance, but particularly the public benefits of the proposals and weighing these against the less than substantial harm to the significance of designated heritage assets, pending the outcome of the Habitats Regulations Assessment screening it is considered that planning permission should be granted subject to conditions, and listed building consent should be granted subject to conditions.

As there remains an outstanding objection to the listed building works from the Council for British Archaeology, the listed building consent needs to be referred to the Secretary of State if the Authority resolves to approve it.

8.0 RECOMMENDATIONS OF THE GROWTH AND DELIVERY MANAGER

- 8.1 That, subject to the Habitats Regulations Assessment screening identifying that the proposals are not likely to have a significant effect on a Special Area of Conservation, planning permission is granted subject to the following conditions.
- 8.2 That the listed building consent is referred to the Secretary of State for consideration with a recommendation to grant consent subject to the following conditions.

Reasons for Approval

The impacts of the proposals have been carefully assessed. The scheme would regenerate a highly sustainable vacant brownfield site in a prominent position within the City centre, deliver housing, and secure the future of several heritage assets and partially open them up to the public, and contribute improvements to their setting. Less than substantial harm would be caused to listed buildings in their adaptation; and their setting and Conservation Areas by virtue of the proposed new buildings. The scheme also fails to provide the required s106 contributions, albeit justified by the viability analysis. Furthermore the proposals mitigate their impact on below ground heritage assets, on highway safety, on flood risk and drainage, and on existing and future residents, subject to certain conditions.

The Environmental Statement has been taken into account in reaching the decision and it contains sufficient information and analysis to reach a reasoned conclusion on the significant effects of the development on the environment. The benefits of the scheme are considered to outweigh the disbenefits.

The proposed works to the Grade II and II* Listed Buildings are generally well mannered, sensitive and would not detract from the quality and historic character of the existing buildings. While some harm would be caused in their adaptation this is considered to be acceptable in securing an appropriate future use for these challenging assets.

Conditions for the planning permission:

Condition 1

The development hereby permitted shall be begun before the expiration of two 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,
and to safeguard the reliability of the viability analysis, commencement after this date would require a further application and re-appraisal of the scheme viability.

Condition 2

The development shall be undertaken in accordance with the plans referenced

Location Plan 1803/P/001 P3 received by the Local Planning Authority 19th June 2017

Site wide

Site wide proposed demolition & intervention 1803/P/048 P2 received by the Local Planning Authority 28th March 2018

Proposed Block Plan 1803/004 P1 received by the Local Planning Authority 19th June 2017

Proposed Basement floor plan 1803/P/099 P1 received by the Local Planning Authority 19th June 2017

Proposed Ground floor plan 1803/P/100 P4 received by the Local Planning Authority 28th March 2018

Proposed First floor plan 1803/P/101 P4 received by the Local Planning Authority 12th April 2018

Proposed Second floor plan 1803/P/102 P4 received by the Local Planning Authority 12th April 2018

Proposed Third floor plan 1803/P/103 P2 received by the Local Planning Authority 19th June 2017

Proposed Fourth floor plan 1803/P/104 P2 received by the Local Planning Authority 19th June 2017

Proposed Fifth floor plan 1803/P/105 P2 received by the Local Planning Authority 19th June 2017

Proposed Roof plan 1803/P/106 P2 received by the Local Planning Authority 19th June 2017

Blocks ABC

Basement Floor intervention plan 1803/P/050 P1 received by the Local Planning Authority 19th June 2017

Blocks A/B/C basement plan 1803/P/110 P1 received by the Local Planning Authority 19th June 2017

Ground Floor intervention plan 1803/P/051 P3 received by the Local Planning Authority 23rd January 2018

Blocks A/B/C Ground floor plan 1803/P/111 P4 received by the Local Planning Authority 23rd January 2018

First floor intervention plan 1803/P/052 P4 received by the Local Planning Authority 13th April 2018

Blocks A/B/C First floor plan 1803/P/112 P5 received by the Local Planning Authority 12th April 2018

Second floor intervention plan 1803/P/053 P4 received by the Local Planning Authority 13th April 2018

Blocks A/B/C Second floor plan 1803/P/113 P5 received by the Local Planning Authority 12th April 2018

Roof intervention plan 1803/P/054 P2 received by the Local Planning Authority 19th June 2017

Blocks A/B/C Roof plan 1803/P/114 P1 received by the Local Planning Authority 19th June 2017

Intervention and repair North and South Prison elevations 1803/P/070 P2 received by the Local Planning Authority 19th June 2017

Proposed Prison elevations Blocks A, B, C North & South facing 1803/P/310 P1 received by the Local Planning Authority 19th June 2017

Intervention and repair East and West Prison elevations 1803/P/071 P2 received by the Local Planning Authority 19th June 2017

Proposed Prison elevations Blocks A, B, C North & South facing 1803/P/311 P2 received by the Local Planning Authority 19th June 2017

Intervention and repair Section C-C & E-E 1803/P/060 P1 received by the Local Planning Authority 19th June 2017

Block A, B, C Proposed Prison sections C-C & E-E 1803/P/210 P1 received by the Local Planning Authority 19th June 2017

Intervention and repair Sections B-B & D-D 1803/P/061 P4 received by the Local Planning Authority 13th April 2018

Blocks A, B, C Proposed Prison sections B-B & D-D & cross section through chapel 1803/P/211 P3 received by the Local Planning Authority 12th April 2018

Blocks A, B, C Proposed Prison sections A-A 1803/P/212 P1 received by the Local Planning Authority 19th June 2017

Block D / Gate House

Block D Gatehouse intervention plans all floors 1803/P/055 P1 received by the Local Planning Authority 19th June 2017

Block D – Gatehouse Proposed floor plans 1803/P/120 P2 received by the Local Planning Authority 19th June 2017

Intervention and repair Gatehouse elevations 1803/P/072 P1 received by the Local Planning Authority 19th June 2017

Proposed Gatehouse elevations Blocks D 1803/P/320 P1 received by the Local Planning Authority 19th June 2017

Block D existing Gatehouse intervention and repair Section LL & KK 1803/P/062 P1 received by the Local Planning Authority 19th June 2017

Block D Proposed Gatehouse Sections LL & KK 1803/P/220 P1 received by the Local Planning Authority 19th June 2017

Block E / Debtors Prison

Intervention and repair plans all floors 1803/P/056 P1 received by the Local Planning Authority 19th June 2017

Block E Debtors Prison Proposed floor plans 1803/P/125 P3 received by the Local Planning Authority 19th June 2017

Intervention and repair elevations 1803/P/073 P2 received by the Local Planning Authority 19th June 2017

Block E Proposed elevations 1803/P/330 P1 received by the Local Planning Authority 19th June 2017

Intervention and repair Sections A & B 1803/P/063 P1 received by the Local Planning Authority 19th June 2017

Block E Proposed Debtor's Prison Sections AA & BB 1803/P/230 P1 received by the Local Planning Authority 19th June 2017

Block F / Governor's House

Governor's House intervention all floors 1803/P/057 P1 received by the Local Planning Authority 19th June 2017

Block F Governor's House Proposed floor plans 1803/P/130 P3 received by the Local Planning Authority 19th June 2017

Intervention and repair Governor's House elevations 1803/P/074 P1 received by the Local Planning Authority 19th June 2017

Block F Proposed elevations 1803/P/340 P1 received by the Local Planning Authority 19th June 2017

Intervention and repair Sections MM and NN 1803/P/064 P1 received by the Local Planning Authority 19th June 2017

Block F Proposed Governor's House Sections MM & NN 1803/P/240 P1 received by the Local Planning Authority 19th June 2017

Block G

Block G Proposed Ground and First Floor plans 1803/P/135 P1 received by the Local Planning Authority 19th June 2017

Block G Proposed Second and Third floor plans 1803/P/136 P1 received by the Local Planning Authority 19th June 2017

New build Block G North & South elevations 1803/P/350 P1 received by the Local Planning Authority 19th June 2017

New build Block G East and West elevations 1803/P/351 P1 received by the Local Planning Authority 19th June 2017

Block H

Block H Proposed Ground and First floor plans 1803/P/140 P1 received by the Local Planning Authority 19th June 2017

Block H Proposed Second & Third floor plans 1803/P/141 P1 received by the Local Planning Authority 19th June 2017

Block H Proposed Fourth & Fifth floor plans 1803/P/142 P1 received by the Local Planning Authority 19th June 2017

New build Block H West & East elevations 1803/P/361 P2 received by the Local Planning Authority 8th September 2017

New build Block H North & South elevations 1803/P/360 P2 received by the Local Planning Authority 8th September 2017

Block J

Block J Proposed Ground & First floor plans 1803/P/145 P1 received by the Local Planning Authority 19th June 2017

Block J Proposed Second & Third floor plans 1803/P/146 P1 received by the Local Planning Authority 19th June 2017

Block J Proposed Fourth & Fifth floor plans 1803/P/147 P1 received by the Local Planning Authority 19th June 2017

New build Block J West & East elevations 1803/P/371 P2 received by the Local Planning Authority 8th September 2017

New build Block J North & South elevations 1803/P/370 P2 received by the Local Planning Authority 8th September 2017

Block K

Block K Proposed Ground & First floor plans 1803/P/150 P1 received by the Local Planning Authority 19th June 2017

Block K Proposed Second & Third floor plans 1803/P/151 P1 received by the Local Planning Authority 19th June 2017

New build Block K North & South elevations 1803/P/380 P2 received by the Local Planning Authority 8th September 2017

New build Block K East & West elevations 1803/P/381 P1 received by the Local Planning Authority 19th June 2017

Block L

Block L Proposed floor plans 1803/P/155 P1 received by the Local Planning Authority 19th June 2017

New build Block L North, South, East & West elevations 1803/P/385 P2 received by the Local Planning Authority 8th September 2017

Block M

Block M Proposed floor plans 1803/P/160 P1 received by the Local Planning Authority 19th June 2017

New build Block M North, South, East & West elevations 1803/P/390 P1 received by the Local Planning Authority 19th June 2017

Block N

Block N Proposed floor plans 1803/P/165 P1 received by the Local Planning Authority 19th June 2017

New build Block N North, South, East & West elevations 1803/P/395 P1 received by the Local Planning Authority 19th June 2017

Perimeter wall

Wall intervention plan 1803/P/058 P2 received by the Local Planning Authority 28th March 2018

Intervention and repair wall elevations 1803/P/075 P2 received by the Local Planning Authority 28th March 2018

Intervention and repair wall elevations 1803/P/076 P1 received by the Local Planning Authority 19th June 2017

New build Boundary wall North & West 1803/P/400 P2 received by the Local Planning Authority 19th June 2017

Landscaping

Illustrative Masterplan GLO444-GRA-X-XX-DR-L-1001-P Rev. 02 received by the Local Planning Authority 28th March 2018
Hardworks strategy GLO444-GRA-X-XX-DR-L-3001-P Rev. 02 received by the Local Planning Authority 28th March 2018
Softworks strategy GLO444-GRA-X-XX-DR-L-5001-P Rev. 01 received by the Local Planning Authority 28th March 2018

Proposed Ecological Enhancements 1803/P/500 P1 received by the Local Planning Authority 8th September 2017

Proposed Northern Access Arrangements 2440-05 I received by the Local Planning Authority 28th March 2018
One-way system 2440-12 received by the Local Planning Authority 14th November 2017
Proposed southern emergency access 2440-06 E received by the Local Planning Authority 14th 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

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the floorspace hereby approved for Class A3 or A4 use shall not be used for a use within Class A1 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason

The Local Planning Authority wishes to control the specific use of the premises, because they are outside the primary shopping area and a retail use would have to satisfy the relevant policy tests, in accordance with Policy SD2 of the Joint Core Strategy 2017 and the NPPF.

Condition 4

No demolition shall take place until a contract for the carrying out of the works of redevelopment has been let and proof of such has been provided to, and written confirmation of its acceptability has been given by, the Local Planning Authority.

Reason

Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 Paragraph 136 of the NPPF, Policy BE.30a of the 2002 City of Gloucester Second Deposit Local Plan, and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017. This is

required pre-commencement given the potential impact of demolition works on the Conservation Area without it being satisfied.

Condition 5

No demolition shall take place until a demolition statement (to include identification of the specific areas to be demolished, the method of demolition together with the necessary protection for the retained structures) has been submitted to and approved in writing by the Local Planning Authority. Demolition shall only take place in accordance with the approved statement.

Reason

To preserve the special interest of the listed buildings and the character and appearance of the Conservation Area in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the National Planning Policy Framework. This is required pre-commencement given the potential impact of demolition works on the Conservation Area and Listed Buildings without it being satisfied.

Condition 6

Development shall proceed in accordance with the Indicative Phase Plan received by the Local Planning Authority on 8th March 2018 or an alternative phasing plan that has been submitted to and approved in writing by the Local Planning Authority. Any alternative phasing plan shall similarly prioritise the early delivery of the listed building conversions.

Reason

To secure the early delivery of listed building conversions, in accordance with Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, Paragraphs 17, 131, 132 and 134 of the NPPF.

ARCHAEOLOGY

Condition 7

No development or demolition shall commence within the proposed development site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic environment work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme shall provide for archaeological recording of significant elements of the historic built environment that are likely to face an impact from the proposed development and any proposed demolition, with the provision for appropriate archiving and public dissemination of the findings.

Reason

The proposed development site includes significant elements of the historic built environment. The Council requires that these elements will be recorded in advance of any development or demolition and their record be made publicly available, in accordance with paragraphs 131 and 141 of the National Planning Policy Framework

and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017. This is required pre-commencement given the potential impact of early-phase works.

Condition 8

No development or demolition shall commence within the site until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development or demolition shall take place other than in accordance with the agreed WSI, which shall include a statement of significance and research objectives, and;

- An updated archaeological impact and mitigation statement;
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- A programme of community and public engagement and outreach;
- A programme for the recording of all existing and new piles and pile caps within the site; and
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.'

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 paragraphs 131, 132 and 141 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017. This is required pre-commencement given the potential impact of early-phase works.

Condition 9

No development or demolition shall commence until a methodology for the undertaking of a feasibility study for the reuse of existing piled foundations in the area of block H (as referenced on plan 1803/004 P1) has been submitted to and approved by the local planning authority in writing. This shall include provision for pre- and post-demolition analysis. Subsequently no construction of Block H shall commence until the feasibility study has been submitted to and approved in writing by the Local Planning Authority.

Reason

To minimise impact to heritage assets of high significance by establishing the prospect for re-use of existing piled foundation or alternatively locating piles in areas of existing disturbance, in accordance with paragraphs 131, 132 and 139 of the NPPF and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017. This is required pre-commencement given the potential impact of early-phase works.

Condition 10

No works below existing ground level shall commence until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works of the proposed development (including pile type and methodology, drains and services, and for Block H shall take into consideration the results of the Feasibility Study approved under Condition 9) 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 in accordance with paragraphs 131 and 132 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 11

The viewing platform and chamber for the remains of the castle keep shall not be installed prior to the submission to and approval by the Local Planning Authority of details comprising;

- Scaled cross sections of the full chamber and platform to show the floor level of the chamber, drainage, ground level/glazing, and ventilation proposals;
- Details of proposed lighting, drainage and other services;
- Details of above-ground protection from vehicles and pedestrians as may be needed;
- A Management Plan for the platform and chamber;

The viewing platform and chamber shall be implemented in accordance with the approved details and shall be maintained in accordance with the approved Management Plan for the life of the development.

Reason

To make provision for the public appreciation of the heritage of the area while preserving it, in accordance with paragraphs 131, 132 and 141 of the NPPF and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 12

The viewing platform and chamber for the remains of the castle keep remains shall be implemented in accordance with the details approved under Condition 11 concurrently with the hard landscaping and completed prior to the occupation of the 190th dwelling unit (or to such other timetable as may be approved in writing by the Local Planning Authority).

Reason

To make provision for the public appreciation of the heritage of the area, in accordance with paragraph 141 of the NPPF and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 13

Notwithstanding the approved plans the development shall be carried out in accordance with a form of historic interpretation of the site. This shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of hard or soft landscaping works and those details shall include:

- Scaled drawings of any physical structures or facilities within the public realm;
- Details of the content of any display material;
- A timetable for implementation.

Reason

To make provision for the public appreciation of the heritage of the area, in accordance with paragraph 141 of the NPPF and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

DESIGN & HERITAGE

Condition 14

Notwithstanding the approved plans and details, no above ground construction of a building shall be commenced until details of all building facing materials and finishes for that building (including wall and roof materials, doors, windows, and rainwater goods) have been submitted to and approved in writing by the Local Planning Authority with a sample panel for the brick and external cladding material to be constructed on site for inspection. 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 and in the interests of protecting the character and appearance of the Conservation Areas and the special character of listed buildings and their setting, in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 58 and 131 of the National Planning Policy Framework.

Condition 15

Notwithstanding the approved plans and details, no development shall take place other than site remediation, demolition or exploratory ground works until details of the surface material finishes for the highways, footpaths, cycle ways, parking areas, common areas, and all other hard surfaces have been submitted to and approved in writing by the Local Planning Authority. Details shall include a scaled layout plan denoting the finishes, features, and samples of the principal materials. Development shall be carried out in accordance with the approved details and maintained as such thereafter.

Reason

To ensure that the design and materials are appropriate to their context, in the interests of protecting the character and appearance of the Conservation Areas and the setting of listed buildings, in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 58 and 131 of the National Planning Policy Framework.

Condition 16

Notwithstanding the approved plans and details, no development shall take place other than site remediation, demolition or exploratory ground works until details of street and open space furniture, external lighting, screen walls, fences/railings and other new means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Such details shall include scaled elevation drawings, site plans identifying their location, and materials. Development shall be carried out only in accordance with the approved details.

Reason

In the interests of privacy and security, and protecting the character and appearance of the Conservation Areas and the setting of listed buildings, in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 58 and 131 of the NPPF.

Condition 17

Notwithstanding the approved plans and details, no development shall commence on site other than site remediation, demolition or exploratory ground works until a soft landscape scheme has been submitted to and approved in writing by the local planning authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers, and also include the omission of the tree proposed immediately to the west of Block A/B/C and the raised planters indicated on the submitted Softworks Strategy, and tree pit specifications for each proposed new tree that shall have regard to the need to protect buried heritage assets and also provide sufficient soil volume/ capacity to allow each tree to grow to maturity.

Reason

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment and heritage assets in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 58 and 131 of the NPPF.

Condition 18

The landscaping scheme approved under condition 17 shall be carried out concurrently with the development and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously damaged shall be replaced during the next

planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment in accordance with Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraph 58 of the NPPF.

Condition 19

No above ground construction shall commence until scaled elevation drawings of the external waste/recycling storage provision have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be implemented only in accordance with the approved details.

Reason

To ensure adequate provision for storage of waste and to preserve the character and appearance of the Conservation Area and the setting of listed buildings in accordance with Policies SD4 and SD8 of the Joint Core Strategy Adopted 2017 and Paragraphs 58 and 131 of the NPPF.

Condition 20

No building shall be occupied prior to the provision on site of the waste/recycling storage for that building.

Reason

To ensure sufficient supporting infrastructure in place for residents and to preserve the appearance of the area in accordance with Policies SD4 and SD8 of the Joint Core Strategy Adopted 2017 and Paragraphs 17, 58 and 131 of the NPPF.

Condition 21

No development shall take place other than site remediation, demolition or exploratory ground works until a strategy for incorporating energy efficiency measures into the development has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved strategy.

Reason

To provide for energy efficiency balanced with the heritage constraints of the site, in accordance with Policies SD3 and SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 93, 95, and 131 of the NPPF.

Condition 22

No development shall take place until Waste Minimisation Strategies for the demolition/construction phase and the operational phase have been submitted to and approved in writing by the Local Planning Authority. The respective phases of development shall take place in accordance with the approved strategy for their full duration.

Reason

To reduce waste in accordance with Policy SD3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, Waste Minimisation in development projects SPD 2006 and Paragraph 7 of the NPPF. This is required pre-commencement as a strategy is necessary to deal with demolition works.

ENVIRONMENTAL HEALTH

Condition 23

No above ground construction shall commence until details of noise mitigation measures for each residential unit have been submitted to and approved in writing by the Local Planning Authority. These details shall include the precise specification of the mitigation (façade specification, glazing specification, etc.) and a clear representation of the units and façades to which it applies. No unit for which measures are identified as being required shall be occupied until the approved measures have been implemented in full.

Reason

To deliver noise mitigation measures as shown to be necessary in the submitted application documents to create an acceptable living environment, in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 24

Where any part of the development is occupied for a Class A3, A4 or A5 use, no individual unit shall be opened to the public until extraction equipment has been installed to full working order for that unit in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The details shall include the routing of any flue and shall have regard to the details submitted to the Local Planning Authority on 7th March 2018.

Reason

To secure an appropriate means of extract for cooking processes to protect the amenities of the area and secure minimal impact on the listed building in accordance with Policies SD8 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 120 and 131 of the NPPF

Condition 25

Prior to the installation of any fixed plant associated with the development, details shall be submitted to and approved in writing by the Local Planning Authority setting out how the maximum noise levels specified in Table 7.6 of the RSK Noise Impact

Assessment 296762-00(03) March 2018 (received by the Local Planning Authority 19th February 2018) are to be achieved. Any mitigation measures shall be installed in full prior to the operation of any plant and the plant shall only be operated in accordance with the approved details.

Reason

To create an acceptable living environment, in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 26

Prior to the commencement of the development a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- (a) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- (b) Measures to minimise and control noise, vibration, dust and fumes during site preparation works, demolition and construction, including vehicle reversing alarms.
- (c) Details of the parking for all vehicles of site operatives and visitors.
- (d) The unloading and loading arrangements for heavy plant, materials and machinery and any proposed construction compound.
- (e) Measures to avoid traffic congestion on the road network

Reason

To safeguard the amenities of the area in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF. This is required pre-commencement given the potential impacts of early-phase works.

Condition 27

Where any part of the development is occupied for a Class A2, A3, A4, A5, B1, D1 or D2 use, the loading and unloading of service and delivery vehicles to that use together with their arrival and departure from the site shall not take place outside the period between 0700hours and 1800hours on any day.

Reason

To safeguard the amenities of the area in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 28

Where any part of the development is occupied for a Class A3, A4, A5, D1 or D2 use, that use shall not be open outside the period between 0800hours and 2300hours on any day.

Reason

In the interests of the amenities of the area in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 120 and 123 of the NPPF.

Condition 29

No Class A2, A3, A4, A5, B1, D1 or D2 use shall commence until a Deliveries Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate how the site is to be managed in such a way that vehicular and pedestrian movement is maintained during deliveries, include provisions to deal with pedestrian safety during the manoeuvring of delivery vehicles, provisions if the delivery vehicle is temporarily blocked from entering the site, and measures to minimise disturbance to local residents. Deliveries shall only be made to the site in accordance with the approved Deliveries Management Plan.

Reason

The Class A2, A3, A4, A5, B1, D1 and D2 are likely to necessitate delivery arrangements, within a constrained site. The condition is necessary in the interests of safety and amenity of the area, in accordance with Policies SD4, SD14 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 17, 32, 35, 58, 120 and 123 of the NPPF.

Condition 30

Construction work and the delivery of materials shall be limited to the period between 0800hours and 1800hours Monday to Friday, 0800hours to 1300hours on Saturdays and for the avoidance of doubt no construction work or deliveries shall take place on Sundays or Bank Holidays.

Reason

To safeguard the amenities of the area in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 31

No above-ground construction shall commence until details of measures to discourage seagulls from nesting and roosting on the building have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the Local Planning Authority's publication "Gulls: How to stop them nesting on your roof December 2005. The measures shall be implemented in full for each building prior to its first occupation.

Reason

In the interests of the appearance of the development and to avoid nuisance caused by nesting and roosting seagulls, in accordance with Policy SD5 of the Joint Core Strategy Adopted 2017 and Paragraphs 17 and 58 of the NPPF.

Condition 32

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 1 to 4 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 4 has been complied with in relation to that contamination.

1. Site Characterisation

Once buildings have been demolished and structures removed, supplementary site 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*'.

2. 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 EPA 1990 in relation to the intended use of the land after remediation.

3. 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 (elsewhere referred to 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.

4. 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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2, 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 3.

5. 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 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 SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version Adopted 2017, Paragraphs 17, 120, 121 and 123 of the NPPF.

DRAINAGE/FLOOD RISK

Condition 33

The development hereby permitted shall not commence until full details for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved 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 occupation of the development and maintained thereafter for the life of the development.

Reason

To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policies SD14 and INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 100 and 103 of the NPPF. This is required pre-commencement given the facilities involve below ground works, on a large spatial extent and will intersect with archaeological remains so their arrangement needs to be agreed at the start to avoid any abortive works or other conflicts as a result of starting development.

Condition 34

The development shall not be occupied until a SuDS management and maintenance plan for the lifetime of the development (which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime) has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out the access required to reach components for their maintenance, a plan for safe and sustainable removal and disposal of waste periodically arising, materials and standard of work required. The approved plan shall be implemented upon first occupation of the development and maintained for the lifetime of the development.

Reason

To ensure continued operation and maintenance of drainage features serving the site and to avoid flooding and pollution in accordance with Policies SD14 and INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 100 and 103 of the NPPF.

Condition 35

The development shall not commence until full details for the disposal of foul water flows have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed to full working order prior to the first occupation of the development and maintained thereafter for the life of the development.

Reason

To ensure that the development is provided with a satisfactory means of drainage, and to minimise the risk of pollution in accordance with Policies SD14 and INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 100 and 103 of the NPPF. This is required pre-commencement given the facilities involve below ground works, on a large spatial extent and will intersect with archaeological remains so their arrangement needs to be agreed at the start to avoid any abortive works or other conflicts as a result of starting development.

Condition 36

No development shall take place until an exceedance flow routing plan for surface water runoff flows above the 1 in 100 year plus 40% climate change event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of open space (not private gardens or other spaces). A risk assessment may be required to determine adequate risk mitigation measures. When assessing the risks associated with conveyance routes or storage area for exceedance flows, flow depth, velocities, duration and impact of flooding to people and property on and off site should be taken into account. The approved plan shall subsequently be completed in accordance with the approved details before the development is first occupied and maintained for the lifetime of the development.

Reason

To ensure that the development is provided with a satisfactory means of drainage, and to ensure the development is safe for its lifetime, in accordance with Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, Paragraphs 100, 102 and 103 of the NPPF. This is required pre-commencement given the facilities involve ground works and will intersect with archaeological remains so their arrangement needs to be agreed at the start to avoid any abortive works or other conflicts as a result of starting development.

Condition 37

The finished floor levels of buildings shall be set at least at the following levels respectively (by reference to the building codes set out on the Proposed Ground floor plan 1803/P/100 P4);

Block A (Main cell block) : 11.96m AOD

Block B (Main cell block) : 11.96m AOD

Block C (Chapel wing): 11.32m AOD

Block D (Gate house) : 11.32m AOD

Block E (Debtors prison) : 11.72m AOD

Block F (Governors House) : 12.45 – 12.75m AOD

Blocks G, H, J, K, L, M and N (new build) : 11.43m AOD

Reason

To demonstrate that the development will be safe for its lifetime, taking into account the vulnerability of users and to ensure that the development passes the Exception Test in line with the NPPF and Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 38

The development shall not be occupied until the compensatory flood storage works have been completed in accordance with the Floodplain Compensation Plan ref. 04-01 P4 (received by the Local Planning Authority 19th June 2017).

Reason

To ensure that the approved flood mitigation scheme is completed, in accordance with Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 102 and 103 of the NPPF.

Condition 39

The development shall not be occupied until a Flood Warning and Evacuation Plan has been put into place in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The Plan shall include (but is not limited to) proposals for flood warnings, signage (including proposed sign wording and sign locations) and emergency access/egress. The approved Plan shall be operated for the lifetime of the development.

Reason

To ensure that the development remains safe for its users over the lifetime of the development in accordance with Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 102 and 103 of the NPPF.

ECOLOGY

Condition 40

Bat and bird boxes/bricks shall be implemented in accordance with the details shown on plan ref. 1803/P/500 Rev. P1 'Proposed ecological enhancements' (received by the Local Planning Authority on 8th September 2017) and a specification of the exact provision to be submitted to and approved in writing by the Local Planning Authority and they shall be completed for each of Blocks H, J and K prior to first occupation of each respective block.

Reason

In accordance with the submitted details, to deliver ecological enhancement in accord with Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 JCS and Paragraphs 109 and 118 of the NPPF.

HIGHWAYS

Condition 41

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. provide for the parking of vehicles of site operatives and visitors;
- ii. provide for the loading and unloading of plant and materials;
- iii. provide for the storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities;
- v. measures to control the emission of dust and dirt during construction
- vi. details of a suitable vehicle access

Reason

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the NPPF and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017. This is required pre-commencement given the potential impact of early-phase works.

Condition 42

No building shall be occupied until the carriageways (including surface water drainage/disposal, vehicular turning heads and street lighting) providing access from the nearest public highway to that building have been completed to at least binder course level and the footways to surface course level.

Reason

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 43

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan 1803/P/100 P4 Proposed ground floor plan (received by the Local Planning Authority on 28th March 2018) 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 NPPF and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 44

The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan 1803/P/100 P4 Proposed ground floor plan (received by the Local Planning Authority on 28th March 2018), and those facilities shall be maintained available for those purposes thereafter.

Reason

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the NPPF and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 45

Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan 2440-05 I Proposed Northern Access Arrangements (received by the Local Planning Authority on 28th March 2018), and shall be maintained thereafter.

Reason

To reduce potential highway impact by ensuring that a safe and secure access is laid out and constructed that minimises the conflict between traffic and cyclists and pedestrians in accordance with Paragraph 35 of the NPPF and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 46

The development shall not be occupied until a pedestrian crossing point from the Gate House (Block D by reference to the building codes set out on the Proposed Ground floor plan 1803/P/100 P4) access to the north side of Barrack Square has been completed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be maintained as such for the duration of the development.

Reason

To ensure that the opportunities for sustainable transport modes have been taken up and to provide safe and suitable access for all people in accordance with Paragraph 32 of the National Planning Policy Framework and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 47

The Residential Travel Plan (by Phil Jones Associates referenced 1499B dated June 2017 and received by the Local Planning Authority on 19th June 2017) shall be implemented in accordance with the details and timetables therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that the opportunities for sustainable transport modes are taken up in accordance with paragraphs 32 and 36 of the National Planning Policy Framework and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 48

Prior to the commencement of above-ground construction works, details of Electric Vehicle Charging Points to be provided, their locations and assignment of the charging points to each Block shall be submitted to and approved in writing by the Local Planning Authority. The respective works shall be carried out in accordance with the approved details prior to first occupation of each Block and thereafter retained in accordance with the approved details.

Reason

To minimise carbon dioxide emissions, in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.

Conditions for the listed building consent:

Condition 1

The works hereby permitted shall be begun before the expiration of 3 years from the date of this consent.

Reason

To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

The works shall be implemented in accordance with the plans referenced:

Location Plan 1803/P/001 P3 received by the Local Planning Authority 19th June 2017

Site wide

Site wide proposed demolition & intervention 1803/P/048 P2 received by the Local Planning Authority 28th March 2018

Blocks ABC

Basement Floor intervention plan 1803/P/050 P1 received by the Local Planning Authority 19th June 2017

Blocks A/B/C basement plan 1803/P/110 P1 received by the Local Planning Authority 19th June 2017

Ground Floor intervention plan 1803/P/051 P3 received by the Local Planning Authority 23rd January 2018

Blocks A/B/C Ground floor plan 1803/P/111 P4 received by the Local Planning Authority 23rd January 2018

First floor intervention plan 1803/P/052 P4 received by the Local Planning Authority 13th April 2018

Blocks A/B/C First floor plan 1803/P/112 P5 received by the Local Planning Authority 12th April 2018

Second floor intervention plan 1803/P/053 P4 received by the Local Planning Authority 13th April 2018

Blocks A/B/C Second floor plan 1803/P/113 P5 received by the Local Planning Authority 12th April 2018

Roof intervention plan 1803/P/054 P2 received by the Local Planning Authority 19th June 2017

Blocks A/B/C Roof plan 1803/P/114 P1 received by the Local Planning Authority 19th June 2017

Intervention and repair North and South Prison elevations 1803/P/070 P2 received by the Local Planning Authority 19th June 2017

Proposed Prison elevations Blocks A, B, C North & South facing 1803/P/310 P1 received by the Local Planning Authority 19th June 2017

Intervention and repair East and West Prison elevations 1803/P/071 P2 received by the Local Planning Authority 19th June 2017

Proposed Prison elevations Blocks A, B, C North & South facing 1803/P/311 P2 received by the Local Planning Authority 19th June 2017

Intervention and repair Section C-C & E-E 1803/P/060 P1 received by the Local Planning Authority 19th June 2017

Block A, B, C Proposed Prison sections C-C & E-E 1803/P/210 P1 received by the Local Planning Authority 19th June 2017

Intervention and repair Sections B-B & D-D 1803/P/061 P4 received by the Local Planning Authority 13th April 2018

Blocks A, B, C Proposed Prison sections B-B & D-D & cross section through chapel 1803/P/211 P3 received by the Local Planning Authority 12th April 2018

Blocks A, B, C Proposed Prison sections A-A 1803/P/212 P1 received by the Local Planning Authority 19th June 2017

Block D / Gate House

Block D Gatehouse intervention plans all floors 1803/P/055 P1 received by the Local Planning Authority 19th June 2017

Block D – Gatehouse Proposed floor plans 1803/P/120 P2 received by the Local Planning Authority 19th June 2017

Intervention and repair Gatehouse elevations 1803/P/072 P1 received by the Local Planning Authority 19th June 2017

Proposed Gatehouse elevations Blocks D 1803/P/320 P1 received by the Local Planning Authority 19th June 2017

Block D existing Gatehouse intervention and repair Section LL & KK 1803/P/062 P1 received by the Local Planning Authority 19th June 2017

Block D Proposed Gatehouse Sections LL & KK 1803/P/220 P1 received by the Local Planning Authority 19th June 2017

Block E / Debtors Prison

Intervention and repair plans all floors 1803/P/056 P1 received by the Local Planning Authority 19th June 2017

Block E Debtors Prison Proposed floor plans 1803/P/125 P3 received by the Local Planning Authority 19th June 2017

Intervention and repair elevations 1803/P/073 P2 received by the Local Planning Authority 19th June 2017

Block E Proposed elevations 1803/P/330 P1 received by the Local Planning Authority 19th June 2017

Intervention and repair Sections A & B 1803/P/063 P1 received by the Local Planning Authority 19th June 2017

Block E Proposed Debtor's Prison Sections AA & BB 1803/P/230 P1 received by the Local Planning Authority 19th June 2017

Block F / Governor's House

Governor's House intervention all floors 1803/P/057 P1 received by the Local Planning Authority 19th June 2017

Block F Governor's House Proposed floor plans 1803/P/130 P3 received by the Local Planning Authority 19th June 2017

Intervention and repair Governor's House elevations 1803/P/074 P1 received by the Local Planning Authority 19th June 2017

Block F Proposed elevations 1803/P/340 P1 received by the Local Planning Authority 19th June 2017

Intervention and repair Sections MM and NN 1803/P/064 P1 received by the Local Planning Authority 19th June 2017

Block F Proposed Governor's House Sections MM & NN 1803/P/240 P1 received by the Local Planning Authority 19th June 2017

Perimeter wall

Wall intervention plan 1803/P/058 P2 received by the Local Planning Authority 28th March 2018

Intervention and repair wall elevations 1803/P/075 P2 received by the Local Planning Authority 28th March 2018

Intervention and repair wall elevations 1803/P/076 P1 received by the Local Planning Authority 19th June 2017

New build Boundary wall North & West 1803/P/400 P2 received by the Local Planning Authority 19th June 2017

except where otherwise required by conditions of this consent.

Reason

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

Condition 3

No works shall commence on any existing building 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 archaeological recording of significant elements of the historic built environment that are likely to face an impact

from the proposed internal and external works, with the provision for appropriate archiving and public dissemination of the findings. A full recording schedule will be required itemising these features together with a photographic record and location reference by plan.

Reason

The site includes significant elements of the historic built environment. The Council requires that these elements will be recorded in advance of works and their record be made publicly available. This accords with Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014 and Paragraph 131 of the NPPF.

Condition 4

No works shall commence on any building until a schedule of architectural features within the building and proposals for display or reuse with the objective of retention of architectural features in situ, together with any storage details for items, have been submitted to and approved in writing by the Local Planning Authority. Works shall proceed only in accordance with the approved details.

Reason

To preserve the special interest of the listed buildings in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the National Planning Policy Framework.

Condition 5

No demolition shall take place until a demolition statement (to include identification of the specific areas to be demolished internally and externally, the method of demolition together with the necessary protection for the retained structures) has been submitted to and approved in writing by the Local Planning Authority. Demolition shall take place only in accordance with the approved statement.

Reason

To preserve the special interest of the listed buildings in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the NPPF.

Condition 6

Notwithstanding the approved drawings no works shall commence to a building or structure until the following details for that building or structure have been submitted to and approved in writing by the Local Planning Authority:

- Schedule of materials;
- Specifications and locations of guttering and downpipes;
- Detailed methodology and scaled drawings for all new interventions within the designated asset including blocking/opening of doorways, partitions, ceilings, flooring, staircases and windows;

- Scaled drawings of rooflights, windows and doors including sections and glazing bars at a scale of 1.5;
- Scaled drawings of window reveals for new windows;
- Details for the refurbishment of timber windows;
- For A and B wings scaled drawings and details for balustrading, with a sample panel on site to be approved;
- Repair and restoration methodology statements, including the making good of facades where demolition has taken place; this should include brick cleaning, stone and brick repair methodologies and materials;
- Methods and materials for any proposed building regulations upgrading within the designated assets including fire, sound or thermal requirements;
- Mechanical and electrical survey reports to determine the appropriate method for the introduction of modern services into the designated assets;
- Details of new pipes, cable and ventilation routes including finish of flues, grills, extracts and location of associated meter boxes;
- Specification and routing for flue extraction systems.

Works to a building or structure shall proceed only in accordance with the approved details.

Reason

To preserve the special interest of the listed buildings in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the NPPF.

Condition 7

Repairs to external brickwork shall be carried out by hand for individual brick replacement or by rebuilding in replacement bricks. Replacement bricks shall match the original in size, colour, texture and bond. Prior to commencement of repairs to a building or structure details of the precise areas of brickwork and numbers of individual bricks to be replaced shall be submitted to and approved in writing by the Local Planning Authority. All new mortar shall match the original in composition, texture, colour and joint thickness. Mortar mixes for a building or structure shall also be to the approval of the Local Planning Authority. All works shall be carried out in accordance with the approved details for that building/structure.

Reason

To preserve the special interest of the listed buildings in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the NPPF.

Condition 8

All other works of external repair, restoration and replacement not covered by Conditions 6 or 7 are to exactly match the original features, unless otherwise approved by the Local Planning Authority in writing.

Reason

To preserve the special interest of the listed buildings in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the NPPF.

Note

Any other proposed alterations to the approved plans brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

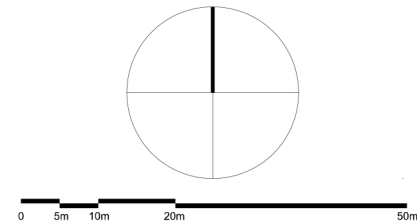
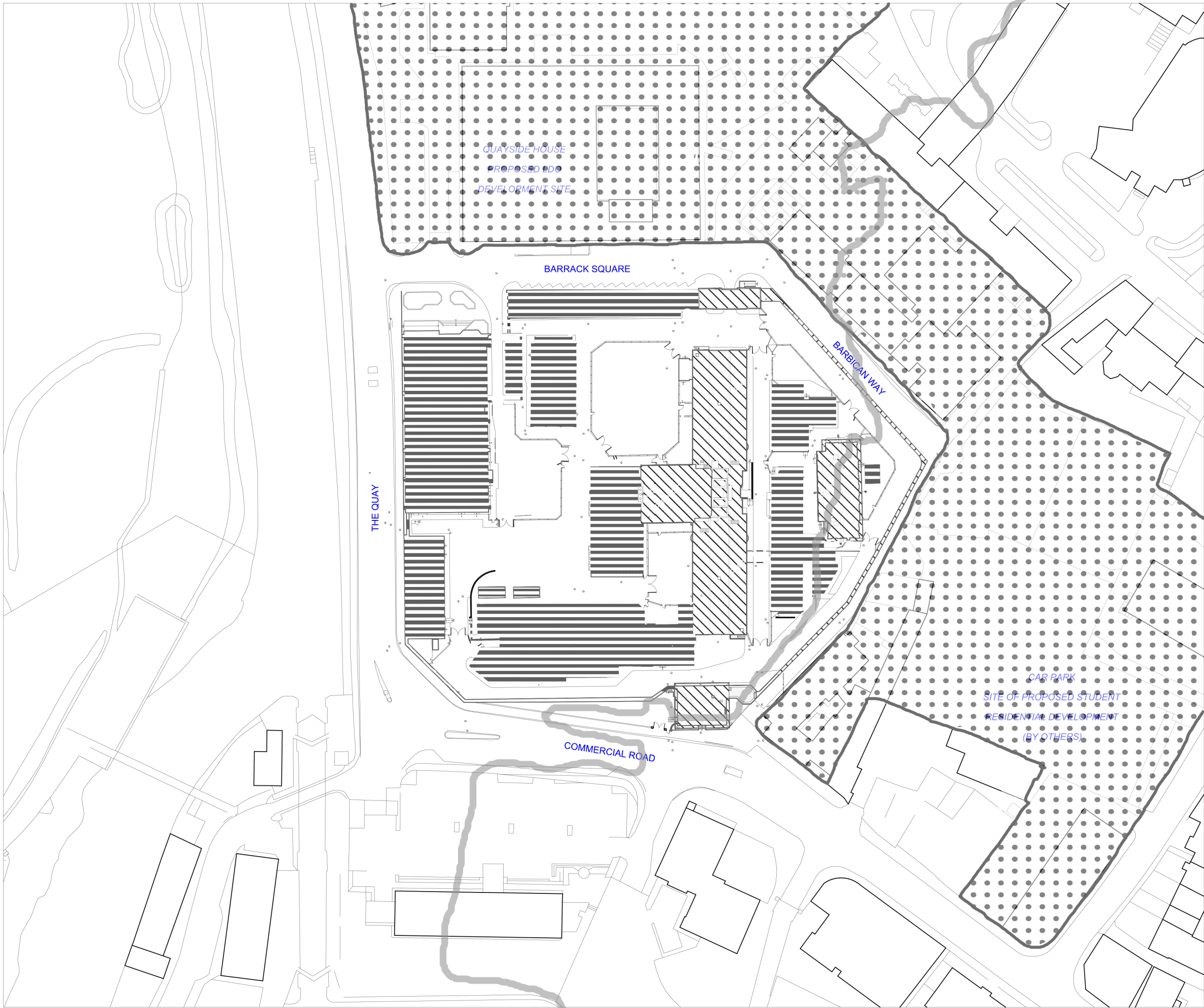
Decision:

Notes:





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Person to contact: Adam Smith
(Tel: 396702)

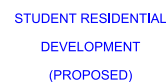


KEY

-  Quayside & Blackfriars LDO
-  Un-Listed Buildings to be removed
-  Listed Building/Structures for retention/re-use
-  Indicative Flood Risk Zone (to the left of this line)

Context Plan

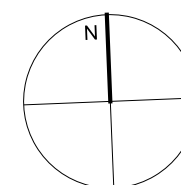
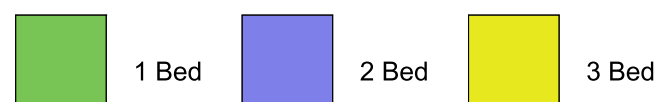
Ref: GLO/CC/190418/Con



P4	Revisions to existing perimeter wall	15.03.18
P3	Amendments to Block C	10.01.18
P2	FULL PLANNING & LBC APPLICATION	11/05/17
P1	Redrawn and unit nos added to all blocks	07.02.17
	Amendment	Date

Scale 1:250 (1:500 @ A3)
Date FEB 2017
Drawn CW

Original printed at A1 All dimensions to be checked on site



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Planning Committee 01.05.2018

