



Gloucester City Council

Planning Committee

Meeting: Tuesday, 1st July 2014 at 6.00 pm in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP

Membership:	Cllrs. Taylor (Chair), Lewis (Vice-Chair), Noakes, Hilton, McLellan, Smith, Hobbs, Hanman, Ravenhill, Dee, Mozol, Toleman and Chatterton
Contact:	Anthony Wisdom Democratic Services Officer 01452 396158 anthony.wisdom@gloucester.gov.uk

AGENDA

1.	APPOINTMENTS MADE AT ANNUAL COUNCIL To note the following appointments made at the Annual Meeting of the Council:- Planning Committee Chair: Councillor Taylor Vice-Chair: Councillor Lewis Planning Policy Sub-Committee Chair: Councillor Taylor Vice-Chair: Councillor Lewis Members: Councillors Dee, McLellan and Smith
2.	APOLOGIES To receive any apologies for absence.
3.	DECLARATIONS OF INTEREST To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.
4.	MINUTES (Pages 5 - 10) To approve as a correct record the minutes of the meeting held on 3 June 2014.
5.	ACCESS ROAD ADJACENT TO UNIT 14 OLYMPUS PARK (Pages 11 - 18) An application for determination reference 14/00491/FUL.

	<p>Person to contact: Development Control Manager Tel: 01452 396783</p>
6.	<p>DLK FURNISHINGS, 5-7 STROUD ROAD (Pages 19 - 36)</p> <p>An application for determination, reference 14/00381/FUL and 14/00382/LBC.</p> <p>Person to contact: Development Control Manager Tel: 01452 396783</p>
7.	<p>TREE PRESERVATION ORDER - CONFIRMATION OF TPO 287 (SUBJECT TO MODIFICATION) 287 STROUD ROAD (Pages 37 - 64)</p> <p>Person to contact – Justin Hobbs, Tree Officer, 01452 396897</p>
8.	<p>ELMBRIDGE PARK AND RIDE (Pages 65 - 102)</p> <p>Planning Committee is asked to support the principle of the transport scheme and approve the comments as set out in Section 4 of the report for submission to the County Council.</p>
9.	<p>DELEGATED DECISIONS (Pages 103 - 114)</p> <p>Person to Contact: Group Manager, Development Services Tel: (01452) 396783</p>
10.	<p>DATE OF NEXT MEETING</p> <p>5 August 2014 at 18.00 hours.</p>



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Peter Gillett
Corporate Director of Resources

Date of Publication: Monday, 23 June 2014

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.

Access to Information

Agendas and reports can be viewed on the Gloucester City Council website: www.gloucester.gov.uk and are available to view five working days prior to the meeting date.

For further details and enquiries about this meeting please contact Anthony Wisdom, 01452 396158, anthony.wisdom@gloucester.gov.uk.

For general enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, democratic.services@gloucester.gov.uk.

If you, or someone you know cannot understand English and need help with this information, or if you would like a large print, Braille, or audio version of this information please call 01452 396396.

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Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the Public and Press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.



PLANNING COMMITTEE

MEETING : Tuesday, 3rd June 2014

PRESENT : Cllrs. Taylor (Chair), Lewis (Vice-Chair), McLellan, Hilton, Hobbs, Smith, Noakes, Ravenhill, Hanman, Dee, Brown and Toleman

Officers in Attendance

Julie King, Interim Development Services Manager

James Felton, Solicitor

Joann Meneaud, Principal Planning Officer

Caroline Townley, Principal Planning Officer

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllr. Bhaimia and Mozol

267. DECLARATIONS OF INTEREST

No declarations were made on this occasion.

268. MINUTES

The minutes of the meeting held on 6 May 2014 were confirmed and signed by the Chair as a correct record.

269. APPLICATION FOR DETERMINATION -14/00229/COU - 72, CHURCH ROAD, LONGLEVENS.

The Principal Planning Officer presented the report which detailed an application for the change of use from a dwelling house (Class C3) to a sui generis use as a house to accommodate up to eight non-related individuals at 72, Church Road, Longlevens.

She referred to the late material which contained two further representations in support of the application and one objection.

She confirmed that a condition was recommended that would restrict operation of the property to Alabaré solely for the purpose of housing vulnerable ex-service

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veterans and should Alabaré vacate the premises, the property would revert to a Class C3 dwelling.

Mr Geoffrey Willis, Campaign Director of Alabaré, addressed the Committee in support of the application.

Mr Willis advised that he had addressed the public meeting held at Longlevens Library. He noted that the level of support for Alabaré in Gloucestershire was such that the charity had received £250,000 from 180 separate donors in the county.

He noted that the City Council was a signatory to the Gloucestershire Armed Forces Community Covenant which supported the integration of ex-service personnel into civilian life and specifically supporting veterans in life in Gloucestershire. Alabaré had received a grant of £62,000 through the covenant fund to support its work in the County.

This home will be supporting veterans in their life in the City of Gloucester helping them make the transition from the military into civilian life; helping them retrain and find work; address health issues and enable them to take their place in the community.

The residents would have a stable home with expert care and advice including employment advice. They had to deal with a range of problems including breakdown of relationships, debt, drink, depression, anxiety and trauma following active service in conflicts as recent as Afghanistan and as long ago as the Falkland Isles.

He stated that Alabaré had 23 years experience of working with homeless people and 5 years experience specifically with homeless veterans. They provided 60 beds in 6 towns and to date had helped 250 veterans. Great care was taken to ensure that potential residents were suitable for the level of support that was provided. Strict house rules were imposed and all residents were on licence and potentially subject to eviction.

The veterans residing at the property would be residents of the City and would take part in the life of the community which had granted Freedom of the City to the First Battalion, The Rifles Regiment and had a proud record of supporting the military.

Mr Robert Cann on behalf of local residents addressed the Committee speaking against the application.

Mr Cann, as spokesman for local residents, advised that it was considered that the proposal would be detrimental to residential amenity and have an adverse impact on the residents' standard of living. Their concerns could be summarised in three areas:-

- Car Parking and Traffic – The proposal would generate up to 12 cars and exacerbate traffic problems and not improve the congestion at the west end of Church Road where many cars were parked on the road in the locality.

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- Social Implications – Not a suitable site for a rehabilitation centre. There was ready availability of alcohol from six nearby outlets and it was questioned whether such a location was suitable for residents suffering from the effects of psychological trauma. There were nursery, infants and junior schools in the vicinity which generated significant pedestrian traffic which was noisy and might affect the veterans.
- Noise and Disturbance – Considered that the use would cause noise and disturbance to local residents and that the possible mix of personalities would not be managed properly. Residents were concerned at the lack of 24 hour supervision. Noting the comments made in the committee report it was thought unlikely that the property would be occupied by a family of adults with the expected problems and potential noise of the proposed residents. There had also been problems with anti-social behaviour at another nearby property.

Mr Cann advised that the residents wished it to be known that they all supported the aims of the charity but that this location was not suitable. He asked that should the Committee be minded to grant consent, the following conditions be imposed:-

1. The property only to be used to house military veterans and no other rehabilitation use in future.
2. Limit to six vehicles at the property.
3. Prohibition of boundary signage.

The Principal Planning Officer confirmed that the first issue had been addressed by the recommended condition 3 and a condition to limit the number of vehicles in the site would be unreasonable and unenforceable. She also noted that the applicants had advised that it was unlikely that many of the residents would have motor cars.

The Chair was in favour of the application, he believed that the property was large enough, six residents could be housed there without needing planning permission and the property could easily be occupied by a family of eight.

Councillor Smith expressed her disappointment at the tone of some of the comments that had been made. She noted that we expect the military to fight for us and when they return to civilian life we leave them to it. There were many homeless ex-service personnel and she believed the property was in a good place for the proposed use.

She noted that the proposed residents had been damaged fighting for us. She also noted the comments of the Chair of the Church Road residents in the late material regarding possible bias of Members and stated that Councillors had a statutory duty to declare any such interest they may have in an application before them. She said that there were no planning reasons to refuse the application.

Councillor Hilton agreed with the comments made by Councillor Smith. He stated that there were similar properties in his ward which were well run and Alabaré provided excellent homes and support for veterans.

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Councillor McLellan referred to a similar use in Barnwood Road which had been the subject of similar concerns but the reality had been a minute number of problems. He believed that the concerns were exaggerated and that the recommended conditions were sensible. He would be supporting the application.

Councillor Lewis agreed with the Chair and three previous speakers. He believed the objections were based on nimbyism and if veterans could not be welcomed back there was something wrong with our society.

Councillor Brown advised that he had seen examples of the good work done by this charity during his mayoral year.

Councillor Toleman noted the strict house rules and believed that the service background of the proposed residents would lead to compliance.

Councillor Noakes agreed with the comments made by Members and hoped that the Council would be able to develop links with the charity in the future

RESOLVED that permission be granted subject to the conditions in the report.

270. APPLICATION FOR DETERMINATION - 14/0342/REM - HUCCLECOTE CENTRE

The Principal Planning Officer presented the report which detailed an application for the approval of reserved matters (scale, appearance and landscaping) for the demolition of existing buildings and erection of 53 dwellings together with associated estate roads and public open space pursuant to planning permission 11/00742/OUT at Hucclecote Centre.

She referred to the late material which contained new information regarding amended plans, the views of the Highways Authority and a revised recommendation from the Development Control Manager. She advised Members that neighbours had been re-notified of the amended plans and the further consultation period would expire on 17 June 2014.

Councillor Lewis was in favour of the application and appreciated the revised position of the junior rugby pitch.

Councillor Hobbs believed that the proposal was well laid out and would be a welcome addition to the Hucclecote community. He expressed concern that the positioning of the rugby pitch was immediately adjacent to the boundaries of the houses which could suffer balls being kicked into the gardens. He called for a condition to ensure no goal posts were erected.

The Principal Planning Officer advised that the pitch was intended for junior training. She had spoken to the Rugby Club and confirmed that no goal posts were envisaged. She also advised that the Landscape Architect had been in touch with the Rugby Club as there was funding available for a childrens play area.

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Councillor McLellan advised that the pitch was intended for 'touch rugby' and no kicking was involved.

The Chair believed the repositioning of the rugby pitch had improved the remaining public open space.

RESOLVED that approval of Reserved Matters be granted subject to there being no new material planning considerations raised, that have not been previously considered, in any new representations received by the Local Planning Authority before 18th June during the re-consultation period. The Approval would be subject to the conditions set out in Section 8.0 of the report together any conditions recommended by Severn Trent Water and the following additional conditions and note:

Condition

No posts / goal posts shall be erected on the playing field at any time.

Reason

In the interests of the residential amenity of the occupiers of the neighbouring houses in accordance with Policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition

Notwithstanding that shown on the submitted plans, nothing shall be placed, erected or grown on the front gardens to Plots 39 and 40 (as shown on plan number BARR121137 SL01 REV R, received by the Local Planning Authority on 30th May 2014) exceeding a height of 600mm above the adjacent carriageway level.

Reason

To ensure that adequate forward visibility is maintained in the interests of highway safety in accordance with Policy TR.31 of the Second Deposit City of Gloucester Local Plan (2002).

Additional Note

For the avoidance of doubt a separate submission will be required to formally discharge the provisions of the Section 106 Agreement dated 9th December 2013 and a number of conditions on the outline planning permission (reference no. 11/00742/OUT).

271. DELEGATED DECISIONS

Consideration was given to a schedule of applications determined under delegated powers during the month of March 2014.

RESOLVED that the schedule be noted.

272. DATE OF NEXT MEETING

Tuesday, 1 July 2014 at 6.00pm.

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The Chair noted that Annual Council would be held on 9 June 2014 and he thanked any Members who may not be appointed to the Committee for the next Civic Year for their service and contribution to the Committee.

Time of commencement: 18:00 hours

Time of conclusion: 18:50 hours

Chair

GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	1ST JULY 2014
ADDRESS/LOCATION	:	ACCESS ROAD ADJ. UNIT 14 OLYMPUS PARK
APPLICATION NO. & WARD	:	14/00491/FUL QUEDGELEY FIELDCOURT
EXPIRY DATE	:	24TH JUNE 2014
APPLICANT	:	MR M OZER
PROPOSAL	:	CHANGE OF USE OF HIGHWAY TO SITE HOT FOOD VENDING VAN.
REPORT BY	:	BOB RISTIC
NO. OF APPENDICES/ OBJECTIONS	:	SITE LOCATION PLAN 1 LETTER OF REPRESENTATION

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located off a spur road on the eastern side of Olympus Park, which services the delivery area to the Next store.
- 1.2 The proposed site is located upon the highway, to the south of the car park area to the Royal Mail depot and to the north of the car park which services the shops at the Quedgeley District Centre.
- 1.3 The nearest residential properties are set over 50 metres to the west of the site and on the opposite side of Olympus Park.
- 1.4 The application seeks planning permission to station a hot food trailer upon the northern side of the street, with a serving hatch facing the pavement.
- 1.5 The proposed hours of operation are 07:00 to 23:00hrs 7 days a week and the van would be driven away from the site each day.
- 1.6 The application has been brought before the planning committee as the proposal is for a 'hot food takeaway' which has received public objections.

2.0 RELEVANT PLANNING HISTORY

- 2.1 None

3.0 PLANNING POLICIES

3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development control purposes. The National Planning Policy Framework has been published and is also a material consideration.

3.2 For the purposes of making decisions, the National Planning Policy Framework 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 National Planning Policy Framework. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the National Planning Policy Framework.

3.3 The policies within the 1983 and the 2002 Local Plan remain therefore a material consideration where they are consistent with the National Planning Policy Framework.

3.4 From the Second Stage Deposit Plan the following policies are relevant:

3.4.1 BE.21 - Safeguarding of Amenity

Planning permission will not be granted for any new building, extension or change of use that would unreasonably affect the amenity of existing residents or adjoining occupiers

3.4.2 FRP.11 – Pollution

Development that may be liable to cause pollution of water, air or soil, or pollution through noise, dust, vibration, light, heat or radiation will only be permitted if the quality and enjoyment of the environment would not be unduly damaged or put at risk.

Particular attention will be given to development of potentially polluting uses in close proximity to sensitive uses such as schools, hospitals, housing or offices.

Development of sensitive uses such as schools, hospitals, houses and offices will not be permitted where they would be adversely affected by existing polluting uses.

3.5 In terms of the emerging local plan, the Council is preparing a Joint Core Strategy with Cheltenham and Tewkesbury Councils and has recently published for consultation a Draft Joint Core Strategy in October 2013. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents, which reached Preferred Options stage in 2006.

- 3.6 On adoption, the Joint Core Strategy and City Plan will provide a revised planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to
- The stage of preparation of the emerging plan
 - The extent to which there are unresolved objections to relevant policies; and
 - The degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Gloucestershire County Highways – Raised no objection.
- 4.2 Quedgeley Parish Council - There are a number of HGV's who need access for deliveries to the units together with vehicles who park to use the retail park and we consider this will lead to highway safety issues

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 The occupiers of nine neighbouring properties were notified of the application by letter. The application was also advertised by a site notice.
- 5.2 At the time of writing one letters of representation has been received. The comments raised are summarised below:
- The road in question is used for parking by both Royal Mail and the Retail Park. It is also used as a Lorry Park at night.
 - Road used by articulated lorries gain access to the loading bays.
 - Siting a Vending Van on this road would not be a great idea due to the fact the lorries need constant access and it could possible become a safety hazard.

- 5.3 The full content of all correspondence on this application can be inspected at the Herbert Warehouse reception, The Docks, Gloucester, prior to the Committee meeting.

6.0 OFFICER OPINION

- 6.1 The application seeks planning permission for the stationing of a mobile hot food catering trailer, which would operate between the hours of 7am and 11pm daily.
- 6.2 The applicant has advised that the trailer would be removed from the site each day and that the hours operation sought are to give maximum flexibility to the applicant, who is unlikely to trade each and every day.
- 6.3 The character of the immediate area is commercial and industrial and the nearest residential properties are some 50 metres to the west. These properties back onto the western side of Olympus Park and are screened by a

substantial tree and shrub planting. As a result of the screening and separation, the proposal would not result in any demonstrable harm to residential amenities of the occupiers of those properties.

- 6.4 The proposed van would be viewed against the back drop of existing parking upon the highway and within the substantial car parks serving the shops and the Royal Mail depot. The proposed trailer would not therefore appear unduly prominent within the street scene.
- 6.5 An objector has raised concerns with regards to highway safety. The application and comments have been reviewed by the County Council Highways officer who has advised that the primary use of the highway is for the passing and re-passing of traffic. The stationing of the hot food van would not materially affect that purpose.
- 6.6 The junction with Olympus Park and the opposing side of the highway are subject to parking restrictions by the application of a traffic regulation order. Limited on-street parking is available to the east of the proposed location with public off-road car parking in the customer car park to the south. The pavement adjacent to the highway is of sufficient width to accommodate customers and pedestrians. For these reasons it is considered that the proposal would not have a severe impact on the highway safety.
- 6.7 I consider it reasonable to include a condition requiring a bin to be provided during trading hours in order to minimise possible impacts from litter and Vermin. And similarly a condition requiring the trailer to be removed from the site when not in use.
- 6.8 In the unlikely event of any anti-social behaviour associated with the proposal, this is best controlled by the police and the city licensing officers.

6.0 CONCLUSION/REASON FOR APPROVAL

- 6.1 The impacts of the siting and operation of the hot food vending van have been carefully considered. It is concluded that on balance and subject to compliance with conditions, the proposed use would not result in demonstrable harm to the character of the area or highway safety. For these reasons the proposal is considered to be in accordance with policies BE.21 and FRP.11 of the Gloucester City Council Second Deposit Local Plan 2002.

7.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

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

Condition 1

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

Reason

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

Condition 2

The use hereby permitted shall be carried out in accordance with the submitted application form, supporting information, received by the local planning authority on 9th May 2014, as well as any other conditions attached to this permission.

Reason

To ensure that the use is carried out in accordance with the approved plans and in accordance with policies contained within Second Deposit City of Gloucester Local Plan (2002).

Condition 3

The use hereby permitted shall only open to the public between the following hours: 07.00 and 23.00 Monday to Sundays including Bank Holidays.

Reason

To safeguard the amenities of the locality in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 4

A litter bin shall be provided at the site at all times that the van is stationed and open for business. The litter and bin shall be removed from the site every day.

Reason

To protect the amenities of the occupiers of neighbouring properties and in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 5

The hot food trailer hereby permitted shall be removed from the site following the end of each day of trading and shall not be left upon the highway over night.

Reason

To define the terms of this permission and to protect the visual amenities of the area in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Decision:

Notes:

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Person to contact: Bob Ristic (Tel: 01452 396822)

14/00491/FUL

Access Road Adj
Unit 14
Olympus Park
Quedgeley
Gloucester

Planning Committee 01.07.2014



From: David Jones
Sent: 06 January 2014 15:12
To: Joann Meneaud
Cc: Nathan McDonald; Paul Gooderson; Colin Huntley; Matt Haslam
Subject: 12/00448/REM - Kingsway Sports Pavilion, Revised brick proposal

Ref: 6527 Kingsway Sports Pavilion

Dear Bob Ristic,

I am emailing you with regards to the planning proposal "Change of use of highway to site hot food vending van".

The reference number for this proposal is 14/0049FUL

The road in question is used for parking by both Royal Mail and the Retail Park. It is also used as a Lorry Park at night.

However the main issue is that Artic Lorries gain access to the loading bays, therefore siting a Vending Van on this road would not be a great idea due to the fact the lorries need constant access and it could possible become a safety hazard.

Tracie Lee
DOM Support
Gloucester South Delivery Office

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GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	1ST JULY 2014
ADDRESS/LOCATION	:	DLK FURNISHINGS, 5 – 7 STROUD ROAD
APPLICATION NO. & WARD	:	14/00381/FUL & 14/00382/LBC MORELAND
EXPIRY DATE	:	2ND JULY 2014
APPLICANT EMMABL PROPOSAL	:	C/O THE AGENT (MR. OWEN PIKE) 14/00381/FUL: CHANGE OF USE FROM SHOP (USE CLASS A1) TO HOT FOOD TAKE-AWAY (USE CLASS A5) WITH ASSOCIATED INTERNAL AND EXTERNAL ALTERATIONS, TO INCLUDE INSTALLATION OF 1 NO. EXTRACT FLUE CONCEALED WITH CLADDING ON REAR ELEVATION 14/00382/LBC: INTERNAL AND EXTERNAL ALTERATIONS TO LISTED BUILDING, IN ASSOCIATION WITH PROPOSED CHANGE OF USE FROM SHOP (USE CLASS A1) TO HOT FOOD TAKE-AWAY (USE CLASS A5)
REPORT BY	:	EMMA BLACKWOOD
NO. OF APPENDICES/ OBJECTIONS	:	SITE LOCATION PLAN

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 No. 5-7 Stroud Road is a 3 storey detached building with a footprint of approximately 232 square metres, which is located on the north-eastern side of the highway. The application site is located to the south of the city centre at the junction between Stroud Road, Bristol Road and Trier Way. There is a reasonably generous expanse of pavement towards the south-west and north of 5-7 Stroud Road, and there is a bus stop towards the front of the site. Immediately to the south-east of the application site (at nos. 9-19 Stroud Road) are a mixture of retail and office uses, and a "Kwik Fit" garage is situated on the south-west side of Stroud Road, south of the junction with Bristol Road. Further towards the south-east on both sides of Stroud Road are two storey dwellings. A retail park lies to the west of the junction with Bristol Road, and a

“*Burger King*” takeaway restaurant within this retail park lies opposite the application site.

- 1.2 5-7 Stroud Road currently comprises a retail unit at ground floor level (with ancillary offices, stores, a kitchenette and W.C. facilities), with offices on the first and second floors. The property is a Grade II listed building with a Limestone façade, located within the Southgate Conservation Area, and is designed with a pitched roof covered with interlocking concrete tiles, behind a brick parapet wall. There is also a single storey pitched roof extension which adjoins the rear of the property. The existing fully glazed shopfront is timber framed and extends across the full width of the front (south-western) elevation of 5-7 Stroud Road. This glazed shopfront curves in towards the pedestrian entrance to the existing retail unit, which is located towards the south-eastern side of the front elevation. The spacing, style and form of windows at first and second floor level on the front elevation give the building a symmetrical appearance.
- 1.3 It is proposed to change the use of the ground floor of No. 5-7 Stroud Road from existing retail use (class A1) to a hot food takeaway (use class A5) for ‘*Papa John’s*’, which would operate from 11:00am to 11:00pm Sunday to Thursday, and from 11:00am to 1:00am on Fridays and Saturdays. The ground floor level of the building is currently vacant. The first and second floors would be unaffected by the application proposal and, as such, would remain in B1 (office) use. No extensions are proposed to the property and no additional openings are proposed either inside or outside of the property.
- 1.4 The existing shopfront is in a poor condition and it is consequently proposed to fully refurbish the shopfront, on a like for like basis using new timber frames. The shopfront would remain predominantly glazed, with a large glazed entrance door and a generously sized fascia above.
- 1.5 The existing principal entrance to the premises, towards the south-eastern side of the front elevation, is stepped at 150mm above ground level. The Design and Access Statement advises that a management strategy would be implemented at the property that requires the franchisee to store a temporary access ramp inside the premises at all times to be used at the stepped customer entrance as required, in order to allow people with restricted mobility to be able to access the premises.
- 1.6 It is proposed to erect a flue towards the south-eastern side of the rear elevation of the building. The original plans showed this flue to be uncovered, and this was judged to appear visually intrusive. Following negotiations throughout the application process, amended plans were received by the Local Planning Authority on 19th May 2014 to show that the proposed flue would be enclosed with cladding, using materials to match the appearance of the existing brickwork facing materials on the rear elevation of the building. The proposed extract flue would terminate 1000mm above the eaves level of 5-7 Stroud Road. Original plans proposed the erection of a condensing unit on the south-eastern side elevation of the building. The amended plans show that this has been removed from the scheme.

- 1.7 No other external alterations are proposed to the building.
- 1.8 In terms of the internal layout of the building, it is proposed that there would be a customer order and waiting area and a separate kitchen towards the front of the premises, a control hub (dispatch area), cold storage area and preparation room centrally within the premises, and there would be a staff toilet and separate storage area, both of which already exist, at the rear. The alterations to the internal layout of the building would involve the creation of a ramp behind the customer order and waiting area that leads into the preparation room, which would be required as the floor area beyond the front of the premises is approximately 408mm higher. Additional proposed internal alterations include the installation of a customer reception area and sales counter, gas oven, extraction system comprising stainless steel extract hood, galvanised ductwork and fans, preparation tables, refrigerators, freezers, sinks, dispatch tables and new doors.
- 1.9 It is proposed that the internal storage area at the rear of the premises would be used to store the refuse and recycling bins associated with the proposed takeaway as well as its delivery scooters. The Design and Access Statement advises that bins would be wheeled into the yard to the rear of the building on refuse collection days and moved back indoors thereafter where they would be housed for the rest of the week. There is a secondary vehicular entrance towards the rear of the site leading to the rear yard, and this area would continue to be used only for two car parking spaces for employees, by service personnel and refuse contractors.
- 1.10 Councillor Mark Hobbs has requested in writing that the application be referred to the Council's Planning Committee, for the following reason: "*The application site is on a very busy corner where there is no parking*".
- 1.11 As a result of the request for the application to be presented to Planning Committee and as a result of the submission of amended plans and the subsequent requirement to re-notify neighbours and to allow them 14 days to submit comments, the Agent for this application agreed to extend the time period for determination to 2nd July 2014 under Article 29(2)(C) of The Town and Country Planning (Development Management Procedure) (England) Order 2010.

2.0 RELEVANT PLANNING HISTORY

- 2.1 17.06.1952 (P/146/52, Planning permission granted) – House
- 2.2 14.06.1978 (03/EDP/526/78, Planning permission granted) – Single storey extension at rear
- 2.3 Withdrawn on 23.12.2013 (13/01604/COU) – Change of use of ground floor shop (class A1) to estate agents office (class A2)

3.0 PLANNING POLICIES

- 3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development control purposes. The NPPF has been published and is also a material consideration.
- 3.2 For the purposes of making decisions, the National Planning Policy Framework (NPPF) (2012) 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.
- 3.3 The policies within the 1983 Local Plan and existing County Structure Plan remain the statutory adopted policies for the City and policies within the 2002 Local Plan are a material consideration where they are consistent with the NPPF.
- 3.4 From the Second Stage Deposit Plan policies FRP.1a (Development and Flood Risk), FRP.6 (Surface Water Run Off), FRP.10 (Noise), FRP.11 (Pollution), BE.1 (Scale, Massing and Height), BE.21 (Safeguarding of Amenity), BE.22 (Alterations to and Development within the Curtilage of Listed Buildings), BE.29 (Development within Conservation Areas), TR.31 (Road Safety) and S.15 (Shopping Parades and Single Shops) are relevant.
- 3.5 In terms of the emerging local plan, the Council is preparing a Joint Core Strategy with Cheltenham and Tewkesbury Councils and has recently published for consultation a Draft Joint Core Strategy, October 2013. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.
- 3.6 On adoption, the Joint Core Strategy and City Plan will provide a revised planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to
- The stage of preparation of the emerging plan
 - The extent to which there are unresolved objections to relevant policies; and
 - The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

4.0 CONSULTATIONS

- 4.1 The Conservation Officer raises no objection subject to condition.
- 4.2 The Gloucester Civic Trust Planning Appraisal Group raises no objection to the proposed change of use, advising that the refurbishment of the two shop

frontages is welcomed in this up and coming area on a main entrance to the city.

- 4.3 The Environmental Health Officer raises no objection subject to conditions.
- 4.4 The Planning Policy Officer raises no objection.
- 4.5 The Local Highway Authority raises no objection

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 The planning application and the listed building consent application have both been publicised through the posting of a site notice and a press notice, and 26 neighbouring properties were consulted by letter. No letters of representation have been received in the 21 day statutory consultation period or since. Neighbouring properties were also consulted by letter regarding the amended plans, and the expiry date for responses to this publicity is the 2nd July 2014. Any letters of representation received in the 14 day statutory consultation period will be reported to the Planning Committee within late material.
- 5.2 The full content of all correspondence on this application can be inspected at the Herbert Warehouse reception, The Docks, Gloucester, prior to the Committee meeting.

6.0 OFFICER OPINION

- 6.1 It is considered that the main issues with regards to this application are as follows:
- 6.2 The principle of the change of use:

The application site is not located in the Primary Shopping Area, nor a local or district centre. However, the existing use of the building is retail. Policy S.15 of the Second Deposit City of Gloucester Local Plan (2002), which relates to 'Shopping Parades and Single Shops', states that the change of use of shops outside designated centres will only be permitted where:

- 1. The property is vacant and the developer is able to demonstrate that the property has been marketed unsuccessfully for a reasonable period of time, or
- 2. The new development is a dwelling, or
- 3. The new development would enhance the role of a shopping parade.

A marketing report has been submitted to support this planning application, which has been commissioned by 'ASH & Co. Chartered Surveyors' and was received by the Local Planning Authority on 29th March 2014. This advises that the property was vacated in January 2013 by a furniture retailer, after approximately 5 years in occupation. The Marketing Report states that the former occupier of 5-7 Stroud Road subsequently moved to a unit further along Bristol Road, but have since vacated that property. The Report further advises

that another furniture retailer took occupation of 5-7 Stroud Road in February 2013, but vacated after circa 2 months, citing a lack of business as the main reason for their decision. The property has remained vacant since that point and has been marketed for approximately 12 months. The Report further notes that terms were agreed with a residential letting agent who proposed a change of use to Class A2. However, they withdrew from the transaction before it could be completed.

The Marketing Report advises that the property has been marketed at a rent lower than the level paid by both previous occupiers and the marketing literature states that the landlord is willing to accept flexible lease terms. In terms of advertising methods, the Report states that a board had been erected in the window of the premises and that the property had been advertised on 'ASH & Co's' website and with 'Punchline', 'EGI Propertylink' and 'Move Hut'.

The Report suggests that 5-7 Stroud Road may not be appropriate for a small to medium sized business seeking retail accommodation in the area by virtue of its large size and by virtue of the main retail area being split over two levels.

The unit is vacant and it has been effectively demonstrated that the property has been marketed unsuccessfully for a reasonable period of time, in accordance with policy S.15 of the Second Deposit City of Gloucester Local Plan (2002). It is judged that the proposed hot food takeaway within this existing vacant building would encourage more people to visit this prominent location on Stroud Road, at this busy junction of Bristol Road, Stroud Road, Trier Way and St. Anne's Way, thereby improving the vitality and viability of this shopping parade. In this instance, it is considered that, on balance, having regard to all of the above factors, the principle of the change of use is acceptable.

6.3 Impact on character and appearance of Conservation Area and street scene, and impact on quality and setting of Listed Building:

The property is a designated heritage asset Grade II listed building and located within the Southgate Conservation Area. The conservation area was reviewed in 2013 and the Appraisal and Management Recommendations were adopted in January 2014 as interim planning guidance and additional restrictions were placed on certain properties with an Article 4 directive.

Throughout the application process, there have been numerous discussions regarding the proposed flue. Amended plans were received by the Local Planning Authority on 19th May 2014 proposing that the flue would be erected on the rear elevation of the building and would be clad in brick work. The cladding of the flue in matching brick would assist in minimising the negative impact of the flue in this prominent location.

Overall, I am satisfied that the design of the proposed extract flue would be sympathetic in scale, form and materials to the building, would sit comfortably with the height of existing adjacent buildings and the surrounding built

environment, and would preserve the character and appearance of the conservation area and the quality and character of the listed building.

The existing shopfront is in a poor condition and it is consequently proposed to fully refurbish this, on a like for like basis using new timber frames. No other external alterations are proposed to the building. It is judged that the proposed change of use would preserve the quality and character of the Listed Building subject to the works being undertaken in a sensitive manner. Any internal and external works should ensure that any historic features which are revealed as a result of the works are preserved, and any upgrading required as a result of building regulations should be sensitively undertaken and a detailed repair and method statement will be required via condition. The Conservation Officer has been consulted and raises no objection to the proposed development, subject to a condition requiring the submission and subsequent approval in writing by the Local Planning Authority of the following details: (a) Samples of external materials; (b) Detailed repair specification and methodology for works both internal and external; (c) Detailed proposals of any upgrading in regards to building regulations/fire/sound compliancy; and (d) Scaled drawing detailing insertion of ramp access.

6.4 Impact on residential amenity:

The character of the local area is predominantly commercial, with a mixture of uses surrounding 5-7 Stroud Road. There are no residential properties adjacent to the site. The nearest residential premises, no. 23 Stroud Road, lies some 45 metres to the south-east of the application site.

The Extraction and Ventilation Report which has been submitted to support this application, received by the Local Planning Authority on 29th March 2014, states that the proposed take-away would be restricted to the preparation and cooking of pizza and other sundry foods (e.g. chicken wings and potato wedges) and, of all these products, only the pizzas would be prepared on site. The remaining elements come pre-packaged and would be stored on site before being cooked. All products are designed to be oven-cooked and, consequently, the only cooking equipment employed in this take-away would be a conveyor oven. It is proposed to run an extraction system from this oven internally through the building, which would come out of the flat roof on the existing rear extension, and the extract flue (500mm diameter ductwork) would continue to rise externally on the rear elevation of the property, terminating 1 metre above the eaves level of the building. No other external plant equipment is proposed for installation.

The Environmental Health Officer has been consulted and raises no objection to the proposed development, subject to conditions. By virtue of the predominantly commercial character of the local area, and the specification of the proposed extraction and ventilation system, it is judged that the proposed development would not unreasonably affect the amenity of existing residents or adjoining occupiers, in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002)

6.5 Impact on road safety:

The application site is located to the south-east of the busy junction of Bristol Road, Stroud Road, Trier Way and St. Anne's Way. Bristol Road forms a main southerly link between the city centre and the M5 at junction 12.

There is an existing brick wall along the northern boundary of the application site, adjacent to Trier Way, which is set back from the road behind a pavement and grassed lawn. Vehicular access is provided from Trier Way to a service yard at the rear of the application site through a gap in this brick wall and this has historically provided employee and service access into the property. This vehicular access would not be altered by the proposed change of use. It is proposed that the rear yard would be used for parking for two staff vehicles, parking for delivery vehicles, refuse collection and deliveries associated with the proposed takeaway. The Design and Access Statement submitted with this application advises that it is envisaged that there would be three deliveries per week to the premises and the unloading of deliveries would take no longer than 20 minutes during each visit. The Local Highway Authority have advised that this vehicular access presents visibility splays in both directions commensurate with the deemed to satisfy standards for the speed of the highway at that point.

Pedestrian access is from Stroud Road across a wide paved area that extends around the north of the site. A bus-stop with pull-in is positioned to the front of the site on Stroud Road. Close to the site are a variety of retail units including hot food outlets, in a retail park with associated off-street parking. On-street parking in the area is controlled by way of traffic regulation orders.

The Design & Access statement provided with this application gives an indication of the highway safety implications of the proposal and its likely impact on the local highway network. It is anticipated that, on average, the majority (63%) of orders would be delivered by vehicles using the service yard to the rear onto Trier Way. The operators would encourage staff to deliver two orders within every journey, thus reducing vehicle trips.

Collections of orders by customers make up the remainder of trips relating to the proposal. No parking provision for customers is proposed. However, the majority of these trips would occur outside peak hours and there is an implication that these customers would utilise the parking facility within the retail park on the northern side of Bristol Road. It should be noted that parking within the retail park is restricted by retail park patrons, and as such, non-patron parking should not be encouraged.

The Local Highway Authority have assessed the proposal, and consider that the proposal would result in an intensification of traffic on the local highway network, but that this increase can be accommodated and will not be detrimental to highway safety. As such, the Local Highway Authority raises no objection to the proposed development.

6.6 Flood risk:

The application site lies within flood zones 2 and 3. In terms of the flood risk vulnerability classification within the NPPF Technical Guidance (2012), the proposed hot food take-away use and the existing retail use are both classed as 'less vulnerable'. The NPPF Technical Guidance (2012) states that all development proposals in flood zones 2 and 3 should be accompanied by a flood risk assessment (FRA). As such, an FRA commissioned by 'Sanderson Weatherall' was received by the Local Planning Authority on 29th March 2014, detailing flood evacuation plans and flood proofing techniques for the proposed development.

The FRA advises that, because the application proposes no extensions to the building and because the proposed use of the building would remain as 'less vulnerable' in terms of the flood risk vulnerability classification within the NPPF Technical Guidance (2012), involving only minor internal and external alterations to the building, there would consequently be no impact on surface water run-off rates and no displacement of flood water.

The FRA provides a list of mitigation measures to manage the residual risk of fluvial flooding. This states that all electrical wall sockets will be raised above floor level, where feasible, that no existing floor levels would be lowered, and that the rear access door would double up as a staff and service access and emergency exit, if evacuation is necessary. The FRA also provides a flood evacuation plan.

It is considered that the FRA effectively demonstrates that, in terms of flooding, the risk to human life and the property is acceptable, the development would not be at an unacceptable risk of flooding, and the development would not increase the risk of flooding to third parties within the flood plain or in adjoining areas. Consequently the proposal complies with policies FRP.1a and FRP.6 of the Second Deposit City of Gloucester Local Plan (2002) and the objectives of the NPPF.

6.7 Taking into account all of the above, it is concluded that the proposed development would comply with policies BE.1, BE.21, BE.22, BE.29, FRP.1a, FRP.6, FRP.10, FRP.11, S.15 and TR.31 of the Second Deposit Gloucester Local Plan (2002) and the principles of the NPPF, and it is therefore recommended that planning permission and listed building consent are granted subject to conditions.

6.8 In compiling this recommendation 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) 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 of adjacent occupiers. On assessing the issues raised by the application no particular matters, other

than those referred to in this report, warrant any different action to that recommended.

7.0 CONCLUSION/REASON FOR APPROVAL

For 14/00381/FUL:

- 7.1 The impact of the proposal has been carefully assessed and it is considered that it would not have any detrimental effect on the street scene and would preserve the character and appearance of the conservation area and the quality and character of the listed building. The proposed change of use and associated alterations to the building would not have any significant adverse impact on the amenities of the occupiers of the neighbouring properties and would not be detrimental to highway safety. It is judged that the proposed change of use would improve the vitality and viability of this shopping parade. Nevertheless, it has been effectively demonstrated that the property is vacant and has been marketed unsuccessfully for a reasonable period of time. Flood risk issues have been adequately addressed. For these reasons the proposal is considered to be in accordance with Policies BE.1, BE.21, BE.22, BE.29, FRP.1a, FRP.6, FRP.10, FRP.11, S.15 and TR.31 of the Second Deposit Gloucester Local Plan (2002) and the principles of the National Planning Policy Framework (2012).
- 7.2 In accordance with the requirements of the National Planning Policy Framework (2012) the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating to improve the design of the proposed development and to ensure it would respect the character and appearance of the Conservation Area and the quality and character of the Listed Building.

For 14/00382/LBC:

- 7.3 The impact of the proposal has been carefully assessed and it is considered that it would preserve the quality and character of the listed building. For this reason, the proposal is considered to be in accordance with Policy BE.22 of the Second Deposit Gloucester Local Plan (2002) and the principles of the National Planning Policy Framework (2012).
- 7.4 In accordance with the requirements of the National Planning Policy Framework (2012) the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating to improve the design of the proposed development and to ensure it would respect the character and appearance of the Conservation Area and the quality and character of the Listed Building.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

For 14/00381/FUL:

8.1 That, subject to no substantive objections being received as a result of the publicity by the 2nd July 2014, planning permission is granted subject to the following conditions.

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

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

2. The development hereby permitted shall be carried out in accordance with details within the site location plan, the block plan, and the Flood Risk Assessment received by the local planning authority on 29th March 2014, the approved drawing numbers '002013343-02 Revision G', '002013343-03 Revision D' and '002013343-04 Revision D' received by the local planning authority on 19th May 2014, and any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within the Second Deposit City of Gloucester Local Plan (2002).

3. The ventilation system, as detailed in the 'Extraction and Ventilation Report' received by the Local Planning Authority on 29th March 2014, shall be implemented prior to the first use of the development to which it relates and shall be retained for the duration of the use.

Reason: To ensure that unsatisfactory cooking odours outside the premises are minimized in the interests of the amenity of occupiers of nearby properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

4. The extraction equipment hereby permitted shall be regularly maintained to ensure its continued satisfactory operation and the cooking process shall cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the Local Planning Authority.

Reason: To ensure that the use does not result in excessive cooking odours outside the premises and that the amenity of occupiers of nearby properties is protected in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

5. To ensure adequate diffusion of any remaining odours that have not been scrubbed by the carbon filtration unit, the extraction flue shall terminate at

a minimum of 1 metre above the roof eaves of the application site or adjacent building whichever is the higher.

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002). Activated Charcoal is required as a minimum standard for the filtration of fumes.

6. Noise generated from items of plant and equipment associated with this application shall be controlled such that the rating level, in accordance with BS 4142: 1997, measured or calculated at 1m from the facade of the nearest noise sensitive premises shall not exceed a level of 5dB below the existing LA90 background level with no tonal element to the plant.

Reason: To safeguard the amenity of the area in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002)

7. Prior to the commencement of the development hereby permitted, a waste management plan, including waste oil, shall be submitted to and approved in writing by the local planning authority. The approved plan will be implemented before the first use of the development to which it relates commences and shall be retained for the duration of the use

Reason: To safeguard residential amenity and prevent pollution in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

8. The use hereby permitted shall not be open to customers outside the hours of 11:00 and 23:00 Sundays to Thursdays, 11:00 and 23:59 Fridays and Saturdays, and 0:00 and 01:00 Saturdays and Sundays.

Reason: To safeguard the amenities of the locality in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

9. Notwithstanding the approved drawings, details of the following shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works. The development shall be carried out in accordance with the approved details:

- (a) Samples of external materials;
- (b) Detailed repair specification and methodology for works both internal and external;
- (c) Detailed proposals of any upgrading in regards to building regulations/fire/sound compliancy; and
- (d) Scaled drawing detailing insertion of ramp access.

Reason: To safeguard the character and appearance of this building of architectural or historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

8.2 Notes:

1. Adjoining property rights:

This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.

2. Party Wall Act 1996:

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 - explanatory booklet.

3. Building Regulations:

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucester City Council Building Control Team on 01452 396771 for further information.

4. Activated Charcoal for the Filtration of Fumes:

Activated Charcoal is required as a minimum standard for the filtration of fumes.

5. Alterations to submitted/approved plans:

Any alterations to the submitted and 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.

6. Advertisements:

This permission does not authorise the display of any advertisements on the site (including any shown on the plans accompanying the application). Separate application should be made to Gloucester City Council in accordance with the Town and Country Planning (Control of Advertisements) Regulations 1992. A further application for Listed Building Consent may be required for the display of any advertisements on the site.

7. Shopfront security:
The applicant is advised that a further application for planning permission and/or Listed Building Consent may be required for shopfront security measures, should they be needed.
8. Discharging Conditions:
A fee is payable where written confirmation is required that one or more conditions imposed on this permission have been complied with. The fee is £97 per request. The fee must be paid when the request is made.

For 14/00382/LBC:

8.3 That, subject to no substantive objections being received as a result of the publicity by the 2nd July 2014, Listed Building Consent is granted subject to the following conditions.

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

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with details within the site location plan and the block plan received by the local planning authority on 29th March 2014, the approved drawing numbers '002013343-02 Revision G', '002013343-03 Revision D' and '002013343-04 Revision D' received by the local planning authority on 19th May 2014, and any other conditions attached to this permission

Reason: To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within the Second Deposit City of Gloucester Local Plan (2002).

3. Notwithstanding the approved drawings, details of the following shall be submitted to and approved by the local planning authority prior to the commencement of any works. The development shall be carried out in accordance with the approved details:

- (a) Samples of external materials;
- (b) Detailed repair specification and methodology for works both internal and external;
- (c) Detailed proposals of any upgrading in regards to building regulations/fire/sound compliancy; and
- (d) Scaled drawing detailing insertion of ramp access.

Reason: To safeguard the character and appearance of this building of architectural or historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

8.4 Notes:

1. Adjoining property rights:

This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.

2. Party Wall Act 1996:

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 - explanatory booklet.

3. Building Regulations:

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucester City Council Building Control Team on 01452 396771 for further information.

4. Alterations to submitted/approved plans:

Any alterations to the submitted and 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.

5. Advertisements:

This permission does not authorise the display of any advertisements on the site (including any shown on the plans accompanying the application). Separate application should be made to Gloucester City Council in accordance with the Town and Country Planning (Control of Advertisements) Regulations 1992. A further application for Listed Building Consent may be required for the display of any advertisements on the site.

6. Shopfront security:

The applicant is advised that a further application for planning permission and/or Listed Building Consent may be required for shopfront security measures, should they be needed.

Decision:

Notes:

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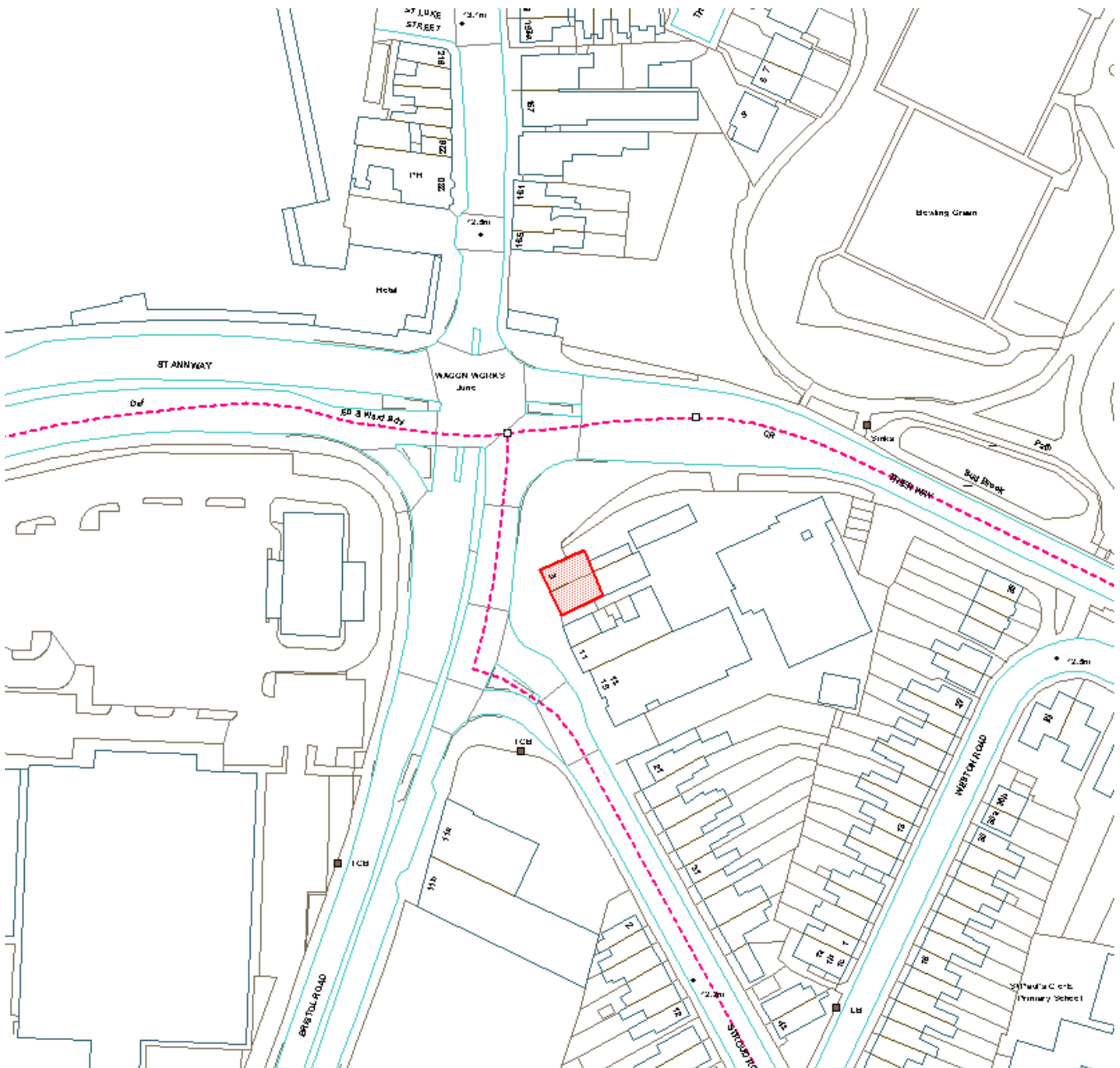
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Person to contact: Emma Blackwood
(Tel: 396732)

14/00381/FUL & 14/00382/LBC

DLK Furnishings
5 - 7 Stroud Road
Gloucester
GL1 5AA

Planning Committee 01.07.2014



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GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	1st JULY 2014
ADDRESS/LOCATION	:	287 STROUD ROAD & 1 WILLOWTREE COURT, STROUD ROAD
APPLICATION NO. & WARD	:	TPO 287 – 287 STROUD ROAD
APPLICANT	:	GLOUCESTER CITY COUNCIL
PROPOSAL	:	CONFIRMATION OF TPO 287 (SUBJECT TO MODIFICATION)
REPORT BY	:	JUSTIN HOBBS.
NO. OF APPENDICES/	:	1. SITE LOCATION PLAN. 2. TPO 287. 3. OBJECTION LETTER UNDATED (MAY 2014) FROM MR KILMISTER & MISS H VIRGO. 4. FIRST OBJECTION LETTER FROM MR & MRS PELPER (12 MAY 2014). 5. SECOND OBJECTION LETTER FROM MR & MRS PEPLER (28 MAY 2014). 6. EMAIL IN SUPPORT OF TPO FROM MS BUCK (22 MAY 2014). 7. LETTER FROM MR & MRS RUMSEY IN SUPPORT OF TPO (28 MAY 2014). 8. LETTER FROM MR BARRETT IN SUPPORT OF TPO (3 JUNE 2014) 9. LETTER FROM MRS BARRETT IN SUPPORT OF TPO (24 MAY 2014) 10. EXAMPLE TEMPO ASSESSMENT FORM 11. 06/01282/FUL LANDSCAPE & BOUNDARY TREATMENT PLAN.

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 A site location plan is attached as appendix 1.
- 1.2 The Corsican pine tree protected by this Tree Preservation Order (TPO) stands on a thin strip of land owned by No 1 Willowtree Court, Stroud Road and immediately adjacent to the southern rear boundary of no 287 Stroud Road.

- 1.3 On 8th May 2014 the owner of 287 Stroud Road, Mr Kilmister, contacted your tree officer to establish whether a pine tree growing at the address was protected by a TPO. Mr Kilmister intimated he owned the tree and would like to remove it.
- 1.4 Your tree officer was aware of the tree due to a past planning permission to build two houses on land to rear of 283 – 289 Stroud Road (now Willowtree Court). At the time the tree was a healthy and prominent specimen and was retained within the development. With this in mind your tree officer visited site to assess the amenity value of the tree and the health of the tree.
- 1.5 Assessment determined the tree is worthy of a TPO. Given the apparent immediate threat to the tree a TPO was made by the City Council on 8th May 2014 and subsequently served on the owners of 287 Stroud Road and all surrounding properties. A copy of the TPO is attached as appendix 2.
- 1.6 Mr Kilmister contacted the City Council on 9th May to register his objection to the TPO. Your our tree officer arranged to meet Mr Kilmister and further inspect the tree on 13th May. This inspection confirmed that the tree is presently in overall good health with no signs or symptoms that the whole tree, or large parts of it are liable to fail.
- 1.7 Since the making of the TPO it has been confirmed that despite appearances on the ground making no 287 Stroud Road the most likely owner of the tree, the tree is owned by the property to the rear, 1 Willowtree Court. This has been confirmed by land registry searches and by correspondence with the owner of 1 Willowtree Court.
- 1.8 The City Council has a maximum of 6 months from 8th May 2014 to confirm the TPO or the TPO (and the protection afforded to the tree via it) will lapse. This time period is to enable the City Council to consider any comments, objections, and support for the TPO prior to confirmation.
- 1.9 The proposal is that that the Council of the City of Gloucester (287 Stroud Road) Tree Preservation Order 2014 is confirming subject to the following modifications:
 1. The title of the order is amended to The Council of the City of Gloucester (Land adjacent to 287 Stroud Road) Tree Preservation Order 2014.

2.0 RELEVANT PLANNING HISTORY

- 2.1 06/01282/FUL was granted consent on 1st November 2006 for construction of 2 detached properties on land to the rear of 283 – 289 Stroud Road. This has subsequently become the two properties at Willowtree Court. Condition 4 of the consent states *“No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and*

hedgerows on the land, and details of any to be retained". Condition 5 states "none of the existing trees and/or hedgerows on the site shall be felled or wilfully damaged or destroyed without written consent of the local planning authority". The Landscape & Boundary treatment plan submitted (Peter Marshall Architect Limited Aug 2007) indicates the retention of the pine tree. Refer to appendix 11.

2.3 07/01097/FUL was granted consent 10th August 2007 for minor amendments to the appearances of the properties at Willowtree Court.

2.4 Construction of the two properties at Willowtree Court was completed by April 2008.

3.0 LEGAL IMPLICATIONS

3.1 Once a TPO is made the tree(s) covered by the order are protected under the provisions of the Town and Country Planning Act 1990. The Town and Country Planning (Tree Preservation)(England) Regulations 2012 set out procedural requirements relating to TPOs.

3.2 The City Council has a maximum of six months following the making of the TPO to confirm it otherwise the TPO lapses at the end of this period and the tree(s) covered by the order are no longer protected.

3.3 The City Council may confirm a TPO either without modification or subject to such modifications as are considered expedient. Alternatively, the City Council may decide not to confirm a TPO at all.

3.4 The validity of a TPO can be challenged by way of application to the High Court. Any person who is aggrieved by an order may make such an application on the grounds:

(a) that the order is not within the powers of the 1990 Act or

(b) that the requirements of the 1990 Act or regulations have not been complied with in relation to the order.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 As is required by the 2012 regulations, the TPO was served on every owner and occupier of the land on which the tree is situated and on every other person who is entitled to fell or prune the tree protected; for example, where a property is overhung by branches and there are common law rights to cut those parts of the tree.

5.2 The City Council has received three objections to the making of the TPO and four correspondences in support of the TPO.

5.3 A written objection was handed to your tree officer from Mr Kilmister and Miss Virgo on 13th May. Members are asked to refer to appendix 3 for a full copy of the letter. Mr Kilmisters & Miss Virgos objections include:

“Myself and my partner feel that we need to sell and move, as this tree causes us to have lack of sleep when high wind storms occur, at the worry that if it fell, due to its large size it would completely flatten our property”

“It has damaged and broken guttering on my garage due to the large amount of needle drop, pine cones and branches falling into it”

“We do not get much, if any, sun during sunrise as the tree blocks it out during the day”

“The tree has out grown its area...the tree has not stopped growing and could potentially double in size..future issues are inevitable”

“There are drains that run within a metre of the tree, which are currently blocked..which makes me worry of root damage that could be occurring underneath”

“The knock on effect it will now have is my property is worth less than before”

Mr Kilmister & Miss Virgo also appear to contest the amenity value of the tree due to its limited public view.

5.5 Two letters of objection have been received from Mr & Mrs Pepler (285 Stroud Road). Members are asked to refer to appendix 4 and appendix 5 for full copies of the letters. Mr & Mrs Peplers objections include:

“the tree is an eye sore towering above our home casting shadow and cutting out light into our garden”.

“The needles & twigs falling from the tree block our gutters and down pipes”

“We were unable to use the garden for a period of two weeks because we were persistently attacked by crows that were perched in the tree”

“In our view the tree has out grown its surroundings and is too big for its current position.”

“We understand the roots of this tree were cut back to accommodate the building of the new access road. This leads us to have grave concerns regarding the future stability of this tree.”

Mr & Mrs Pepler also question the amenity value of the tree due to its position away from the main Stroud Road.

- 5.6 Three letters supporting the TPO (Mr & Mrs Barret, 289 Stroud Road & Mr & Mrs Rumsey, 291 Stroud Road) and one email from the owner of the tree (Ms N Buck, 1 Willowtree Court) supporting the TPO have been received. Members are asked to refer to appendices 6 – 9 for full copies of the correspondences. Comments include:

“I am in agreement with the council in regard to the benefits the tree brings to the area”

“This tree is clearly visible from our property and is quite a feature of the locality”

“The pine tree at 287 Stroud Road not only gives aesthetic enjoyment to many local residents but it is also an important visual amenity for anyone using Stroud Road”

“It softens the urban environment, creates character and a sense of place”

6.0 OFFICER OPINION

- 6.1 The City Council’s Tree Officer used a nationally recognised system (TEMPO) to assess whether the tree was suitable for a TPO. Assessment and subsequent inspection indicates the tree is worthy of a TPO and is in a healthy condition. Although set back from the main Stroud road, the tree is clearly visible from the road. Letters of support from local residents, including the owner of the tree indicate there is local support for the TPO and retention of the tree for amenity value it brings to the locality.
- 6.2 The making of a TPO does not prevent pruning works or the removal of the tree. The making of a TPO prevents anyone, subject to certain exemptions, from undertaking works to the tree without first applying for and obtaining consent from the City Council. If the tree or large parts of it became diseased or dangerous appropriate measures including removal would be considered, and if appropriate granted consent for.
- 6.3 Regarding the issue of the suitability of the tree in its current position and context, and the overbearance and shading of the tree, your officer considers the tree is suitable in its current context, and the shading cast by the tree is not to a significant level. This part of Stroud Road is characterised by larger turn of the century houses with gardens and mature trees such as the pine tree protected by this TPO. It is therefore in context with its surroundings. The base of the tree is at least 12 metres away from the house at 287 Stroud Road and although coniferous it has a high and fairly open canopy which will cast shade but not to a degree whereby this would be considered unreasonable by guidance used to determine acceptable levels of shading for new properties (BRE 209). The canopy of the tree does not overhang, or come within at least 10 metres of the house at 287 Stroud Road. In optimum

growing conditions in the UK this species of pine can live for 200 years and grow to 30m. It is unlikely this tree will reach such a height given the local soils and the wetter, westerly climate of Gloucester. Your officer would estimate the tree is between a half and two thirds through its natural lifespan and does not expect the tree to grow much taller.

- 6.4 It is likely that during the construction of the properties at Willowtree Court and the access road some root severance would have taken place. How detrimental to the health and stability of the tree this would have been is difficult to ascertain. However, since construction ceased in early 2008, the health of the tree has not appeared to be diminished. The health and vigour of the canopy is good, the tree has not leaned away from vertical, no roots were exposed at the time of recent inspection, there were no signs of root plate movement, no basal damage, cavities, deadwood or fungal fruiting bodies. In addition the tree appears to have been largely unaffected by the recent winter storms which recorded wind strengths not seen locally for many years.
- 6.5 Your tree officer is unaware that there is any substantive evidence linking the making of a TPO with reduced property values.
- 6.6 No evidence has been submitted regarding the issue of blocked drainage.
- 6.7 Pine needles and leaves from other trees in the vicinity will fall into guttering and may periodically need removing. Whilst this is inconvenience, your officer does not feel this justifies the removal of this tree.
- 6.8 Your officer does not believe the alleged aggressive behaviour of nesting crows justifies the removal of this tree.

7.0 RECOMMENDATION

In light of the above it is recommended that the Council of the City of Gloucester (287 Stroud Road) Tree Preservation Order 2014 is confirmed subject to the following modification:

- 2. The title of the order is amended to The Council of the City of Gloucester (Land adjacent to 287 Stroud Road) Tree Preservation Order 2014.

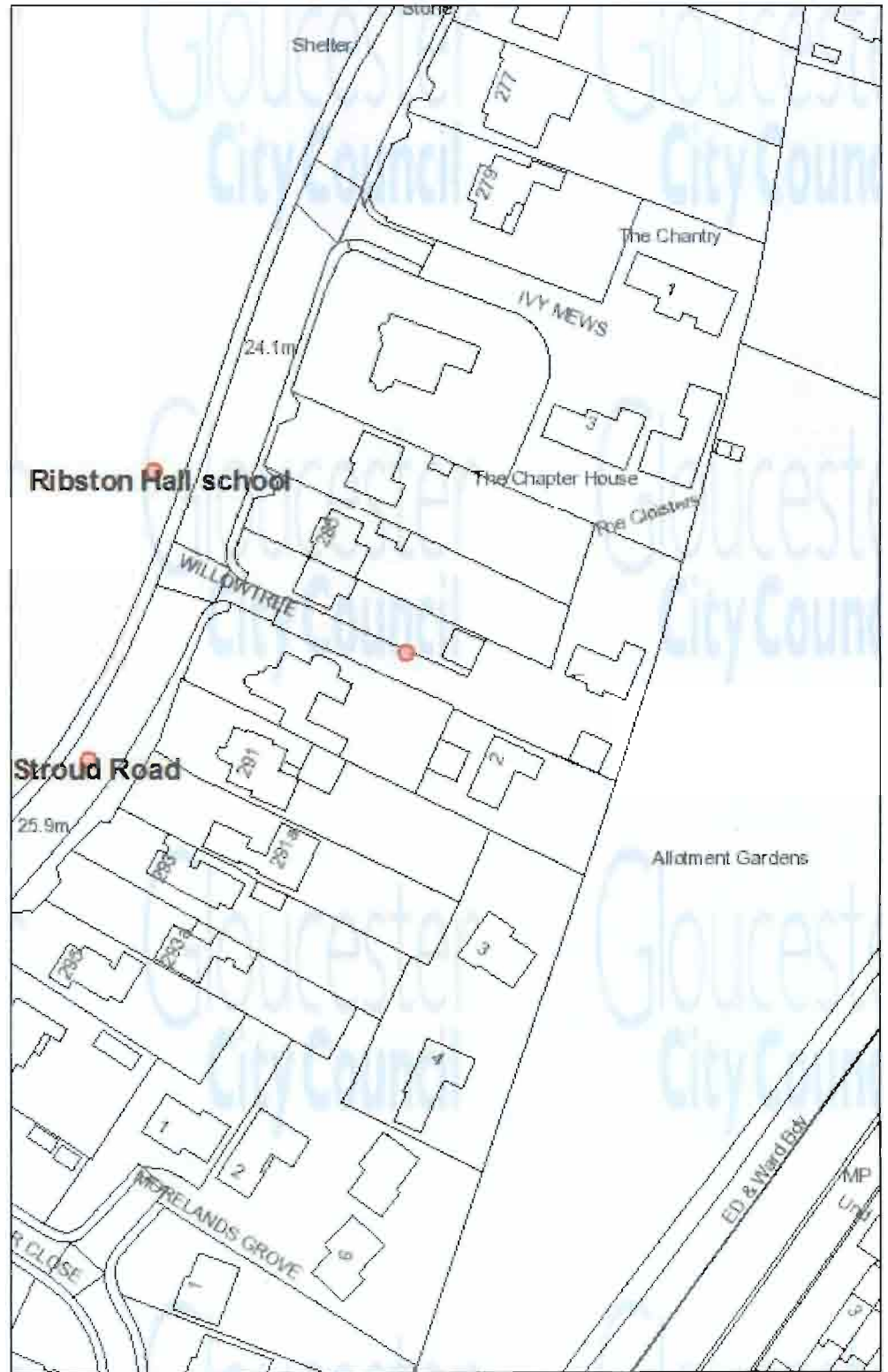
Decision:

Notes:

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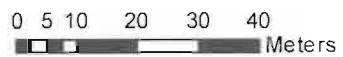
Person to contact: Justin Hobbs
(Tel: 396897)



Date: 04/06/2014

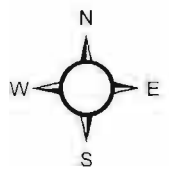
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Author:



Map Notes

Location Plan



Town and Country Planning Act 1990

**THE COUNCIL OF THE CITY OF GLOUCESTER
(287 STROUD ROAD)
TREE PRESERVATION ORDER 2014**

The Council of the City of Gloucester in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order -

Citation

1. This Order may be cited as the Council of the City of Gloucester (287 Stroud Road) Tree Preservation Order 2014.

Interpretation

2. (1) In this Order "the authority" means the Council of the City of Gloucester.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall -

(a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or

(b) cause or permit the cutting down, uprooting, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17 or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 8th day of May 2014

THE COMMON SEAL of THE)
COUNCIL OF THE CITY OF)
GLOUCESTER affixed hereto is)
authenticated by the undersigned a)
person authorised by the said)
Council to act for that purpose)



PO
87 S

SEAL NO.
110013



Head of Legal and Policy Development

CONFIRMATION OF ORDER

This Order was confirmed by The Council of the City of Gloucester without modification on the
day of 20

This Order was confirmed by The Council of the City of Gloucester subject to the modifications indicated by
red ink on the day of 20

THE COMMON SEAL of THE)
COUNCIL OF THE CITY OF)
GLOUCESTER affixed hereto is)
authenticated by the undersigned a)
person authorised by the said)
Council to act for that purpose)

Head of Legal and Policy Development

DECISION NOT TO CONFIRM ORDER

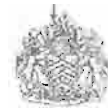
A decision not to confirm this Order was taken by The Council of the City of Gloucester on the
day of 20

THE COMMON SEAL of THE)
COUNCIL OF THE CITY OF)
GLOUCESTER affixed hereto is)
authenticated by the undersigned a)
person authorised by the said)
Council to act for that purpose)

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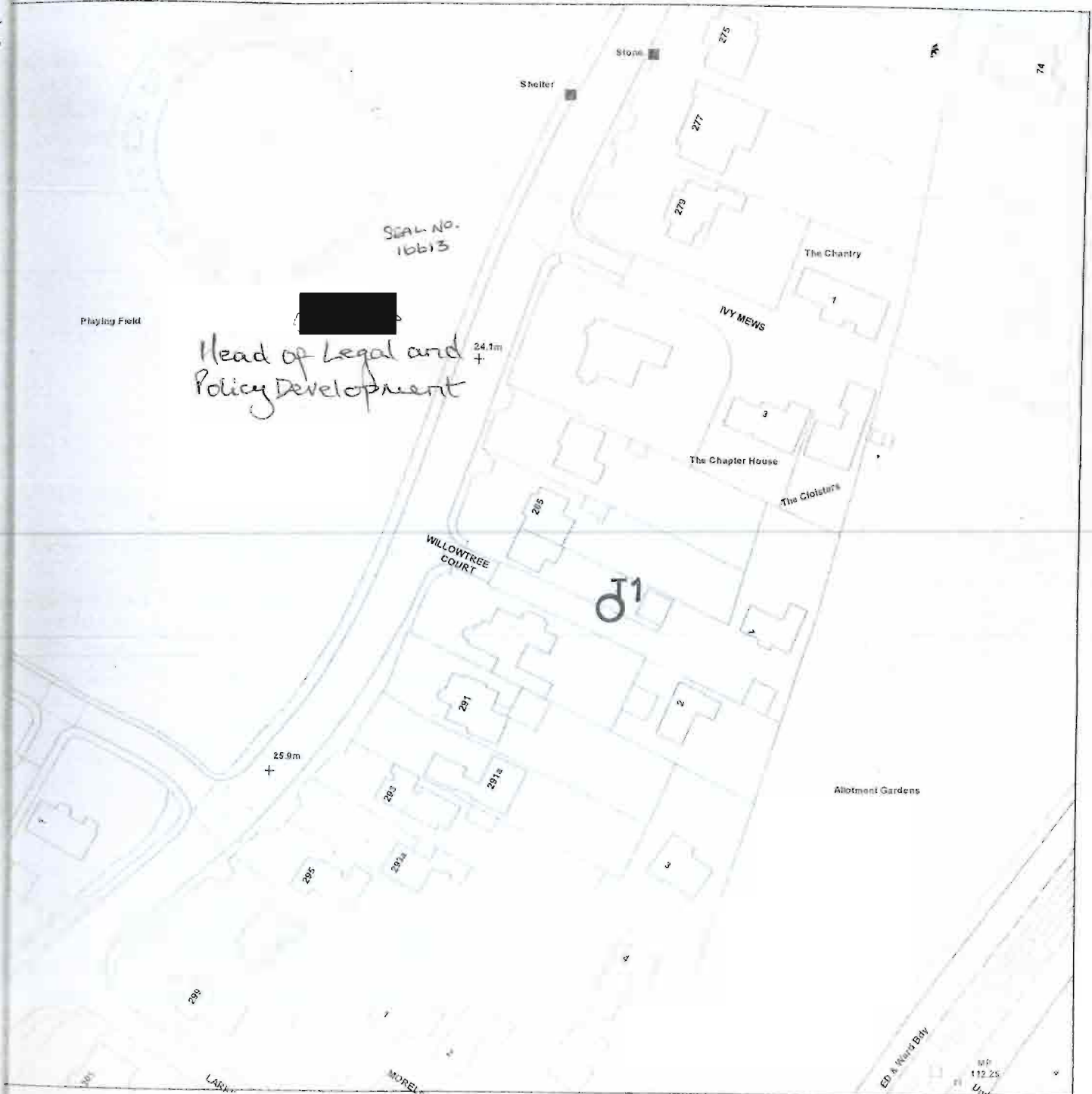
87 Stroud Road, Gloucester



GLOUCESTER
CITY COUNCIL

NO.
2013

by



Scale : 1:1250

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Page 47

Organisation	Gloucester City Council
Department	
Comments	
Date	08 May 2014
SLA Number	100019169

VARIATION OF ORDER

This Order was varied by The Council of the City of Gloucester on the day of 20

by a variation order under reference number a copy of which is attached

THE COMMON SEAL of THE)
COUNCIL OF THE CITY OF)
GLOUCESTER affixed hereto is)
authenticated by the undersigned a)
person authorised by the said)
Council to act for that purpose)

Head of Legal and Policy Development

REVOCATION ORDER

This Order was revoked by The Council of the City of Gloucester on the day of 20

THE COMMON SEAL of THE)
COUNCIL OF THE CITY OF)
GLOUCESTER affixed hereto is)
authenticated by the undersigned a)
person authorised by the said)
Council to act for that purpose)

Head of Legal and Policy Development

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation
T1	Pine (<i>pinus</i> spp)	On the southern boundary of 287 Stroud Road, Gloucester and adjacent to the access road to Willowtree Court

Trees specified by reference to an area
(within a dotted black line on the map)

Reference on map	Description	Situation
	None	

Groups of trees
(within a broken black line on the map)

Reference on map	Description (including number of trees of each species in the group)	Situation
	None	

Woodlands
(within a continuous black line on the map)

Reference on map	Description	Situation
	None	

Dated 8th May 2014

THE COUNCIL OF THE CITY OF
GLOUCESTER
(287 STROUD ROAD)
TREE PRESERVATION ORDER 2014

TOWN AND COUNTRY PLANNING ACT
1990

TREE
PRESERVATION
ORDER

relating to a tree situated at 287 Stroud Road, Gloucester

TPO 287 Appendix 3

Gloucester City Council,
Herbert Warehouse,
The Docks,
Gloucester,
GL1 2EQ.

Ref No: JT/275

Mr J KILMISTER not KILMINSTER,

Miss H Virgo,

Dear Sir/ Madam,

I am writing to you in response to your letter dated 8th May 2014, regarding the Tree Preservation Order (TPO) issued on a pine tree.

I fully object to the TPO being placed on the tree in question.

I would like to confirm I do not have sole responsibility for the tree in question, I have 30% responsibility for the road maintenance in which it lies. I would like confirmation of who is deemed as the 'owner' of the land and who holds the responsibility, or at least the majority. This should have been checked before the TPO was placed under my property.

I bought my property in August 2013, I specifically asked my solicitor to check the tree did not have a TPO, which he confirmed it did not.

I solely bought this property knowing; with the agreement of my neighbours first of course; that I could remove it. This has now made myself and my partner feel that we need to sell and move, as this tree causes us to have lack of sleep when high wind storms occur, at the worry that if it fell, due to its large size, it would completely flatten our property with us inside.

It has damaged and broken the guttering on my garage due to the large amount of needle drop, pine cones and branches falling into it. It fills my garden with these which adds acidity to the garden, killing pretty much everything.

It also killed off a smaller fruit tree in my garden and killed all the plants and grass within the majority of my garden. I have since had to remove all dead plants and bushes and replace with gravel and I have planted special low light grass seed to try and get some growth. This is mainly due to the fact the tree absorbs all nutrients and moisture from my garden and also acts as a canopy to stop any sunlight reaching a lot of areas of my garden. This also affects us as we do not get much, if any, sun during sunrise as the tree

blocks it out and during the day also, we only get a small amount of evening sun when it's cooler in the evenings.

I have been told by an arborist that the tree has out grown its area. An adding concern to this for me is that the tree has not stopped growing and could potentially double in size if not more and future issues are inevitable.

If in the future, a root decides to break up the road, curb side, my garage or potentially my house and I have expressed these concerns to you in writing, will you take any liability?

Also, there are drains that run within a metre of the tree, which currently are blocked, and even during the recent thunder storm nearly flooded my garage! It is not from debris as they look perfectly clear, which makes me worry of any root damage that could be occurring underneath. This is also a concern for the future, my garage is within a couple of metres of the tree, my property is also not too far away and if the roots start to make their way into my foundations, (if they have not started to already) who takes responsibility then? As I have already expressed these concerns to the tree officer and yourselves at the council.

I came to the tree officer for advice and to just double check the tree did not have a TPO, I fully understand it is his job to protect healthy trees, I fully back this, I would never expect to be able to cut down a healthy tree in the right conditions and surroundings. I do however feel these circumstances are different and taking into consideration the effect the tree has on my quality of life and the worry and damage it has already caused, I am very disappointed and can't understand why all this is needed? My attached neighbours have the same opinions as I do and feel that everyone would benefit without it there. My rear neighbours, who also have part responsibility of the land the tree is on, also feel the nuisances that it is causing for my property and the potential for future catastrophic damage outweighs the need for the tree to be there.

Furthermore, why was I not involved or informed at all before hand? How can a proper survey and a TPO be put onto a property without conversation or consent and from a kerbside view? It feels like you are abusing your power to put on TPOs by not for using it as it was originally planned which was to save trees from being unnecessarily cut down.

I understand for the passer by it may look attractive but I am the one having to live with the constant issues every day, and as stated, if the tree had a TPO when I was interested in the property I would not have bought it.

The knock on effect it will now have is my property is worth less than before, and I refuse to accept this.

I will now, if the TPO is in place, have to inform my house insurance company, who may refuse to insure me, at a minimum I will now be a liability, who will cover the costs of my increased premium?

Purely pruning the tree does not relieve; it may lessen the likelihood slightly, the fact that if it fell, it would completely flatten our property or properties (and me!) and all the other issues mentioned, and still does not help my house insurance nor does it stop any future root damage. You may say it is healthy and doesn't look like falling but can you guarantee this? Surely the prospect or potential for the loss of life should outweigh anything? Can you guarantee it will not damage my property or the shared driveway?

I have spoken to the attached neighbours, who have told me when the road was being built that some roots were removed to make way for the road, this again adds to my concerns, and these are the roots which are stopping the tree from falling towards my property.

I carried on and purchased the property, knowing that now I can afford to do it, I was going to have the tree removed.

A number of tree experts have also informed me, that even if the roots still exist, because of the gravel and tarmac being put over the top of the roots they will have great difficulty getting any oxygen from the soil if any as there is none! Only due to the tarmac being slightly porous still is it possible to allow the tree to get any water, so potentially there could be no roots holding the tree up on the road side or unstable ones.

I am frustrated and disappointed your website states to call for advice or to double check if a TPO is in place, and when confirmed it was not and I could remove it, it gets a TPO the very next day. It seems it is there purely for your benefit and at least a conversation would have been nice!

I have been made aware crows are nesting in the tree currently, I am more than happy to wait for the chicks to hatch and move on before removing the tree.

For all the nuisances mentioned at present and for the future, not just from me but with the added concerns of my neighbours too, this could have been dealt with considerably better and a fair conclusion could have been made without the need for all this.

I can't see how a proper survey and understanding of the situation could have been made from the kerbside with no interaction or communication with myself or neighbours.

I made sure the tree would have been professionally removed and broken down to be used as compost or chippings etc, so it wouldn't just be a waste, it would have been reused in a positive way.

My idea, if I would have been given the chance would have been to come to an arrangement to re use the timber from the tree in some form of recreational project? Perhaps benches for the local Robinswood hill? Or these timber exercise areas popping up in local parks? These are all positive ways to remove the tree and have it reused while still removing the negative impact and nuisances it is having on me and my neighbours. We could use your own tree surgeons or a preferred contractor, I would pay for the removal (30% me, 70% between the two rear neighbours) and then the timber is yours to reuse wherever you would like.

Another option, but I would prefer the first, is to remove the current tree and replace with a smaller tree with less size, dominance and potential for damage in the future?

For something which is causing someone so much loss of sleep now because of this and worry about the present and the future I would like to think you can agree with me and the tree can be removed to save any future loss of property or worse.

Overall this tree is a nuisance to the owners and neighbours; it has no benefit to anyone. The potential for future damage in my opinion is just not worth the risk. And as I previously mentioned I now feel the need to sell my property as I just don't feel safe, especially with the current weather changes we are experiencing (we stayed at ours parents during the recent storms!!!).

I work in a job for the council where health and safety is paramount, you have to be proactive not reactive towards potential damage and inevitable health risks, this should surely be applied?



You can see from this image the tree is not even visible from the path outside my house. (my hand is blocking the sun)

You can see the tree through the gates on the side of my house, briefly for the passer by who is walking perhaps. If driving this would be impossible as the driver should be concentrating on the road.

The only people who can see the tree properly are myself, attached neighbours and neighbours to the rear, all of which find it either a nuisance, a potential future nuisance or have no issues with it being cut down (not until the crows have finished nesting).

I look forward to hearing from you and hopefully we can all come to an agreement on this and move forward.

Jack KILMISTER

Hayley Virgo




12 May 2014

To whom it may concern,

We are very disappointed that this tree is still standing, since the previous occupants of 287 and 289 Stroud were all of the opinion that this tree was too large for the position that it occupied and that it was better suited to being in a forest location, not on a housing estate.

During discussions with the occupants of 289 over the planning application for the houses at the rear of our property, we were assured the tree would be removed. For whatever reason, it was not.

This tree is causing inconvenience to our selves, in that it cuts out the sun light into our garden. During the autumn month's debris falls onto our property blocking gutters that are difficult to access and clean.

We have grave concerns with regard to the safety of our property and the people with in, since the debris from the tree is increasing in both volume and size. Given the high winds experienced in the last twelve months we are concerned the tree may topple. During discussion with the contractors who put in the access road, I was given to believe that the roots of the tree were cropped when the road foundations were laid, which I assume would have weaken the trees stability.

Last summer there were crows in the tree and we were unable to go into the garden for a period of ten days without, being attacked, as they were protecting their young, a situation that we and in particular our grandchildren found very distressing.

Whilst we understand the importance of having trees in the environment, we believe they should be of a size that is proportional to their surroundings, should be a source of pleasure to the locals and somebody should be tasked with the care and management of the tree. Who is responsible for the care of this tree?

We believe in this case it is appropriate to remove this particular tree on the grounds of safety and the inconvenience caused to local residents.

Yours Faithfully


Paul and Patricia Pepler.

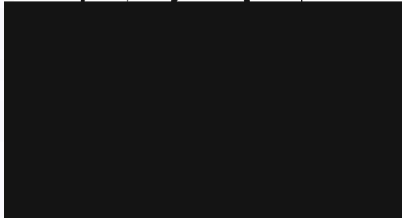
don't see that the citizens of Gloucester gain any benefit from this tree. If it was in a public place such as Gloucester Park or Robinswood Hill I could understand the basis for this statement. But the tree is located at least 40m from the main road in a private drive behind locked gates. We attach a copy of your plan that we have marked up with the viewing angle from the street, which is approximately 10 degrees. Hardly a prime view for the citizens of Gloucester.

3. Your letter states the order prohibits anyone from cutting down, topping or lopping this tree. Therefore it cannot be maintained. When it becomes dangerous what action can be taken and by who?

In our considered opinion this tree is not going to be missed by the general citizens of Gloucester, nor is it enhancing the quality of life of the owners of property in Willow Tree Court. However it is having a negative impact on our lives and that of our neighbors of 287.

We therefore urge you to lift this preservation order and allow us to remove the tree so we may enjoy the wider benefits of our home and garden.

Yours faithfully
Paul Pepler.
Patricia Pepler



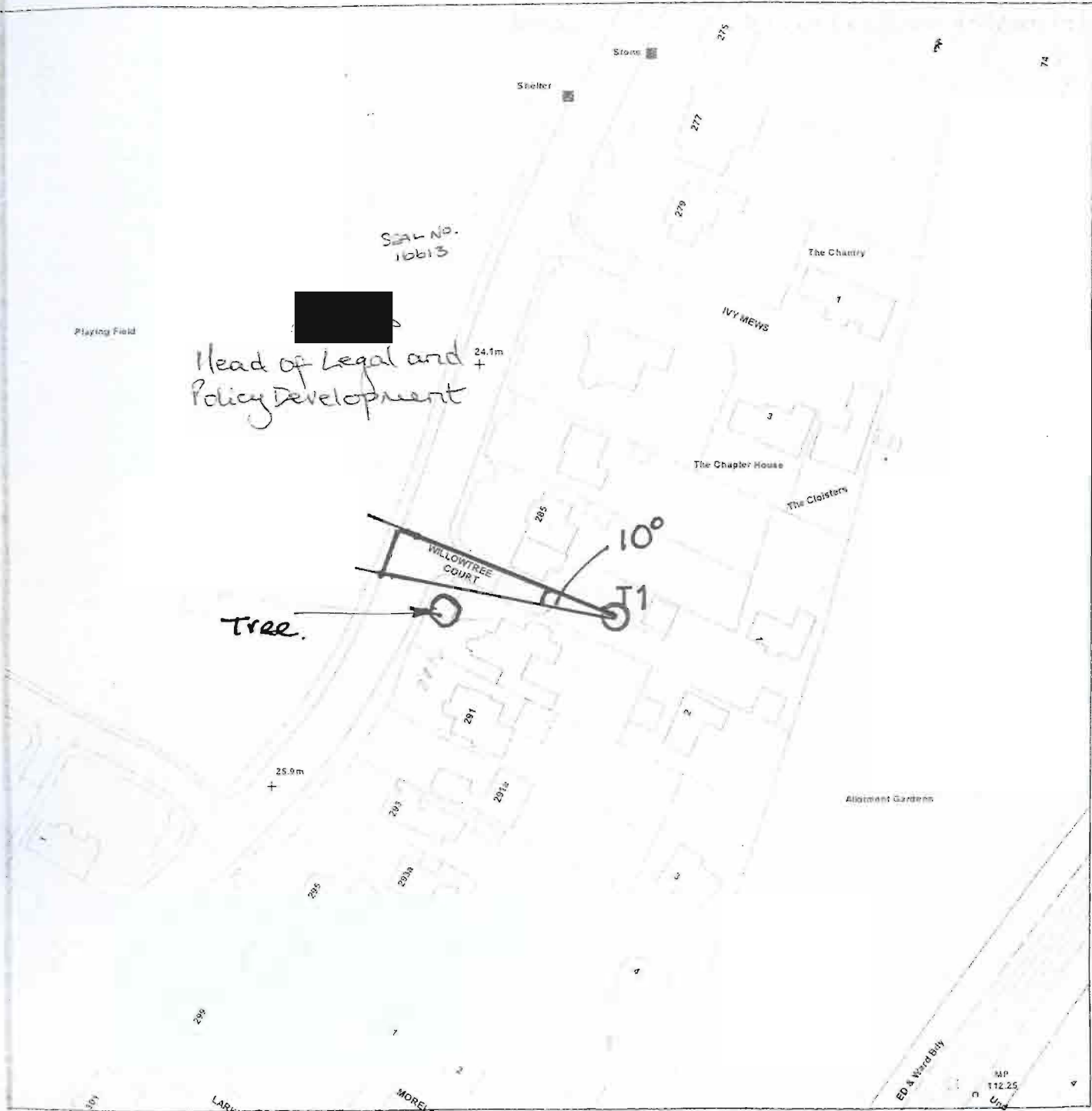
PO 287

87 Stroud Road, Gloucester



NO. 513

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Scale : 1:1250

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Organisation	Gloucester City Council
Department	
Consent	
Date	08 May 2014

TPO 287 Appendix 6

Justin Hobbs

From: Nikki Buck [REDACTED]
Sent: 22 May 2014 08:49
To: Justin Hobbs
Subject: Tree Preservation Order Ref JT/8056

Dear Mr Hobbs

I am the owner of the property [REDACTED] and the owner of the Pine Tree which now has the preservation order on it, I am in agreement with the council in regard to the benefits the tree brings to the area.

I have always stated that if the tree is to be removed there must be for the reason that the tree endangers life/property or it's health has been compromised in some way. Mr Hobbs has detailed to the best of his knowledge the tree is healthy and a fine example of a 50 years Pine Tree.

The last communication from the 287 has been

we will request that all branches be cut back in line with our boundary and the tree to be anchored (if no insurance is in place) so if it did fall at any point it will be away from our property.

I have given consent for the lowest branch to be pruned and advised them to complete the protocol with the council by completing an application to remove the branch.

If you want to discuss this any further please do not hesitate in contacting myself on [REDACTED].

Kind regards

Nichola Buck

TPO 287 Appendix 7

Mr Justin Hobbs
Development Control
Gloucester City Council
Kimberley Warehouse
The Docks
GLOUCESTER
GL1 2EQ

28th May 2014

Dear Mr Hobbs

Tree Preservation Order – 287 Stroud Road dated 8th May 2014

We understand that a temporary Order has been placed on what is believed to be an Austrian Pine adjacent to the access road to Willowtree Court.

This tree is clearly visible from our property and is quite a feature of the locality. The vendors of the land on which Willowtree Court was built, Dr Roger and Mrs Lorna Eltringham, took great care to ensure that as many trees as possible were preserved when the development was planned. They also kept a close eye on the building of the road foundations to ensure that the roots of the tree were not damaged.

Development between 279 and 299 Stroud Road has been substantial in the last fifteen years and many green areas have been replaced by red brick buildings detracting considerably from the area. Many trees were removed to enable these developments to take place diminishing the local environment.

We often look at this tree and appreciate its appearance and the impact it has in breaking up the skyline of red tiles and chimneys and see many birds perching and singing from it.

The tree does not appear to be in poor health and we are not aware of any falling branches to cause concern. We feel that it would be a great shame if this tree were to be cut down or pruned in any way provided it remains in a safe condition.

We therefore support the creation of the TPO.

Yours sincerely


Peter Rumsey

Josephine Rumsey

Rec'd 06/06/14

From: Mr Peter A Barrett OBE FRAeS



Your Ref: JT/8056

3 June 2014

Ms Jane Tye
Legal & Democratic Services
Gloucester City Council
5th Floor, Kimberley Warehouse
The Docks
GLOUCESTER
GL1 2EQ

Dear Ms Tye,

Re: THE COUNCIL OF THE CITY OF GLOUCESTER (287 STROUD ROAD) TREE PRESERVATION ORDER 2014

Thank you for your letter of 12 May 2014 and the enclosures relating to the Tree Preservation Order placed upon the pine tree on land at 287 Stroud Road to safeguard the said tree in accordance with the powers conferred on the City Council under Section 198 of the Town and Country Planning Act 1990.

I live in the adjacent property, 289 Stroud Road, and the tree concerned is a very important amenity in an area where there are very few mature trees because so much land is taken up by the large treeless area of Ribston Hall High School playing field on the opposite side of Stroud Road. The pine tree at 287 Stroud Road not only gives aesthetic enjoyment to many local residents but it is also an important visual amenity for anyone using Stroud Road. It provides beneficial impact by softening the urban environment and creating beauty in an otherwise austere landscape. By its presence on our northern boundary, the tree is very much part of the character and sense of place provided by our garden. As you know, trees are important because they absorb carbon dioxide and produce oxygen, and they filter, absorb and reduce pollutant gasses, all of which are extremely useful assets in the environs of Stroud Road. The tree is also home to local wildlife and adds great value to the local ecology.

I would object in the strongest possible terms to anyone cutting down, topping or lopping the tree and request that the Tree Preservation Order be made permanent until such time that the tree reaches the end of its natural life and becomes dangerous.

Please contact me again if you need any further information.

Yours sincerely,



P A BARRETT



24 May 2014

Ref: JT/8056TPO

Dear Jane Tye

I would like to state that both my husband and I are delighted to hear that the City Council is endeavouring to create a permanent TPO on the pine near our boundary.

On talking to Mr Hobbs I understand it is probably a Corsican or Austrian pine, my tree books are not detailed enough to have identified it properly but we just want to say that we admire it and would hate to be without it.

It certainly has a beneficial impact on our lives, it adds form and beauty to the outlook which otherwise is dominated, outside our garden, by orange painted fencing and brick buildings.

It softens the urban environment, creates character and a sense of place. To quote Prof David Bellamy OBE: 'it is a high rise guardian of the urban environment'.

As you know trees are important because they absorb carbon dioxide and produce oxygen; filter, absorb and reduce pollutant gasses-useful assets in the environs of Stroud Road.

It is also important as a focal point for people living around us, a bit like seeing May Hill from a distance, you can see this tree from the train, and it has great aesthetic value. It is visited by various wildlife, including a pair of woodpeckers.

For all these reasons, and more, we support the creation of the TPO.
We hope it may become permanent for as long as the tree is safe and well.

Yours sincerely

Lesley B Barrett

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 8/15/14 Surveyor: JH

Tree details
 TPO Ref (if applicable): _____ Tree/Group No: _____ Species: Pine
 Owner (if known): _____ Location: _____

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes
4

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes
4

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes
4

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes
1

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes
4

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
17

Decision:
TPO

GENERAL NOTE:

1. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY PREPARATION OR BUILDING WORK COMMENCING.
2. DO NOT SCALE THIS DRAWING. USE FIGURED DIMENSIONS ONLY.
3. THIS DRAWING TO BE READ IN CONJUNCTION WITH ANY STRIP PLANS, LISTS, SCHEDULES, DETAILS & CALCULATIONS AND SPECIFICATION NOTES.

**Peter A Marshall
Architect Limited**

7a Mercia Road
Gloucester GL1 2SQ

Tel: 01452 309318

www.petermarshall.co.uk

Email: info@petermarshall.co.uk

Client

Messrs J & B Folley

Job Title

289 Stroud Road
Gloucester

Drawing Title

Landscape & Boundary
Treatment

Scale 1:200 Date Aug 07 Drawn

07

46

11



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Gloucester City Council

Committee	: PLANNING COMMITTEE
Date	: 1st July 2014
Subject	: ELMBRIDGE PARK AND RIDE
Decision Type	: CONSULTATION RESPONSE
Ward	: NONE
Report By	: Meyrick Brentnall/Vincent Maher
No. Of Appendices	: 2: Environmental Statement. Previous report.
Reference No.	: Elmbridge Court Consultation

1.0 Purpose of Report

- 1.1 For the Committee to respond to a planning application by Gloucestershire County Council on the Elmbridge Transport Scheme.

2.0 Recommendations

- 2.1 That the Committee support the principle of the transport scheme and that the comments set out in Section 4 of this report be forwarded to Gloucestershire County Council.

3.0 Background

3. The Elmbridge Transport Scheme is being implemented by Gloucestershire County Council and aims to tackle congestion on the road network and improve public transport between Gloucester and Cheltenham. There are three elements to the scheme:

- Improvements to the Park and Ride Service
- Junction improvements at Elmbridge Court at Gloucester
- Bus priority measures at Arle Cour roundabout near Cheltenham

- 3.2 Of particular relevance to Gloucester City is the Elmbridge Park and Ride Service and the junction improvements to the Elmbridge Court Roundabout. While most of the proposals sit in Tewkesbury Borough administrative area the roundabout improvements are within the City

- 3.4 The Park and Ride proposals include a 1,000 space park and ride interchange on the land next to Elmbridge Court Business Park. This will be accessed via a new junction on the A40 Golden Valley Bypass and will serve both Gloucester and Cheltenham. The junction improvements at Elmbridge Roundabout include a reconfiguration of the junction to reduce the congestion that is already experienced at this point on the highway network

- 3.5 When the County consulted last year the expectation was that the application would be determined by the Planning Inspectorate, this is now not the case, as such the County Council will be the determining authority. The City Council is a consultee on the proposal.

- 3.6 In 2013 the County Council informally consulted on the scheme, and the city councils comments area attached at appendix 1. Little has changed since the earlier consultation, the main difference being the inclusion of a dedicated left turn slip road from the A40 to the A417 Barnwood link to facilitate increased capacity through the junction. In terms of wildlife mitigation and the impact on Pirton Break further clarification has been included in terms of light spill and the timing of illumination.

4.0 Proposed Response

- 4.1 The following section of this report sets out a series of points that the City Council should make the County Council as part of our formal response to the planning application.

Park and Ride comments

1. The proposed Park and Ride at Elmbridge Court should help to improve accessibility to the City by reducing the number of vehicular movements on the highway network within the City. The Park and Ride facility could be used by commuters and visitors approaching from the north from the M5 and along the Golden Valley. Any easing of congestion at peak times would be welcomed by residents and business alike.
2. The facility has the possibility not only to relieve the highway network of vehicles travelling toward Gloucester but also vehicles travelling to Cheltenham.
3. If buses from Elmbridge provide access to both Cheltenham and Gloucester via high speed bus priority routes the possibility exists to reduce congestion in both urban areas and potentially reduces journey times for City residents who currently commute to Cheltenham.
4. The proposed route for the park and ride bus will be pivotal in the success of the service, as journey time and drop off points will be key factors in determining whether members of the public will choose to make a transfer of transport as part of their commute or leisure journey – as yet no details are available of this proposed route and it is recommended that it be devised in conjunction with the City Council in order to develop an optimum solution to encourage the success of the proposed service.

Development plan policy considerations

5. The site is currently located within the Green Belt. Paragraph 90 of the National Planning Policy Framework states that transport projects which can demonstrate a requirement for a Green Belt location are not inappropriate forms of development. The County has demonstrated in the documentation supporting its application that this site is the most suitable for such a use. However, the proposed park and ride site is located within the pre-submission draft of the emerging Joint Core Strategy (the JCS) inside the proposed South Churchdown urban extension. The JCS anticipates that this site will be primarily used for housing and employment but that it will also accommodate a park and ride facility too. The County's proposal is therefore notionally compatible with emerging development plan policy and the principle of the use has been endorsed by the three JCS authorities of Gloucester, Cheltenham and Tewkesbury.

Elmbridge Court Roundabout Junction Improvements

1. Improvements to the highway network that improve accessibility to the City and help to relieve traffic flow on arterial route ways into the City at peak times are to be welcomed.
2. If major highway works are to be undertaken it would be wise and prudent to future proof this key junction in the County during the proposed phase of construction in order to minimise disruption to the highway network rather than undertake additional disruptive works in the future.

Environmental Considerations

1. More detailed proposals for the landscape scheme with regard the roundabout and A40 approach to the Park and Ride should take into account the importance of the site as a gateway to Gloucester, and the need to make it attractive to visitors approaching the City from the east.
2. Long distance views should be mitigated by use of grasscrete or similar for the overflow car park.
3. It would be a significant improvement to cycling if the Pirton Lane in Churchdown could be connected to the development. This would be a very useful addition to the Sustrans route 41 linking Cheltenham to Gloucester.

5.0 Conclusions

- 5.1 Gloucester City Council has been consulted by Gloucestershire County Council on the Elmbridge Transport Scheme as part of a planning application by the Highways Authority. While generally supporting the scheme there are a number points raised in section 4 that it is recommended be submitted to the County Council as the City Council's formal response to the planning application.

6.0 Financial Implications

- 6.1 There are no financial implications associated with this report.

7.0 Legal Implications

- 7.1 Gloucester City is being consulted Gloucestershire County Council and therefore there are no legal implications to this report.

8.0 Risk Management Implications *(Authors to complete) Identify all key risks (scoring 8 and above) for the recommendation including the impact and likelihood of the risk occurring and what measures will be taken to mitigate the risk.*

- 8.1 There are no risks associated with this report.

9.0 People Impact Assessment (PIA):

Please ensure you complete this section even if a PIA is not required.

Is a PIA required?	Yes	No	Explanation: This is a consultation response
		x	

Has an initial PIA screening been completed?	Yes	No	Explanation: This is a consultation response
	x		
Has a full PIA been completed?	Yes	No	Explanation: This is a consultation response
		x	
Is the PIA available?	Yes	No	Explanation: This is a consultation response
		x	
Has the PIA identified any negative impacts on any protected characteristic or community cohesion?	Yes*	No	*Please ensure PIA is available
		x	

Any Further Relevant Information:

None

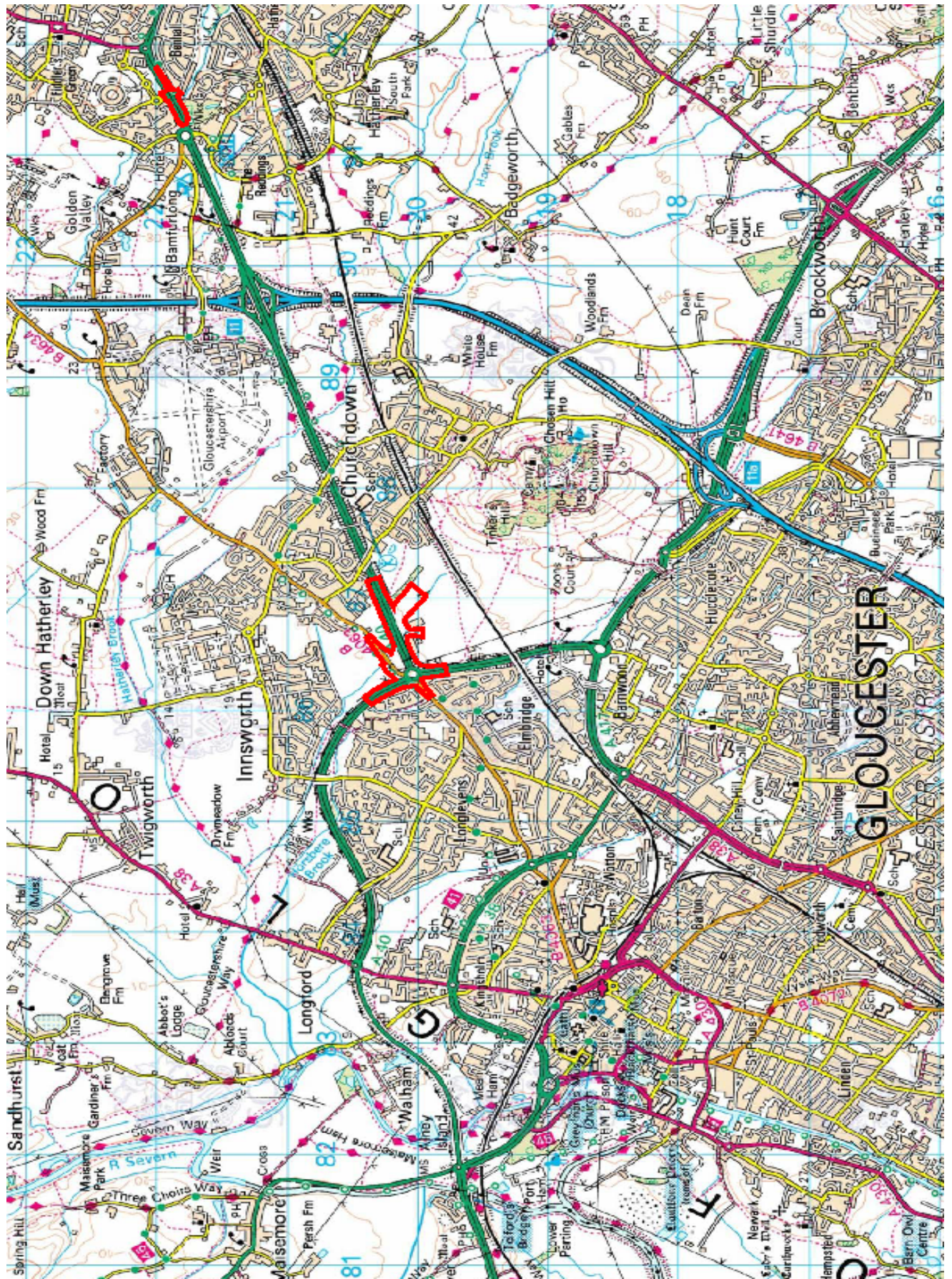
10.0 Other Corporate Implications (this may include Community Safety, Environmental, Staffing, Trade Union)

There are no other implications associated with this report.

Background Papers : None

Published Papers : None

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Vincent.maher@gloucester.gov.uk



Elmbridge Transport Scheme



VOLUME 1: ENVIRONMENTAL STATEMENT NON-TECHNICAL SUMMARY

Date: FEBRUARY 2014

Document Reference: SD.25988.61.061

VOLUME 1
Environmental Statement
Non Technical Summary

Author	Atkins Ltd for Gloucestershire County Council
Application Document Reference	SD.25988.61.061

Document History

JOB NUMBER: 5124481			DOCUMENT REF: SD.25988.61.061			
0	Planning Submission	AW	NJR	NJR	PR	14/02/14
Revision	Purpose Description	Originated	Checked	Reviewed	Authorised	Date

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1. INTRODUCTION

- 1.1.1 This Non-Technical Summary has been prepared on behalf of Gloucestershire County Council (GCC). It forms part of the Environmental Statement (ES), which accompanies an application for planning permission to construct the elements comprising the Elmbridge Transport Scheme (ETS) submitted to GCC as local planning authority.
- 1.1.2 The Elmbridge Transport Scheme would deliver a high frequency park and ride service from Elmbridge Court to Gloucester City Centre, linking in with Cheltenham Town Centre and the Arle Court P&R site. It comprises three elements; A 1,000-space Park and Ride (P&R) site with access off the A40 Golden Valley Bypass via a new signalised junction, a complementary scheme of improvements to the Elmbridge Court Roundabout and construction of a new bus gate and bus lane on the A40 west-bound carriageway as it approaches the Arle Court Roundabout at the Cheltenham end of the Golden Valley road.
- 1.1.3 It is anticipated that the P+R site would primarily be used by commuters, university students, visitors to the hospital and shoppers. However the site might be used by football and/or rugby supporters and for transferring employees to employment sites in the vicinity.

1.2 NEED FOR THE SCHEME

- 1.2.1 Current traffic levels in the Gloucester and Cheltenham area are at the point where congestion is becoming a significant problem. Forecast levels of housing and employment growth up to the year 2026 mean that without new transport infrastructure, levels of congestion could become significantly worse in the future.
- 1.2.2 Elmbridge Court Roundabout is one of the busiest in Gloucestershire and, as traffic levels increase, congestion and unreliable journey times will become more of an issue for people travelling to/from Cheltenham and Gloucester, as well as further afield. Congestion at this roundabout creates traffic queues on all approaches, particularly at peak times.
- 1.2.3 In response to the problem described above Gloucestershire County Council is proposing to develop the Elmbridge Transport Scheme. The scheme would deliver a high frequency park and ride service from Elmbridge Court to Gloucester City Centre, linking in with Cheltenham Town Centre and the Arle Court P&R site, with improved bus priority measures along the route and enhanced capacity at the Elmbridge Court roundabout.
- 1.2.4 The proposals would reduce the distance that people travel by car by facilitating the use of public transport for part of their journey. The scheme would also

promote the use of other sustainable modes by providing a 'transport hub' which enables interchange between several transport modes including walking and cycling.

1.3 SCHEME HISTORY

Alternative sites

- 1.3.1 A number of studies have been undertaken over the last 20 years to identify and appraise potential sites for Park and Ride facilities in Gloucester and Cheltenham. Some sites have been discounted because they would not address the identified need in the Gloucester to Cheltenham corridor. Some sites have been discounted because they are not available for Park and Ride development. Other sites have been disregarded because they do not meet the essential characteristics required to make a Park and Ride site successful. The preferred site to the east of Elmbridge Business Park is available and has the prerequisite site characteristics to promote sustainable transport and sustainable patterns of development in the Gloucester Cheltenham corridor.

Alternative design solutions

- 1.3.2 Within the last ten years a wide range of bus priority measures to improve bus service reliability in Cheltenham and Gloucester has been assessed. Some of the measures have already been constructed. As part of a sifting exercise bus priority options were discounted for a variety of reasons including landtake, disruption to the travelling public during the construction period, landscape impact and ecological impact.
- 1.3.3 The design of the embankment widening to facilitate the bus lane at Arle Court has evolved to minimise the felling of existing trees.
- 1.3.4 At one stage a railway station formed part of the scheme but was ruled out for not being cost effective.
- 1.3.5 A new Churchdown Link Road was removed from the scheme to make the scheme more cost effective, to minimise noise impacts to residential areas on the western edge of Churchdown and to minimise traffic delays during and post-construction.
- 1.3.6 A number of changes to the Elmbridge Court Roundabout design have been made. These include removal of bus lanes on the roundabout and on the approach to the roundabout on safety and traffic grounds; inclusion of emergency vehicle access to the hamburger 'through lane'; the inclusion of a dedicated left turn slip from the A40 Golden Valley bypass to the A40 / A417 Barnwood Link

Road to significantly improve traffic capacity at the junction. Road widening proposals were adjusted to minimise vegetation loss.

- 1.3.7 Alternative means of access to Elmbridge Court Business Park and Elmbridge Court Farm were considered but discounted for a number of reasons including: disruption to road users and to services, conflict with pedestrians/cyclists, substantial land take, substantial visual impact and site security considerations.
- 1.3.8 The design of the Park and Ride site has been amended to improve safety for users, to improve access and to minimise visual impact.

2. THE SCHEME

2.1 SERVICE OVERVIEW

2.1.1 Whilst the contract to provide the bus service is still under discussion with potential operators, and would not be finalised until closer to the time of opening, the envisaged service is for a 10-12 minute express bus service between Elmbridge Court P&R and Gloucester City Centre/Gloucester Royal Hospital, linking in with Arle Court P&R and Cheltenham town centre. The Elmbridge and Arle Court P&R sites would both serve Gloucester and Cheltenham. The P&R site is likely to operate, as a minimum, from 7am to 7pm six days a week.

2.2 THE PROPOSED SCHEME

2.2.1 The Elmbridge Transport Scheme comprises three elements:

- Element One: A 1,000-space Park and Ride (P&R) site, on an area of approximately 7ha of agricultural land adjacent to the Elmbridge Court Business Park, with access off the A40 Golden Valley Bypass via a new signalised junction;
- Element Two: A complementary scheme of improvements to the Elmbridge Court Roundabout, which would reduce overall levels of congestion, and would therefore also improve bus reliability through the junction; and
- Element Three: Construction of a new bus gate and bus lane on the A40 west-bound carriageway as it approaches the Arle Court Roundabout at the Cheltenham end of the Golden Valley road. This would improve bus journeys from Cheltenham to the Arle Court Park and Ride and then on to the Elmbridge elements of the scheme.

These three elements are described in more detail as follows:

The Park and Ride Development

2.2.2 The Park and Ride development will provide approximately 700 parking spaces plus 300 spaces in an overflow section to accommodate peak demand periods, such as in the lead up to Christmas and future growth demand. 26 disabled parking spaces and 22 parent and toddler spaces would be located close to the bus stops. The layout allows the site and the number of spaces to be expanded if and when the need arises in the future.

2.2.3 It will be accessed via a new signal controlled junction on the A40 and a new roundabout junction to the south. This new roundabout will provide access to and from the P&R site, Elmbridge Court Business Park and Elmbridge Court Farm. A reduced speed limit of 50mph will apply to the A40 Golden Valley Bypass westbound carriageway on the approach to the new signalised junction.

Site Layout

- 2.2.4 Buses and cars access the site via separate access points from the new roundabout, thereby keeping buses segregated from vehicular and pedestrian traffic. A further, separate access point is also provided off the Park and Ride junction for Elmbridge Court Business Park and Elmbridge Court Farm. The bus access road is wide enough to allow buses to pass and a turning head at the end of the bus access road prevents the need for any reversing or manoeuvring. All four bus stops are located in one area to allow easy transfer between bus services, with each stop provided with a shelter, seating and real time passenger information.

Safety and Security

- 2.2.5 The security strategy for the Elmbridge Park and Ride site is developed around the concept of a destination that provides a safe and secure environment for staff and site users to support efficient travel and transit and that will deter opportunist theft and vandalism. To achieve these aims it is intended to provide a highly visible CCTV presence at appropriate points, a full lighting scheme and good natural surveillance to maintain a high deterrent effect against criminal activity. The parking areas, footpaths and the shared use path would all be lit during opening hours and the layout and landscape proposals have been designed to avoid dark corners and maximise the affective area of the CCTV system.
- 2.2.6 The layout has been designed to minimise conflicts between buses and pedestrians. Pedestrian routes are to be well defined and distinguished from roads through the use of a different coloured surfacing. The layout ensures that there is no need for pedestrians to cross the bus routes to access the bus stop area. Traffic calming measures are proposed where pedestrian routes cross vehicular (car) routes.

Provision for pedestrians and cyclists

- 2.2.7 A shared use footway/cycle way is proposed that links the park and ride site with the existing pedestrian and cycle routes around the Elmbridge Court roundabout. This route is located outside the fence line of the P&R site to allow use when the P&R site is locked. The footway/cycleway has been designed so that it could be linked to footways forming part of any potential development to the south of the site in the future.
- 2.2.8 A cycle shelter with stands and four cycle lockers provides secure cycle storage facilities in the vicinity of the bus stops.

Landscape Proposals

2.2.9 The landscape proposals comprise the following:

- New mixed native hedgerow planting with scattered hedgerow trees along the northern and southern verges of the A40 Golden Valley Bypass to replace planting lost due to the widening works.
- Sculptural ground modelling along the site frontage to represent the ridge and field furrow system in evidence at the site along with the planting of large tree species and lengths of native hedge.
- Species rich grassland areas at the site frontage and on the fringes of the site with amenity grassland verges elsewhere.
- Frequent linear rows of trees within the car park area to break up the visual appearance of the tarmac areas and parked cars. Columnar tree species are to be used alongside pedestrian routes within the car park to prevent interference with the lighting and CCTV system whilst broad-crowned tree species will be used between parking areas to maximise their screening affect.
- Mixed ornamental shrub and herbaceous planting within and around the parking areas. This is to be restricted to low groundcover planting within the parking areas to maintain good visibility for safety and security purposes.
- Mixed native woodland planting along the southern boundary, which will be under-sown with a woodland wildflower and grassland mix. This woodland will be planted on an organically shaped earth bund to maximise day one screening.

2.2.10 The majority of existing trees within the site will be retained, including the mature oak tree that is within the existing arable field. Dead or dying trees will be removed for safety reasons and, subject to landowner consents, existing mature pollarded willows along the western boundary will be re-pollarded.

Drainage

2.2.11 The discharge from the parking area and bus access lanes would be drained into the existing agricultural drainage ditch (Innsworth Drain).

2.2.12 The car parking area has been designed with a permeable tarmac surface so that rainwater will quickly filter through the surface into the sub-base. Here it is filtered and flow rates are attenuated before being discharged into grassed swales, which further attenuate the flow so that the eventual discharge rates into the ditch are equivalent to greenfield run-off rates.

Appearance and Materials

- 2.2.13 The design of the proposals has been influenced by the need for them to be functional, durable and to reflect the good quality landscape and Green Belt setting. Hard surfacing materials are proposed as follows:
- Parking areas – permeable ‘tarmacdry’ system.
 - Overflow car park - Reinforced gravel surface delineated with timber knee rails.
 - Standing area for buses – concrete. (Selected because this is much more resistant to diesel and oil spills).
 - Access roads and compensatory parking spaces at the business park - conventional bitumen surfacing.
 - Pedestrian/cycleway through the site - Permeable resin bound gravel.
- 2.2.14 All security fences, cycle racks, seating, lighting columns and bus shelter structural elements would be finished in a natural, dark green colour. The quantity of such elements has been minimised to prevent site clutter.
- 2.2.15 Lighting columns vary in height between eight and five metres. The lanterns have been selected to minimise light spill from the site, with zero upward light above the horizontal. Lanterns bordering on to Pirton Brake would be fitted with shields to further limit any light spill. Lights would only be turned on when the site is operational.

Elmbridge Court Roundabout

- 2.2.16 The proposed changes to Elmbridge Court Roundabout are all designed to enhance its capacity and thereby reduce congestion.
- 2.2.17 The changes are as follows:
- Creation of a left hand turn lane for traffic from the A40 Golden Valley Bypass to the A417 Barnwood Link Road;
 - Construction of a lane through the roundabout between the A40 Golden Valley Bypass and the A40 Gloucester Northern Bypass;
 - Closure of the direct access off the roundabout to Elmbridge Court Business Park and Elmbridge Court Farm to be replaced by a new access to the proposed signalised junction on the A40;
 - Creation of a new combined access road/pedestrian and cycle link from the park and ride site to Elmbridge Court Roundabout;
 - Carriageway widening on all approaches to Elmbridge Court Roundabout; and

- The introduction of 24 hour signals on all approaches to the roundabout (apart from Cheltenham Road East) and greater coordination with the traffic signals at the Nine Elms/Cheltenham Road signal junction.

Soft Landscaping/Environmental Mitigation

- 2.2.18 Landscape proposals seek to replace planting lost as a result of the carriageway widening and new hamburger 'through lane'. The construction of the latter will result in the removal of a number of semi mature trees from the central roundabout area; these are to be replaced with an avenue of alder trees. Other areas of semi mature trees and scrub are to be removed to achieve the required forward visibility at the widened approaches. This planting will be compensated for by a new area of mixed native trees and shrubs across the area previously occupied by the access to the business park.

Highway Infrastructure elements

- 2.2.19 The scheme includes new lighting columns, traffic signals, signage and safety barriers. All such elements would be designed to highway Agency standards. In addition, gabion basket retaining walls, 1.5-2.5m high (including embedded depth), are required in the eastern verge of the A40 Northern Bypass and the northern verge of the A40 Golden Valley Bypass where embankments would otherwise encroach onto private land. These will be topped with timber post and rail fences.

Arle Court Bus Priority measures

- 2.2.20 This part of the scheme involves the creation of a new westbound bus lane along the A40 between Whittington Road and Arle Court roundabout in order to improve the reliability of bus and taxi journeys along this part of the A40. A buried bus detection loop would give priority to buses at the signal controlled Whittington Road/A40 junction.
- 2.2.21 The bus lane will be 3.5 metres wide and will be constructed wholly within the existing highway boundary. In order to accommodate the new lane the existing grassed verge between the carriageway and the adjacent shared use footpath/cycleway is to be steepened, with a short section incorporating a length of gabion walling, where gradients would otherwise become too steep to maintain.
- 2.2.22 The scheme includes new signals, signage, fences, barriers and lighting, all designed to Highways Agency standards.

Soft Landscaping/Environmental Mitigation

- 2.2.23 Although the proposed carriageway widening does not extend as far as any of the trunks of the existing mature trees in the area, disturbance to roots and the changes of ground levels under the canopy of these trees means it is necessary to remove a number of them. In addition, some trees are to be removed because their condition is such that they do not have a viable long term future. New trees are to be planted in the verge and these trees will be planted as semi-mature specimens for immediate impact.

3. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

3.1 INTRODUCTION

3.1.1 The EIA Directive (Council Directive 85/337/EEC as amended) sets out procedures that must be followed for such projects before they can be given planning permission. The Directive is legally transposed via statutory instruments known as Regulations. The Regulations that are applicable to the SBL Scheme are the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Elmbridge Transport Scheme is classified as EIA development as it is development of an infrastructure project with an area over 1 hectare within Schedule 2 of the Regulations and therefore it requires and Environmental Impact Assessment (EIA).

3.1.2 Environmental Impact Assessment (EIA) is a tool for systematically examining and assessing the impacts and effects of a development on the environment. It is an iterative process and is used to inform design. It also involves consultation with various bodies and the public to be undertaken to inform the design process. A scoping opinion was obtained from Gloucestershire County Council (and subsequently from the Planning Inspectorate as a result of the scheme being considered as a Development Control Order scheme for a period of time). This scoping opinion sets out the matters which should be covered in the EIA process. The Environmental Statement (ES) is the formal reporting of the EIA process and contains:

- A description of the development, including any alternatives considered.
- A description of the existing environment at the site and surrounding areas.
- A prediction of the potential impacts on the existing human, physical and natural environment at the site and assessment of subsequent effects.
- A description of mitigation measures to avoid or reduce such effects.
- A Non-Technical Summary.

3.1.3 The objectives of the ES are to ensure that environmental factors are considered throughout the project, and the decision-making process, and potential adverse and beneficial environmental impacts are identified and assessed. As a result of this assessment process, potential measures to avoid or minimise any likely significant impacts can be identified and where necessary subsequently implemented.

3.1.4 An Environmental Impact Assessment (EIA) of the effects of the development has been conducted in accordance with relevant guidance, industry good practice and methodologies. The EIA is reported in the Environmental Statement (ES) comprising Volume 1; this Non Technical Summary, Volume 2 (the main ES) and Volume 3 (technical appendices and figures).

3.1.5 This Non-Technical Summary (NTS) provides a summary of the findings presented within the ES. A summary of the environment of the scheme is

provided below. This is followed by key findings of the assessment, topic by topic, covering impacts during construction and operation of the Scheme. Consideration is also given to the impact of the Scheme when taken together with other projects either nearby or affecting traffic levels in the vicinity.

3.2 SITE AND SURROUNDINGS

The Park and Ride Site and Elmbridge Court Roundabout

- 3.2.1 The proposed P&R site is located to the south of the A40 between the settlements of Cheltenham and Gloucester. The A40 is the main radial route into/out of Cheltenham from the west, and connects with Gloucester and the M5 junction 11 (located approximately 2 miles west of Arle Court roundabout) via the A40 'Golden Valley Bypass' dual two-lane carriageway.
- 3.2.2 Elmbridge Court Roundabout is at the intersection of five roads: A40 Golden Valley Bypass, A40/A417 Barnwood Link Road, A40 Gloucester Northern Bypass, B4063 Cheltenham Road East and B4063 Cheltenham Road.
- 3.2.3 Elmbridge Court Roundabout is in the administrative area of Gloucester City Council whilst the proposed P&R site lies within the administrative area of Tewkesbury Borough Council. The P&R site is located in the Green Belt that separates Gloucester from Cheltenham.
- 3.2.4 The P&R site and Elmbridge Court Roundabout lie close to the urban settlements of Elmbridge, Longlevens, Innsworth and Churchdown. These settlements are primarily residential. However, at the southern end of Elmbridge the predominant uses changes to commercial and light industrial.
- 3.2.5 The proposed P&R site is a generally flat piece of land made up of two fields; the larger of the two in arable use and the smaller field adjacent to the A40 laid to pasture. This smaller field is bounded by hedgerows. The second, larger field has hedgerows on its northern and western boundaries, a row of trees along part of the southern boundary and deciduous woodland known as Pirton Brake along the eastern boundary. The rest of the application site is operational highway land consisting of carriageways and highway verges.
- 3.2.6 There is no existing vehicular access to the site proposed for the P&R facility other than farm access tracks and most of the site is not publicly accessible. The definitive public rights of way maps show one public footpath running through the northern part of the site (path ECN/9/1), although there is no evidence of this footpath on the ground and no visible access to the path at either end.
- 3.2.7 Elmbridge Court Roundabout caters for vehicular and non-vehicular movements including access to Elmbridge Court Business Park and Elmbridge Court Farm.
- 3.2.8 The surrounding area is semi-rural in character. Although a significant proportion is in agricultural use, with numerous hedgerows and trees, there is much built development. The most significant existing built development nearest the site,

other than the transport infrastructure, is the Elmbridge Court Business Park, which lies immediately to the west of the proposed P&R site. Other buildings within the area include scattered residential buildings along the B4063, the modern Gloucester North Community Fire Station building at the south western end of the B4063 Cheltenham Road East, Elmbridge Court Farm and Pirton Court, the latter being a grade II listed building. There are also a number of large electricity pylons that cross the area. A traditional orchard lies to the east of Elmbridge Court Farm. The Bristol to Birmingham main line railway lies to the south of the application site. To the south of the P&R site lies the higher ground of Tinkers and Churchdown Hills (Together known as Chosen Hill). This area is designated as a Special Landscape Area in the Tewkesbury Local Plan due to its status as an area of high quality landscape of local significance.

- 3.2.9 A more detailed description of the P&R site, Elmbridge Court Roundabout and the surrounding environment are included in the relevant environmental topic chapters of the Environmental Statement.

Arle Court Bus Priority Scheme

- 3.2.10 The site proposed for the bus priority measures is located on the westbound stretch of the A40 Gloucester Road between the Whittington Road junction and Arle Court Roundabout in Cheltenham. The road is an urban dual two-lane carriageway. The A40 provides access for vehicular and non-vehicular traffic. The A40 / Telstar Road / Whittington Road traffic signal junction provides access to the Government Communications Headquarters [GCHQ] Cheltenham site immediately to the north and to the Benhall residential area to the south.
- 3.2.11 The Arle Court Bus Priority Scheme is located within the administrative area of Cheltenham Borough Council.
- 3.2.12 The area around the proposed scheme is an urban area with a mix of residential and commercial developments. Despite its urban status however, there is a significant proportion of green, well wooded space, particularly at the western end. The A40 in this area runs along the southern edge of a broad open grassed corridor with frequent mature trees which separates the road from the residential properties in the suburb of Fiddlers Green.
- 3.2.13 The vehicular carriageway and the shared use pedestrian/cycle path are separated by a verge planted with mature trees. The verge slopes away from the road to the shared use path. Woodland exists along the southern boundary of the shared use path.
- 3.2.14 More detailed descriptions of the site identified for the bus priority scheme and the surrounding environment are included in the relevant environmental topic chapters of the Environmental Statement.

3.3 KEY IMPACTS

Transport and Movement

- 3.3.1 The proposed Elmbridge P&R facility, modifications to the Elmbridge Court roundabout to improve capacity, and bus lane and priority measures on the A40 corridor in proximity to Arle Court would have an impact on existing travel patterns both during construction and operation.
- 3.3.2 Current traffic levels on the roads around Elmbridge Court roundabout, and within the wider Gloucester and Cheltenham area, are at the point where congestion is becoming an increasing problem. With the forecast housing and employment development planned within the Gloucester / Cheltenham areas, traffic is predicted to increase by up to 20% over the 15 year period from 2011 to 2026. Therefore, without new transport infrastructure, existing capacity issues will intensify significantly in the future.
- 3.3.3 Gloucestershire's current Local Transport Plan sets out the transport strategy for the County from 2011 to 2026. In terms of Park and Ride, this document reiterated the County's long term strategy to create a ring of 1,000 space P&R sites around Cheltenham and Gloucester, with the Elmbridge Court site identified as a priority site to serve Gloucester.
- 3.3.4 The P&R scheme, modifications to Elmbridge Court roundabout and the Arle Court Bus Priority measures are proposed to reduce road congestion in the Gloucester / Cheltenham area and to improve journey time reliability for all vehicles, including buses. This is expected to have a significant positive impact on accessibility. Traffic modelling work carried out in support of the overall scheme proposals both at a strategic and more detailed local level have demonstrated that the proposed changes to the highway network – specifically to the configuration of Elmbridge Court roundabout and the associated new A40 / P&R site / Elmbridge Court Business Park traffic signal junction, would significantly improve capacity in terms of operational performance for all junction movements at year of opening (2016) as well as for a 2026 future forecast year.
- 3.3.5 During scheme construction, it is likely that there will be some disruption to traffic flow on the A40 (particularly on the A40 Golden Valley bypass) and through Elmbridge Court roundabout. However a package of measures has been identified which will be adopted by the appointed contractor in a Construction Traffic Management Plan in order to mitigate these impacts.
- 3.3.6 Potential pedestrian / cycleway routes to the P&R site will enable effective access to the facility by non motorised users. This would have a positive impact on accessibility to the P&R facility.
- 3.3.7 In terms of road safety, analysis of road accident data over the most recent five year period confirmed that, prior to the recent implementation of local safety improvements (Spring 2011), Elmbridge Court roundabout (including adjacent

entry arms) was ranked second on GCC's accident hotspot list and fourth in the Highways Agency's accident 'black spots' on the Area 2 network. Since the improvements were implemented, the evidence suggests that there has been a minor reduction in accidents. An appraisal of the scheme benefits compared to a 'do nothing' situation showed that there would be a further reduction in the number and severity of accidents on the road network resulting from the scheme proposals, confirming that the scheme will improve road user safety. These predicted accident savings are in large part due to the introduction of the P&R facility as a key part of the scheme proposal, which will result in a transfer of trips from the private car to public transport, giving a reduction in vehicle trips on the road network. A qualitative review of accident benefits has also been undertaken which provides support that the proposals are expected to lead to a further reduction in accidents.

Socioeconomic

- 3.3.8 An assessment has been made of the socioeconomic impact of the scheme on local areas that are likely to be affected by the implementation of the Elmbridge Transport Scheme. Areas with the potential to be affected, referred to as the Local Impact Area (LIA), include the wards that cover the proposed route and those that are adjacent to the scheme. The socioeconomic effects of the proposed scheme are assessed during both the construction and operational phases. The assessment covers the impacts on factors such as jobs (considering the net additional number of jobs created or lost), accessibility to employment/ education opportunities, image and perception and disruption.
- 3.3.9 The proposed Scheme is expected to have an overall positive socioeconomic impact. The scheme will improve the connectivity between Cheltenham and Gloucester and is expected to provide high quality public transport connectivity between Cheltenham and Gloucester that will prove attractive and accessible to all sectors of the local communities. The scheme will also reduce congestion and improve safety at one Gloucestershire's busiest junctions, thereby improving reliability for all transport users including strategic traffic by-passing Gloucester.
- 3.3.10 After the short-term disruption caused during the construction phase, the scheme will result in employment, education, training, retail and leisure opportunities becoming available/ more accessible to people living across the proposed Scheme's catchment area. In addition, the implementation of the scheme is anticipated to support economic regeneration of Gloucester and Cheltenham through the provision of enhanced bus services connecting the two centres, and through the provision of alternative car parking at the edge of Gloucester, thereby reducing the need for traffic entering the city centre. The scheme will also support future strategic development sites as proposed in the emerging Joint Core Strategy.

Air Quality

- 3.3.11 An assessment has been made of the potential effects of the Elmbridge Transport Scheme on local air quality in Gloucester and Cheltenham, and greenhouse gas emissions in the wider area. The assessment has considered both the potential effects on existing receptors in the study area during construction and once the scheme is open fully. The study area for air quality consists of the area within 200 metres of the proposed scheme and also any affected road meeting certain industry defined changes in traffic movements.
- 3.3.12 Mapped background concentrations and measurements at monitoring locations in the vicinity of the ARN suggest that it is very unlikely that there are currently exceedances of AQS objectives in the immediate vicinity of the ARN. Results from the project specific air quality monitoring survey show that the concentrations at properties in the immediate vicinity of the Scheme are not currently exceeding the air quality objectives.
- 3.3.13 Negligible residual effects are expected to occur as a consequence of the Scheme construction assuming that appropriate mitigation measures to prevent and control dust emissions are maintained by the construction contractor. These mitigation measures will be set out in a Construction Environmental Management Plan (CEMP). This will detail the procedures and working methods to be followed during the construction phase to minimise pollution, such as the use of covered vehicles to transport loose materials, the use of dust suppression techniques for cutting and grinding tasks, the covering of stock piles and the control of site run-off of water and mud.
- 3.3.14 No significant adverse residual effects are expected to occur as a consequence of the Scheme after opening. Of the 45 receptors modelled, only 8 locations are predicted to experience a small increase in terms of annual mean Nitrogen Dioxide (NO₂). The majority of these are located adjacent to the B4063 and B4634. All other changes in annual mean NO₂ concentrations are considered to be imperceptible.
- 3.3.15 The calculation of emissions showed that with the Scheme, pollutant emissions would rise in line with vehicle kilometres travelled in both 2016 and 2026, compared to the future situation without the Scheme. However, emissions would generally decrease in future years compared to the existing situation as a result of more stringent emissions control legislation, with the exception of CO₂ which showed an increase in emissions.
- 3.3.16 Provided any other independent construction works in the area ensure appropriate emissions prevention and control measures, the cumulative effect should not be significant. Cumulative effects on air quality will arise as a result of additional changes in traffic from other developments in the area. However, this assessment has included predicted emissions from all other developments with planning approval in the local area as a part of the assessment process and the

cumulative effect on air quality therefore remains the same as the effect arising from the proposed development, i.e. negligible.

Noise and Vibration

- 3.3.17 Analysis of noise impacts has been carried out to assess the effects of the Scheme on traffic noise and vibration levels in Elmbridge, Gloucester. It has considered both the direct effects of traffic using the Scheme and the effects of redistributed traffic on the existing road network. Noise levels have been predicted both with and without the scheme, for the opening year of the scheme (2016) and for the Scheme design year; 10 years after opening (2026). Noise levels have been predicted at residential and non-residential noise sensitive receptors within the study area, including Schools and Colleges, Hotels, Hospitals and public open spaces and footpaths.
- 3.3.18 The noise environment at properties potentially affected by the Scheme is currently controlled by traffic on the A40. Noise measurements were taken at a number of the noise sensitive properties closest to the Scheme in 2013.
- 3.3.19 On opening of the scheme the majority of properties would experience a negligible increase, no change or decrease in façade noise level. The 101 properties that would experience a minor daytime increase in façade noise level are located along Cheltenham Road East, Dancey Road, Gemini Close, Heathden Road and Parklands. Two properties on Gemini Close are predicted to experience a moderate increase in façade noise level. A noticeable decrease in noise is predicted generally at properties on or near Bibury Road, Robert Burns Avenue, Colesbourne Road and Willersy Road (Cheltenham) and Blackwater Way (Gloucester). Analysis of the wider road network shows that there would be a minor increase in noise along Great Western Road in Gloucester. Online mapping indicates that there are approximately 50 residential properties that would potentially be affected.
- 3.3.20 No properties within 600m of the proposed scheme would experience anything greater than a negligible change in façade noise level over the design period if the scheme was not built, after having allowed for 'natural' changes in traffic levels. When considering the wider road network in Cheltenham and Gloucester, without the scheme there is predicted to be approximately 167 minor increases and 14 minor decreases for receptors. There are also four potentially impacted residential properties on the A38 between Quedgley Trading Estate and Quedgley Trading Estate West where there is a moderate decrease in predicted noise level, which is a significant benefit.
- 3.3.21 Should the scheme go ahead the majority of receptors would experience a negligible change in noise by the design year of 2026, although there are two properties located on Gemini Close, near the Arle Court part of the scheme that would experience a minor increase in noise. These increases are not considered to be significant and mitigation is not proposed. All night time changes in noise

are negligible. Analysis of the wider network shows a larger proportion of Valliant Way would experience minor noise increases; however there are still no residential properties within 50m. The roads affected when comparing 2016 and 2026 with the scheme are the same as those affected between these time periods without the scheme, with four properties with significant noise benefits.

- 3.3.22 If the scheme were not built there would be a small increase in noise nuisance at the majority of properties due to natural traffic growth by the design year. With the scheme in place there would be fewer properties overall which receive an increase in nuisance than if the scheme were not built. However, the severity of the nuisance at the affected properties would increase slightly.
- 3.3.23 If the scheme were not built the majority of properties would experience no change in airborne vibration nuisance. If the scheme were built, there would be 169 fewer properties that would receive a small increase in airborne vibration nuisance and 168 more properties that would receive a small decrease in airborne vibration nuisance.
- 3.3.24 Construction impacts can only be estimated as the construction methods are not fully determined at this time. Significant construction noise impacts may arise at business units on Elmbridge Court throughout the Park and Ride and Elmbridge Court Roundabout works. Piling activities are likely to cause significant impacts at properties on and around Blackwater Way.
- 3.3.25 In conclusion, The Elmbridge Transport Scheme would increase noise levels at particular receptors because it alters existing noise sources in the local environment. This is in the form of road alignment and traffic composition. Decreases in noise are also expected at other locations as a result of traffic using the new Park & Ride and therefore reducing the volume of traffic on the A40. The largest adverse changes in noise expected are 'moderate' in magnitude in the opening year and 'minor' in magnitude in the design year 2026. The worst affected area is Gemini Close, near the Arle Court scheme, where two properties receive more significant increases of noise in both the opening and design years with the scheme in place due to an increase in the percentage of HGVs using the adjacent road. Moderate decreases in noise are expected at a limited number of properties. The change in noise at all other NSRs by the design year would be negligible. Assessment shows that no properties are likely to qualify for an offer of noise insulation under The Noise Insulation Regulations 1975 (as amended 1988).

Ecological Impacts

- 3.3.26 The ecological assessment has considered the effect of the scheme on designated areas, habitats and species within the sites and the surrounding areas.

- 3.3.27 Four areas covered by statutory European nature conservation designations were identified as having the potential to be affected by the proposals; Walmore Common SPA (Special Protection Area) and Ramsar site, The Severn Estuary SAC (Special Area of Conservation), SPA and Ramsar sites, the Wye Valley and Forest of Dean SAC and the Wye Valley Woodlands SAC. However, due to the distance of these areas from the scheme and a lack of habitat connectivity it is concluded that there are no likely significant effects on European sites.
- 3.3.28 Two sites covered by statutory national nature conservation designations were identified within 2 km from the scheme; Innsworth Meadow Site of Special Scientific Interest (SSSI) and Badgeworth SSSI are approximately 2 km to the north and southwest of the Scheme respectively.
- 3.3.29 Four locally designated nature conservation sites were identified within 2 km of the scheme. Griffiths Avenue Local Nature Reserve (LNR), Churchdown Hill Meadows Key Wildlife Site (KWS), Chosen Hill KWS and Chosen Hill Gloucestershire Wildlife Trust Nature Reserve. These sites are designated for the habitats present within each site and their importance for wildlife. All of these sites are too far from the proposed scheme to be directly affected. There is the potential for indirect impacts due to air pollution but at more than 200 metres from the proposed scheme current guidance is that air quality impacts will be negligible and are therefore not considered significant.
- 3.3.30 Habitats within and around the scheme comprise woodland, individual and hedgerow trees, scrub and hedgerows, semi-improved grassland and open water, all of which will be directly affected by the proposals. Areas of all of these habitat types except for woodland and open water would be permanently removed as a result of the scheme, whilst other areas may be adversely affected by noise and dust pollution. Mitigation measures include the replanting of hedges and trees, the creation of a new area of native woodland and creation of species rich grasslands. Pollution effects will be controlled by the inclusion of buffer strips between the scheme and the existing woodland and watercourses and the creation of attenuation swales as part of the surface water drainage system. Environmental and habitat management and monitoring plans will also be produced to ensure ecological mitigation and its ongoing management is undertaken in accordance with the agreed scheme and best practice. After assessing the loss of habitats in the context of the immediate environs of the site and taking into account the proposed mitigation measures the impacts on habitats are not considered significant.
- 3.3.31 The habitats identified above provide food and nesting opportunities for a number of birds, mammals, reptiles and invertebrates. The loss of these habitats and/or their degradation by noise and dust pollution will have an impact on the species that live there although the mitigation described in the paragraph above will reduce the effects of these impacts. Additional mitigation specifically to address impacts on species comprises the design of the lighting scheme to reduce

disturbance to bats (especially the inclusion of shields to prevent backward light spill into Pirton Brake woodland), the provision of bird and bat boxes, the provision of log piles for invertebrates and reptiles, the timing of vegetation clearance and on-site checks to avoid disturbance to nesting birds and additional reptile surveys and translocation of reptiles if found. After assessing the affect of birds, mammals, reptiles and invertebrates in the context of the immediate environs of the site and taking into account the proposed mitigation measures the impacts on these species are not considered significant.

- 3.3.32 Various other proposed schemes in the vicinity of the proposals have been considered in order to assess the cumulative impacts on ecology. Many of these comprise mixed use development on Greenfield land. The full detail of the majority of these schemes is not known at this time so it is not possible to assess in detail their impacts. Ecological impacts from these schemes are likely to arise from loss of habitats of value to wildlife such as scrub and mature trees. Given the requirement for ecological assessments, protection of the most valuable habitats and provision of mitigation measures, it is not considered that cumulative impacts will be significant.

Landscape and Visual Impacts

- 3.3.33 The landscape and visual impact assessment has considered the effect of the proposed scheme on the landscape resource of the study area. The landscape resource comprises the individual landscape elements of the area such as grasslands, trees and woodlands, hedgerows and buildings as well as the overarching character of the area. In addition, the assessment considers the visual affect of the scheme on the various receptors that experience the landscape. Receptors include residents, workers, users of footpaths and other recreation facilities, and motorists, cyclists and pedestrians passing through the area.
- 3.3.34 The scheme would involve land take of approximately seven hectares, largely of agricultural land comprising semi improved pasture and arable land. In addition the scheme affects a number of highway verges.

Impacts due to Park & Ride Site and Elmbridge Court Roundabout Scheme

- 3.3.35 The main impacts on landscape elements include the loss of semi improved pasture land and native hedgerows and hedgerow trees as well as grassland, trees and scrub adjacent to the Elmbridge Court Roundabout. These impacts will be mitigated by the planting of new hedgerows and hedgerow trees alongside the widened A40, a new area of native woodland along the southern edge of the park and ride site and the sowing of species rich grasslands around the perimeter of the site. New native tree and shrub planting is proposed as part of the roundabout scheme. In addition, the internal areas of the park and ride site will include belts of ornamental tree and shrub planting.

- 3.3.36 It is not considered that the character of the area, which is assessed to be semi-rural with numerous detracting built elements, will change significantly as a result of the works. The park and ride scheme introduces a new urban element into the landscape but once the associated landscape has matured this will integrate the scheme into the wider, mixed urban and rural landscape.
- 3.3.37 The proposals would result in negative visual impacts for nearby residents and workers along with users of roads and footpaths in the area. However, in the long term, the proposed landscaping will reduce and in many cases remove these impacts. The scheme will have some long term negative affects for a limited number of nearby residents and users of footpaths in the area, especially those on the mid slopes of Tinkers Hill. The view available to these receptors would permanently change and they would be able to see additional urban elements and vehicles in areas previously open and undeveloped. However, the views from affected properties would largely be from upper stories only and would be filtered by vegetation. Views from affected footpaths would be for relatively short stretches of footpath only and again would be filtered by existing and the proposed vegetation. These impacts are therefore not considered to be significant.
- 3.3.38 The lighting scheme for the park and ride site will only be turned on during the opening hours of the site and the scheme has been designed to minimise light pollution by the use of lower columns and LED lanterns with deflectors to direct light downward. There are also large areas of existing, lit urban development near to the site. It is not considered therefore that the lighting scheme will have a significant impact on the character of the landscape or the visual amenity of the receptors around the site.
- 3.3.39 When assessing cumulative impacts, it is considered that the urban extension areas included in the draft Joint Core Strategy, along with the proposed mixed use developments at Longford and Brockworth would, when combined with the proposed scheme at Elmbridge, have a long term negative impact on the landscape and visual amenity of the area. This needs to be balanced however with the fact that the urban extension areas are in a development plan that is at draft stage and the detail of these schemes is unknown. If these schemes were to go ahead this would change the character of the area and the proposed scheme would lie within an urban edge, rather than a semi-rural landscape.

Impacts due to Arle Court Scheme

- 3.3.40 This scheme is considered to have only minor impacts on the landscape elements of the study area. Although a quantity of mature trees are to be removed to accommodate the wider carriageway many of these were assessed to be of poor quality with a limited safe life expectancy. The scheme includes the replanting of new, large tree species to replace those lost and these are to be planted as semi-mature specimens for immediate impact.

- 3.3.41 The character of the area, which is urban and dominated by the existing road, will not change as a result of the works.
- 3.3.42 The scheme is considered to have only minor visual impacts and this would largely be due to the removal of the existing mature trees. Until such time as the replacement trees achieve full and broad crowns the users of the combined cycle path and footway to the south of the A40 will be more exposed to the traffic on the A40. The visual amenity for other receptors in the area such as motorists, residents and workers is not considered to be adversely affected long term due to the limited nature of the scheme and the existing tree cover in the area.
- 3.3.43 There are other traffic improvement schemes proposed in the Arle Court area which also involve widening the A40 carriageway to create new bus lanes. If these were also to go ahead the negative impacts on existing landscape elements in the area and the visual amenity for residents closest to the A40 corridor may increase.

Historic Environment

- 3.3.44 This assessment has considered the effects of the proposed Elmbridge Transport Scheme on the historic environment. This encompasses designated and non-designated heritage assets including Scheduled Monuments, Listed Buildings (statutorily listed and locally listed), Conservation Areas, World Heritage Sites, Registered Parks and Gardens, Registered Historic Battlefields, historic buildings (unlisted), known archaeological sites and areas of archaeological potential.
- 3.3.45 There is one conservation area (Poets conservation area in St Marks, Cheltenham) and several listed buildings within the study area, but no scheduled monuments or registered parks and gardens. Key views from within the conservation area were checked and it is concluded that the scheme has no direct impact on this area. There are two listed buildings with the potential for their settings to be adversely affected by the park and ride development; Pirton Court and Pirton Court Barn. Due to the shielding effect of the Pirton Brake tree belt, the distance from the development and the proximity of other existing sources of noise and light, the proposed development will produce no appreciable changes to the setting of the Listed Buildings at Pirton Court, and therefore the impact of the development is not significant. Arle Court Lodge listed building lies in the vicinity of the Arle Court works. However, It is located adjacent to the existing A40 carriageway just east of the Arle Court Roundabout and this setting will not change significantly as a result of the scheme.
- 3.3.46 An area of extant ridge and furrow, which lies to the south of the A40, will be removed as a result of the park and ride proposal. This is a non designated heritage asset which is rated to have a low heritage value. The affect on this asset is therefore concluded to be moderately significant. There is also an area of ridge and furrow north of the A40 on which the scheme would have a

moderate/slight effect due to temporary works compounds. These are also un-designated and considered to be of low heritage value. There are various other non-designated heritage assets in the study area but the impact on these is not considered significant due to their low heritage value and/or the extent of disturbance.

- 3.3.47 Site investigations have indicated that the potential for finding any significant remains from the prehistoric and Roman periods within the site areas is negligible. A watching brief is proposed for areas outside of the site such as compounds and access roads in order to monitor and record any archaeological remains exposed. There would be no residual effects on any buried archaeological remains following mitigation as these would be fully recorded before their destruction.
- 3.3.48 Other proposed developments in the area, including the urban extension areas identified in the draft Joint Core Strategy for the region, do have the potential to have a significant adverse affect on the setting of the listed buildings at Pirton Court. When considered alongside the scheme they would change the character of the surrounding area and therefore the setting of the listed buildings. Further areas of ridge and furrow may also be lost, adding to the significance of the impact on this historic feature in the area along with removal and damage to various other non-designated heritage assets.

Flood Risk

- 3.3.49 An assessment to NPPF of the baseline flood risks to the existing site and that of the proposed development has been made with the objective of ensuring that the proposed development will have an acceptable level of flood risk and does not exacerbate flooding elsewhere. The resulting Flood Risk Assessment will be submitted to the Environment Agency.
- 3.3.50 The Flood Risk assessment has shown that the proposed development site lies within Environment Agency Flood Zone 1. NPPF guidance categorises the development proposals as 'less vulnerable' and appropriate within Flood Zone 1. However detailed hydraulic modelling suggests part of the site is located in the 20 year floodplain.
- 3.3.51 The assessment therefore makes the following recommendations for the development:; A flow gauge should be installed along the Innsworth Drain, A flood warning strategy and emergency plans should be development. ;A parking strategy should be implemented to avoid parking vehicles in areas most susceptible to lower return period event flooding; and, Users of the park and ride should also be educated on emergency evacuation procedures.
- 3.3.52 The parking areas within the park and ride site are to be designed as a permeable drainage system. The surface water will percolate through the tarmac surface into an open graded aggregate base layer before discharging into

attenuation swales and ultimately the existing agricultural drainage ditches and watercourses. This system slows down the flow of surface water to match greenfield run off rates and avoid overloading of the existing system. All other areas of the scheme will drain into existing highway drainage systems.

- 3.3.53 Clearance and ongoing maintenance of the existing ditches around the site will improve their capacity and reduce the possible extents and depths of flooding on the site.

Water Environment

- 3.3.54 An assessment has been made to determine the potential impact of the proposed Elmbridge Transport Scheme on the quality and quantity of water within nearby surface and groundwater environments.
- 3.3.55 The construction phase of the development could generate an increase in the concentrations of some pollutants in the water environment. In particular, suspended soils from the mobilisation of silts and sediments during earthworks and hydrocarbons and heavy metals from vehicles and equipment emissions could find their way into groundwater and nearby watercourses. A Construction Environmental Management Plan (CEMP) has been drafted and will be expanded on prior to the works commencing. The CEMP would detail both generic and specific instructions and operating procedures to enable construction work to be undertaken with minimal impact on the water environment and ensure appropriate consents are obtained prior to works commencing. The CEMP will also be used to ensure appropriate storage of fuels, lubricants and other construction chemicals in the Contractor's compounds thereby preventing pollution of surface and groundwater through leaks and spills. Through the use of the CEMP, the Contractor will ensure compliance with best practice.
- 3.3.56 The permeable drainage system for the parking areas as described in the flood risk section above provides treatment of pollutants from surface water run-off before it enters any watercourses. Also, as the system attenuates (slows down) the discharge of surface water, outfalls into the drainage ditch will be at Greenfield rates which will minimise erosion. The drainage scheme for all other areas using the existing highway drainage system will include petrol interceptors. These measures will avoid any deterioration in water quality in existing ditches and watercourses.
- 3.3.57 Baseline investigations of the ground conditions indicate there will be negligible risk to the groundwater quality from the proposed scheme.
- 3.3.58 A Water Framework Directive (WFD) compliance assessment has also been undertaken to consider deterioration to the water environment and ensure that appropriate mitigation is included within the scheme to lessen impacts specifically to the water quality, hydromorphology and aquatic ecology. The WFD initial assessment concluded that the A40 culvert extension is likely to cause

adverse localised impacts to one water body and that these impacts will need to be further assessed at the detailed design phase, and appropriate mitigation or enhancement put in place. Consultation with the Environment Agency is advised at this stage. All other scheme elements (assuming recommended mitigation is put in place), upstream and downstream impacts and in-scheme cumulative impacts have been deemed compliant with WFD objectives.

- 3.3.59 Other developments considered within the cumulative impact section may impact on the water environment. However, assuming that all developments are to current best practice standards it is not considered that here will be additional cumulative impacts, when considered with the Scheme, on the water environment.

Contamination

- 3.3.60 An assessment has been made of the likelihood of potential sources of contamination within the site boundary, or within 500m of the site, to present significant environmental effects with regards to land contamination, either during construction or operation and maintenance of the Scheme. A desk based study was initially undertaken and, as a result, no potential sources of contamination were identified.
- 3.3.61 Ground investigations, which included the chemical analysis of soil samples, have been undertaken on both the park and ride and Arle Court bus lane areas of the scheme. The assessments concluded that, from the soils analysed, there is not considered to be an unacceptable level of risk to groundwater or surface waters from the re-use of material but that the potential risks to human health would need to be managed through a Materials Management Plan (MMP). The re-use of any contaminated material within the Scheme will be considered within a MMP and may involve placement away from human receptors, (i.e. under the tarmacadam of the park and ride) or removal from site. Preliminary assessments have indicated that none of the soil samples analysed would be categorised as hazardous if they are required to be removed to landfill.

Soils and Land Use

- 3.3.62 The park & ride site is currently agricultural land over heavy clay soils. The fields are under typical Vale of Gloucestershire heavy land rotations based around winter wheat and improved grass. Due to the heavy, wet soils and the local climate the land is not classified as best quality agricultural land. The loss of seven hectares of such poorer quality land is not significant in terms of national policy guidelines for the protection of agricultural land.
- 3.3.63 Topsoil is a valuable resource and would be stripped from the areas of hard standing for reuse, either locally for landscaping or for other projects. The quality and quantity of reusable soil would be maintained by implementing appropriate standard best practice techniques for stripping, storing and re-use.

- 3.3.64 With the application of appropriate soil remedial works such as alleviation of compaction, the installation of a field drainage system and a period of time under pioneer crops, it would be possible to return the site to agricultural use in the future if required.
- 3.3.65 It has been concluded that the Elmbridge Transport Scheme will not have any significant impacts on soils and land use.

4. CONCLUSION

- 4.1.1 The Environmental Statement reports the findings of the Environmental Impact Assessment for the Elmbridge Transport Scheme. It provides a comprehensive description of all aspects of the proposed development and the receiving environment. The ES identifies and assesses the direct, physical impacts of the development on the surrounding environment as well as the indirect impacts such as changes in traffic flow across the local network and impacts on the economy and quality of life experience. Where appropriate the ES identified mitigation measures to avoid or reduce adverse environmental effects.
- 4.1.2 The ES outlines the alternatives considered and describes the contribution that environmental effects made in discounting those alternatives in favour of the preferred scheme.
- 4.1.3 As with most development projects there will be a number of adverse impacts. Many of these occur during the construction phase and they may be exacerbated if they occur in tandem with other construction projects in the area. However, such impacts are temporary and can be reduced through the adoption of best practice working methods.

Gloucester City Council

Committee	: PLANNING COMMITTEE
Date	: 5 MARCH 2013
Subject	: ELMBRIDGE PARK AND RIDE
Decision Type	: CONSULTATION RESPONSE
Ward	: NONE
Report By	: TIM WATTON: PLANNING POLICY MANAGER
No. Of Appendices	: 1: CONSULTATION DOCUMENT
Reference No.	: Elmbridge Court Consultation

1.0 Purpose of Report

1.1 For Members to respond a consultation by Gloucestershire County Council on the Elmbridge Transport Scheme.

2.0 Recommendations

2.1 That Members support the principal of the transport scheme and that the comments set out in Section 4 of this report be forwarded to Gloucestershire County Council.

3.0 Background

3. The Elmbridge Transport Scheme is being implemented by Gloucestershire County Council and aims to tackle congestion on the road network and improve public transport between Gloucester and Cheltenham. There are three elements to the scheme:

- Improvements to the Park and Ride Service
- Junction improvements at Elmbridge Court at Gloucester
- Bus priority measures at Arle Cour roundabout near Cheltenham

3.2 Of particular relevance to Gloucester City is the Elmbridge Park and Ride Service and the junction improvements to the Elmbridge Court Roundabout.

3.4 The park and ride proposals includes a 1,000 space park and ride interchange on the land next to Elmbridge Court Business Park. This will be accessed via a new junction on the A40 Golden Valley Bypass and will serve both Gloucester and Cheltenham. The junction improvements at Elmbridge Roundabout include a reconfiguration of the junction to reduce the congestion that is already experienced at this point on the highway network

3.5 The scheme has been categorised as a nationally significant project and as such will be considered by the Planning Inspectorate directly. As part of this process there will be an examination into the proposals and the City Council will be invited to respond formally to the Inspectorate on the proposals. The consultation being undertaken by the County Council at this stage is part of the pre-application process, however, it is important to respond despite a fuller response being sought by the Planning Inspectorate during examination

4.0 Proposed Response

- 4.1 The following section of this report sets out the a series of points that the City Council should make the County Council aware of in advance of the formal application being submitted to the Planning Inspectorate.

Park and Ride comments

1. The proposed Park and Ride at Elmbridge Court should help to improve accessibility to the City by reducing the number of vehicular movements on the highway network within the City. The Park and Ride facility could be used by commuters and visitors approaching from the north from the M5 and along the Golden Valley. Any easing of congestion at peak times would be welcomed by residents and business alike.
2. The facility has the possibility not only to relieve the highway network of vehicles travelling toward Gloucester but also vehicles travelling to Cheltenham.
3. If buses from Elmbridge provide access to both Cheltenham and Gloucester via high speed bus priority routes the possibility exists to reduce congestion in both urban areas and potentially reduces journey times for City residents who currently commute to Cheltenham.
4. The proposed route for the park and ride bus will be pivotal in the success of the service, as journey time and drop off points will be key factors in determining whether members of the public will choose to make a transfer of transport as part of their commute or leisure journey – as yet no details are available of this proposed route and it is recommended that it be devised in conjunction with the City Council in order to develop an optimum solution to encourage the success of the proposed service.
5. It is not certain whether the new facility has been designed taking into account proposed new housing and employment development that may take place in the immediate area or at other locations to the north of Gloucester. Any new residential or employment development to the south of Churchdown may make additional demands on the proposed service and scope to expand the parking area should be planned at the outset.

Elmbridge Court Roundabout Junction Improvements

1. Improvements to the highway network that improve accessibility to the City and help to relieve traffic flow on arterial route ways into the City at peak times are to be welcomed.
2. It is not certain whether the new facility has been designed taking into account proposed new housing and employment development that may take place in the immediate area or at other locations to the north of Gloucester over the next 20 years.
3. Proposed levels of new development to the north of the City will be included in the JCS Preferred Options document consultation in Summer 2013. This should

be considered as part of the final scheme so that it does not prejudice sustainable development proposals.

4. If major highway works are to be undertaken it would be wise and prudent to future proof this key junction in the County during the proposed phase of construction in order to minimise disruption to the highway network rather than undertake additional disruptive works in the future.

Environmental Considerations

1. There is a need to look at impact of lighting on bats nesting birds etc and mitigate accordingly as although the woodland will not be physically impacted, light pollution may be an issue.
2. Attenuation ponds surrounded by roads is not the most sensitive way to attract wildlife to such environments/habitats
3. Long distance views should be mitigated by use of grasscrete or similar for the overflow car park
4. There is no mention of night-time impacts of lighting or mitigation
5. It would be a significant improvement to cycling if the Pirton Lane in Churchdown could be connected to the development. This would be a very useful addition to the Sustrans route 41 linking Cheltenham to Gloucester.

5.0 Conclusions

- 5.1 Gloucester City Council has been consulted by Gloucestershire County Council on the Elmbridge Transport Scheme in advance of a formal submission of the proposal to the Planning Inspectorate for examination. The Council has at that stage a requirement to produce a Local Impact Report which will provide a fuller response to the scheme. However, at this stage it is important that the information above is provided to the County Council as part of the pre-application consultation process.

6.0 Financial Implications

- 6.1 There are no financial implications associated with this report.

7.0 Legal Implications

- 7.1 Gloucester City is being consulted Gloucestershire County Council and therefore there are no legal implications to this report.

8.0 Risk Management Implications *(Authors to complete) Identify all key risks (scoring 8 and above) for the recommendation including the impact and likelihood of the risk occurring and what measures will be taken to mitigate the risk.*

- 8.1 There are no risks associated with this report.

9.0 People Impact Assessment (PIA):

Please ensure you complete this section even if a PIA is not required.

Is a PIA required?	Yes	No	Explanation: This is a consultation response
		x	
Has an initial PIA screening	Yes	No	Explanation: This is a consultation

been completed?	x		response
Has a full PIA been completed?	Yes	No	Explanation: This is a consultation response
		x	
Is the PIA available?	Yes	No	Explanation: This is a consultation response
		x	
Has the PIA identified any negative impacts on any protected characteristic or community cohesion?	Yes*	No	*Please ensure PIA is available
		x	

Any Further Relevant Information:

None

10.0 Other Corporate Implications (this may include Community Safety, Environmental, Staffing, Trade Union)

There are no other implications associated with this report.

Background Papers : None

Published Papers : None

Person to Contact : Tim Watton
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CITY OF GLOUCESTER

PLANNING COMMITTEE

ON

Tuesday, 1st July 2014

DELEGATED DECISIONS

1st – 30th April 2014

**Development Services Group Manager,
Herbert Warehouse, The Docks, Gloucester**

Abbey

14/00310/FUL

G3Y

CARLH

24/04/2014

Two storey side extension

14 Cotton Close Gloucester GL4 5BA

14/00264/FUL

REF

EMMABL

29/04/2014

Demolition of existing rear conservatory, erection of two storey rear extension, erection of single storey front extension to comprise integral garage, installation of 3 no. windows on southern side elevation of original building, and provision of additional hardstanding (porous block paving) in place of part of existing grassed area towards the front of site.

5 Bluebell Close Gloucester GL4 4GP

14/00237/FUL

G3Y

CARLH

04/04/2014

Two storey side extension (first revision of previously granted permission 13/01042/FUL)

36 Shergar Close Gloucester GL4 4FD

14/00245/FUL

G3Y

CARLH

16/04/2014

First floor extension over existing side garage

1 Alderton Close Gloucester GL4 5UE

14/00309/FUL

G3Y

CARLH

16/04/2014

Garage Conversion into habitable room (RETROSPECTIVE)

2 Longhope Close Gloucester GL4 4GS

Barnwood

14/00093/FUL

G3Y

BOBR

16/04/2014

Two storey extension to rear (in conjunction with attached dwelling at no.34).

36 Birch Avenue Gloucester GL4 4NL

14/00340/FUL

G3Y

CARLH

24/04/2014

First Revision of previous permission- change of construction material

2 Chester Road Gloucester GL4 3AX

14/00167/FUL
G3Y GAJO 10/04/2014
Erection of gazebo and shed at opposite corners of rear garden.
16 Grovelands Gloucester GL4 3JF

14/00090/FUL
G3Y BOBR 16/04/2014
Two storey extension to rear (in conjunction with attached dwelling at no.36).
34 Birch Avenue Gloucester GL4 4NL

Barton & Tredworth

14/00154/FUL
G3Y EMMABL 08/04/2014
Erection of two storey and single storey rear extensions, and alterations and additions to fenestration on existing building
40 Furlong Road Gloucester GL1 4UT

14/00265/TPO
TPDECS JJH 01/04/2014
One lime tree in rear garden to be pollarded.
11 The Conifers Gloucester GL1 4LP

14/00098/FUL
G3Y EMMABL 01/04/2014
Erection of two storey and single storey side extension
1 Knowles Road Gloucester GL1 4TW

14/00166/FUL
REFREA FEH 16/04/2014
Single storey rear extensions to existing dwelling to form separate maisonette to rear, addition of two side windows and change rear door to window. Addition of velux in rear roof slope and creation of attic room.
14 Derby Road Gloucester GL1 4AE

Elmbridge

14/00122/FUL
G3Y EMMABL 15/04/2014
Demolition of existing garage, and erection of single storey side extension
66 Elmbridge Road Gloucester GL2 0PB

14/00253/FUL
G3Y EMMABL 30/04/2014
Erection of single storey rear extension to provide ground floor bathroom facilities for the welfare of the disabled occupant
47 Elmbridge Road Gloucester GL2 0NX

14/00251/ADV
GFY EMMABL 28/04/2014
Removal of 2 no. existing banner signs and 1 no. directional sign towards front of site and 1 no. fascia sign on front elevation of building, and erection of 2 no. free-standing steel frame forecourt signs and 1 no. advertisement on stilts towards front of site (all proposed signage to be non-illuminated).
Affinity Dental Care 22 Cheltenham Road Gloucester GL2 0LS

Hucclecote

14/00165/FUL
G3Y EMMABL 15/04/2014
Demolition of existing car port and erection of single storey side extension
35 Elmgrove Road Gloucester GL3 3RQ

14/00273/TPO
TPDECS JJH 01/04/2014
T10 Maple - Reduce canopy to 6ft from buildings, Reshape to as natural shape as possible. Remove deadwood. T12 - Yew - Reduce height of tree to 40ft / 12.2m. Deadwooding _ canopy thin by 20%.
100 Hucclecote Road Gloucester GL3 3RX

14/00176/FUL
G3Y FEH 25/04/2014
Demolition of the rear single storey kitchen extension. Construction of single storey extension to the rear of the property.
27 Green Lane Gloucester GL3 3QU

Kingsholm & Wotton

14/00148/FUL
G3Y BOBR 29/04/2014
Two storey extension to side and rear and single storey extension to rear.
90 Kingsholm Road Gloucester GL1 3BB

14/00155/FUL
G3Y FEH 28/04/2014
Remove existing bay window and replace with single storey front extension comprising bay window and porch
14 North Road Gloucester GL1 3JX

14/00378/NMA
NOS96 BOBR 29/04/2014
Non-material amendments to extension approved under permission no.13/00953/FUL.
11A Cheltenham Road Gloucester GL2 0JE

14/00301/TPO
TPDECS JJH 09/04/2014
Tree no 173 (Turkey Oak) - lift crown all round to give 4m headroom. Tree no 174 (Hornbeam) lift crown all round to give 4m headroom.
Collingwood House Horton Road Gloucester GL1 3PX

14/00408/TRECON
TCNOB JJH 09/04/2014
1. Repollard weeping willow. 2. Reduce Pyracantha to height of wall. 3. Reduce conifer back to previous points and trim remainder. 4. General trim _ tidy of bushes on both sides. Reduce Mountain Ash back from footpath. 6. Remove dead cherry.
Tudor Court 4 Alexandra Road Gloucester

14/00338/NMA
NOS96 BOBR 17/04/2014
Non material amendment to development approved under permission no.12/01185/FUL.
32-34 Denmark Road Gloucester GL1 3JQ

14/00248/FUL
REF EMMABL 30/04/2014
Erection of 1 no. two storey detached dwellinghouse to the side of existing dwellinghouse at no. 102 Deans Way
102 Deans Way Gloucester GL1 2QD

14/00149/FUL
G3Y CARLH 03/04/2014
Erection of replacement single storey side extension
Sundown Sandhurst Lane Gloucester GL2 9AB

Longlevens

14/00221/FUL
G3Y BOBR 17/04/2014
Demolition of existing conservatory and erection of 2 storey side and single storey rear extension
33 Oxstalls Way Gloucester GL2 9JX

14/00153/FUL
REFREA BOBR 08/04/2014
New single storey dwelling with additional vehicular access to serve no.10 Cotswold Gardens (Alternative application to dwelling approved under permission no.13/01085/FUL).
10 Cotswold Gardens Gloucester GL2 0DR

14/00096/FUL
G3Y EMMABL 08/04/2014
Erection of first floor side extension and porch on front elevation
98 Brionne Way Gloucester GL2 0TN

14/00325/NMA
NOS96 BOBR 28/04/2014
Non-material amendments to extension approved under permission no.13/00665/FUL.
23 Cheltenham Road Gloucester GL2 0JF

14/00188/FUL
G3Y EMMABL 14/04/2014
Erection of single storey rear extension
46 Lea Crescent Gloucester GL2 0DU

14/00324/PDE
ENOBJ CARLH 17/04/2014
Single storey rear extension
116 Innsworth Lane Gloucester GL2 0DF

14/00084/FUL
G3Y EMMABL 25/04/2014
Erection of two storey side extension and single storey front extension
28 Oxstalls Way Gloucester GL2 9JG

14/00061/FUL
G3Y GAJO 02/04/2014
Single storey side extension. Demolition of existing extension.
6 Hurst Close Gloucester GL2 0BL

13/00865/FUL

G3Y

JOLM

10/04/2014

Proposed first floor extension over garage incorporating two storey and first floor extension to the rear.

16 Lea Crescent Gloucester GL2 0DU

Matson & Robinswood

14/00159/FUL

G3Y

GAJO

16/04/2014

Demolition of existing single storey rear extension and the erection of new two storey rear extension to house.

48 Cotteswold Road Gloucester GL4 6RQ

14/00357/TPO

TPDECS

JJH

22/04/2014

T1 - Oak - Raise crown by removing 7 small lower branches on East side of tree.

33 Hill Hay Road Gloucester GL4 6LS

Moreland

14/00240/FUL

G3Y

EMMABL

16/04/2014

Erection of two storey and single storey rear extensions

9 Huxley Road Gloucester GL1 4QQ

14/00230/FUL

G3Y

EMMABL

16/04/2014

Demolition of existing conservatory and erection of single storey rear and side extension

67 Seymour Road Gloucester GL1 5PT

14/00254/FUL

G3Y

CARLH

16/04/2014

Single storey side extension (adjoining side of existing kitchen) to the rear of the property

162 Stroud Road Gloucester GL1 5JX

13/00843/ADV

SPLIT

GAJO

24/04/2014

Free standing sign over 1.55 meters squared above ground levels, sign over 1.55 meters squared on wall of building, A board sign (retrospective).

Limes Dental Practice 168 Stroud Road Gloucester GL1 5JX

Podsmead

14/00069/REM

AR

ADAMS

16/04/2014

Reserved matters application for approval of the details of the appearance, layout, scale and landscaping of the development for the proposed use of Plot 5 for open storage use (pursuant to outline permission ref. 10/01067/OUT as amended by 11/01298/FUL)

Land At Former Gas Works Bristol Road Gloucester

14/00144/FUL

REF

CARLH

04/04/2014

Erection of two storey rear extension

24 Laburnum Road Gloucester GL1 5PQ

Quedgeley Fieldcourt

14/00312/NMA

NOS96

JOLM

16/04/2014

Non material amendment to change the agreed roofing materials within Area 4A4 for plots 47, 51, 61, 62, 63, 336, 337, 326, 327, 328, 301, 302, 308, 309, 320

and 321 and garages for plots 50, 57, 59, 327, 337 and 339

Land To East West Of A38 And Naas Lane Quedgeley Gloucester

14/00212/COU

GP

CJR

15/04/2014

Use of the existing park and ride car park for driver training on Sundays.

Waterwells Park And Ride Telford Way Quedgeley Gloucester

14/00115/FUL

G3Y

EMMABL

01/04/2014

Erection of two storey rear extension (revised proposal)

144 Church Drive Quedgeley Gloucester GL2 4UR

14/00171/ADV

GFY

CJR

15/04/2014

Display of 2 non-illuminated signs attached to the fencing adjacent to the entrance.

Waterwells Park And Ride Telford Way Quedgeley Gloucester

Quedgeley Severn Vale

14/00335/LAW
REFREA CARLH 30/04/2014
Single storey rear extension
18 Azalea Gardens Quedgeley Gloucester GL2 4GA

14/00287/LAW
LAW CARLH 16/04/2014
Erection of 1.8m high fence around part of property
27 Kestrel Gardens Quedgeley Gloucester GL2 4NR

Tuffley

14/00146/REM
AR BOBR 17/04/2014
Minor material amendment to allow for a re-design of plots 3, 4 & 5 to simplify construction - to amend the list of drawings attached to condition 2 (of permission no.09/01275/FUL) to remove drawings 02 rev.B, 03 rev.B, 04, 08 rev.A and to include 02 rev.G, 019 and 020.
Former 170 Reservoir Road Gloucester

Westgate

14/00087/JPA
AAPR FEH 16/04/2014
Change of use from offices to dwellinghouse (C3)
13 Park Road Gloucester GL1 1LH

14/00097/FUL
G3Y FEH 10/04/2014
Reinstating wooden sign and shop front and window and door frames. Inside vinyl window sticker installation on part of the shop front windows.
97 Eastgate Street Gloucester GL1 1PN

14/00258/EIA
SCO ADAMS 17/04/2014
Request for Scoping Opinion for renewal of Gloucester Quays outline permission
Gloucester Quays Designer Outlet St Ann Way Gloucester GL1 5SH

14/00263/LAW
LAW CARLH 16/04/2014
Conversion from C3 to C4 use 'House of multiple occupancy', to include internal works, with the construction of stud walls and an additional bathroom and kitchen area.
1 Arthur Street Gloucester GL1 1QY

14/00179/FUL
G3Y EMMABL 22/04/2014
Installation of 1 no. external condensor on roof-top
Boots 38 - 46 Eastgate Street Gloucester GL1 1PU

14/00302/TPO
TPDECS JJH 25/04/2014
Robinia (TPO195), Raise the crown by 2.5m from ground level, remove deadwood. Reduce the crown by 30% where it overhangs the car park. To reduce the weight on the weak fork which could split out if it gets any heavier.
20-25 Brunswick Square Gloucester GL1 1UN

13/01291/LBC
G3L JOLM 17/04/2014
Installation of demountable partitions to divide the open plan area into cellular offices, to provide ventilation to internal offices and new shower on the ground and first floor of the North Warehouse and provision of ventilation to first floor window.
Regus North Warehouse The Docks Gloucester GL1 2FB

14/00072/FUL
GP JOLM 16/04/2014
Proposed installation of replacement shop front
First Choice Off Licence 122 Eastgate Street Gloucester GL1 1QT

14/00110/NMA
NOS96 ADAMS 02/04/2014
Amendments to layout; footpaths, landscaping and parking
Former Gloscat Brunswick Road Gloucester

14/00278/NMA
NOS96 ADAMS 07/04/2014
Extension to collection booth, relocation of corral doors, relocation of patio area, alterations to the drive through lane merging point
Land Situated On West Side Of St Oswalds Road Gloucester

Decision Descriptions Abbreviations

AR:	Approval of reserved matters
C3C:	Conservation Area Consent for a period of 3 years
CAC:	Conservation Area Consent
G3L:	Grant Listed Building Consent for a period of 3 Years
G3Y:	Grant Consent for a period of 3 Years
GA:	Grant Approval
GATCMZ:	Grant approval for telecommunications mast
GFY:	Grant Consent for a period of Five Years
GLB:	Grant Listed Building Consent
GLBGOS:	Grant Listed Building Consent subject to Government Office of South West clearance
GOP:	Grant Outline Permission
GOSG:	Government Office of South West Granted
GP:	Grant Permission
GSC:	Grant Subject to Conditions
GTY:	Grant Consent for a period of Two Years
GYO:	Grant Consent for a period of One Year
LAW:	Certificate of Law permitted
NOB:	No objections
NOS96	No objection to a Section 96 application
NPW:	Not proceeded with
OBJ:	Objections to County Council
OBS:	Observations to County Council
PER:	Permission for demolition
RAD:	Refuse advert consent
REF:	Refuse
REFLBC:	Refuse Listed Building Consent
REFREA:	Refuse
REFUSE:	Refuse
RET:	Returned
ROS96	Raise objections to a Section 96 application
SCO:	EIA Screening Opinion
SPLIT:	Split decision
TCNOB:	Tree Conservation Area – No objection
TPDECS:	TPO decision notice
TPREF:	TPO refuse
WDN:	Withdrawn

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