

## **ITEM 2**

<b>Application Reference</b>	<b>DC/077008</b>
<b>Location:</b>	War Memorial Art Gallery Stockport SK3 8AB
<b>PROPOSAL:</b>	Landscaping works, including both hard and soft elements, together with new public realm, civic space, amenity space and all other associated works
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	10.06.2020
<b>Expiry Date:</b>	05.08.2020
<b>Case Officer:</b>	Mark Jordan
<b>Applicant:</b>	Investar (RGV) Ltd
<b>Agent:</b>	WSP

### **DELEGATION/COMMITTEE STATUS**

Planning & Highways Regulations Committee

The views of the Stockport Central Area Committee are requested, in order that these can be reported to the Planning & Highways Regulations Committee.

The application is being referred to the Planning & Highways Regulations Committee for determination, as whilst in isolation this application would be delegated to Officers to determine, it is fundamentally linked to the determination of planning application DC/076785 which is also on this agenda.

### **DESCRIPTION OF DEVELOPMENT**

The application as submitted seeks full planning permission for the following summarised works:-

- 1) A mixture of hard and soft landscaping with the materials corresponding with those proposed for the Royal George Village development;
- 2) Replacement of existing lawn with ornamental shrubs and grasses;
- 3) Provision of a diverse range of plant species, to provide a diverse, year round visual statement and seasonal variation, movement and colour;
- 4) Cleaning up and making good of the walls and railings on the site boundaries;
- 5) Retention of mature and existing trees across the site;
- 6) The works will facilitate disabled and servicing access to the War Memorial Art Gallery.

Overall, the landscape design is intended to promote greater interaction and public use of the War Memorial Art Gallery, create an integral community with a strong 'sense of place' and 'focal point', and complement and improve the setting and significance of the War Memorial Art Gallery, whilst having been designed to ensure they complement and fully integrate with the proposals for the re-development of the adjacent Stockport College campus site currently under consideration (planning application DC/076785).

It should be noted that the application is for landscaping works only and does not include works to the War Memorial Art Gallery building.

A separate listed building consent application (DC/076786) for the removal of section of the short corridor connecting the War Memorial Art Gallery with the Torkington Centre has been submitted to the Council and is currently pending determination. Any other works to the building would require a separate planning application and/or listed building consent application.

The drawings attached to this planning report represent the best way for Members to appreciate and consider the physical impact of the proposal seeking full planning permission, in terms of its layout, scale, appearance, means of access and landscaping.

In addition to the detailed drawings, the proposal has also been accompanied by a Design & Access Statement and a Contaminated Land Survey.

Members are advised that the proposal now being considered has been the subject of extensive pre-application discussion with Council Officers and has been reviewed by an independent Places Matter Design Review Panel. Subsequently the proposal has also been the subject of extensive community engagement prior to submission, including with key stakeholders such as the Royal British Legion and Armed Forces Covenant.

## **SITE AND SURROUNDINGS**

The application site comprises the listed Grade II\* War Memorial / Art Gallery building located in a prominent position at the corner of the A6 (Wellington Road South) and Greek Street, covering 0.16 ha.

The Stockport College's Greek Street campus wraps around the site to the west and south. Properties facing the site on the opposite side of Greek Street and the A6 are predominantly non-residential in nature and include civic buildings.

Flanked to either side of the building, a short distance from its entrance and inside the site boundary, are a pair of Grade II listed tram/bus shelters set into the perimeter stone walls of the site.

Pedestrian access exists from the north at the junction of the A6 and Greek Street via steps leading up to the main entrance. Disabled, vehicular and servicing access is provided to the rear of the building, accessed from Greek Street via the existing Stockport College site.

The site is located within the Town Hall Conservation Area.

Landscaping surrounds the War Memorial Art Gallery, comprising a mix of ornamental shrubs, grassland planting and lawn areas. A number of trees are interspersed throughout the site.

The site location plan appended to this report gives an overview of the development site and its wider context within the Town Centre setting.

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

### **The Development Plan includes-**

- Policies set out in the Stockport Unitary Development Plan Review adopted 31<sup>st</sup> May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17<sup>th</sup> March 2011.

### **Saved policies of the SUDP Review**

TCG1 - TOWN CENTRE/M60 GATEWAY  
TCG1.1 COMMUNITY AND CIVIC SPACE  
TCG1.2 - TOWN CENTRE/M60 GATEWAY TRANSPORT HUB  
TCG1.3 - PARKING IN THE TOWN CENTRE  
TCG1.4 - SUSTAINABLE ACCESS IN THE TOWN CENTRE  
TCG3 – TOWN CENTRE MIXED USE AREAS  
TCG3.5 – CIVIC QUARTER  
HC1.3 - SPECIAL CONTROL OF DEVELOPMENT IN CONSERVATION AREAS  
HC1.4 – NEW USES FOR BUILDINGS IN CONSERVATION AREAS  
EP1.7 - DEVELOPMENT AND FLOOD RISK  
EP1.9 – SAFEGUARDING OF AERODROMES AND AIR NAVIGATION FACILITIES  
EP1.10 – AIRCRAFT NOISE  
E1.2 - LOCATION OF NEW BUSINESS PREMISES AND OFFICES  
L1.1 – LAND FOR ACTIVE RECREATION  
L1.2 – CHILDREN’S PLAY  
MW1.5 – CONTROL OF WASTE FROM DEVELOPMENT

### **LDF Core Strategy/Development Management policies**

CS1 - OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGE  
SD1- CREATING SUSTAINABLE COMMUNITIES  
SD3 - DELIVERING THE ENERGY OPPORTUNITIES PLANS - NEW DEVELOPMENT  
SD6 - ADAPTING TO THE IMPACTS OF CLIMATE CHANGE  
CS6 - SAFEGUARDING AND STRENGTHENING THE SERVICE CENTRE HIERARCHY  
AS-2 – IMPROVING INDOOR SPORTS, COMMUNITY AND EDUCATION FACILITIES AND THEIR ACCESSIBILITY  
SIE-1 QUALITY PLACES  
SIE-2 –

SIE-3 PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT  
CS9 TRANSPORT AND DEVELOPMENT  
CS10 AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK  
T-1 TRANSPORT AND DEVELOPMENT  
T-2 PARKING AND DEVELOPMENT  
T-3 SAFETY AND CAPACITY ON THE HIGHWAY NETWORK  
CS11 - STOCKPORT TOWN CENTRE  
TC1 - STOCKPORT TOWN CENTRE

## **Supplementary Planning Guidance**

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

- Open Space Provision and Commuted Payments Supplementary Planning Document (2019)
- Sustainable Transport Supplementary Planning Document
- Sustainable Design and Construction Supplementary Planning Document

## **National Planning Policy Framework**

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

N.B. In respect of decision-taking the revised NPPF constitutes a “material consideration”.

*Para.1 “The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied”.*

*Para.2 “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”.*

*Para.7 “The purpose of the planning system is to contribute to the achievement of sustainable development”.*

*Para.8 “Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) *an economic objective*
- b) *a social objective*
- c) *an environmental objective*

Para.11 *“Plans and decisions should apply a presumption in favour of sustainable development.*

*For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.*

Para.12 *“...Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.*

Para.38 *“Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.*

Para.47 *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.*

Para. 57 *“Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”*

Para. 85 *“Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth,*

*management and adaptation. Planning policies should...recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.”*

Para. 92 *“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;*
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.”*

Para. 109 *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

Para.117 *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.”*

Para. 122 *“Planning policies and decisions should support development that makes efficient use of land, taking into account:*

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.”*

Para.124 *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.*

Para.130 *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.*

Para.153 states *“In determining planning applications, local planning authorities should expect new development to:*

*a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*

*b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.*

*Para 192. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.*

*Para 193. 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

*Para 194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

*Para 195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

*Para 196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against*

*the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

*Para 197. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

*Para 198. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.*

*Para 199. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted. Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets. 64 Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository.*

*Para 200. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*

*Para 201. Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*

*Para 202. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.*

*Para.213 “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, 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)”.*

## **Planning Practice Guidance**

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

## **RELEVANT PLANNING HISTORY**

The site and its immediate surroundings have an extensive planning history. The following applications are relevant:-

Reference: DC/041153; Type: LBC; Address: Stockport Art Gallery, Wellington Road South, Stockport SK3 8AB; Proposal: Remove existing ground floor windows replace existing windows with new heritage steel windows to match existing steel windows.; Decision Date: 27-APR-09; Decision: GTD.

Reference: DC/056268; Type: ADV; Address: Art Gallery And War Memorial, Greek Street, Stockport, SK3 8AB; Proposal: Non-illuminated free-standing sign on Wellington Road South frontage and non-illuminated free-standing sign on Greek Street frontage, Decision Date: 09-OCT-14; Decision: GTD

Reference: DC/021696; Type: FUL; Address: Stockport Art Gallery, Greek Street, Stockport.; Proposal: Provision of handrail to existing access ramp; Decision Date: 25-JAN-06; Decision: GTD

Reference: DC/076985; Type: FUL; Address: Stockport College Greek Street Campus, Greek Street, Stockport, SK1 3UQ; Proposal: Development of Royal George Village comprising the demolition, refurbishment and change of use of existing buildings, together with new build to provide apartments (use class C3), co-working office space (use class B1) and flexible commercial space (use classes A1, A3, B1 and D1 and/or D2), together with new public realm and civic space, shared amenity space, landscaping, car parking, cycle parking, servicing and all other associated works. Decision Date: ; Decision: Currently un-determined.

Reference: DC/076986; Type: LBC; Address: Art Gallery And War Memorial, Greek Street, Stockport, SK3 8AB, ; Proposal: The removal of a section of the linking structure which connects the War Memorial Art Gallery with the Torkington Centre, reinstatement of the facade and the addition of a clear glazing frame window; Decision Date: ; Decision: Currently un-determined.

Reference: DC/076989; Type: LBC; Address: Stockport College, Greek Street, Stockport, SK3 8AB, ; Proposal: External alterations to the Greek Street Building including demolition of adjoining lean-to structures and buildings, adjoining storage unit, two-storey extension and boiler room and existing walls and fences; removal of flue and associated fixings and equipment; removal and reinstatement of windows and doors; and all other associated works (Listed Building Consent). Currently un-determined.

## **NEIGHBOUR'S VIEWS**

The application has been advertised in the Stockport Express. The public were also notified of the application by way of 97 neighbour letters and multiple site notices posted around the edges of the application site.

A single representation has been received from the Stockport Heritage Trust, supporting the proposed development on the following grounds:

The Trust supports this application within the curtilage of a Grade II\* Listed Building.

No significant trees are demolished from their positions flanking the main entrance elevation, and new ground- and low- level planting, together with associated paving

and lighting will complement the important formal civic qualities of this important place.

## **CONSULTEE RESPONSES**

**Arboriculture Officer:** If any hard landscaping is proposed in the trees vicinity then a method statement to show soft dig options will need to be submitted. No trees are proposed for removal and so I have no objections.

**Contaminated Land Officer:** Due to the nature of the proposed development, there will be minimal breaking of ground. The developer will need to keep a watching brief in case any unforeseen contamination is found. A con2 informative is requested.

**Nature Development Officer:** The application site is not within an area with any nature conservation designations.

The proposed works are unlikely to impact upon any protected species (all trees will be retained so birds and bats won't be significantly affected). I would advise that retained trees are adequately protected from potential impacts in accordance with British Standards and guidance from Anthony.

An informative can be attached to planning consent as a precautionary measure to state that the granting of planning permission does not override the need to abide by the legislation in place to protect biodiversity. In the unlikely event of any protected species being discovered on site, works should stop and a suitably experienced ecologist contacted for advice.

The proposed planting schedule includes species which will benefit wildlife (many of the species are good for pollinators) Species chosen will also have successional flowering to provide a nectar resource across the seasons.

**Lead Local Flood Authority:** I have reviewed our records which show:

- The site is located in flood zone 1
- The site has no surface water risk
- The closest watercourse is located circa 400m away from the site
- The site to be highly Compatible for Infiltration SuDS
- A water table level of > 5m below ground level
- There are no recorded historical flood events relevant to the development within the vicinity

The application should be supported by a drainage strategy/plan showing the applicants intentions.

The applicant should strictly follow and demonstrate the drainage hierarchy (infiltration, watercourse, SW sewer and then combined sewer) with every stage looking to manage the surface water on site as much as possible. An assessment of SuDS for the site would also be required.

**Conservation & Heritage Officer:** No objections to the proposed landscaping works which will have no harmful impact upon the special interest and significance of the Grade II \* listed War Memorial Art Gallery. It is recommended that full details of the proposed hard and soft landscaping, including provision of samples of materials proposed for hard surfaces, are reserved for approval by condition.

**Planning Policy Team:** No response received at time of report preparation.

**Greenspace Team:** No response received at time of report preparation.

**Town Centre West Team:** No response received at time of report preparation.

**Landscape Officer:** No response received at time of report preparation.

**Head of Estates:** No response received at time of report preparation.

**Historic England:** On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals.

**Greater Manchester Archaeological Advisory service (GMAAS):** It is considered that archaeological mitigation is not required for this two proposal.

**Disability Stockport:** No response received at time of report preparation.

## **ANALYSIS**

The following matters require consideration as part of the assessment of this application:-

### **Principle of Development**

The proposed landscaping works are considered to be entirely appropriate and in compliance with the principles of relevant local plan policies, including SIE-1 and SIE-3, as well as aligning with the general thrust of the National Planning Policy Framework.

The War Memorial Art Gallery is proposed to play a key part in the wider regeneration of the site, including the re-development of the adjacent Stockport College Greek Street campus proposed under planning application DC/076785.

Officers believe that the current proposal will deliver a number of benefits including:-

- 1) Promotion of users actively utilising the public realm and civic spaces available to create an intergenerational community with a strong 'sense of place' and 'focal point', complementing the War Memorial Art Gallery;
- 2) Promotion of the War Memorial Art Gallery for greater public use by the local and wider community;
- 3) Improved street scene along both the A6 and Greek Street;
- 4) A beneficial effect on the significance of the Grade II\* War Memorial Art Gallery, both upon the listed building's special interest and the contribution of its setting to its significance; and
- 5) Provide the potential to facilitate improved disabled and servicing access to the War Memorial Art Gallery for its users (achieved via works proposed under planning application DC/076785).

In order to ensure that the proposed landscaping works are not delivered in isolation and that they remain an integral part of the justification of the wider re-development of the adjacent college campus site under planning application DC/076785, the application now before Committee will require a mechanism in the form of a legal Unilateral Undertaking to be linked to the delivery of any approval granted under DC/076785

### Heritage Assets

The proposal does not comprise any physical works to the Grade II\* listed War Memorial / Art Gallery. However the hard and soft landscaping works do need to be assessed in terms of the impact on the setting of the listed building and the wider Town Hall Conservation Area.

In this respect the Council's Conservation & Heritage Officer, as well as Historic England have been consulted on the application. The detailed comments received, raising no objections, are set out within the consultee section of this planning report.

Having regard to the above, the proposed landscaping is considered to have a positive impact upon the Grade II\* War Memorial Art Gallery's special interest through enhanced setting and revealing of significance.

To conclude, in the absence of any objections from either Historic England or the Council's Conservation Officer, the current proposal is not considered to have a detrimental impact upon the special interest and significance of the Grade II \* listed War Memorial Art Gallery and the surrounding Town Hall Conservation Area, and would therefore comply with both national and local planning policy. Conditions are recommended in relation to the submission and agreement of full details of the hard and soft landscaping, including the provision of samples of materials proposed for hard surfaces.

In terms of archaeological matters, GMAAS have raised no objection to the proposal.

### Landscaping, Ecology & Design

The proposed would not require the removal of any existing trees within the site, whilst the proposed hard and soft landscaping works are considered to represent an improvement on the existing landscaping and civic space around the building, which will provide enhanced civic space for personal reflection and public celebration, including the Remembrance Day service.

Noting that no objections have been raised to the proposal by the Council's Arboriculture and Nature Development Officers, subject to the use of appropriate planning conditions, the development is considered to safeguard arboricultural and ecological interests and complies with relevant development plan policies and the NPPF.

It is considered that the design of the layout enhances permeability through the site, which accords with Core Strategy Policies SIE-1, SIE-2, SIE-2 and national policy, including in terms of promoting health and wellbeing.

## Other Matters

The comments of the LLFA are noted in respect of drainage. Having regard to the existing nature of the hard and soft landscaping already on site, there are currently no reasons to resist the proposal from a flood risk and drainage perspective, with the issue of a drainage strategy capable of being controlled by condition.

The proposal has no adverse implications in terms of highway and pedestrian safety.

In terms of ground contamination, the applicant has submitted a contaminated land survey which is supportive of the proposal. In this respect it is noted that no objections have been received from the Councils Contaminated Land Officer.

## Summary & Planning Balance

To conclude, the scheme now before Members has been subject to extensive discussions, which ultimately has resulted in a development which demonstrates a clear and convincing justification for the proposal in accordance with relevant development plan policies and the NPPF. The application is therefore recommended for approval.

## **RECOMMENDATION**

Grant, subject to completion of a Unilateral Undertaking linking the delivery of the works to those forming planning application DC/076785.