



## PLANNING COMMITTEE

**MEETING** : Tuesday, 12th January 2016

**PRESENT** : Cllrs. Taylor (Chair), Lewis (Vice-Chair), McLellan, Smith, Hobbs, Hanman, Brown, Dee, Toleman, Etheridge and Hansdot

**Others in Attendance**

Jon Sutcliffe, Development Control Manager  
Michael Jones, Solicitor, One Legal  
Joann Meneaud, Principal Planning Officer  
Carly Holder, Planning Officer  
Tony Wisdom, Democratic Services Officer

**APOLOGIES** : Cllrs. Hilton, Williams and Chatterton

**67. DECLARATIONS OF INTEREST**

No declarations were made on this occasion.

**68. MINUTES**

The minutes of the meetings held on 1 and 15 December 2015 were confirmed and signed by the Chair as a correct record.

**69. LATE MATERIAL**

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

**70. GLENVILLE PARADE - 15/01210/FUL, 15/01211/ADV**

The Planning Officer presented her report which detailed an application for the change of use of former public convenience building (suis generis) to A1 (gents barber shop) and signage and advertising to the front of the building at Glenville Parade.

She advised that the public conveniences were privately owned but the Council held a long lease on the property. The conveniences had not been used for at least ten years and no other applications had been put forward to bring the site back into use.

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The Vice Chair noted that the photographs showed that the car park was busy but there were still empty spaces. He noted that the building could almost have been purpose built for the proposed use.

The Chair noted that the highways impact was not considered to be severe and the proposed Class A1 use would help to protect the local centre as well as bringing the building back into use.

Councillor Brown welcomed the new business which would improve a horrible building which had not been maintained. He expressed concerns regarding car parking and the potential for conflict between customers leaving the premises and motor cars entering the car park.

The Planning Officer advised that there was five metres between the entrance and the car park entrance and bollards were in place so there should not be any conflict. The site was part of a local centre and people could walk or use a bus. Three work stations were proposed which would limit the number of customers at any one time.

Councillor Hobbs welcomed the application and he noted that some shop premises in the Bristol Road were closer to the carriageway. He was pleased to endorse the proposal which was in the heart of the local community.

Councillor Smith noted that there had been no conflict when the building was used as a public convenience and she believed that the proposal would enhance the area.

Councillor Etheridge believed that an initiative to improve a building that had been out of use for over ten years should be encouraged.

Councillor McLellan believed that the bank attracted many customers who used the car park as it provided a more personal service than many City centre branches.

Councillor Toleman believed that the hairdresser's customers would be prepared to walk a little further than from the car park as they may not be carrying large amounts of shopping.

**RESOLVED that planning permission and advertisement consent be granted subject to the conditions in the report.**

**71. LAND AT KINGSWAY - 15/00112/REM**

The Principal Planning Officer presented her report which detailed an application for the erection of two industrial buildings on land at the proposed employment area on Framework Plan 5, Kingsway, former RAF Quedgeley site.

She advised that local residents had asked her to point out that recent housing development was not shown on the site plan attached to the report. She displayed photographs and plans clearly showing the new housing developments.

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She advised that significant improvements had been negotiated with the applicant since the application was originally submitted including a reduction in the size and height of the proposed units, the provision of new planting around the buildings and a landscaped bund which would result in greater distances between the new buildings and the existing houses to the south.

Members were referred to the late material which contained the response and conditions proposed by the highway authority. She advised that Unit 1 was 25 to over 38 metres from the boundary with the nearest residential property and Unit 2 was 23 to over 35 metres distant.

She advised Members that the site had outline planning permission for Classes B1 and B8 use so the principle of development was established. The application had originally sought 24 hour use but had now been amended for reduced hours after being advised that a 24 hour use could not be supported.

Conditions were proposed which would:-

- Restrict hours of operation and deliveries;
- Require a further noise assessment prior to first use
- Require a management plan for deliveries.

**John Cordingley, a resident of Naas Lane addressed the Committee in opposition to the application.**

Mr Cordingley stated that the 2000 application had indicated units 92 metres from the nearest house and the current application following recent residential developments indicated units 32 – 92 metres from residences. He noted that the plan attached to the report was based on the 2011 Ordnance Survey and did not show the houses north of Naas Lane.

He expressed concerns including the following:-

- Units overbearing and obtrusive
- Prospect of continuous noise
- Water run from landscaped bund
- Maintenance of bund
- Request for mitigation to prevent flooding
- Continue retaining wall beyond Unit 7
- Felling mature oak trees
- Constant traffic – HGVs to Unit 1 and vans serving the other units
- Noise from work operations
- Noise from air conditioning plant
- Noise from fork lift truck bleep
- Exhaust fume pollution
- Security lighting

He noted that Rudloe Drive was one of two main accesses to Kingsway and had already been damaged by heavy traffic presenting a danger to other road users.

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He noted that there were vacant warehouses on the Waterwells site.

He endorsed the jobs which the proposal would create but asked Members to consider the detail of the application. He requested additional conditions to address the concerns of the Environmental Protection Manager, Quedgeley Parish Council, the Urban Design Officer and the Tree Officer.

He asked that local residents be given an opportunity to assist with the detail of the new development.

The Chair asked for clarification of the documents referred to by Mr Cordingley. He was advised that the previous plan was only indicative and that the proposed development was closer to the southern boundary than the indicative plan had shown and that the new housing had been built since the plan was produced. The overall drainage strategy for Kingsway had been approved and a proposed condition required details specific to this application.

The Vice Chair was advised of the detail of the noise assessment methodology and that proposed conditions 6 and 7 would provide further safeguards. He did raise some concern relating to the appropriateness of Rudloe Drive and whether it was suitable for large lorries.

Councillor Hanman was advised that the oak trees to be felled were currently the subject of Tree Protection Orders.

The Vice Chair requested that appropriate tree species be chosen for landscaping to prevent problems in the future.

Councillor McLellan suggested that loading and unloading hours in Condition 8 be amended to a start time of 09.00hrs and that Saturday afternoons, Sundays and Public or Bank Holidays be removed from Condition 9 (operating hours).

The Development Control Manager advised that the proposed restrictions were based on typical noise levels and there was no evidence to justify further restriction.

The Solicitor confirmed the Development Control Manager's views.

The Development Control Manager further advised that there was no evidence to offer that the proposed hours would be harmful.

An amendment was proposed to amend Condition 8 to allow for deliveries from 09.00hrs on Saturdays (not 08.00hrs as detailed within the condition); and not to allow any working at all on Sundays and Public or Bank Holidays and therefore to remove Sundays and Public or Bank Holidays from Condition 9, and this was carried.

**RESOLVED to grant approval of reserved matters, subject to no new material planning considerations being made within the consultation period which expires on 13 January with the Development Control Manager being**

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**authorised to issue the decision subject to conditions as detailed, and any others considered necessary.**

**72. 7 -12 WESTMINSTER COURT - 15/01291/MOD**

The Development Control Manager presented the report which detailed an application for the discharge of a legal agreement restricting the age of occupants to 50 years and over at 7-12 Westminster Court, London Road.

He reported that the agent had advised that there were two further car parking spaces to the front of the building and that there had been no highways objection.

He noted that the policy regime had changed since the age restriction had been imposed in 1986 and if the original application were to be considered under current planning policies and advice no objection would be raised on the grounds of insufficient parking or amenity space.

He considered that the site was in a sustainable location with public open space nearby and he recommended that the legal agreement be discharged.

**Daniel Drayton, of Evans Jones Planning Consultants, addressed the Committee in support of the application.**

Mr Drayton stated that much had changed in the thirty years since the original consent when the age restriction had been imposed and he believed that the age restriction would no longer be considered reasonable in government terms.

He noted that the site was accessible and well served by public transport and no highways objection had been raised. He noted that the Government was seeking to widen the choice of housing in accessible locations.

Councillor Smith had been a Committee Member when the proposal to lift the restriction had been refused and she recalled that the Committee had been concerned by the possible clash of lifestyles between different age groups together with the lack of parking and amenity space.

Councillor Hobbs noted that some of the occupants had purchased flats in the property specifically not to mix with younger people.

The Development Control Manager advised that current national policy was to develop mixed communities with a wide choice of dwellings. He referred Members to the advice at paragraph 6.4 which stated that an obligation would only be required on an application to address unacceptable impacts and if it was not necessary at the current time it could be removed.

The Solicitor confirmed that advice and added that, on appeal, the Secretary of State would apply that policy and remove the agreement. He advised that policy had moved on and central government had the power to change the context of how people enjoyed their planning rights by changing policy. He noted that existing occupiers would have no recourse for the discharge of the agreement.

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**RESOLVED to grant approval for the discharge of the Legal Agreement dated 29 July 1986 thereby removing the age restriction for occupants of the flats.**

**73. 183,LINDEN ROAD - 15/01450/FUL**

The Planning Officer presented her report which detailed an application for the change of use of ancillary building (C3) to restaurant (A3) at 183, Linden Road.

She drew Members' attention to the letter from the agent contained within the late material and advised that the number of sessions and operating hours had been reduced following the concerns of the Environmental Health Officer.

She referred Members to paragraphs 6.2 to 6.6 of the report which addressed the principle of development.

She noted that there would be a maximum of six customers and the restaurant was only open to pre-booked diners.

The Vice Chair likened the proposal to a domestic barbecue which would be operated on less than one day per week over a year and the additional parking would not be significant.

Councillor Hobbs expressed concerns regarding the principle of inflicting a business in the back garden of a residence surrounded by homes. There could be families with children in those properties and there could be people smoking and drinking in the garden.

Councillor Smith proposed that a temporary consent be granted for one year to assess the impact upon neighbours' amenity.

**RESOLVED that planning permission be granted subject to the conditions in the report and a further condition to grant permission for a period of one year.**

**74. DELEGATED DECISIONS**

Consideration was given to a schedule of applications which had been determined under delegated powers in the month of November 2015.

**RESOLVED that the schedule be noted.**

**75. DATE OF NEXT MEETING**

Tuesday, 2 February 2016 and Tuesday, 16 February, 2016 at 6.00pm.

**Time of commencement: 6.00 pm hours**

**Time of conclusion: 8.05 pm hours**

**Chair**

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