



Gloucester City Council

Planning Committee

Meeting: Tuesday, 14th August 2018 at 6.00 pm in Civic Suite - North Warehouse, The Docks, Gloucester, GL1 2EP

Membership:	Cllrs. Taylor (Chair), Lewis (Vice-Chair), D. Brown, J. Brown, Dee, Fearn, Finnegan, Hanman, Hansdot, Lugg, Morgan, Toleman and Walford
Contact:	Democratic and Electoral Services 01452 396126 democratic.services@gloucester.gov.uk

AGENDA

4.	LATE MATERIAL (Pages 5 - 12)
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Jon McGinty
Managing Director

Date of Publication: Monday, 6 August 2018

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and (b) either – i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with

whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

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- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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HUMAN RIGHTS

In compiling the recommendations on the following reports we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any affected properties. In particular, regard has been had to Article 8 of the ECHR (Right to respect for private and family life, home and correspondence); Article 1 of the First Protocol (Right to the use and enjoyment of property) and the requirement to ensure that any interference with the right in this Article is both in accordance with the law and proportionate. A balance needs to be drawn between the right to develop land in accordance with planning permission and the rights under Article 8 and also Article 1 of the First Protocol of adjacent occupiers. On assessing the issues raised by the applications no particular matters, other than those referred to in the reports, warrant any different action to that recommended.

EQUALITY ACT 2010

In considering this matter, full consideration has been given to the need to comply with the Public Sector Equality Duty under the Equality Act 2010 and in particular to the obligation to not only take steps to stop discrimination, but also to the promotion of equality, including the promotion of equality of opportunity and the promotion of good relations. An equality impact assessment has been carried out and it is considered that the Council has fully complied with the legal requirements.

LATE MATERIAL (APPLICATIONS FOR DETERMINATION)

PLANNING COMMITTEE : 14TH AUGUST 2018

ITEM 5- LAND EAST OF WATERWELLS , MARCONI DRIVE , QUEDGELEY

17/00699/FUL

Drainage Adviser - Confirms that the revisions made to the scheme and the proposed conditions are satisfactory.

Local Highway Authority -

The Department of Transport (DfT) gave notice to Local Authorities on 25th July 2018 of the publication of the 'Inclusive Transport Strategy 2018' The publication indicates that shared spaces are not in the interests of disabled people who are a protected group under the Equalities Act 2010 and who find it difficult to navigate level surfaces when the kerb between the road and the footway is removed.

Paragraphs 110 (a, b, c) of the revised National Planning Policy Framework (NPPF) also indicate that conflict between pedestrians and vehicle users should be avoided and the needs of people with disabilities should be addressed.

The layout plans have therefore been revised further to take account of the Department for Transport publication and the revised NPPF with the inclusion of internal footways.

The recommendation remains 'No Objection', but there have been revisions to the proposed Transportation conditions, which for completeness are now laid out as a new suite of conditions to replace the original conditions numbered 27 – 33

Natural England – Natural England concurs with the appropriate assessment's conclusion of no adverse effect on integrity on the Cotswolds Beechwoods Special Area of Conservation

Planning Conditions

Condition 2 – revisions

Swept Path Analysis – Plan numbers remain the same, but have been updated –
New submission date for them – 13/08/2018

Condition 3

Add slab levels, tactile pedestrian crossings to condition.

Condition 27

The vehicular accesses hereby permitted on Marconi Drive shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 National Planning Policy Framework paragraph 108 and 110 and Joint Core Strategy Policy INF1.

Condition 28

Notwithstanding the layout changes forward visibility splays illustrated on submitted plan 11816CE-3804 Rev P9 shall be provided and maintained thereafter for the duration of the development. The area between these forward visibility splays and the carriageway edge shall be kept clear of vertical features.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 National Planning Policy Framework paragraph 110 and Joint Core Strategy Policy INF1.

Condition 29

Notwithstanding layout changes the internal junction emerging visibility splays from the cul-de-sacs illustrated on plan 11816CE-3804 Rev P9 shall be provided and maintained thereafter for the duration of the development. The area between those splays and the carriageway shall be maintained so as to provide clear visibility between 1.05m and 2.0m at the X point (at the centre of the accesses) and between 0.6m and 2.0m at the Y (the extent of splays to the carriageway edge) point above the adjacent carriageway level.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 National Planning Policy Framework paragraph 110 and Joint Core Strategy Policy INF1.

Condition 30

Notwithstanding the submitted plans no plot frontage boundary treatment or vertical features shall be between 600mm and 2m above the adjacent footway level or over 550mm wide and maintained thereafter.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 National Planning Policy Framework paragraph 108, 110 and Core Strategy policy INF1.

Condition 31

Tactile pedestrian crossings shall be provided with a crossing generally across the site access junctions off Marconi Drive, the relocated pedestrian crossing on Marconi Drive away from the plots 48-51 driveways, either side of the cul-de-sac junction off the main crescent road opposite plot 60, between the footways adjacent plot 43 and plot 56, between the footways opposite plot 52, plot 55, plot 43, between plots 79 and 80, across the footway at the plots 24-30 access junction. They shall be provided in accordance with the times scales as outlined in the agreed phasing plan for Condition 3

Reason

To ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework and the development is designed to give priority to

pedestrian and cycle movements and provide access to high quality public transport facilities in accordance with paragraph 110 of the National Planning Policy Framework and policy INF1 of the Core Strategy.

Condition 32

Each dwelling hereby permitted shall not be occupied until the vehicular parking facilities serving that property have been provided in accordance with the submitted plans, and those parking 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 National Planning Policy Framework paragraph 110 and Joint Core Strategy policy INF1.

Condition 33

Prior to occupation of any dwelling hereby permitted within a particular phase identified in the phasing plan required by condition 3 , the visitor parking spaces within the respective phase of development shall be provided in accordance with the approved plans and maintained permanently 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 National Planning Policy Framework paragraph 110 and Joint Core Strategy policy INF1.

Condition 42

Each dwelling hereby permitted shall not be occupied until details of cycle parking provision serving that property have been submitted to and approved in writing by the Local Planning Authority, and thereafter implemented and retained in accordance with the approved details.

Reason

To encourage a form of sustainable transport to accord with paragraph 110 of the NPPF and INF1 of the Joint Core Strategy

ITEM 6 – FORMER GLOUCESTER ACADEMY , ESTCOURT CLOSE

18/00347/REM

Local Highway Authority –

The Department of Transport (DfT) gave notice to Local Authorities on 25th July 2018 of the publication of the 'Inclusive Transport Strategy 2018' The publication indicates that shared spaces are not in the interests of disabled people who are a protected group under the Equalities Act 2010 and who find it difficult to navigate level surfaces when the kerb between the road and the footway is removed.

Paragraphs 110 (a, b, c) of the revised National Planning Policy Framework (NPPF) also indicate that conflict between pedestrians and vehicle users should be avoided and the needs of people with disabilities should be addressed.

The layout plans have therefore been revised further to take account of the Department for Transport publication and the revised NPPF with the inclusion of internal footways.

The recommendation remains 'No Objection', but there have been revisions to the proposed Transportation conditions, which for completeness are now laid out as a new suite of conditions numbered 2 – 4 below, which replace the original conditions numbered 2 – 6.

Publicity and Representations

Additional objection received raising concerns regarding boundary treatment to the rear of 87 Estcourt Road and requesting condition in relation to boundary treatment.

Officer Note: Means of enclosure forms a condition on the original outline application and this matter can be addressed through its discharge.

Condition 1 -revision

Planning Layout (GL PL 01 ,**Rev F**)

Condition 2

The forward visibility splays shall be provided and maintained in general accordance with plan GL/PL/01 Rev F as part of the estate road land clear of obstruction between 1.05m and 2m above carriageway level and between 0.6m and 2m above carriageway level at splay extents, with open space fronting plots 1 and 2 clear of vertical features between 0.6m and 2m high and 550mm wide except the retained tree.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 National Planning Policy Framework paragraph 108 and 110 and Core Strategy policy INF1.

Condition 3

Tactile pedestrian crossings shall be provided with a crossing generally between plots 28 and 74, 48 and 74, 46 and 31/32, 45 and the pumping station, 69 and the pathway to Escourt Road, 58 and 61, 60 and 2, 59 and 1, before any occupation of the approved dwellings.

Reason

To ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework and the development is designed to give priority to pedestrian and cycle movements and provide access to high quality public transport facilities in accordance with paragraph 110 of the National Planning Policy Framework and policy INF1 of the Core Strategy.

Condition 4

Notwithstanding the submitted plans no plot frontage boundary treatment or vertical features shall be between 600mm and 2m above the adjacent footway level or over 550mm wide and maintained thereafter.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 National Planning Policy Framework paragraph 108, 110 and Core Strategy policy INF1.

(End)

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