



Gloucester City Council

Planning Committee

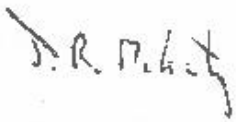
Meeting: Tuesday, 6th October 2015 at 6.00 pm in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP

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

AGENDA

1.	APOLOGIES To receive any apologies for absence.
2.	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.
3.	MINUTES (Pages 7 - 20) To approve as a correct record the minutes of the meeting held on 8 September 2015.
4.	LATE MATERIAL Please note that any late material relating to the applications detailed below will be published on the website as a supplement in the late afternoon of the day of the meeting.
5.	LAND EAST OF DAVID HOOK WAY - 14/01195/FUL (Pages 21 - 46) Application for determination. Contact: Development Control Tel: (01452) 396783
6.	UNIT G1, THE AQUARIUS CENTRE, EDISON CLOSE - 15/00836/FUL (Pages 47 - 62) Application for determination.

	Contact: Development Control Tel: (01452) 396783
7.	DELEGATED DECISIONS (Pages 63 - 78) To consider a schedule of applications determined under delegated powers during the month of July 2015.
8.	DATE OF NEXT MEETING Tuesday, 3 November 2015 at 6.00 pm.



Jon McGinty
Managing Director

Date of Publication: Monday, 28 September 2015

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

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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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- 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.

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HUMAN RIGHTS

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

EQUALITY ACT 2010

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

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PLANNING COMMITTEE

MEETING : Tuesday, 8th September 2015

PRESENT : Cllrs. Taylor (Chair), Lewis (Vice-Chair), Hilton, McLellan, Smith, Hanman, Brown, Dee, Toleman, Chatterton, Etheridge and Lugg

Others in Attendance

Jon Sutcliffe, Development Control Manager

Michael Jones, Solicitor One Legal

Joann Meneaud, Principal Planning Officer

Bob Ristic, Senior Planning Officer

Aeron Rees, Assistant Planning Officer

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllrs. Hobbs and Williams

24. DECLARATIONS OF INTEREST

Councillor Toleman declared a personal and prejudicial interest in agenda item 5, application 15/00169, by virtue of his friendship with the applicant.

25. MINUTES

The minutes of the meeting held on 4 August 2015 were confirmed and signed by the Chair as a correct record.

26. LATE MATERIAL

Members' attention was drawn to the late material in respect of agenda items 5, 6 and 7 which had been published on the internet as a supplement to the agenda.

27. LAND AT 70 TUFFLEY CRESCENT- 15/00169/FUL

Councillor Toleman having declared a personal and prejudicial interest in this application took no part in the debate or vote.

The Principal Planning Officer presented her report which detailed an application for the demolition of 70, Tuffley Crescent and the erection of seven dwellings with associated access, parking and landscaping.

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Russell Randford addressed the committee in support of the application

Mr Randford advised Members that the application had been submitted in February and he was disappointed that it had taken seven months to be determined. He was surprised by the Officer's recommendation to refuse the application which he believed was an attempt to protect a perceived heritage building.

He explained that prior approval for demolition had been sought and deemed consent for demolition was in place. Number 70 was in poor structural condition and number 72 had recently been extended and rebuilt with a changed frontage.

He questioned the first reason for refusal which stated the demolition of the house would cause harm, resulting in an odd appearance and negative impact on the remaining part of the building.

He noted that the neighbour at number 72 was supportive of the proposal and confirmed that the appropriate demolition notice had been served on Building Control.

He referred to the second recommended reason for refusal on grounds of noise and disturbance to the detriment of the present level of amenity enjoyed by the surrounding residential properties. He advised Members that the proposed access was similar to a number of applications which had been granted in the City and which would be cited at any appeal. He referred in particular to 7, Podsmead Road where there had been no mention of noise or disturbance.

He advised Members that the developers of the land to the rear of this proposal had confirmed that they had no interest in this site.

Andrea Dowle addressed the Committee in objection to the application

Ms Dowle advised that she was speaking on behalf of her own family and the occupiers of five neighbouring properties. She had moved into Tuffley Crescent in 2011 and considered it to be a pretty and quiet street. The proposal for the access to seven properties opposite her home would affect the amenity of her property. She had concerns relating to the adverse effects of the proposed density, parking, extra traffic and access.

She noted that the houses in Tuffley Crescent were currently well spaced and residents were mindful of the forthcoming development of the former chemical works which would also result in an increase in traffic and noise.

There was a lack of information regarding refuse collection and she was concerned that bins would be left in Tuffley Crescent on a permanent basis.

Councillor Dallimore, as Ward Member for Podsmead, addressed the Committee.

Councillor Dallimore advised that some of the nearby residents had made objections and others had not, for fear of reprisals. She supported the views expressed by the previous speaker.

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She supported the heritage statement at paragraph 4.2 of the report and said that the unusual appearance of the houses added value to the community. She believed that the negative impact on residents would be a step too far. She stated that the development would not add value to Tuffley Crescent and would increase vehicle movements, have an impact on neighbouring properties, cause noise and disturbance and that Tuffley Crescent was already becoming a 'rat run'.

She noted that the comments of the Contamination Officer were awaited.

The Principal Planning Officer advised that the comments of the Contamination Adviser were contained within the Late Material together with a recommended condition should the Committee be minded to grant consent.

Councillor Chatterton found it difficult to support the first part of the Officer's recommendation as there was an existing deemed consent for demolition.

The Principal Planning Officer confirmed that there were permitted development rights but the demolition was an integral part of the application and there were concerns regarding a gap in the street scene and the impact of the access to the new dwellings.

Councillor Chatterton believed that the work undertaken on number 72 had destroyed any argument to save number 70. He noted that as there was no highways objection there must be room for a refuse collection vehicle to turn around. He noted that highways had estimated an additional 29 traffic movements would be generated each day which was a very small figure compared to the volume of traffic already using Tuffley Crescent.

The Principal Planning Officer clarified that the concerns related to the introduction of an access road and the vehicle movements along that access road would impact on the amenity of adjacent residents

Councillor McLellan questioned the granting of consent for the application at Podsmead Road and was advised that although the applications were similar that application had issues involving anti-social behaviour and footpath links. Officers had taken the view that the application would bring significant benefits for the local community.

Councillor Smith expressed sympathy with the residents but noted that many of the features of the properties had disappeared and they were no longer worthy of protection. She believed it would be difficult to uphold a refusal at appeal.

Councillor Lewis believed that the proposals were acceptable and he did not believe that the impact on the dwellings adjacent and opposite was sufficient to justify refusal. He felt that with the built extension, 70 and 72 were fundamentally different design houses.

Councillor Hilton was advised that planning permission had been granted for the extension of number 72. He believed that the extension to number 72 represented a fundamental planning failure.

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Councillor Hanman was advised that number 70 had been habitable two months ago.

Councillor Dee regretted that the application for number 72 had not been presented for determination by the Committee.

The Chair indicated his agreement with the comments raised by Members. He considered that 70 and 72 no longer had the appearance of a pair of semi-detached houses, the demolition of the house and the new access would not damage the street scene and there was a variety of buildings in the local area. Additionally, he did not consider that the noise issue was strong enough to win on appeal. On this basis he recommended that planning permission be granted.

RESOLVED that planning permission be granted subject to necessary conditions the Development Control Manager be authorised to attach those conditions to the decision notice.

28. ALBION HOUSE, 77 SOUTHGATE STREET- 15/00672/COU & 15/00674/LBC

The Senior Planning Officer presented his report which detailed an application for the alteration and conversion of the listed building at Albion House at 77, Southgate Street, to provide nine apartments within Albion House, two apartments within the rear coach house, a terrace of four dwellings to the rear courtyard and a new build four storey block comprising seven apartments fronting on to Southgate Street.

He referred to the late material which contained updated information on drainage, education and viability together with a revised recommendation.

The Chair welcomed the proposal and asked Officers to ensure that an appropriate boundary treatment to No 1 Albion Street is secured and that there would be no overlooking issues.

Councillor Hilton believed that the application should be welcomed as Albion House had been derelict for a number of years. He believed that the retention of the coach house was important, the 22 dwellings were needed in the City and the development would smarten up Southgate Street.

Councillor Toleman believed that any applications like this should be welcomed in Southgate Street.

RESOLVED that, subject to the Local Lead Flood Authority confirming that there are no objections to the drainage strategy and the clarification of the precise sum required for education contributions, the Development Control Manager be authorised to grant planning permission and listed building consent subject to the following conditions and the completion of the unilateral undertaking to secure contributions towards education provision:

Planning permission - 15/00672/COU

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Condition 1

The development hereby permitted shall be begun before the expiration of 18 months from the date of this permission.

Reason

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

Condition 2

The development hereby permitted shall be carried out in accordance with the approved submitted forms, supporting information and amended drawing nos.21416/10 Rev.A, 11 Rev.B, 13 Rev.A, 12 Rev.A, 14 Rev.B and 15 Rev.B received by the Local Planning Authority on 28th May 2015 as well as 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 Second Deposit City of Gloucester Local Plan (2002).

Condition 3

No development outside the footprint of Block A (as shown in Plan 21416 DWG No.13), other than demolition down to ground floor slab only, shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework and Policies BE.36, BE.37 & BE.38 of the Gloucester Local Plan (2002 Second Stage Deposit).

Condition 4

No development outside the footprint of Block A (as shown in Plan 21416 DWG No.13), shall commence other than demolition down to ground floor slab only until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works of the proposed development (including drains and services) has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved scheme.

Reason

The site may contain significant heritage assets. The Council requires that disturbance or damage by foundations and related works is minimised, and that archaeological remains are, where appropriate, preserved in situ. This accords with Policy BE.31 and BE.36 of the Second Deposit City of Gloucester Local Plan (2002) and paragraph 141 of the NPPF.

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Condition 5

The development hereby permitted shall not commence until details for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include proposals for the disposal of surface water in accordance with the principles of Sustainable Urban Drainage Systems (SUDS) and shall be implemented prior to the first use or occupation of the development and maintained thereafter for the life of the development.

Reason

Details of these 'under ground' work are required prior to construction in order to ensure satisfactory drainage arrangements are provided in accordance with sustainable objectives of Gloucester City Council and Central Government and policy FRP.6 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 6

No development shall take place, including any works of demolition, until a construction method statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall:

- i. Specify the type and number of vehicles;
- ii. Provide for the parking of vehicles of site operatives and visitors;
- iii. Provide for the loading and unloading of plant and materials;
- iv. Provide for the storage of plant and materials used in constructing the development;
- v. Provide for wheel washing facilities
- vi. Specify the intended hours of construction operations;
- vii. Measures to control the emission of dust and dirt during construction

Reason

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with Paragraph 35 of the NPPF.

Condition 7

Notwithstanding the submitted details and prior to the commencement of any conversion works to the Listed Building, full architectural details and where appropriate samples of the following (in relation to the conversion works to the Listed Building part of the development) shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of the first flat and shall be similarly maintained thereafter: -

- a) All internal and external materials.
 - b) Scaled drawings detailing methodology for blocking/opening of doorways and erection/removal of new partitions/walls.
 - c) Details of the retention/repair/reinstatement of all historic skirting, cornice, door and window architraves, doors, windows, window shutters and wall panelling.
 - d) Details of refurbishment for timber windows and internal window shutters
- Details of flues, vents, grilles, guttering and down pipes, including details of material and colour.

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- e) Details of new pipe, cable and ventilation routes.
- f) The proposed methods for upgrading the property to meet the requirements of the Building Regulations for fire safety and sound insulation.
- g) Location and details of all meter boxes and their enclosures.

Reason

The precise details of works to the listed building are required prior to the commencement of works in order to ensure a satisfactory appearance to the development and to safeguard the character and appearance of this building of historical interest in accordance with policy BE.7 & BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 8

Prior to any above ground works associated with the new build elements of this development, full architectural details and where appropriate samples of the following (in relation to the new-build elements) shall be submitted to and approved by the local planning authority . The development shall be completed in accordance with the approved details and shall be similarly maintained thereafter:

- a) All external materials and finishes, including details of colour, profile and texture.
- b) 1:5 & 1:10 scale drawings of windows, external doors (including profiles and their reveals), oriel windows, parapets and their cappings
- c) Flues, vents, guttering and down pipes, including details of material and colour.
- f) Details of the bin and bike stores
- g) Details of all external meter boxes and their enclosures.

Reason

To ensure a satisfactory appearance to the development and to safeguard the setting of the building of historical interest in accordance with policy BE.7 & BE.29 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

During the construction and demolition phase, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason

To protect the amenity of local residents in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 10

No part of the development hereby permitted shall be occupied until precise details of the hard and soft landscaping to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in all respects not later than the first planting season following the first occupation of any part of the development or the completion of the development, whichever is the sooner.

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Reason

To ensure a satisfactory and well planned appearance to the development in accordance with policy BE.7 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 11

Notwithstanding the submitted drawings, no part of the development hereby permitted shall be occupied until the boundary treatments and means of enclosure to the site have been constructed in accordance with details which shall be submitted to and approved in writing by the local Planning Authority.

Reason

These details are not included in the application and are required to ensure a satisfactory appearance to the development and in accordance with policy BE.4 & BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 12

The pedestrian access hereby permitted shall be constructed in accordance with the submitted drawing no 13 Rev A and made available for use prior to the occupation of any dwelling on site.

Reason

To ensure that safe and suitable access can be supplied for all users that minimise conflicts between pedestrians, cyclists and traffic in accordance with Paragraph 35 of the NPPF.

Condition 13

The dwelling(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no.13 Rev A, and those facilities shall be maintained available thereafter.

Reason

To ensure safe, suitable and secure means of access for all people that minimises the conflict between traffic, cyclists and pedestrians is provided in accordance with Paragraph 35 of the NPPF.

Condition 14

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan drawing no. 13 Rev.A and those facilities shall be maintained thereafter.

Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 35 of the NPPF.

Condition 15

The development hereby permitted shall not be occupied until the bin stores have been made available for use in accordance with submitted drawing no 13 Rev.A and those facilities maintained thereafter.

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Reason

To ensure that the waste bins do not impeded the free flow of pedestrian movements or enter the highway in accordance with Paragraph 35 of the NPPF.

Condition 16

No part of the development hereby permitted shall be occupied details of any external lighting to the building and car parking and public areas have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried in accordance with the approved details prior to the first occupation and shall be similarly maintained thereafter.

Reason

To ensure a satisfactory and well planned appearance to the development in accordance with policies BE.7, BE.21 & BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 17

No satellite dishes shall at any time be placed upon the principal listed building or the principal elevations of the new build properties hereby permitted.

Reason

To preserve character and appearance of the Conservation area and listed building and in accordance with Policies BE.22 and BE.29 Second Deposit City of Gloucester Local Plan (2002).

And any other conditions required by the LLFA.

Listed Building Consent – 15/00674/LBC

Condition 1

The works hereby permitted shall be begun before the expiration of 18 months three years from the date of this consent.

Reason

To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Condition 2

The development hereby permitted shall be carried out in accordance with the approved submitted forms, supporting information and amended drawing nos.21416/10 Rev.A, 11 Rev.B, 13 Rev.A, 12 Rev.A, 14 Rev.B and 15 Rev.B received by the Local Planning Authority on 28th May 2015 as well as 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 Second Deposit City of Gloucester Local Plan (2002).

Condition 3

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Notwithstanding the submitted details and prior to the commencement of any conversion works to the Listed Building, full architectural details and where appropriate samples of the following (in relation to the conversion works to the Listed Building part of the development) shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of the first flat and shall be similarly maintained thereafter: -

- a) All internal and external materials.
- b) Scaled drawings detailing methodology for blocking/opening of doorways and erection/removal of new partitions/walls.
- c) Details of the retention/repair/reinstatement of all historic skirting, cornice, door and window architraves, doors, windows, window shutters and wall panelling.
- d) Details of refurbishment for timber windows and internal window shutters
Details of flues, vents, grilles, guttering and down pipes, including details of material and colour.
- e) Details of new pipe, cable and ventilation routes.
- f) The proposed methods for upgrading the property to meet the requirements of the Building Regulations for fire safety and sound insulation.
- g) Location and details of all meter boxes and their enclosures.

Reason

The precise details of works to the listed building are required prior to the commencement of works in order to ensure a satisfactory appearance to the development and to safeguard the character and appearance of this building of historical interest in accordance with policy BE.7 & BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 4

Prior to the commencement of development details of the materials and finishes to all external walls and roofs of the listed building shall be submitted to & approved in writing by the Local Planning Authority. Such works shall be undertaken in accordance with the details agreed and the materials/finishes shall not thereafter be changed without the prior written approval of the Local Planning Authority. All works of external repair, restoration and replacement are to exactly match the original features, unless otherwise agreed with the local planning authority in writing.

Reason

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

Condition 5

Before any work is undertaken in pursuance of the consent to demolish any part of the building, details shall be submitted to and approved in writing by the local planning authority of works to be undertaken during the progress of the development hereby permitted to secure the safety and stability of that part of the building which is to be retained in accordance with any terms and conditions of this consent. The demolition shall then be carried out in accordance with the approved details.

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Reason

To minimise the risk of damage to the existing building in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 6

All works of external repair, restoration and replacement to the listed building are to exactly match the original features and materials. Any re-pointing should be in a lime mortar and any replacement stone and/or brickwork shall be approved in writing by the local planning authority, and the works shall be undertaken in accordance with the approved details.

Reason

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

Condition 7

All historic fabric such as lath and plaster walls and ceilings, skirting, cornice, door architrave and doors, fire places and staircases shall be retained within the Listed building unless otherwise agreed in writing by the Local Planning Authority.

Reason

To safeguard the architectural and historical interest of the building in accordance with Policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 8

The City Conservation officer shall be notified in advance of any opening up works to identify if any historic features remain.

Reason

To safeguard the architectural and historical interest of the building in accordance with Policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

The developer shall provide the City Council 7 days written notice of the date of the completion of the development to enable the building to be inspected and recorded by the City Council Conservation Officer.

Reason

To ensure compliance with the approved details and to safeguard the character and appearance of this building of special architectural or historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

29. WESTGATE LEISURE AREA- 15/00145/DDD

The Development Control Manager presented his report which detailed an application by Gloucester City Council for landscape and engineering works to enhance existing public open space including the creation of footpaths, footbridges, fishing and viewing platforms, BMX track, realignment of existing car parking,

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entrance gates and fencing, wetland habitat features, scrapes and seasonal ponds at Westgate Leisure Area, St Oswald's Road.

He noted that many elements of the works proposed could be undertaken as permitted development. He confirmed that the proposal was classed as flood appropriate development.

He drew Members' attention to the revised recommendation contained in the late material and confirmed that the Highway Authority now had no objection.

Councillor Smith welcomed the proposal that would bring this much loved area back into use and she believed that the BMX track would be well used.

Councillor McLellan questioned the availability of toilets at the leisure area. He was advised that the existing toilets were not usable in their current state and refurbishment would depend on the availability of funding.

Councillor Lugg noted that the development would have to withstand flooding at regular intervals.

Councillor Hilton believed that the leisure area was an important open space in the City although it was difficult to access. He hoped that the paths, in particular the north-south route were wide enough for shared use by cyclists and pedestrians.

Councillor Toleman was advised that the lake would be repaired if funding permitted.

Councillor Etheridge was advised that the BMX Club members would be primary users of the facility with public use at other times.

Councillor Dee believed that the reintroduction of boats on the boating lake would be a welcome attraction in the summer. He was advised that there was nothing in the current application to preclude this.

Councillor Lewis asked that the provision of facilities for disabled anglers be considered as the access to the lake was comparatively easy. He noted that the proposed BMX track was to a competition standard.

RESOLVED that, subject the Environment Agency confirming that they had no objection to the application, the Development Control Manager be authorised to grant planning permission subject to appropriate conditions relating to the following matters:-

- commencement of development
- contaminated land
- approved drawings
- land levels

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- provision of visibility splays at access point prior to use of BMX facility
- submission of Traffic Management & Parking Plan prior to events involving greater than 50 vehicles at the BMX facility
- any other conditions required by the Environment Agency

30. DELEGATED DECISIONS

Consideration was given to a schedule of applications determined under delegated powers during the month of June 2015.

RESOLVED that the schedule be noted.

31. MR AERON REES

The Development Control Manager introduced Mr Aeron Rees who had recently been appointed to the post of Assistant Planning Officer with the Council.

The Chair and Members welcomed Mr Rees and wished him well for his time with the City Council.

32. DATE OF NEXT MEETING

Tuesday, 6 October 2015 at 6.00 pm.

Time of commencement: 6.00 pm hours

Time of conclusion: 7.35 pm hours

Chair

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GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **6TH OCTOBER 2015**

ADDRESS/LOCATION : **LAND EAST OF DAVID HOOK WAY**

APPLICATION NO. & WARD : **14/01195/FUL
WESTGATE**

EXPIRY DATE : **23RD FEBRUARY 2015**

APPLICANT : **MR TONY MARKEY**

PROPOSAL : **PROPOSED NEW CLUB HOUSE FACILITY
FOR GLOUCESTER ROWING CLUB WITH
ASSOCIATED HARD AND SOFT
LANDSCAPING, PROPOSED
EARTHWORKS/MOULDING/FLOOD
COMPENSATION WORKS TO LAND
ADJACENT TO THE BARN OWL CENTRE
AND TO THE SOUTH OF THE PRIMARY
CLUB HOUSE SITE. (REVISED
APPLICATION.)**

REPORT BY : **CAROLINE TOWNLEY**

**NO. OF APPENDICES/
OBJECTIONS** : **1. SITE LOCATION PLAN**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located directly to the west of the Gloucester and Sharpness Canal in the north east corner of the land used for a car boot sale accessed off David Hook Way.
- 1.2 Planning permission was granted in 2011 for the erection of a four storey building for the rowing club with associated works including diversion of the canalside footpath, provision of a landing stage, car parking (106) spaces, flood storage compensation works and landscaping.
- 1.3 The wider proposal also involved re-grading the canal bank and diversion of the tow path to allow for the provision of a landing zone. This element has now been completed although not in accordance with the original planning permission.
- 1.4 The original planning application also included land within the City Council's ownership for the proposed flood storage compensation area that would

provide a volume to match the volume of water displaced by the development. Additional flood compensation is proposed within the site itself through the adjustment of parking levels.

- 1.5 The current application seeks full planning permission for a new club house facility for Gloucester Rowing Club and associated works including a landing stage, car park and landscaping. . The application also includes proposals for earthworks to provide flood compensation works adjacent to the Barn Owl Centre to accommodate the increased volume of flood compensation required as a result of the works. The landing stage has been completed following a grant from British Rowing and preparations for the car parking have also been undertaken. The landing stage is however, also included in the current application as it has not been built in accordance with plans approved under the previous planning permission.
- 1.6 The current application proposes alterations to the siting of the club house, changes to the external elevations, minor internal alterations, an enlarged balcony and enlarged third floor area. The overall building height has also increased by approximately 1 metre and the ground finished floor area has changed in response to the Flood Risk Assessment. The building has been moved slightly to the south west of the approved siting to accommodate the requirements of the Rowing Club. Links to the landing stage have also been improved to meet the requirements of the sport's governing body.
- 1.7 The layout of the building has been informed by the flood risk on the site with the finished floor level raised approximately 200mm to ensure that shallow flooding does not enter the building and also to deal with the slope of the access on the landing station. As with the approved application the plans show a boathouse on the ground and first floor levels with a large function room/ lounge area, bar, kitchen, office/meeting room and changing facilities on the second floor together with a fitness suite with changing facilities on the third floor. The supporting information states that the fitness suite will be used solely for training by the club members and that the function room will be used to host annual events such as the clubs annual dinner dance, fund raising events, training courses for club members and general social use by the club only.
- 1.8 The proposed building is four storeys in height but as a result of the levels across the site it will appear higher from the car park due to the void below the building. The dimensions of the proposed building are 20.6 metres by 25.6 metres with a height of 13.3 metres when measured from the lowest part of the site.
- 1.9 The proposed materials comprise of an exposed concrete base to resist the effects if any flooding, with a combination of a horizontal timber effect cladding, flat white cladding, with an aluminium profiled eaves and metal standing seam roof. It is proposed to provide continuous glazing and a projecting balcony running the entire length of the building at second floor level overlooking the canal. The third floor is set back with use of the grey plank cladding.

1.10 The existing rowing club is located on the opposite side of the canal on a site leased from the Canal and Rivers Trust. The club has indicated that it has outgrown the existing site which was built in 1963 due to the continued success of the club. The existing site is very constrained making refurbishment or additional development very difficult. The problems associated with the current site have been summarised as:

- No space for land training facilities with the club having to hire sports halls elsewhere.
- Insufficient space to house all the clubs boat and further expansion will result in a requirement for additional boats.
- Landing stage too small for number of crews using it at peak times.
- Inadequate social facilities.
- Inadequate parking.
- Insufficient space to host annual events with the entries for the Heads having to be limited and the club has to hire land to stage the regatta.
- Limitations of the current boathouse are a disincentive for other clubs to use it for training camps.

1.11 It is intended that the new site will provide facilities that can also be offered to other clubs for their training camps. The new facilities will also be suitable for hosting canoe and dragon boat racing and training. The club aims to host a canoe club on the site and to run dragon boat (or similar) events for the local community.

2.0 RELEVANT PLANNING HISTORY

2.1 **14/00794/NMA** – Non-material amendment to planning permission ref. 10/01090/FUL (new rowing club house and associated facilities), comprising a change of layout of the car parking area. No objections 28th August 2014.

2.2 **13/00261/FUL** – Siting of two temporary buildings (for up to 2 years) for storage associated with the rowing and canoe clubs. Granted 27th August 2013.

2.3 **10/01090/FUL** – New rowing club house with associated facilities, diversion of the canal towpath, provision of a landing stage, car parking, flood storage compensation works and landscaping. Granted 2nd March 2011.

2.4 **06/00872/OUT** - Outline planning permission for an open market, car boot sale, rowing club house, visitor centre, public amenity land and car parking. Granted 5.9.2006. Full planning permission was subsequently granted on 29th May 2007 (ref. 07/00442/COU).

2.5 The planning application for the construction of a landscape bund on City Council land to the west of the Hempsted section of the South West Bypass adjacent to Netheridge Farm (ref. 07/00773/FUL), was reported to Committee on 7th August 2007. The Committee resolved to give delegated powers to the Development Control Manager to grant planning permission subject to further

confirmation from the Environment Agency with regards to flood levels following the July floods. Planning permission was subsequently granted on 2nd April 2008.

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:

FRP.1a – Development and Flood Risk

FRP6 – Surface water run-off

B.3 – Sites of Nature Conservation Interest C & D

BE.1 - Scale, Massing and Height

BE.5 - Community Safety

BE.6 - Access for all

BE.7 - Architectural design

BE.21- Safeguarding of Amenity

LCA.1 – Development within Landscape Conservation Areas

TR.9 - Parking Standards

TR.31 – Road safety

SR.1 – Rowing Club Facility

3.5 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and NPPG and are a material consideration. The weight to be attached to them is limited, the Plan has not yet been the subject of independent scrutiny and does not have development plan status. The Examination in Public has been ongoing since May 2015. 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, City Plan and any Neighbourhood Plans 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
- 3.7 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; Gloucestershire Structure Plan policies – www.gloucestershire.gov.uk/index.cfm?articleid=2112 and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

- 4.1 **Gloucestershire County Council (Highways)** – The application appears to propose only minor changes to the previous application on the site (ref. 10/01090/FUL) which could be implemented. These changes would not materially affect the number of vehicle trips to the proposed development or the movement of vehicles. It is therefore recommended that no highway objection is raised subject to the inclusion of conditions.
- 4.2 **The Environment Agency** – The submitted Flood Risk Assessment (RSL Highways and Transport, dated: November 2014) identifies the site of the proposed rowing club to be located within Flood Zone 3b (Functional Floodplain). Whilst the primary role of the building is considered to be defined as a ‘water compatible’ use, the function room could be classed at a greater vulnerability.

The National Planning Policy Guidance (NPPG) states that ‘water compatible’ uses are appropriate in Flood Zone 3b. ‘Water compatible’ uses should be designed and constructed to:

- remain operational and safe for users in times of flood;
- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.

As the building includes a function room it is important to provide a safe pedestrian access, in conjunction with our flood warning system, to manage use of the building. This can be provided for along the adjacent tow path although this has not been made clear in the submissions and should be formalised through a flood management plan.

It is noted that finished floor levels for the boat storage area will be set at 9.35m AOD(N) and thus would be allowed to flood. All associated services (including electrical supplies and sockets) should be set above the modelled

flood level, including an allowance for climate change (as quoted within section 2.1 of the FRA). Shower rooms and toilets are located at ground floor levels, this part of the building could be made fully flood resistant to minimise future damage. The floor levels shown on drawing 6066/-/PL56 for the main functional areas have been set at 14.11m AOD(N) well above those previously recommended.

The proposed development would result in a loss of floodplain storage volume on the site. We concur with the figures set out on drawing numbers RSLHT-1899-0150 Rev 04 (dated: 13/06/14) and RSLHT-1899-0155 Rev 04 (dated: 22/09/14) which show a total loss in flood storage volumes of approximately 1000m³ as a result of the development.

As part of the proposals a compensation scheme as shown on drawing RSLHT-1899-0601 Rev 04 (dated: 04/07/14) has been proposed. Whilst this does not quite provide sufficient volume to offset the losses between the levels of 9.10 to 10.70m AOD(N), this figure is relatively small and would be offset at lower levels.

No objections are raised subject to the inclusion of conditions.

4.3 **Severn Trent Water** – No objection subject to the inclusion of a condition requiring the submission and approval of drainage plans for the disposal of surface water and foul sewage.

4.4 **Canal and River Trust** - The Trust has a range of charitable objects including:

- To hold in trust or own and to operate and manage inland waterways for public benefit, use and enjoyment;
- To protect and conserve objects and buildings of heritage interest;
- To further the conservation, protection and improvement of the natural environment of inland waterways; and
- To promote sustainable development in the vicinity of any inland waterways for the benefit of the public.

After due consideration of the application details, the Canal & River Trust has **no objections** to the proposed development.

Recommend that light pollution is minimised adjacent to the waterway and would therefore request that as many lights are turned off overnight as possible to protect habitat for protected species such as Bats which use the waterway corridor for foraging.

4.5 **Worcestershire Regulatory Services** – Have reviewed the application for potential contaminated land issues on behalf of Gloucester City Council and have no adverse comments to make with regards to the application.

- 4.6 **Wales and West Utilities** – Wales and West apparatus may be directly affected by the proposals and the applicant should contact the company directly to discuss its requirements in detail.
- 4.7 **Fisher German** – The Government Pipelines and Storage System (GPSS) may be affected by the proposals. No work or activity should be undertaken without first contacting the GPSS Operator.
- 4.6 **Gloucestershire Constabulary Crime Prevention Design Advisor** - The following points should be considered in order to improve security and reduce the fear of crime
- The gated and locked access off the highway and into the current parking area will need to be addressed to ensure it's managed by the Council and the Club, thereby preventing inappropriate use of this space.
 - Apart from dog walking, this location is relatively isolated most of the week; however when the site is hosting its market days or fun fairs it can get very congested. Access to the proposed development must consider security and member safety during these busier times.
 - The gated access into the car park needs to form part of a defined enclosure around the proposed development, clearly separating the private space from the public area. A similar fence or boundary treatment should extend along tow path.
 - To assist with the security of the building CCTV needs to be positioned in order to cover the numerous blind spots across the site. The CCTV system needs to be designed to allow seasonal variations within the planting scheme and in conjunction with the Lux plan.
 - The cycle store and motorbike parking should be easily seen from the building and monitored by the CCTV; each hoop or anchor should allow cyclist to lock both wheels and the crossbar securely.
 - Plant equipment located on the elevated platform should be secured to prevent theft or damage via the external stairs.
 - The ground floor toilet and shower facilities should be for the sole use of the club, with controlled access and external CCTV coverage. These toilets shouldn't be open or available during markets or entertainment events.
 - The use of external stair cases, although required will offer easy access entry into the changing room, lockers and offices on 2nd floor, this route should be managed and monitored with CCTV.
 - Each door and accessible window should meet the BS PAS 24: 2012 as a minimum security standard, the boat house roller shutters should be LPS 1175 SR2.
 - Each business should identify and protect their property with a forensic property marking kit, identifiable and traceable through a recognised database. The use of these products should be displayed on the site entrance, along with stickers on external windows and door.

Crime and Disorder Act

Gloucestershire Constabulary would like to remind the planning committee of their obligations under the Crime and Disorder Act 1998, Section 17 and their "Duty to consider crime and disorder implications

(1) Without prejudice to any other obligation imposed on it, it shall be **the duty of each authority** to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can **to prevent, crime and disorder in its area.**"

Secured by Design

Secured by Design focuses on crime prevention of homes and commercial premises; promoting the use of security standards for a wide range of applications and products. The design principles can reduce crime by 60%; create a positive community interaction; work to reduce the opportunities exploited by potential offenders; remove the various elements that contribute and encourage situational crime; and ensure the long term management and maintenance of communal areas.

Conclusion

Gloucestershire Constabulary's Crime Prevention Design Advisors are more than happy to work with the Council and assist the developers with further advice to create a safe and secure development, and when required assist with the Secured By Design accreditation. Please feel free to contact me should you have any queries or wish to discuss these issues further.

- 4.7 **Environmental Health Officer** – Raise no objections to the application subject to the inclusion of conditions.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 The application has been publicised by way of a press notice in the Citizen and through the display of a site notice. In addition 70 properties have been notified of the application in writing and were re-notified on the receipt of additional information. As a result of undertaking additional publicity the consultation period does not expire until after the Committee date.

- 5.1 As a result of this publicity one letter of representation have been received to date from the Trustees of the Barn Owl Centre. The main issues raised can be summarised as:

- Note from the plans that a considerable amount of soil will be entering through our main entrance, down our driveway and tipped onto our leased area and into an area of land we are planning to purchase.
- Object to the Barn Owl Centre's environment being used as a tipping ground for the rowing club for the following reasons:
 - Business and interruption disturbance with machinery.
 - Access through our main gate and driveway.
 - Mess that will be created at our entrance for visitors, staff and deliveries.

- Water run off from the proposed bund and how this will affect our drive, with the existing bund large areas of our leased area are affected by flooding as there is was no ditching put in to channel away unwanted water.
- The area allocated for the Rowing Club's soil is now a regular hunting ground for a pair of wild resident Barn Owls. It's taken 5 years to create suitable habitat in this location to attract them.
- The tipping area is partly under our lease. The outer perimeter of the leased area is an area we intend to purchase.

5.3 The full content of all correspondence on this application can be inspected online via the Council's website at the link below or at Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting.

<http://glcstrplnng12.co.uk/online-applications/applicationDetails.do?activeTab=externalDocuments&keyVal=ND FE0PHM0J100>

6.0 OFFICER OPINION

6.1 Planning permission was granted in 2011 for a new rowing club house with associated facilities, diversion of the canal towpath, provision of a landing stage, car parking, flood storage compensation works and landscaping (ref. 10/01090/FUL). Works have now been completed on the landing stage and preparations have been undertaken for the proposed car parking area. The principle of the proposed use and general scale of the building on this site has therefore been established.

6.2 The current application proposes the same use of the site with variations to the sitting and design of the new club house and re-arrangement of the car parking and servicing area. The application also includes an area of land to the north of Secunda Way adjacent to the Barn Owl Centre to provide the flood compensation works.

Traffic and Transport

6.3 The Vehicular access to the site will be via the existing signal controlled access off Secunda Way. A Transport Assessment was submitted in support of the outline planning application in 2006. A review of the original Assessment was undertaken in support of the 2010 planning application following a traffic count at the signalised junction. The County Council as Highway Authority has raised no highway objection to the application subject to the inclusion of a number of conditions.

Residential Amenity

6.4 The proposed site is a considerable distance from residential properties, being in excess of 450 metres from those in Netheridge Close and approximately 290 metres from the closest property in Hempsted Lane, with an established access point into the site. It is not considered that the building

itself or its use will have a detrimental impact on the amenity of the occupiers of any residential properties.

Design

- 6.5 The layout of the site has been somewhat dictated by the necessity for the individual elements of the proposal to be located in a co-ordinated and logical manner. The landing stage must be on the canal edge and the club house just behind the tow path close to the landing stage.
- 6.6 The layout of the building itself has been informed by flood risk and has been designed to be functional and also to make a statement and respond to views to and from both the canal / towpath and from within the wider market site and Bypass. The building treats the towpath as a 'pedestrianised street' with overlooking and natural surveillance of the waterway from the glazing and projecting balconies together with access from the towpath.
- 6.7 The supporting information states that the design of the building has taken reference from the waterside environment specifically with the use of a curved roofline inspired by the boating heritage of the canal together with the use of timber cladding consistent with traditional boat materials.
- 6.8 The topography of the site is such that it slopes gently down towards the canal which is currently set behind a raised embankment. The layout and massing of the building has taken into account the site levels and the potential flooding implications which has resulted in a double height void space beneath the building with the boat house located on the ground and first floor levels. When viewed from the canal side the building will appear as a three storey building but will appear taller from the rear car parking area.
- 6.9 Although this is a large building it is similar in height to the adjacent building immediately to the north on the BT depot site and the overall design and use of materials help mitigate its impact when viewed from the surrounding area.
- 6.10 The Urban Design Officer has raised concerns regarding the proposed use of the white Microrib cladding and has suggested that the colour and type of panel should be changed. It is considered that the white will stand out and create a more prominent effect and that the overall appearance of the building would be improved with a greater use of natural materials.
- 6.11 The Agent for the application has advised that this material was also proposed for the approved scheme and considers that the use of the white cladding provides a contemporary crisp contrast to the softer more natural appearance of the timber effect cladding and believes that this is an appropriate approach.
- 6.12 Whilst it is accepted that the previously approved scheme did include the use of the white Microrib cladding the Urban Design Officer has made reference to buildings that have recently been completed and that have resulted in negative comments and on this basis he is not happy to support its use in such a prominent location.

- 6.13 A condition is recommended requiring the submission and approval of the proposed materials and the Committee's view is sought on the use of the white cladding.

Flooding

- 6.14 The Environment Agency has confirmed that the site is located in Flood Zone 3b (functional flood plain). The building itself has been designed to be sustainable, durable and adaptable taking into account the flood implications associated with the site. The building incorporates a void beneath the building to minimise the effect of flooding in the wider area.
- 6.15 The current application has calculated that a greater volume of flood compensation is required from that determined by the 2010 Flood Risk Assessment. The area of land previously identified for such works has since been planted with trees and given that a larger area is required than originally anticipated it is proposed to undertake the flood compensation works on an area of land adjacent to the Barn Owl Centre.
- 6.16 The Head of Regeneration and Economic Development has confirmed that agreement has now been reached between the Rowing Club, Barn Owl Centre and the City Council (as land owners) for the proposed flood compensation works.
- 6.17 The supporting information indicates that the club are committed to operating a formal flood warning system linked to the Environment Agency 'Floodline' system, to ensure that use of the building will be restricted during periods when severe flood warnings are in place. In the event of a flood it is stated that all activities will be postponed.
- 6.18 A Sequential Test was undertaken as part of the 2010 application and the report concluded that *"the sequential test has identified that "there are no reasonable alternative sites in areas with a lower possibility of flooding that would be appropriate to the type of development or land use proposed", as is required by PPS25. It is suggested that the statement has demonstrated that the only realistic site for the proposed use is the application site and the sequential test has therefore been satisfied."* This was accepted by Officers and the Planning Committee and while PPS25 has now been superseded by the National Planning Policy Framework I do not consider that there have been any material changes that would change this conclusion.
- 6.29 A surface water drainage strategy has been submitted in support of the current application which proposes the creation of an attenuation pond adjacent to the Black Ditch together with the uses of porous surface materials for the car park.

Ecology

- 6.20 In August 2010 an ecological survey and assessment was undertaken on the site to update the previous survey undertaken in 2006 to support the outline planning application. It was found that the site supports semi-improved grassland, native mixed hedges and a scrub-lined ditch.

The site was assessed as having suitable habitat for the following protected species:

- Water Voles – the ditch provides suitable habitat for water voles but no evidence was found during the survey visit. Water Voles have been recorded from other ditches in the vicinity.
- Bats – the hedgerows and rough grassland are likely to provide suitable commuting and feeding habitat for bats.
- Birds – the dense hedgerows will provide good potential nesting habitat for a variety of birds.
- Other wildlife – the site has the potential to support a variety of other wildlife including invertebrates and small mammals. Common blue, meadow brown and gatekeeper butterflies were recorded.

6.21 The report made a number of recommendations to enhance the biodiversity value of the site although the Environmental Planning manager is satisfied that subject to the inclusion of conditions the proposed development will not adversely affect any protected species.

6.22 It is recommended that conditions be included on any planning permission to control lighting in what is considered to be the beginning of open countryside and an important commuting route for bats. It is also recommended that conditions be added to require the provision of bat boxes and a Water Vole Management scheme.

Trees and Soft Landscaping

6.23 The provision of the landing stage and diverted footpath / cycleway has resulted in the removal of a hedgerow along the canalside boundary. This is considered to be acceptable on the basis that a new native hedgerow will be planted within the site. The existing Ash pollard should however be retained. The ecology report recommends additional planting within the site which can be secured by condition.

Cordon Sanitaire

6.24 The site is located within the cordon sanitaire related to the Netheridge Treatment Works. In a letter to the policy section dated 18th July 2006 referring to Local Plan policy FRP.12, Severn Trent Water Ltd states that it continues in principle to support this policy with regards to considering the appropriateness of allowing development in close proximity to the treatment works 'where it is reasonable to believe the development type is likely to be specifically sensitive to odour'. The letter suggests that less sensitive development such as industry, utilities or temporary/event type development could be acceptable, and that this would need to be reviewed on a case by case basis.

6.25 At the outline application stage it was considered that the proposed nature of all the uses proposed, including the rowing club, would fall into the 'less sensitive development' classification, as members of the public are making a

choice to visit the site for limited periods of time. No objection was received from Severn Trent to the outline application and no comments have been received to date to the current application.

Landscape Conservation Area

- 6.26 The application site is within the Landscape Conservation Area (LCA) as defined on the Local Plan proposals map. The text in the Second Stage Deposit Local Plan (2002) states that it is the intention that LCA's are protected from development that would detract from their character. However, in exceptional circumstances development may be justified if the development is vital to the economic and social well being of the city and no other suitable site is available. In addition the designation of areas as LCA's now has limited weight given the more up to date advice contained in the National Planning Policy Framework.
- 6.27 The use of the application site for a rowing club is identified in the local plan and it is considered that the siting and design of the building are appropriate subject to the use of appropriate materials and landscaping to help minimise the visual impact.

7.0 CONCLUSION

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 7.2 It has long been recognised that the rowing club is currently operating on a constrained site with no opportunity for further expansion or improvements. The benefits of a new club house and associated facilities are clear with links proposed with Gloucestershire College, Hartpury College, local schools and other water based clubs. The application site is identified for a new rowing club in the Second Deposit Local Plan and outline planning permission was granted for a replacement boat house on this site in September 2006 followed by approval of a the detailed scheme in 2011.
- 7.3 The principle of the development on this site has therefore been established with the current application proposing amendments to the siting and design of the building, the landing stage, car park and flood compensation works. Overall it is considered that the proposal represents an appropriate form of water compatible development on this site which subject to conditions will preserve and enhance the character and appearance of the designated Landscape Conservation Area, will not prejudice highway safety and subject to appropriate flood storage compensation works will not result in a loss of floodplain storage capacity. Furthermore the proposal will result in an enhanced rowing club facility with associated benefits to the City. Accordingly the proposal is considered to comply with Policies, BE.21, TR.31, FRP1.a, FRP.12, LCA.1, B.3 and SR.1 of the Second Deposit Gloucester City Local

Plan (2002) and policies contained within the National Planning Policy Framework.

- 7.4 Members are invited to advise on the proposed materials in light of the concerns raised by the Urban Design Officer as set out in section 6 of the report.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

That subject to no new material planning considerations being raised in any representations received at the end of the consultation period, authority be delegated to the Development Control Manager to grant planning permission 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

Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

The development hereby permitted shall be carried out in accordance with the approved (drawing nos. to be added) 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 Second Deposit City of Gloucester Local Plan (2002).

Condition 3

No development approved by this permission shall be commenced until the scheme for the provision of compensatory flood storage works has been implemented in accordance with drawings RSLHT-1899-0155 Rev 04 (dated: 22/09/14, received by the Local Planning Authority on 24th November 2014) and RSLHT-1899-0601 Rev 04 (dated: 04/07/14, received by the Local Planning Authority on 24th November 2014).

Reason

To ensure that appropriate measures are in place prior to the commencement of development to alleviate the increased risk of flooding in accordance with policy FRP.1a of the Second Deposit City of Gloucester Local Plan (2002).

Condition 4

Notwithstanding the submitted details no development shall be commenced until full details and cross sections of the contours for the compensatory flood storage works have been submitted to and approved in writing by the Local

Planning Authority. Development shall be carried out in accordance with the approved details and prior to the commencement of any works.

Reason

To ensure that appropriate measures are in place prior to the commencement of development to alleviate the increased risk of flooding in accordance with policy FRP.1a of the Second Deposit City of Gloucester Local Plan (2002) and to ensure that the finished landscaping is as naturalistic as possible and is sympathetic to the surrounding contouring.

Condition 5

Prior to the commencement of development, details of protective fencing to be erected to safeguard the waterway infrastructure during construction of the development shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details for the duration of the building works unless otherwise agreed in writing.

Reason

To ensure that appropriate measures are in place prior to the commencement of development to protect the environment. The ecological environment in this location is sensitive and dust, run off, waste etc. should be prevented from entering the canal in accordance with policy FRP.11 of the Second Stage Deposit City of Gloucester Local Plan (2002).

Condition 6

Notwithstanding the details submitted no development shall take place on the boat house until details or samples of materials to be used externally have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the materials harmonise with the surroundings in accordance with policy BE.20 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 7

Prior to the diverted towpath being brought into use a management plan shall be submitted to and approved in writing by the local planning authority detailing measures to ensure that the footpath will remain clear and unobstructed at all times, the use of advisory signage and, if deemed necessary, lighting and barriers to be erected to ensure safe usage of the towpath by members of the public.

Reason

The matter referred to in the foregoing condition requires further consideration in the interests of pedestrian and cyclists safety and to ensure the proposal complies with Policy TR.32 of the Second Stage Deposit Local Plan 2002.

Condition 8

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in

writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- I. Specify the type and number of vehicles;
- II. Provide for the parking of vehicles of site operatives and visitors;
- III. Provide for the loading and unloading of plant and materials;
- IV. Provide for the storage of plant and materials used in constructing the development;
- V. Provide for wheel washing facilities;
- VI. Specify the intended hours of construction operations;
- VII. Measures to control the emission of dust and dirt during construction

Reason

To ensure that appropriate measures are in place prior to the commencement of development to reduce the potential impact on the public highway in accordance with policy TR.31 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

No development shall take place until full details of the proposed mitigating and enhancement strategy for the protection of Water Voles and their foraging areas has been submitted and approved in writing by the local planning authority. The strategy shall be carried out as approved.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works to safeguard a protected species in accordance with policy B.7 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 10

No development including demolition or site clearance shall be commenced on the site or machinery or material brought onto the site for the purpose of development until full details regarding adequate measures to protect trees and hedgerows have been submitted to and approved in writing by the local planning authority. This shall include:

(a)Fencing. Protective fencing must be installed around trees and hedgerows to be retained on site. The protective fencing design must be to specifications provided in BS5837:2005 or subsequent revisions, unless agreed in writing with the local planning authority. A scale plan must be submitted and approved in writing by the local planning authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the local planning authority. Such fencing shall be maintained during the course of development,

(b)Tree Protection Zone (TPZ) The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the TPZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment,

fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ, unless agreed in writing with the local planning authority. The TPZ shall be maintained during the course of development

Reason

To ensure that appropriate measures are in place prior to the commencement of any works to provide adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area in accordance with policies B.10 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 11

Where excavations or surface treatments are proposed within the root protection areas (RPA) of retained trees and hedgerows full details must be submitted to and approved in writing by the local planning authority. The RPA is defined in BS5837:2005. Details must include accurate scale plans of proposed locations of excavations and / or surface treatments, proposed methods and specifications of excavations and / or surface treatments and any post excavation remedial works. The development shall then only be carried out in accordance with the approved plans.

Reason

To prevent unnecessary damage or loss of trees in accordance with policies B.10 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 12

No development shall take place on the boathouse or car parking area until full details of the proposed hard landscape works have been submitted to and approved in writing by the local planning authority. These details shall include proposed car parking areas, vehicle and pedestrian access and hard surfacing materials. The development shall be carried out in accordance with the approved details prior to its first occupation.

Reason

In the interests of visual amenity in accordance with policy BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 13

No development shall commence on the boathouse until details of works and measures to discourage seagulls from nesting and roosting on the building have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the Local Planning Authority's published guidance "Gulls: How to stop them nesting on your roof".

Reason

To prevent roosting and nesting sites for seagulls in order to protect the character of the area in accordance with policy BE.9 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 14

The development hereby permitted shall not commence until details for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include proposals for the disposal of surface water in accordance with the principles of Sustainable Urban Drainage Systems (SUDS) and shall be implemented prior to the first use or occupation of the development and maintained thereafter for the life of the development.

Reason

To ensure that appropriate measures are in place prior to the commencement of development to ensure satisfactory drainage arrangements are provided and to determine the potential for pollution of the waterway and likely volume of water in accordance with sustainable objectives of Gloucester City Council, Central Government and policies FRP.6 and FRP.11 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 15

Details of any external lighting proposed to illuminate the development including details of foundations and the proposed hours of illumination shall be submitted to and approved in writing by the local planning authority prior to the commencement of the boathouse or car park. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason

To safeguard local amenities in accordance with policies FRP.9 and SR.3 of the Second Deposit City of Gloucester Local Plan (2002) and to ensure that the lighting at this waterside development is designed to minimise the problems of glare, show consideration for bats and unnecessary light pollution.

Condition 16

No development shall take place on the boathouse or car park until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable to be agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details and timetable.

Reason

In the interests of visual amenity when viewed from the adjacent site and waterside in accordance with policy BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 17

Notwithstanding the details submitted no development shall commence on site or machinery or materials brought onto the site for the purpose of development of the boathouse or car park until a landscape scheme and

landscape management plan has been submitted to and approved in writing by the local planning authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers. Drawings must include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed.

Reason

To ensure that appropriate measures are in place prior to the commencement of development to ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment and the biodiversity of the area in accordance with policies B.2 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002). Landscaping also has the potential to impact on the integrity of the waterway and it is necessary to assess this and determine future maintenance responsibilities for the planting.

Condition 18

The landscaping scheme approved under condition 17 above shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with policies BE.4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 19

No development shall take place on the boathouse until details of the design, number and location of bat boxes to be erected on the site have been submitted to and approved in writing by the local planning authority.

Reason

To enhance the biodiversity of the site in accordance with policy B.8 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 20

Development shall not commence on the boathouse until details of a safe exit route to land outside the 1 in 100 year flood plain, are submitted to and agreed in writing by the local planning. The scheme must not adversely affect the flood regime. This route must be in place before any use of the building.

Reason

To provide safe access and egress during flood events in accordance with the Government's Planning Policy Statement 25: Flood Risk, Appendix G, and reduce reliance on emergency services.

Condition 21

Prior to the first use of the building flood warning notices shall be erected in numbers, positions and with wording all to be agreed with the Local Planning Authority. The notices shall be kept legible and clear of obstruction.

Reason

To ensure that owners and occupiers of premises are aware that the land is at risk of flooding.

Condition 22

Notwithstanding the plans submitted prior to the commencement of the boathouse details of the proposed waste storage and collection shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason

To prevent pollution of the waterway and ground water from wind blow, seepage or spillage of waste products and materials in accordance with Policy FRP.11 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 23

The buildings hereby permitted shall not be brought into use until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plan RSLHT-1899-0122 Rev 02, and those facilities shall be maintained available for those purposes thereafter.

Reason

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraph 35 of the National Planning Policy Framework.

Condition 24

No part of the development shall be occupied until covered and secure cycle storage facilities have been laid out within the site in accordance with details to be submitted to and agreed in writing by the Local Planning Authority; and those facilities shall be maintained for the duration of the development.

Reason

To ensure that adequate cycle parking is provided to promote sustainable transport in accordance with paragraph 32 of the NPPF.

Condition 25

The premises shall be used for rowing club and associated "paddle sports" only and for no other purpose (including any other purpose in Class D2 of the

schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

The Local Planning Authority wish to control the specific use of the premises in the flood plain which should be water compatible, in the interest of local amenity and highway safety in accordance with policies BE.21 and TR.31 of the Second Deposit City of Gloucester Local Plan (2002) and in accordance with the National Planning Policy Framework.

Condition 26

The proposed gym facility, function room and bar area indicated on the approved drawings shall be for uses ancillary to the primary use of the building as a rowing club for use by club members and other boathouse users only and shall not be open for use by the general public.

Reason

The Local Planning Authority wish to control the specific use of the premises, as a general leisure use in this location would conflict with the provisions of the National Planning Policy Framework.

Condition 27

At least one month prior to any event at the rowing club which would result in a level of car parking over and above that available within the application site, a parking management plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that adequate car parking is available in the interests of highway safety in accordance with policy TR.31 of the Second Deposit City of Gloucester Local Plan (2002) and paragraph 35 of the NPPF.

Condition 28

During the construction stages of the development the works, handling, storage and disposal of waste generated by construction of the development shall be carried out in accordance with the relevant legislation and regulatory requirements.

Reason

To accord with Policy FRP.11 of the Second Stage Deposit Local Plan 2002 and because there is the potential for contamination of the waterway and ground water from wind blow, seepage or spillage at the site which should be avoided.

Condition 29

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason

To protect the amenity of local residents in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 30

No deliveries shall be taken at or dispatched from the development before 8am on weekdays and 8.30am Saturdays nor after 6pm on weekdays and 1pm on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason

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

Condition 31

No materials or substances shall be burnt within the application site during the construction phase.

Reason

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

Condition 32

Prior to the commencement of the boat house hereby permitted, equipment to suppress and disperse fumes and/or smell produced by cooking and food preparation, shall be installed and be in full working order to the satisfaction of the Local Planning Authority and shall be effectively operated for as long as the use continues.

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).

Condition 33

The extraction equipment installed in pursuance with the above condition 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.

Condition 34

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.

Condition 35

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: 2014, measured or calculated at 1m from the facade of the nearest noise sensitive premises of the proposed development 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)

Condition 36

Prior to the commencement of the development 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 ensure that appropriate measures are in place prior to the commencement of development 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).

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Notes

1. The applicant/developer is advised to contact Desmond Harris on 01827 252038 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".
2. The Government Pipelines and Storage System (GPSS) may be affected by the proposals. No work or activity should be undertaken without first

contacting the GPSS Operator for advice and, if required, Section 16 Consent. The GPPS Operator can be contacted at OPA Central Services, Ashdon Road, Saffron Walden, Essex, CB10 2NF (e-mail anne.swallow@oilandpipelines.com) 01799 564101. For additional information please visit www.linerearch.org.

3. Wales and West Utilities apparatus may be directly affected by the proposals. No work or activity should be undertaken without first contacting Wales and West Utilities.
4. The finished contours for the flood compensation cut and fill operation on land adjacent to the Barn Owl Centre shall be as soft and naturalistic looking as possible. Slopes shall vary in gradient and changes in angle shall be as gentle as possible and shall be sympathetic to the surrounding contouring. Straight lines are undesirable.

Decision:

Notes:

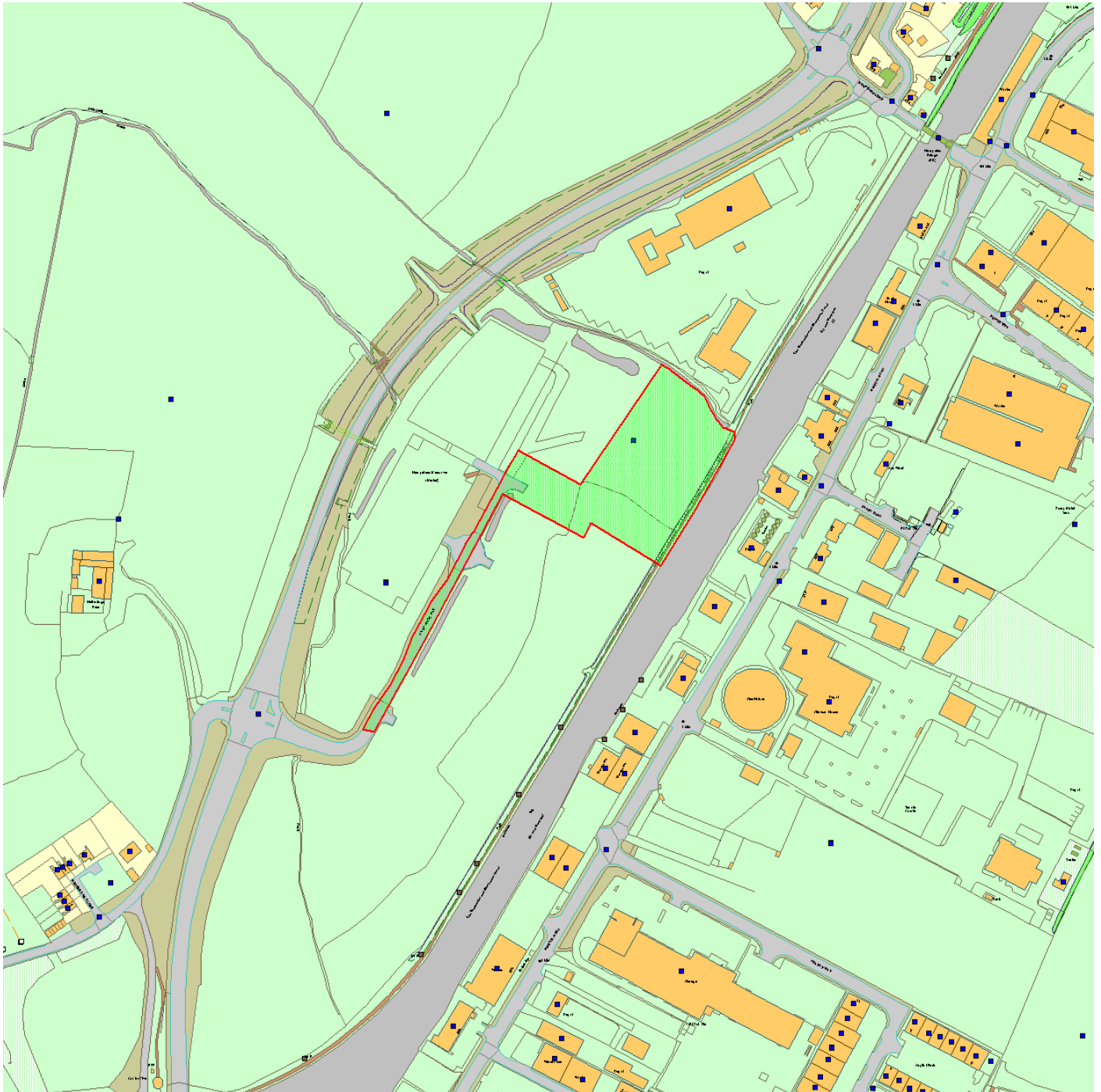
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Person to contact: Caroline Townley
(Tel: 396780.)

14/01195/FUL

Land East Of
David Hook Way
Gloucester

Planning Committee 06.10.2015



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GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **6TH OCTOBER 2015**

ADDRESS/LOCATION : **UNIT G1, THE AQUARIUS CENTRE, EDISON CLOSE.**

APPLICATION NO. & WARD : **15/00836/FUL
QUEDGELEY FIELDCOURT**

EXPIRY DATE : **3RD OCTOBER 2015**

APPLICANT : **MR GRAHAM HOWELL**

PROPOSAL : **VARIATION OF CONDITIONS 2, 16 AND 17 OF PLANNING PERMISSION REF. 14/00288/FUL TO INTRODUCE OPAQUE WINDOWS (OPENABLE IN EMERGENCIES ONLY) IN THE REAR AND SIDE ELEVATION AND TO REVISE THE PERMITTED WORKING HOURS (OFFICE/ADMIN WORKING 07.00-22.00 MONDAY TO SUNDAY INCLUDING BANK HOLIDAYS, WORKSHOP/STORES 07.00 - 18.00 MONDAY TO SATURDAY) AND SERVICING HOURS (07.00 - 18.30 MONDAY TO SATURDAY).**

REPORT BY : **CAROLINE TOWNLEY**

**NO. OF APPENDICES/
OBJECTIONS** : **1. SITE LOCATION PLAN**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located at the end of Edison Close within the Waterwells Business Park. The site is bounded to the north by Naas Lane with existing residential properties on the opposite side. To the south, east and west is employment land / buildings within the business park.
- 1.2 Planning permission was granted for the erection of 2 blocks of 3 industrial units and one detached unit (Classes B1 and B8) including yard, hardstanding, parking and landscaped area together with estate road in 2009 (ref. 08/00169/FUL). A further application was granted for the revised layout/siting of Unit G on 9th October 2014 comprising the erection of an industrial building containing up to three individual units within the B1 (business) / B8 (storage and distribution) Use Class. The proposal also included an associated servicing area and car parking (20 spaces) to the front

of the building, together with landscaping along the northern site boundary adjacent to Naas Lane. The unit has now been constructed and is currently vacant.

- 1.3 The unit has an overall gross internal floorspace of 1,160 square metres with a height of approximately 6.7 metres to eaves and 8.5 metres to the ridge with a roof pitch of 6 degrees. The building is located with the end elevation adjacent to the boundary with Naas Lane.
- 1.4 The current application seeks to vary conditions 2, 16 and 17 to allow the inclusion of windows in the northern elevation of the building and to amend the working and servicing hours.
- 1.5 Condition 2 relates to the approved drawing numbers and this will need to be amended to reflect the amended plans and allow the introduction of windows in the end elevation fronting onto Naas Lane.
- 1.6 Conditions 16 and 17 relate to permitted working and servicing hours and currently read:

Condition 16

The hours during which working may take place shall be restricted to 07.00 to 18.00 Mondays to Fridays and 08.00 to 13.00 on Saturdays. There shall be no such working on Sundays, Bank or Public Holidays.

Reason

In order to protect the amenity of occupiers of nearby properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (200).

Condition 17

The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the hours of 08.00 to 18.00 Mondays to Fridays and 08.00 to 13.00 on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason

In order to protect the amenity of occupiers of nearby properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

- 1.7 The application seeks to amend conditions 16 and 17 to allow extended working and servicing hours. It is requested that condition 16 be amended to extend the permitted hours as follows:
 - Office and administration working hours 07.00 – 22.00 Monday to Sunday including Bank Holidays.
 - Workshop and stores working hours 07.00 – 18.00 Monday to Saturday.

1.8 It is requested that condition 17 be amended to allow the loading and unloading of service and delivery vehicles together with their arrival and departure from site between 07.00 to 18.30 Monday to Saturday.

1.9 The application has been referred to Committee by Councillor Llewellyn.

2.0 RELEVANT PLANNING HISTORY

2.1 Waterwells Business Park was allocated for business use in the Interim Adoption Copy of the Additional Area Post 1991 Boundary Extension Local Plan (Policy E.1 (a)). This allocation was made following a recommendation by the Local Plan Inspector. The site is shown as an employment commitment in the First and Second Stage Deposit Local Plans (June 2001 and August 2002).

2.2 An outline planning application (95/00126/OUT) for the comprehensive development of land for Class B1, B2 and B8 employment with ancillary A1, A2 and A3 uses, open space, park and ride car park, landscaping, associated drainage and highway works was submitted on 22nd February 1995. All matters were reserved for future consideration. Part of the outline application area fell within the area administered by Stroud District Council.

2.3 The application was subsequently amended to delete reference to Class B2 (general industrial) because of the range of uses allowed within the class and the desire that the development should be of a high visual quality. It was agreed at that time if a specific B2 use was proposed it would need to be justified and would be judged on its individual merits.

2.4 An outline planning application (01/00776/OUT) for the development of the former RMC site immediately south of Naas Lane for Class B1 business use (light industry and offices) and storage and distribution (B8) and a new distributor road was granted on 17th February 2004. It is on this part of the site that the current application relates to.

2.5 There have subsequently been various detailed applications and permissions for individual sites within the original business park and former RMC site, with many of the buildings now completed.

2.6 An application for the erection of 2 blocks of 3 industrial units and one detached unit (Class B1 and B8) including yard, hardstanding, parking and landscaped area together with estate road (ref. 08/00169/FUL) was granted on 5th March 2009.

2.7 Planning permission (14/00288/FUL) was granted on 9th October 2014 for the erection of 1 no. industrial unit containing up to 3 individual units (Class B1/B8) with associated servicing area, car parking and landscaping. (Revised layout of unit G previously granted planning permission under ref. 08/00169/FUL).

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:
- Policy FRP.9 (Light Pollution)
 - Policy FRP.10 (Noise)
 - Policy FRP.15 (Contaminated Land)
 - Policy BE.1 (Scale Massing and Height)
 - Policy BE.6 (Access for All)
 - Policy BE.21 (Safeguarding of Amenity)
 - Policy TR.1 (Travel Plans and Planning Applications)
 - Policy TR.9 (Parking Standards)
 - Policy TR.12 (Cycle Standards)
 - Policy E.4 (Protecting Employment Land)
- 3.5 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and NPPG and are a material consideration. The weight to be attached to them is limited, the Plan has not yet been the subject of independent scrutiny and does not have development plan status. The Examination in Public has been ongoing since May 2015. 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, City Plan and any Neighbourhood Plans 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

3.7 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; Gloucestershire Structure Plan policies – www.gloucestershire.gov.uk/index.cfm?articleid=2112 and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

4.1 **Quedgeley Parish Council** – The land levels differ significantly in Naas Lane and the proposals will have an overbearing, intrusive and unacceptable impact on the residents of the existing properties in Naas Lane.

- Strongly oppose the opening hours requested, if approved it will no doubt transgress into operating noisy machinery outside the permitted hours. Naas Lane is a residential area and the impact of this application will severely affect the amenities of those residents.
- Conditions 16 and 17 stated that the restricted hours of operation were ‘in order to protect the amenity of occupiers of nearby properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002)’. This still applies.
- The windows should be removed from the south west elevation to protect the properties in Naas Lane.

4.2 **Environmental Health Officer**– The acoustic report is acceptable and raise no objection to the proposal to vary the hours of operation subject to the inclusion of conditions requiring the workshop door to be kept closed except to allow access and egress and to limit noise levels.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 The application has been publicised by way of a press notice in the Citizen and through the display of a site notice. In addition 51 properties have been notified of the application in writing.

5.2 As a result of this publicity 6 letters of representation have been received from residents in Naas Lane. The main issues raised can be summarised as:

- There are plenty of industrial units available in Gloucester for the company to locate to without the necessity to move to premises so close to residential properties with existing conditions attached.
- Application is for a noisy type of engineering business; the machines listed are definitely noisy and even behind closed doors will be heard some distance away. Grinders make a most irritating noise, most unpleasant and unacceptable.

- Company will be producing noise at levels of over 85db to 110db per machine, and with 4 such machines, running simultaneously, nearly 12 hours a day, 6 days per week, will be producing noise at a level which exceeds "The Control of Noise at Work Regulations of 2005", which came into force on April 6th 2006. When 85db of noise is reached, the Company is liable to provide hearing protection for the workers, when their doors are left open, as they will, who will provide protection for the residents of Naas Lane?
- Proposal is for the building closest to the residents of Naas Lane which have lived here for years, which if goes ahead, will seriously damage their degree of peace, health, and their ability to enjoy their home and garden. Use should be located in an area well away from homes.
- Windows in south west elevation will overlook my property and result in loss of privacy.
- Proposals for opaque glass and to be only opened in emergencies. Windows will be opened by occupants of the premises.
- Will have to look at these windows lit up at night which is not acceptable.
- Proposal will be complete nightmare with noise from machinery and vehicles all day and evening and possibly at night. It is the wrong type of business in the wrong location.
- The permitted hours of work should not be altered or amended as people coming and going from the site alone causes noise. Car doors banging and car entertainment systems blaring on arrival to work, when taking breaks in vehicles and on leaving the site.
- This is a residential area and there are times that should be respected that no workforce comings and goings should be allowed. The residents of Naas Lane were assured that all the units would have restricted permitted hours of work. Late evenings. Sunday's and bank holidays were meant to be times when these units would be unmanned. If all these units end up being allowed to change their hours the residents of Naas Lane will never be able to have any peace and quiet. The hours of work at a lot of these units are regularly broken at the moment and alarms on the units go off at all hours of the day and night. All the building of houses and development were said to have been complete so say by 2011 and still the area is in perpetual flux. If these amendments are allowed to this unit other premises will want to follow suit.
- Feelings of residents in Naas Lane are not being considered.
- Environment has changed from open fields to another domineering building blocking our light and with windows overlooking our homes.
- Time to consider the feelings of those who already live in Naas lane and the effect this will have on our day to day lives and the implications it will have on our house valuations in the future.
- Building lours over our property as an anonymous grey mass blotting out the sun late in the day. Proposed rash of windows in the end elevation will shout for attention and be completely at odds with the other units that abut Naas Lane.

- Machines will be installed in the unit closest to residential properties in Naas Lane. Unit G extends for another 2 bays located away from Naas Lane. Placing them in the closest unit to the Lane displays insensitivity or total disregard for the neighbours.

5.3 The full content of all correspondence on this application can be inspected online via the Council's website at the link below or at Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting.

<http://qlcstrplnng12.co.uk/online-applications/simpleSearchResults.do;jsessionid=AC56257EC088398F83F9F0237A02E2A8?action=firstPage>

6.0 OFFICER OPINION

6.1 It is considered that the main issue for consideration with the application relates to the impact on the residential amenity of the occupiers of properties in Naas Lane. In addition the visual impact of the windows is relevant.

Residential Amenity

6.2 The side elevation of the building is located 27.915 metres from the frontage of the closest bungalow on Naas Lane and 20.336 metres from the front garden boundary. The building is positioned 12.653 metres from the back edge of the carriageway with an intervening 10 metre wide mounded landscape buffer zone.

6.3 The existing levels of the site are already higher than those of the residential properties on the opposite side of the road. From the cross sections provided with the previous application the finished floor levels of the proposed unit are approximately 1.9 metres above that of the closest bungalow.

6.4 The approved plans include a 2 metre high acoustic fence along part of the northern boundary adjacent to the proposed loading/parking area.

6.5 No windows or door openings were shown located in the side elevation of the approved building. The previous application sought planning permission for unrestricted working hours on the basis that restricted hours of operation makes letting of the units very difficult. However, given the proximity of the site to residential properties and the speculative nature of the proposal this was not considered to be acceptable to Officers and conditions 16 and 17 were imposed to reduce the impact of the development on the amenity of the occupiers of adjacent properties. These conditions are the same as those imposed on the original planning permission and include restrictions on working hours, deliveries, no outside storage, positioning of alarm boxes, lighting, hours of construction, the position and details of any extraction fans associated with gas remediation measures and the requirement for an acoustic fence.

6.6 As part of the discussions regarding the approved application it was recommended that if a future tenant of the units requires more flexibility in

terms of the proposed working hours and delivery/servicing times this could be considered further taking into account the nature and operational requirements of the business. Once the intended occupier is known the likely impact on the neighbouring residents could be further assessed and if appropriate an application could be submitted to vary the condition.

- 6.7 The intended occupier of the unit is Hewer FM Ltd. The company is currently located in Hatherley Road and employ 110 staff. It is stated that due to success and growth the company now require larger offices and facilities to retain the employment of existing staff with the prospect of further employment in the future.
- 6.8 The company provide bespoke mechanical and electrical services which include commercial and domestic heating, cooling and ventilation, electrical, lighting and data, design services, heating and electrical servicing and maintenance, commercial pipe fitting and fabrication together with biomass, anaerobic digestion and solar thermal / PV installations.
- 6.9 The works to be undertaken in the unit would include office and administrative functions and a workshop area. The works to be undertaken in the workshop area would comprise of the cutting to length and welding together of steel pipes to form headers for pipework systems to be assembled away from the unit at the clients site together with pipe threading, fitting and assembly for air testing at low pressure. The tools to be used are:
- 4 x grinders.
 - 2 x threading machines
 - 1 x chop saw
 - Small air compressor.

Condition 2 - Inclusion of windows

- 6.10 The amended plans include both ground and first floor windows in the end elevation adjacent to Naas Lane. These windows are proposed to allow natural light into the end of the unit which it is intended would be used as an office. It is proposed that the windows would be three-quarters obscure glazed to allow natural light to the top quarter. It is stated that the windows would only be opened in an emergency.
- 6.11 It is accepted that the windows will be visible from the properties in Naas Lane and that this may increase the perception of being overlooked. However, taking into consideration that the windows are proposed to be obscure glazed and given the distances between the building and residential properties in Naas Lane, it is not considered that the impact would be sufficient to justify a refusal of planning permission. The windows would not have a detrimental visual impact on the appearance of the building.

Conditions 16 and 17 - Variation of working hours and servicing of the site.

- 6.12 The company has indicated that its general hours of operation within the office are from 7 am to 6.30 pm. However, they do run an out of hour's service with

a small number of staff operating until 10pm over 7 days a week for administrative/office functions.

6.13 The company's hours for operation for the workshop and store area are 7am to 6.30pm Monday to Saturday.

6.14 In order to fully assess the potential noise impact on residents in Naas Lane the Environmental Health Officer requested that a noise assessment be undertaken to ensure that:

"Noise generated from items of plant and equipment associated with this application, including vehicles that is an intrinsic part of the overall sound emanating from the premises, shall be controlled such that the rating level, in accordance with BS 4142: 2014, measured or calculated at 1m from the facade of the nearest noise sensitive premises of the proposed development shall not exceed a level of 5dB below the existing typical LA90 background level, with no tonal element to the plant."

6.15 The noise assessment monitored existing background sound levels on the site together with the existing levels of noise emission from the operations at the company's existing premises in Hatherley Road. The measures noise data was then used to predict noise levels at the nearby noise sensitive locations (i.e. the residential properties in Naas Lane). An assessment of noise impact has been undertaken in accordance with the relevant British Standard.

6.16 The conditions relating to hours of work were originally imposed given the speculative nature of the proposal and as with other units within the Waterwells development it is reasonable to assess the impact of extended hours taking into consideration the nature and operational requirements of a named occupier. The submitted noise assessment has allowed the impact of the activities of the proposed use on the neighbouring residents to be assessed and the Environmental Health Officer is satisfied that the noise levels will not result in an unacceptable impact. The proposed condition restricting noise levels 1m from the facade of the nearest noise sensitive premises in effect gives greater protection to neighbouring residents than the original conditions restricting hours of working.

6.17 The City Council's Environmental Health Officer has confirmed that he is satisfied with the findings of the report and raises no objection to the proposal to vary the hours as set out in the application subject to conditions requiring the workshop door to be kept closed except to allow access and egress and to limit noise levels. It is also recommended that any planning permission be made personal to Hewer FM Ltd.

7.0 CONCLUSION/REASON FOR APPROVAL

7.1 The building has been constructed and the current application seeks to vary conditions to allow the inclusion of windows in the end elevation and to allow extended working and servicing hours.

- 7.2 As with the previous application on this site, the main areas of concerns relate to the resultant impact on the amenities of the occupiers of the residential properties along Naas Lane.
- 7.3 It is considered that the proposed amendments to the approved plans and hours of work are considered acceptable and subject to conditions will not significantly adversely affect the amenities of the occupiers of neighbouring properties and that the proposals are in accordance with policies in the Second Deposit City of Gloucester Plans and National Planning Policies.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

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

Required to be imposed by 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 (Amended)

The development hereby permitted shall be carried out in accordance with the approved drawing no. 7410/PL01, received by the Local Planning Authority on 10th March 2014, 7410/PL03c, 7410/PL05 and 7410/PL06 received by the Local Planning Authority on 11th August 2014, 7410/PL02a and 7410/PL04a and 7410/PL07 received by the Local Planning Authority on 1st July 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 Second Deposit City of Gloucester Local Plan (2002).

Condition 3 (boundary treatments) – condition to be amended to reflect the previously approved boundary treatments.

Condition 4 (materials) – materials now approved and the building has been constructed. Condition to be removed.

Condition 5 (drainage) – condition to be amended to reflect approved details.

Condition 6 (contaminated land) – Condition to be amended to reflect approved details.

Condition 7

The landscaping scheme as shown on the approved plan (drawing no. 7410/PL06) shall be carried out in concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development with the exception of the landscaping along the northern boundary which shall be completed in the first available planting season following the commencement of development. The landscaping shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment in accordance with policies BE.4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 8 (temporary parking for site operatives) – Condition no longer required.

Condition 9 (External lighting) - Condition to be amended to reflect approved details.

Condition 10 (Fixed plant relating to the proposed landfill gas monitoring system) - Condition no longer required.

Condition 11

There shall be no discharge of foul or contaminated drainage from the site into either the groundwater or any surface waters, whether direct or via soakaways during the construction of the development hereby permitted.

Reason

To prevent pollution of the water environment in accordance with policy FRP.6 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 12

No materials or substances shall be burnt within the application site during the construction phase.

Reason

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

Condition 13

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.30 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason

To protect the amenity of local residents in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Prior to Occupation

Condition 14

The development hereby permitted shall not be occupied until the vehicular parking, turning, loading and unloading facilities have been provided in accordance with the submitted plan 7410-PL03c, and those facilities shall be maintained available for those purposes for the duration of the development.

Reason

To reduce the potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site in accordance with Policy TR.31 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 15 (Cycle storage) - Condition no longer required.

General

Condition 16 (Amended)

The hours during which working may take place shall be restricted to:

Office and administrative operations: 07.00 to 22.00 Mondays to Sundays, including Bank or Public Holidays.

Workshop and stores: 07.00-18.00 Monday to Saturday with no such working no such working on Sundays, Bank or Public Holidays

Reason

In order to protect the amenity of occupiers of nearby properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 17 (Amended)

The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the hours of 07.00 to 18.30 Mondays to Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason

In order to protect the amenity of occupiers of nearby properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 18

No outside storage shall take place within the curtilage of the site without the prior permission of the City Council

Reason

To protect the character amenities of the locality in accordance with policies BE.9 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 19

No alarm boxes shall be positioned on the walls facing residential premises.

Reason

To preserve the amenity of the neighbouring properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002)

Condition 20

There shall be no outside working without the prior permission of the City Council.

Reason

To preserve the amenity of the neighbouring properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 21

The rating level of noise emitted by any fixed plant relating to a landfill gas management system shall not exceed 5dB below the background noise level. The noise levels shall be determined at the nearest noise sensitive properties. The measurement assessment shall be made according to BS 4142:1997

Reason

To protect the amenity of local residents in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Additional Conditions

Condition

- Noise generated from items of plant and equipment associated with this application, including vehicles that is an intrinsic part of the overall sound emanating from the premises, shall be controlled such that the rating level, in accordance with BS 4142:2014, measured or calculated at 1m from the façade of the nearest noise sensitive premises shall not exceed a level of 5dB below the existing typical LA90 background level, with no tonal element to the plant.

Reason

In order to protect the amenity of occupiers of nearby properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition

Prior to the occupation of the building and at all times thereafter the windows facing Naas Lane shall be glazed with obscure glass in accordance with the details on approved drawing no. 7410/PL04a received by the Local Planning Authority on 1st July 2015. The approved windows shall only be opened in an emergency and shall be kept closed at all other times.

Reason

In order to protect the amenity of occupiers of nearby properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition

The permission relates to Unit G1 only as indicated on drawing numbers 7410/PL02a and PL07 only and shall enure for the benefit of Hewer FM Ltd only and not for the benefit of the land or any other persons interested in the land.

Reason

The nature of the development is such that it is only considered acceptable for the named occupier on the basis of the information submitted. Reconsideration would be required for other occupiers of the unit to assess the impact on the occupiers of neighbouring properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Note

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Decision:

Notes:

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Person to contact: Caroline Townley
(Tel: 396780.)

15/00836/FUL

Unit G
The Aquarius Centre
Edison Close
Quedgeley
Gloucester
GL2 2FN

Planning Committee 06.10.2015



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CITY OF GLOUCESTER

PLANNING COMMITTEE

ON

6th October 2015

DELEGATED DECISIONS

1ST – 31ST July 2015

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

Abbey

15/00624/FUL CARLH

66 Stewarts Mill Lane Gloucester GL4 5UL

Erection of single storey rear extension

G3Y 07/07/2015

15/00686/PDE CARLH

21 Hunters Gate Gloucester GL4 5FE

Single storey rear extension, measuring 4500mm in depth, 2300mm in height to the eaves and 3700mm in height to the ridge

ENOBJ 07/07/2015

15/00688/FUL CARLH

17 Faldo Close Gloucester GL4 5BN

Single storey extension to, and conversion of existing attached garage, and relocation of 1.8 metre high boundary wall adjacent to the highway

G3Y 22/07/2015

15/00918/PDE BOBR

3 Bullfinch Road Gloucester GL4 4WX

Single storey extension to rear

RET 24/07/2015

Barnwood

15/00620/FUL CARLH

37 Middle Croft Gloucester GL4 4RL

Single storey rear extension

G3Y 07/07/2015

15/00704/DCC FEH

Coney Hill Community Primary School Coney Hill Road Gloucester GL4 4NA

Erection of 78sqm detached, flat-roofed, timber framed classroom building on school grounds.

NOB 20/07/2015

Barton & Tredworth

15/00513/FUL ADAMS

94 Alfred Street Gloucester GL1 4BY

Erection of single storey extension to rear and side (demolition of existing conservatory)

G3Y 08/07/2015

15/00579/FUL

BOBR

12 Midland Road Gloucester GL1 4UF

Redevelopment of land used as a private car park to erect two new dwellings. (At land to rear of 11&12 Midland Road).

G3Y 02/07/2015

Elmbridge

15/00558/FUL

BOBR

34 Sisson Road Gloucester GL2 0RA

Single storey extension to rear.

G3Y 07/07/2015

15/00622/FUL

CARLH

26 Sisson Road Gloucester GL2 0RA

Single storey rear extension

G3Y 07/07/2015

15/00660/FUL

CARLH

16 Elmbridge Road Gloucester GL2 0NZ

Two storey extension to existing outbuilding (for purposes ancillary to the principal dwellinghouse)

G3Y 24/07/2015

15/00671/FUL

CARLH

11 Sisson Road Gloucester GL2 0RJ

Demolition of existing garage and erection of two storey extension

G3Y 24/07/2015

15/00701/PDE

BOBR

15 Manor Park Gloucester GL2 0HG

Conservatory to rear.

ENOBJ 10/07/2015

15/00752/LAW

CARLH

77 Sandyleaze Gloucester GL2 0PU

Conversion of existing shed to utility room

NPW 13/07/2015

15/00834/PDE

CARLH

266 Cheltenham Road Gloucester GL2 0JN

Single storey rear extension measuring 5000mm in depth, 2300mm in height to the eaves and 3400mm in height to the ridge

RET 16/07/2015

Grange

15/00458/LAW JONSU

55 Randwick Road Gloucester GL4 0NH

Proposed single-storey rear extension

REFREA 07/07/2015

15/00568/FUL FEH

57 Grange Road Gloucester GL4 0PU

Proposed two storey and single storey rear extension

G3Y 27/07/2015

15/00695/FUL CARLH

3 Nymphsfield Road Gloucester GL4 0NL

Single storey front, side and rear 'wrap around' extension.

G3Y 23/07/2015

Hucclecote

15/00595/FUL CARLH

3 Benson Close Gloucester GL4 5FS

Two storey rear extension and addition of first floor over side garage

G3Y 07/07/2015

15/00636/FUL CARLH

13 Oakwood Drive Gloucester GL3 3JF

Single storey front and side extensions

G3Y 07/07/2015

15/00662/FUL CARLH

111 Chosen Way Gloucester GL3 3BX

Single storey extension to side of dwellinghouse and front of existing garage

G3Y 14/07/2015

15/00703/FUL CARLH

16 Morwent Close Gloucester GL4 5YJ

Single storey front extension, adjoining principal dwellinghouse to detached garage; partial garage conversion

G3Y 27/07/2015

Kingsholm & Wotton

15/00545/FUL		CJR
Kingsholm C Of E Primary School Guinea Street Gloucester GL1 3BN		
Construction of Multi-Use Games area, enclosed by 3 metre high fencing and new access path.		
G3Y	09/07/2015	
15/00576/FUL		CJR
5 Heathville Road Gloucester GL1 3DP		
change of use from former Doctors Surgery to 2 HMO's with 10 letting bedrooms in Property A and 7 letting rooms in Property B.		
G3Y	14/07/2015	
15/00663/COU		BOBR
Northgate House 19 London Road Gloucester GL1 3HB		
Change of use from office to house in multiple occupation (HMO).		
G3Y	16/07/2015	
15/00742/PDE		CARLH
33 Sandhurst Road Gloucester GL2 9AA		
Single storey rear extension		
ENOBJ	09/07/2015	
15/00769/TRECON		JJH
14 Heathville Road Gloucester GL1 3DS		
Remove 2no Holly trees to enable proposed extension.		
TCNOB	14/07/2015	
15/00778/CONDIT		CJR
51 Kingsholm Road Gloucester GL1 3BA		
Discharge of condition 3 (Flood Management Plan) and condition 5 (Refuse and Recycling) for planning permission 15/00311/CONDIT.		
ALDIS	06/07/2015	
15/00784/TPO		JJH
Wotton Lawn Horton Road Gloucester GL1 3WL		
Works as per Gardens for All _ Tree maintenance surveys (June 2015)		
TPDECS	21/07/2015	

Longlevens

15/00330/FUL	JONSU
80 Longford Lane Gloucester GL2 9HA	
Change of use of existing outbuilding to a separate dwelling. (Resubmission of application refused planning permission under application no.13/00875/FUL)	
REFREA	08/07/2015
15/00514/FUL	CARLH
17 Windermere Road Gloucester GL2 0NH	
First floor rear extension	
G3Y	07/07/2015
15/00532/FUL	FEH
51 Cheltenham Road Gloucester GL2 0JG	
Single storey side and rear extension to form garage and study, two storey rear extension, single storey rear extension to form garden room/kitchen, loft conversion with addition of rear dormer window (amended plans)	
G3Y	10/07/2015
15/00572/FUL	FEH
28 Old Cheltenham Road Gloucester GL2 0AW	
Proposed two storey rear extension	
G3Y	16/07/2015
15/00659/FUL	BOBR
8 Cypress Gardens Gloucester GL2 0RB	
Retention of white pvc cladding to dormer windows approved under permission no.14/01168/FUL.	
G3Y	14/07/2015
15/00721/FUL	CARLH
16 Old Cheltenham Road Gloucester GL2 0AW	
Single storey rear and side extension, and erection of porch overhang to side	
G3Y	23/07/2015
15/00798/EIA	ADAMS
University Of Gloucestershire Oxstalls Lane Gloucester GL2 9HW	
Request for EIA Screening Opinion for outline planning application for the erection of a new 10,000sq m business school, the provision of new student accommodation (up to 200 beds) and the creation of additional car parking at the University of Gloucester	
SCR	09/07/2015

Matson & Robinswood

15/00447/FUL

CARLH

27 Prescott Avenue Gloucester GL4 6AT

Erection of a single storey side extension.

G3Y 09/07/2015

15/00696/FUL

BOBR

Oak House 6 Mulberry Gardens Gloucester GL4 6BN

Proposed rear extension to provide indoor disabled therapy pool and associated plant room. (Renewal of planning consent 12/00748/FUL)

G3Y 27/07/2015

15/00796/NMA

CARLH

The Bungalow Sneedhams Green Gloucester GL4 6EQ

Non-material amendment following previous permission reference 15/00299/FUL, for changes to fenestration within all new elevations, and; change of external material of chimney

NOS96 09/07/2015

15/00853/CONDIT

FEH

Former 296 Painswick Road Gloucester GL4 5DE

Discharge of condition 3 (materials), condition 5 (planting and landscape), condition 6 (drainage), conditions 7 and 8 (noise and dust management) and condition 10 (tree protection zone) regarding permission 15/00366/FUL

PADIS 31/07/2015

Moreland

15/00157/FUL

ADAMS

Peel Centre St Ann Way Gloucester

External alterations and enhancements to existing retail warehouse units including complete re-cladding with modern glazing and materials and new entrance lobby for Unit 1A.

G3Y 07/07/2015

15/00538/FUL

CARLH

76 Stroud Road Gloucester GL1 5AJ

Demolition of existing single storey garage and utility space and erection of 2 storey side and rear extension. Single storey rear extension to provide dining area.

G3Y 01/07/2015

15/00608/CONDIT

BOBR

Papa John's Pizza 5 - 7 Stroud Road Gloucester GL1 5AA

Discharge of conditions 7 (waste management) and 9 (materials and works) of planning permission no.14/00381/FUL.

PADIS 08/07/2015

15/00618/DCC

BOBR

Calton Primary School Calton Road Gloucester GL1 5ET

Proposed expansion of Calton Road Primary School from a 2 Form Entry School to a 3 Form Entry to include new Classrooms, new Multi-Purpose Hall, new kitchen, plus other additional facilities (wcs, stores, group rooms) together with a new car park, enhance

NOB 31/07/2015

15/00639/FUL

CARLH

31 Bowly Road Gloucester GL1 5NN

Erection of a two storey side extension, and re-siting of double width driveway

G3Y 09/07/2015

15/00708/CONDIT

BOBR

1A Stanley Road Gloucester GL1 5DQ

Discharge of condition no.3 - (Materials), 4 - (boundary treatments) and 8 - (cycle parking) of permission no.12/00641/REP for a detached 2 bed dwelling house.

ALDIS 31/07/2015

Quedgeley Fieldcourt

14/01477/REM

JOLM

Land To East West Of A38 And Naas Lane Quedgeley Gloucester

Reserved matters approval for the erection of 131 no. one, two, three and four bedroom dwellings, including apartments and houses with vehicular access, drainage and associated works on Area 4B1

AR 07/07/2015

15/00599/FUL

JOLM

Land To East West Of A38 And Naas Lane Quedgeley Gloucester

House substitutions

RET 06/07/2015

15/00600/FUL

BOBR

139 Bristol Road Quedgeley Gloucester GL2 4PQ

Detached dwelling to front.

G3Y 30/07/2015

15/00627/REM JOLM
Land To East West Of A38 And Naas Lane Quedgeley Gloucester

RET 06/07/2015

15/00673/FUL CARLH
67 Fieldcourt Gardens Quedgeley Gloucester GL2 4UD

Extension to existing attached annexe, and subdivision of property to create a new dwelling.

G3Y 14/07/2015

15/00733/CONDIT CJR
Land At Edison Close Quedgeley Gloucester

Discharge of Conditions 3 (Contaminated Land) of consent 08/00169/FUL.

ALDIS 07/07/2015

15/00734/CONDIT CJR
Unit G The Aquarius Centre Edison Close Quedgeley Gloucester GL2 2FN

Discharge of Conditions 6 (Contaminated Land) of consent 14/00288/FUL.

ALDIS 07/07/2015

Quedgeley Severn Vale

15/00543/FUL BOBR
17 The Willows Quedgeley Gloucester GL2 4XG

First floor extension to side and single storey extension to rear.

G3Y 07/07/2015

15/00665/FUL CARLH
84 Bristol Road Quedgeley Gloucester GL2 4NA

Erection of attached double garage. and creation of new dropped kerb and access on/off property to rear off Old Elmore Lane

G3Y 09/07/2015

15/00670/JPA BOBR
Berkeley House Falcon Close Quedgeley Gloucester

Prior approval for change of use from offices (Class B1a) to dwellinghouse/flats (Class C3).

AAPRZ 16/07/2015

15/00702/PDE CARLH
19 Azalea Gardens Quedgeley Gloucester GL2 4GA
Single storey rear extension, measuring 5195mm in depth, 2100mm in height to the eaves and 3750mm in height to the ridge.
NPW 09/07/2015

15/00807/CONDIT CARLH
The Gables Elmore Lane West Quedgeley Gloucester GL2 4PS
Discharge of Conditions 3 (materials) and 5 (Construction Method Statement) of planning permission reference 14/00808/FUL
ALDIS 21/07/2015

Tuffley

15/00502/FUL BOBR
5 Woods Orchard Gloucester GL4 0BN
Variation of Condition 2 of planning permission no.12/00280/FUL to allow for revision to the staircase enclosure of each dwellings, amended materials palette and escape window to bedroom 4. (Amended Description and Plans)
G3Y 29/07/2015

15/00542/FUL BOBR
244 Stroud Road Gloucester GL4 0AU
Two storey extensions to front and rear.
G3Y 16/07/2015

15/00720/FUL CARLH
8 Ardmore Close Gloucester GL4 0BL
Installation of 2 dormer windows to front elevation, and 3 dormer windows to rear elevation.
G3Y 24/07/2015

Westgate

14/00947/FUL CJR
Prince Of Wales 25 Station Road Gloucester GL1 1EW
Demolition of redundant Public House and construction of 14 new 2 bedroom apartments.
G3Y 02/07/2015

15/00356/FUL	BOBR
Former RAF Club 6 Spa Road Gloucester GL1 1UZ	
Conversion and alterations to existing building with first floor rear extension to create 14 flats with 7 off street car parking spaces, associated private amenity space and bike storage. (Resubmission of scheme approved under permission nos.11/01427/FUL	
G3Y	09/07/2015
15/00357/LBC	BOBR
Former RAF Club 6 Spa Road Gloucester GL1 1UZ	
Conversion and Alterations to existing building with first floor rear extension and extending rear dormer to create 14 flats with 7 off street car parking spaces, associated private amenity space and bike storage	
G3L	09/07/2015
15/00438/ADV	ADAMS
Gloucester Brewery Llanthony Warehouse The Docks Gloucester GL1 2EH	
Erection of signs comprising 1 no. set of halo illuminated wall-mounted lettering sign, 1 no. externally illuminated wall mounted sign, 1 no. set of externally illuminated wall-mounted individual lettering mounted onto timber panelling, and 2 no. hanging	
GFY	02/07/2015
15/00484/LBC	ADAMS
Gloucester Brewery The Docks Gloucester GL1 2EH	
External alterations to grade 2 listed building comprising 1 no. hanging sign with external illumination	
G3L	02/07/2015
15/00569/FUL	FEH
24 Clarence Street Gloucester GL1 1DP	
Change of use from existing redundant treatment area to provide domestic apartment within basement and provision of doors to original lightwell to front area.	
G3Y	27/07/2015
15/00570/LBC	FEH
24 Clarence Street Gloucester GL1 1DP	
Change of use from existing redundant treatment area to provide domestic apartment within basement and provision of doors to original lightwell to front area.	
G3L	27/07/2015

15/00605/COU ADAMS
111 Westgate Street Gloucester GL1 2PG
Change of use of part ground floor from tattoo parlour (sui generis) to Domiciliary Care Agency Offices (Class A2)

G3Y 16/07/2015

15/00606/LBC ADAMS
111 Westgate Street Gloucester GL1 2PG
External alterations to Grade 2 listed building to erect vinyls on the front windows to display the logo with details of the company, and list of service provided, window frames and doors to be painted and hand painted sign to fascia

G3L 16/07/2015

15/00631/CONDIT ADAMS
Unit R21 Gloucester Quays Designer Outlet St Ann Way Gloucester
Discharge of Condition 28 of Gloucester Quays outline planning permission ref. 02/00271/OUT (ventilation and cooking fume control measures) in respect of Unit R1 only

PADIS 16/07/2015

15/00633/FUL CJR
7 - 9 Commercial Road Gloucester GL1 2DY
Extensions and alterations to rear at first and second floor levels to existing residential accommodation.

G3Y 21/07/2015

15/00651/CONDIT CARLH
6 Spa Villas Montpellier Gloucester GL1 1LB
Discharge of conditions 3 (a,b & c) and 4 of planning permission reference 15/00020/FUL relating to external materials

ALDIS 07/07/2015

15/00661/CONDIT CARLH
Tesco Supermarket St Oswalds Road Gloucester GL1 2SR
Discharge of Condition 3 of planning permission reference 15/00413/FUL relating to drainage

ALDIS 06/07/2015

15/00664/COU BOBR
12 Arthur Street Gloucester GL1 1QY
Change of use from Guest House to House in Multiple Occupation (HMO).

G3Y 23/07/2015

15/00676/FUL		BOBR
Nat West 21 Eastgate Street Gloucester GL1 1NH		
Relocation of ATM with new stone to match existing to be installed in its current location.		
G3Y	24/07/2015	
15/00681/LBC		BOBR
Nat West 21 Eastgate Street Gloucester GL1 1NH		
Relocation of ATM with new stone to match existing to be installed in its current location.		
G3L	24/07/2015	
15/00728/FUL		BOBR
60 - 64 Eastgate Street Gloucester		
To re-site the electronic window sign from the front window to the rear wall inside the premises		
RET	07/07/2015	
15/00729/ADV		BOBR
60 - 64 Eastgate Street Gloucester		
Electronic sign scrolling information toward our customers		
RET	07/07/2015	
15/00740/TRECON		JJH
2gether NHS Foundation Trust Headquarters Rikenel Montpellier Gloucester		
Minor tree works as per Gardens for All tree survey 5/5/2015		
TCNOB	14/07/2015	
15/00767/EIA		ADAMS
Gloucester Bus Station Market Parade Gloucester GL1 1RL		
Request for Environmental Impact Assessment Screening Opinion for development of new bus station including demolition works and phase 1 highways works for Kings Quarter		
SCR	07/07/2015	
15/00782/NMA		BOBR
Land Between 2 To 4 Wellington Street Gloucester		
Inclusion of trickle vents in windows - minor amendment to development approved under planning permission no.13/01123/FUL.		
NOS96	29/07/2015	

15/00828/CONDIT		FEH
26 Westgate Street Gloucester GL1 2NG		
Discharge of conditions 6 (materials) and 7 (method of demolition) regarding the demolition of several sheds around the yard area to 26A Westgate Street. (ref 15/00581/LBC)		
ALDIS	24/07/2015	
15/00833/NMA		FEH
52 Southgate Street Gloucester GL1 2DR		
Moving external air conditioning units and installing fenced enclosure (amended design)		
NOS96	24/07/2015	
15/00837/CONDIT		FEH
Southgate News & Food 65 Southgate Street Gloucester GL1 1TX		
Discharge of conditions 3 (scale drawings) and 4 (joinery details) regarding planning permission 14/01068/FUL		
ALDIS	31/07/2015	
15/00924/TCOU		BOBR
14 Worcester Street Gloucester GL1 3AA		
Temporary change of use from A1 to A3		
ACC	27/07/2015	
15/00931/TCOU		JONSU
29 Brunswick Road Gloucester GL1 1JE		
Temporary change of use from B1 to A3		
ACC	28/07/2015	

DECISION DESCRIPTIONS ABBREVIATIONS

AAPRZ:	Prior Approval Approved
ALDIS:	All Discharged
AR:	Approval of reserved matters
C3C:	Conservation Area Consent for a period of 3 years
CAC:	Conservation Area Consent
ECREF:	PDE Refused - Commenced
ENOBJ:	No Objections
ENPDEZ:	PDE Decision – No objections
EOBJ:	PDE Decision - Objection
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
PADIS:	Part Discharged
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
RPA:	Refuse Prior Approval
SCO:	EIA Screening Opinion
SPLIT:	Split decision
TCNOB:	Tree Conservation Area – No objection
TELPRI:	Telecommunications Prior Approval
TPDECS:	TPO decision notice
TPREF:	TPO refuse
WDN:	Withdrawn

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