



Gloucester City Council

Planning Committee

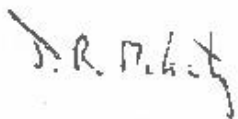
Meeting: Tuesday, 12th January 2016 at 6.00 pm in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP

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 - 34) To approve as a correct record the minutes of the meetings held on 1 and 15 December 2015.
4.	LATE MATERIAL Please note that any late material relating to the applications detailed below will be published on the Council's website as a supplement in the late afternoon of the day of the meeting.
5.	GLENVILLE PARADE - 15/01210/FUL, 15/01211/ADV (Pages 35 - 44) Application for determination: Extension to and Change of Use of former public convenience building (suis generis) to A1 (gents barber shop), and signage and advertising to front of building. Contact: Development Control – tel: (01452) 396783

6.	<p>183,LINDEN ROAD - 15/01450/FUL (Pages 45 - 54)</p> <p>Application for determination:</p> <p>Change of use of ancillary building (C3) to restaurant (A3).</p> <p>Contact: Development Control – tel: (01452) 396783</p>
7.	<p>LAND AT KINGSWAY - 15/00112/REM (Pages 55 - 78)</p> <p>Application for determination:</p> <p>Erection of two industrial buildings.</p> <p>Contact: Development Control – tel: (01452) 396783</p>
8.	<p>7 -12 WESTMINSTER COURT - 15/01291/MOD (Pages 79 - 88)</p> <p>Application for determination:</p> <p>Discharge of legal agreement restricting the age of occupants to 50 years and over.</p> <p>Contact: Development Control – tel: (01452) 396783</p>
9.	<p>DELEGATED DECISIONS (Pages 89 - 104)</p> <p>To consider a schedule of applications determined under delegated powers during the month of November 2015.</p>
10.	<p>DATE OF NEXT MEETING</p> <p>Tuesday, 2 February 2016 at 6.00pm.</p>



Jon McGinty
Managing Director

Date of Publication: Monday, 4 January 2016

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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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.

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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, 1st December 2015

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

Officers in Attendance

Jon Sutcliffe, Development Control Manager

Michael Jones, Solicitor, One Legal

Adam Smith, Principal Planning Officer, Major Developments

Bob Ristic, Senior Planning Officer

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllr Smith

52. DECLARATIONS OF INTEREST

Councillor Chatterton declared a prejudicial interest in agenda item 6, Victoria Basin by virtue of his position as Museum Director at the Soldiers of Gloucestershire Museum.

53. MINUTES

The minutes of the meeting held on 3 November 2015 were confirmed and signed by the Chair as a correct record.

54. LATE MATERIAL

Members' attention was drawn to the late material in respect of agenda items 1 and 8 which had been published on the internet as a supplement to the agenda.

55. VICTORIA BASIN, GLOUCESTER DOCKS - 14/01377/FUL

Councillor Chatterton, having declared a prejudicial interest in this application, retired to the public gallery and took no part in the debate.

The Principal Planning Officer presented his report which detailed an application for the stationing of a replica pirate galleon with masts at the dockside and use as a

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café, erection of a bin store, and ramp to pontoon, works to dock side barrier at Victoria Basin, The Docks.

He advised that the vessel comprised a steel hull with a steel skeleton superstructure clad in timber. It would also have pirate themed accessories added to it including replica cannon, treasure chests, beer barrels and pirate models.

It would be used as a café and for children's parties, and would seat a maximum of 80 adults and children. A number of staff would be required to run the business.

David Howard, the applicant, addressed the Committee in support of the application.

Mr Howard hoped to address two controversial aspects. He advised that the location had been selected by former British Waterways managers and was bounded on three sides by commercial properties and by a public car park on the fourth. There were no legally permitted residential berths in the basin. Access was good with safety barriers on the dockside.

The vessel had a steel hull with modern fittings, disabled access and fire precautions. The colours were warm and not intimidating to children and would maintain the fantasy.

It was expected to attract thousands of visitors from outside Gloucester. Educational facilities would be provided for school visits including books and artefacts at no charge to schools or pupils.

Jobs would be created for local people with a living wage.

Mr Howard thanked the Principal Planning Officer who had suggested conditions and restrictions. He confirmed he was happy with any restrictions imposed by the Council and he confirmed that the vessel was not to be used as an adult events venue. He noted that the masts would be 8 metres above water level and flags would be 9 metres above water level.

Greg Moger addressed the Committee in opposition to the application.

Mr Moger advised that he was representing boat owners.

He had visited the boatyard and described the vessel as a shed on a dumb barge. It would dominate the preserved Victorian port in a cathedral city. He believed that it would open the doors to tack and he advised that boat owners already tolerated events of short duration. even a temporary permission would set a precedent.

He stated that the proposal would add to parking problems and anti-social behaviour in the area and would destroy the peaceful setting of the Docks.

He noted that the Gloucester Docks Estate Company objected to the proposal and believed that Victoria Basin should remain non-commercial. The Docks had won awards and all the boats using the basin, old or modern, were authentic. He asked Members to reflect before reaching their decision.

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Councillor Hilton stated that pirate galleons had never sailed from Gloucester which was a Victorian industrial port. He believed that the proposal would destroy the ambience of the Docks and if the application had been in the form of a building it would be rejected.

He believed that it was a 'carbuncle' and granting consent would make the Committee a laughing stock. The other boats using the basin, old and new, were authentic and the proposal represented a poor Disney-style theme park.

Councillor Lewis believed that the application had a place but not in Victoria Basin. He agreed that the wood gave the vessel a warm appearance and children would have a great time aboard but not in this location.

Councillor Dee agreed that the galleon should be located away from the historic Docks as it would ruin the authenticity of the site, possibly further south towards Sainsburys.

The Chair believed that the proposed location was acceptable and would help to link the quays to the City Centre. He had no concerns regarding amenity as the galleon would not be open at night.

Councillor Williams believed that more was needed in the City for young people and children. She noted that the Docks had been intended to provide a mix of entertainment, residential and business uses.

Councillor McLellan agreed with the Chair and Councillor Williams. He believed that the proposed location would be good for children but noted that the owners of the Docks would be able to prevent the development anyway if they did not want it. He noted that the Conservation Officer had not objected.

Councillor Hanman agreed with Councillor McLellan.

Councillor Toleman believed that the galleon was hideous and it would live or die on market forces.

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

56. LAND TO SOUTH OF WATERWELLS DRIVE - 15/00892/FUL

The Development Control Manager presented the report which detailed an application for the erection of a new manufacturing and distribution facility (Use Classes B2/B8) and ancillary office with associated car parking, landscaping and access arrangements on land to the south of Waterwells Drive.

He advised that the intended occupier was FLI who currently occupied other premises at Waterwells and Madleaze Road. These sites would be relocated with an anticipated increase of 30 jobs.

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He drew Members' attention to paragraph 6.7 of the report⁶ which detailed the applicant's proposal for quiet working between 23.00 and 07.00 hours.

He noted that the Environmental Protection team were satisfied with the proposed noise conditions. There was a policy requirement for 8 metre easements along the watercourse and there were pinch points where the building was closer to the watercourse for a limited area which was considered to be acceptable.

Bill Hayley, director of the Hayley Group addressed the Committee in support of the application.

Mr Hayley advised that FLI had been bought from receivership and opened the current factory in Waterwells in 1996. The workforce had grown from 54 to 77 and the main activity was the manufacture of telecommunications masts. The market for masts had disappeared and a new market developed with the manufacture of railway electrification equipment.

He thanked Officers for their assistance and confirmed his acceptance of all proposed conditions but requested that conditions 19, 20 and 21 have the words "for B2 use" added.

He explained that this was requested to provide an alternative if the business environment required a change to a B8 Class distribution use. He advised that a high quality building was specified and the anticipated cost was £3 million more than originally expected.

The Development Control Manager advised Members that the impact of a 24 hour B8 use had not been fully assessed and if that use was to become dominant the applicant could apply to vary the conditions. He emphasised that the Committee did not have the necessary information on the impact of a 24 hour storage/distribution use to make that decision.

Councillor Hobbs welcomed the application for a very attractive building for a local company that was doing well but he acknowledged that there was insufficient information to consider varying the conditions.

Councillor Hanman questioned the need for any restriction on the business.

Councillor Williams noted that there was a distribution business nearer to residential properties than the application site.

The Development Control Manager reiterated that the application before the Committee had been assessed and considered acceptable for 24 hour employment use. Whilst he could not say whether 24 hour operation for a solely B8 use would not be acceptable, there was no evidence available to prove that it would be.

The Chair suggested delegating authority to approve the change subject to a satisfactory noise impact assessment.

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Councillor Hilton believed that the application be approved in accordance with the recommendation as the local community had not been consulted on the change requested by Mr Hayley. The applicant could always apply to vary the conditions.

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

57. BRISTOL ROAD - 15/00286/REM AND 15/00287/REM

The Senior Planning Officer presented his report which detailed two applications for sites that were formerly in separate ownerships:-

Site A – 15/00286/REM - Reserved matters scheme for 172 residential dwellings with associated open space and landscaping at the former St Gobain & Wellman Graham factories, Bristol Road/Tuffley Crescent.

Site B – 15/00287/REM - Reserved matters scheme of 86 residential dwellings with associated open space and landscaping at the former Contract Chemicals site, Bristol Road.

He drew Members' attention to the late material which contained confirmation that Gloucestershire County Council Highways raised no objection and were drafting conditions; additional representations; a letter from PS Development Solutions Ltd and a revised Officer recommendation.

Councillor Dee was advised that there would be no vehicular through route between Bristol Road and Tuffley Crescent.

Councillor Hanman expressed concern that a previous occupier had produced soda and cyanide on the site. He was advised that considerable remediation had been undertaken pursuant to a remediation condition on the outline planning consent.

Councillor McLellan referred to the letter from PS Development Solutions Ltd and was advised that the current applications were for reserved matters only and noise had been addressed by condition at the outline application. He was advised that the new dwellings would need to meet the required noise standards as set out in the conditions on the outline planning consent and the applicant may have to amend the layout if the condition could not be discharged.

Councillor Lewis was reassured that it was the applicant's responsibility to achieve acceptable noise levels in accordance with this condition.

Councillor Hobbs welcomed the application and requested that officers write to the Highways section requesting that LED lighting was specified.

Councillor Hilton suggested that the parking spaces identified for visitors be restricted to such use by condition. He was advised that the application made generous provision for parking and such a condition would be difficult to enforce.

Councillor Lewis requested that the Committee be informed about who would maintain the visitor parking spaces.

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RESOLVED that the Development Control Manager be authorised to approve the reserved matters applications subject to the conditions in the report, any additional relevant conditions as recommended by the Highway Authority and any associated revisions to the approved drawings under Condition 2.

58. LAND NORTH OF INNSWORTH LANE (CONSULTATION BY TEWKESBURY BOROUGH COUNCIL)

The Development Control Manager presented his report which detailed a consultation by Tewkesbury Borough Council in respect of an application being determined by that Council for a mixed use development on land north of Innsworth Lane comprising demolition of existing buildings up to 1300 dwellings and 8.31 hectares of land for employment generating uses comprising a neighbourhood centre of 4.23 ha (A1, A2, A3, A4, A5, D1, D2, B1), office park of 1.31 ha (B1) and business park of 2.77ha (B1 and B8 uses), primary school, open space, landscaping, parking and supporting infrastructure and facilities, and the creation of new vehicular accesses from the A40 Gloucester Northern Bypass, Innsworth Lane and Frogfurlong Lane.

Councillor Porter, a ward Member for Longlevens, was invited to address the Committee.

Councillor Porter stated that Longlevens residents were concerned at the impact of this application which was in addition to 700 spaces at Twigworth proposed in the Joint Core Strategy (JCS). There was provision for 800 primary school places but no provision for secondary education places. The area was served by two surgeries which were already operating at capacity.

He stated that the existing infrastructure was totally inadequate for this application. He believed that it should be mentioned that parts of the site were underwater in 2007 and the land was currently in the Green Belt and there was no submission to the secretary of State to remove that protection.

He noted the importance of ensuring that the proposed access to the A40 was completed before development commenced.

He stated that the area had the largest infants and junior schools in the City but these were already full as were the two surgeries. The Universities were expanding and he questioned where the student population would obtain health care.

In conclusion, he requested that the points which he had mentioned be raised with Tewkesbury Borough Council.

Councillor Williams believed that the land should not be in the Joint Core Strategy because of flooding concerns. She noted that Tewkesbury Road flooded regularly; the traffic situation would be made worse; there was no provision for medical care and Gloucester Royal Hospital was full; there was no medical practice proposed and no schools for senior pupils.

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Councillor Hilton believed that the application was premature. He stated that the JCS Inspector would want to consider the proposed allocations holistically. He noted that flooding issues could be addressed by linear parks but this could not be achieved through applications considered on a piecemeal basis. He believed that traffic would cause problems and he called for reassurance on drainage issues.

The Chair stated that the site was one which the Council had indicated that it would wish to see developed in the JCS.

Councillor Chatterton expressed concerns regarding medical issues and education provision. He noted that Hunts Grove was a development of similar size in total and had overwhelmed facilities in that locality.

He asked that the following issues be raised in addition to the recommendation:-

- medical provision
- primary school places
- proper secondary school provision

Councillor McLellan asked about the provision of affordable housing and the Development Control Manager advised that 35 per cent affordable housing was proposed and that Tewkesbury Borough Council would seek the views of Gloucestershire County Council on education provision.

Councillor Dee stated that no reliance could be placed on traditional views on what was protected land until the JCS Inspector's report was available.

Councillor Toleman expressed concern on how the application would address traveller and gypsy issues.

Councillor Lewis noted that Tewkesbury Borough Council would consult the education authority on schools provision.

The Chair proposed that the recommendation had a further point added to make reference to the issues of primary and secondary education; medical provision; highways and drainage.

RESOLVED that Tewkesbury Borough Council be advised that Gloucester City Council supports the principle of the development proposed in the outline planning application, but requests that careful consideration be given to the following issues either by requiring further information before a decision is reached, or securing the objectives by means of Planning Obligations and Planning Conditions (as appropriate)

1. That the A1 retail floorspace should be for the provision of local food/convenience expenditure, not for comparison spending, as this would impact unduly on other retail centres in Gloucester.

2. That the issue of gypsy and traveller provision should be properly addressed at this outline stage.

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3. That if possible the employment land provision should be increased to match the aspirations set out in the JCS.

4. That the opportunities to enhance ecological connectivity in the development site be explored and secured through management agreements.

5. That the issues of primary & secondary education, medical provision, highways and drainage be given careful consideration.

59. FORMER GLOSCAT SITE, BRUNSWICK ROAD (GREYFRIARS SITE) - 15/01408/CONDIT

The Principal Planning Officer presented his report which detailed an application for the discharge of Condition 29 (Public Art) of planning permission 15/00362/FUL at the former Gloscat site, Brunswick Road. He confirmed that it had been brought back to the Planning Committee because this had been requested when members considered the original planning application for the site.

Councillor Chatterton considered that the cloister remains were more important than proposals for planting trees in the square. In terms of the Roman wall proposal, he noted that the illustrated proposals included Roman military diplomas and he asked if something more specifically relevant to the history of the City could be used instead, either the history of Gloucester generally or preferably to Gloucester's Roman period.

The Principal Planning Officer undertook to convey that suggestion to the applicant and would advise Members of the outcome.

Councillor Toleman asked that the plaques be firmly fixed to prevent theft.

RESOLVED that the Development Control Manager be authorised to partially discharge Condition 29 subject to the applicant providing the items listed in the report and satisfactory outcome of discussions regarding the proposed plaques.

60. DELEGATED DECISIONS

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

RESOLVED that the schedule be noted.

61. DATE OF NEXT MEETING

Tuesday, 15 December 2015 at 6.00pm

Tuesday, 12 January 2016 at 6.00pm

Time of commencement: 6.00 pm

Time of conclusion: 8.32 pm

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Chair

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PLANNING COMMITTEE

MEETING : Tuesday, 15th December 2015

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

Others in Attendance

Jon Sutcliffe, Development Control Manager
Michael Jones, Solicitor, One Legal
Joann Meneaud, Principal Planning Officer
Louise Follett, Senior Planning Policy Officer
David Durden, Senior Enabling Officer
Alex Mason, Environmental Health Officer
Tony Wisdom, Democratic Services Officer

APOLOGIES : None.

62. DECLARATIONS OF INTEREST

Application 14/01063/OUT – Land at Winneycroft Farm.

Councillors Williams and Toleman declared personal non-prejudicial interests as Board Members of Gloucester City Homes.

Councillor Smith declared a prejudicial interest as she lived near the site and could be affected by the impact of increased traffic.

Application 15/01142./FUL – Gloucester Bus Station

Councillor Etheridge declared a prejudicial interest by virtue of his employment.

63. LATE MATERIAL

Members' attention was drawn to the late material in respect of agenda items 4 and 5 which had been published on the Council's website as a supplement to the agenda.

Due to the quantity of such information the Chair allowed sufficient time for Members to read the information.

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64. LAND AT WINNEYCROFT FARM, CORNCROFT LANE - 14/01063/OUT

Councillors Williams and Toleman had declared personal non-prejudicial interests as Board Members of Gloucester City Homes.

Councillor Smith declared a prejudicial interest as she lived near the site and could be affected by the impact of increased traffic. She left the meeting during consideration of this item.

The Principal Planning Officer presented her report which detailed an outline application for the erection of up to 420 dwellings and community space/building as well as associated landscaping, public open space, access, drainage, infrastructure, earthworks and other ancillary enabling works on land at Winnycroft Lane, Matson.

She advised that it had been intended to send the late material on Monday but this had not been possible due to e-mail problems. She noted that the highways comments had been omitted from the committee report in error and advised that the reference to English heritage on Page 36 of the late material should read that English Heritage had no objection to the application.

She drew Members' attention to the revised recommendation contained within the late material.

Councillor Haigh, ward Member for Matson and Robinswood, addressed the Committee in support of the application.

Councillor Haigh welcomed the application and stated that the developer had undertaken considerable consultation in the community. She advised that local residents understood the need for high quality housing and were keen that this development should become part of their community.

She hoped that the community would benefit from the S.106 contributions in particular Matson library and improvements to bus services. Traffic on Winnycroft Lane was a serious concern and she hoped that there would be serious mitigation at the junction with Painswick Road.

She believed that the sports pitches had not been included at the request of the local community who would have preferred for the monies to be spent on existing sports facilities within the ward.

She expressed disappointment at the proposed amount of affordable housing but supported the proposed reviews and asked Members to consider the provision of fifteen per cent affordable housing to be the absolute minimum acceptable on this site.

Keith Fenwick for the applicant addressed the Committee in support of the application.

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Mr Fenwick stated that the application was the result of fourteen months of detailed negotiations with Council Officers who had ensured the robustness of the scheme. Barwood had been involved with the local community since the summer of 2013 and had produced a proposal that would produce 100 jobs, £4.9 million local spend and £3.43 million for local services.

Consultants engaged by the applicant had concluded that the scheme would only be viable with zero provision of affordable housing and Barwood had offered ten per cent on or off site

Mr Fenwick noted that the Council's consultant had suggested fifteen per cent but he believed that this figure was not supported by the same level of evidence as the applicant's figures.

He suggested that in order to prevent the joint working going to waste, should no agreement be reached before the end of January, both parties enter into binding Royal Institute of Chartered Surveyors (RICS) arbitration.

Barwood would underwrite the Council's costs and would be content to be bound by the findings.

In conclusion, Barwood welcomed the opportunity to provide a valued extension to an existing community.

Councillor Lewis welcomed the application which he would only support on the basis of the provision of fifteen per cent or more affordable housing. He noted the Joint Core Strategy target of forty per cent and asked the Council's consultant to explain.

Lionel Shelley, the consultant engaged by the Council to advise on viability issues, explained that he had run a number of appraisals but he considered the main issue was the base land value. The applicant's consultant had used a price to value the land but he referred to a recent case in Islington where the Department for Communities and Local Government commented that land values should reflect policy requirements.

Councillor Hilton referred to the quantity of late material and asked why the application could not have waited until the next scheduled meeting of the Committee. He noted that the JCS proposed forty per cent affordable housing on sites of ten or more dwellings. He believed that the application was an attempt to circumvent the core strategy. he noted that the site was farm land with no archaeological concerns, no history of contamination and historic buildings so he called on the Committee to reject the application until a proper level of affordable housing could be achieved.

Councillor Chatterton questioned the Police contribution request. The Solicitor explained that the police had been given an opportunity to make further representations as the original request had not taken into account recent appeals involving Community Infrastructure Levy Regulation 123 which prohibited the pooling of contributions. With the exception of the costs of providing a policing point

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98 per cent of the contribution was not pertinent and could not be directly related to the site.

Councillor McLellan questioned the contribution toward education as he was expecting the provision of a site for a school. He was advised that even with the other site being taken into account, the total number of dwellings would not require the provision of a school on the site.

He expressed concerns regarding the impact on traffic using Winnycroft Lane and the provision of affordable housing. He noted that the site could change ownership several times before development was fully achieved and each owner would require to make a profit.

Jamie Mattock, GCC Highway Officer advised that there was no evidence available to suggest that Winnycroft Lane would be unsafe. Widths varied from 6.5 to 6.7 metres and two cars could pass in 4.1 metres width. She noted that sheep on the highway was not an unusual occurrence but this happened on roads with far heavier traffic on the Cotswolds and in the Forest of Dean. She confirmed that the Highway Authority was satisfied with the proposals.

Councillor Williams echoed Councillor McLellan's comments and she noted that health needs had not been addressed in the report. She stated that the general practitioners were at full stretch and the number of residents would impact on Gloucester Royal Hospital.

The Principal Planning Officer advised that there were surgeries in Matson and Abbeydale and that the latter had planning permission for a significant extension. She advised that the provision of medical facilities was a matter for the JCS and the City Plan.

In answer to a question from the Chair, she advised that land had been allocated for a surgery at Kingsway which still had not been provided.

Councillor Toleman what risks would arise if the Council considered arbitration or at an appeal.

The Development Control Manager stated that should Members approve the revised recommendation it would remain to be seen if the Applicant would sign the S.106 agreement. If he did not the matter would come back to Members to consider and if he did there was a provision in legislation for the applicant to request an early review. if the matter went to appeal, an inspector could take the view that no affordable housing was required.

The Chair was not happy with fifteen per cent on what may be the last significant greenfield site without contamination in the City.

The Senior Planning Policy Officer advised that the JCS policy had not yet been considered by the Inspector and the forty per cent affordable housing policy was yet to be adopted.

Councillor McLellan was advised that Section 106 contributions were required to be reasonable, necessary and directly related to the development.

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The Development Control Manager advised that provision of a site for a school could impact upon other factors and further affect the viability of the proposal.

Councillor Chatterton believed that the local school was an academy and not obliged to expand. He referred to Page 11 of the late material where the JCS consultants, PBA, believed that twenty per cent affordable housing was achievable.

Lionel Shelley explained that the PBA figures related to a high level assessment which was not specific to each site in the JCS.

The Development Control Manager believed that it was important that Members should consider viability taking into account all the S.106 contributions which totalled £3.3 million. The applicant considered that ten per cent affordable housing was viable, the Council's consultant recommended fifteen per cent and he cautioned against seeking twenty per cent on the basis of higher level analysis.

Councillor Hilton moved the recommendation in the Late Material with the amendment that a minimum of twenty per cent affordable housing be required rather than fifteen per cent. The motion was seconded.

RESOLVED that subject to no new material planning considerations being raised within the consultation period, the completion of a section 106 agreement to secure the requested planning obligations together with the provision of a minimum of 20% affordable housing (and a review mechanism for the re-assessment of the viability of the scheme), that outline planning permission be granted subject to detailed conditions covering the issues detailed below, (and any further conditions considered necessary) and that delegated powers be granted to the Development Control Manager to prepare the detailed wording of the conditions. The review mechanism referred to will be undertaken upon the completion of 140 dwellings and a subsequent review undertaken at a period of 3 years from the occupation of the 140th dwelling. At this 3 year period, the assessment shall apply to all the remaining unoccupied dwellings (built and unbuilt) at that time.

Conditions to be attached will include the following, with any others considered necessary. It will also be appropriate for some of the conditions to be dealt with on a phased basis.

Standard outline conditions

Reserved matters applications requiring all details except means of access to the site.

Approval of plans submitted

Submission of phasing plan with agreement for some conditions to be dealt with on a phased basis.

Full drainage details including full details of any pumping station

Detailed plans of ponds with levels and sections

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Provision of buffer to watercourse

Restriction on hours of construction work and deliveries to and from the site.

Provision of car parking for site operatives within the site.

Details of storage of materials and temporary buildings during construction.

Secure fencing to the construction site.

Measures to protect trees during construction works.

No removal/felling of landscape features during the bird nesting season.

Details of proposals to strengthen and improve hedgerows to be retained and proposals for new tree and hedge planting.

Protection of new landscaping for 5 years.

Ecological method statement and management plan including updated survey information in relation to bats and badgers.

Details of existing and proposed levels across the site

Details of noise mitigation proposals (including noise bund and fencing) prior to commencement of works, measures in place prior to occupation and sample testing prior to occupation.

Submission of programme of further archaeological work,

Submission of site investigative report and measures to deal with any contamination found and any remediation work undertaken prior to occupation, with sample testing and details of long term monitoring.

Conditions as recommended by Highway Authority – (there is some overlap with conditions referred to above so these will be amalgamated).

No works shall commence on site until details of the pedestrian crossing improvements along Matson Avenue at Gatmeres Road, Munsley Grove, Hill Hay Road, St Peter's Road, Red Well Road and Winsley Road shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details prior to first occupation of the site.

Reason:- To ensure that [the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework

No works shall commence on site until details of capacity improvements to the signalised junction of Norbury Avenue/Painswick Road have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details prior to first occupation of the site

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Reason: To ensure that cost effective improvements are undertaken to the transport network that mitigate the significant impacts of the development in accordance with paragraph 32 of the National Planning Policy Framework.

Prior to the occupation of the dwellings a bus shelter (to include seating and lighting) shall be erected at the existing stop along Matson Avenue located between the junction of Gatmeres Road and Caledonian Road on the south western bound direction in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is designed to provide access to high quality public transport facilities in accordance with paragraph 35 of the Framework.

Details of the layout and access, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe and suitable means of access for all people in accordance with Paragraph 32 of the Framework.

No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe and suitable access is achieved and maintained for all people as required by paragraph 32 of the Framework

No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Paragraphs 32 and 35 of the Framework.

Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed broadly in accordance with the submitted plan drawing nos. 21099_08_020_01B and 21099_08_020_02B, and shall be maintained for the duration of the development.

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Reason: To reduce potential highway impact by ensuring the access is suitably laid out and constructed to provide safe and suitable access in accordance with Paragraph 32 of the Framework.

The details to be submitted for the approval of reserved matters shall include vehicular parking and turning and loading/unloading facilities within the site, and the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason:- To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site, in the interests of highway safety.

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 paragraph 35 of the National Planning Policy Framework.

NOTES:

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

The proposed development will require a Travel Plan as part of the transport mitigation package (together with a Monitoring Fee and Default Payment) and the Applicant/Developer is required to enter into a legally binding Planning Obligation Agreement with the County Council to secure the Travel Plan.

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The site is traversed by a public right of way and this permission does not authorise additional use by motor vehicles, or obstruction, or diversion. The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

The applicant is advised that to discharge condition 7 above that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes. maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

65. LAND AT GLOUCESTER BUS STATION, MARKET PARADE - 15/01142/FUL

Councillor Etheridge had declared a prejudicial interest by virtue of his employment.

The Development Control Manager presented his report which detailed an application for the demolition of buildings, tree removal and redevelopment of site to provide a new bus station, highways and access works, landscaping and associated infrastructure works including the provision of emergency staircase on existing NCP car park at Gloucester Bus Station, Market Parade.

He referred Members to the late material which contained comments from Environmental Planning regarding bats; a revised recommendation and suggested conditions.

He reported an additional representation from Bus Users UK and Rail Future which requested the following, some of which were already addressed:-

- Real time information on trains in the bus station and on buses in the railway station
- Clearly marked walking route between the two
- Café and waiting rooms
- Electronic information screens
- Closed circuit television
- Travel Centre
- Consultation with British Transport Police
- Litter bins
- Seating
- Provision for National Express and Megabus

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- Taxi rank
- Left luggage facility
- Car parking

Anthony Hodge, Head of Regeneration and Economic Development, addressed the Committee in support of the application.

Mr Hodge advised Members that the application presented a once in a generation opportunity. The existing bus station was not fit for purpose, dated, unattractive and acted as a magnet for anti-social behaviour.

The proposal was the result of public consultation and was intended to raise the standards of modern building design in the City. It was designed to be seagull proof and for ease of maintenance which was a key factor.

It would provide state of the art facilities for travellers including a café and 'pay to use', safe, well designed public toilets. It had been developed in partnership with Stagecoach who would operate the facility and had received £6.4 million of grant funding from Gloucestershire First LEP, and the Gloucestershire Local Transport Board.

He advised the Committee that there was a critical path to be followed to secure the funding for the project.

Councillor Lewis questioned the new road junction and Jamie Mattock, Gloucestershire Highways officer, advised that it would be tied in with the railway station. Each junction had been modelled separately and together to achieve betterment.

Councillor Chatterton noted that a sequence of sets of traffic lights close together was proposed and he noted that the similar arrangement on the A38 failed regularly.

Ms Mattock advised that the scheme was redistributing existing traffic rather than generating traffic.

Councillor McLellan believed a greater number of passengers travelled on bus services which did not use the bus station. He was advised that existing arrangements would not be changed.

Ms Mattock confirmed that access would be maintained for all businesses and residents.

Councillor Hobbs believed the design to be bland and failed to project the aspirations of the City. He noted that people using the present pedestrian crossing tended to walk out into the traffic. He was advised that this had been recognised and addressed in the design of the replacement.

Councillor Williams requested that alternative public toilet facilities be provided during the building phase.

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RESOLVED that planning permission be granted subject to the following conditions:

1 The development hereby permitted shall be begun before the expiry of three years beginning with the date of this permission.

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

2 The development hereby permitted shall be carried out in accordance with the following documents

- Application form
- Planning Statement
- Design and access Statement
- Drawing No. 6802-BDP-XX-00-PL-A-200001
- Drawing No. 6802-BDP-XX-01-PL-A-200002
- Drawing No. P2006802-BDP-EL-A-20004
- Drawing No. 6802-BDP-XX-01-PL-A-200005
- Drawing No. 6802-BDP-XX-01-PL-A-200006
- Drawing No. 6802-BDP-XX-02-PL-A-200007
- Drawing No. 6802-BDP-XX-XX-EL-A-200008
- Drawing No. 6802-BDP-XX-XX-SE-A-200009
- Drawing No. 6802-BDP-XX-01-PL-L-001
- Drawing No. 6802-BDP-XX-01-PL-L-101
- Drawing No. 5133196-ATK-TP01-EX-D-0500 Rev P2
- Drawing No. 5133196-ATK-TP01-DR-D-0501 Rev P10

and any other conditions attached to this permission.

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

3 No development, other than demolition to slab level 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).

4 No development, other than demolition to slab level only, shall commence 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

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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.

5 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must accord with the provisions of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

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The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to elsewhere as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part C.

E. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

6 Prior to commencement of the development hereby permitted, an Environmental Management scheme for the demolition works shall be submitted to and approved in writing by the Local Planning Authority which specifies mitigation measures in respect of the following issues in order to prevent nuisance. The demolition works shall not be commenced until the approved scheme has been implemented and made fully operational, and thereafter it shall be operated and maintained, as long as demolition works continue. The scheme shall include details of how dust will be qualitatively monitored:

1. Dust from demolition

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2. Dust from groundworks
3. Dust from haul roads
4. Dust from stockpiles and material handling/removal
5. Light from security compounds etc
6. Storage of waste
7. Keeping highways clear of mud

Reason: To safeguard residential amenity and prevent pollution in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002). The information is required upfront to ensure demolition works do not have an unacceptable impact.

7 Prior to commencement of any works other than demolition works, an Environmental Management scheme for subsequent remediation, preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority which specifies mitigation measures in respect of the following issues in order to prevent nuisance. No works other than demolition works shall commence until the approved scheme has been implemented and made fully operational, and thereafter it shall be operated and maintained, as long as the works continue. The scheme shall include details of how dust will be qualitatively monitored:

1. Dust from groundworks
2. Dust from haul roads
3. Dust from stockpiles and material handling/removal
4. Light from security compounds etc
5. Storage of waste
6. Keeping highways clear of mud

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

8 No materials or substances shall be burnt within the application site during the demolition, remediation or construction phases.

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

9 During the construction phases 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).

10 Prior to any development other than demolition works commencing, a scheme containing detailed drainage plans for surface water and foul sewage shall be submitted to and approved 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 should be supported by modelling/simulations of the scheme to demonstrate it is technically feasible. Details of the flood flow exceedance routes shall also be provided. In

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particular, the proposals shall make clear how the water quality objectives set out in National SuDS guidelines are to be achieved. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution 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).

11 Prior to the commencement of development, full details of proposed treatments to building elevations remaining after demolition works shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: As sufficient details were not provided in the planning application, and in accordance with policy BE.7 of the Second Deposit City of Gloucester Local Plan (2002).

12 Prior to any above ground construction works being carried out, full details and/or samples of the following items shall be submitted to and approved by the Local Planning Authority.

- Samples of all external materials
- Product details of all street furniture and lighting
- Section drawings for screens around the bus station
- Scaled drawings for new external escape staircase for car park
- Detailed information on signage across the site
- Details for historic interpretation on the site and proposed public art

Development shall be carried out in accordance with the approved details.

Reason: As sufficient details were not provided in the planning application, and in accordance with policy BE.7 of the Second Deposit City of Gloucester Local Plan (2002).

13 No above-ground construction works shall take place until full details of both hard and soft landscape 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.

Reason: As sufficient details were not provided in the planning application, and in accordance with policy BE.7 of the Second Deposit City of Gloucester Local Plan (2002).

14 No above-ground construction works shall take place until a landscape scheme 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.

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

15 The landscaping scheme 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 BE4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

16 Prior to commencement of construction works details of the construction phasing of the highway works as shown on plan no 5133196-ATK-TP01-DR-D-0501 Rev P10 shall be submitted to and approved by the Local Planning Authority. These shall be broadly in accordance with the details in Appendix H of the submitted transport assessment. The highway works shall then be completed in all respects in accordance with the approved details prior to the commencement of operation of the Bus Station.

Reason: To ensure safe and suitable access is retained for existing commercial and residential businesses during the construction phase and for the development in accordance with Paragraph 32 of the National Planning Policy Framework and policy TR.31 of the Second Deposit City of Gloucester Local Plan (2002).

17 The demolition of Bentinck House (building 3) and former staff area (building 2b) shall be carried out in the presence of an ecologist holding a relevant bat licence. If bats are found then all work on that building should cease while a licence is applied for and measures for translocation put in place. Full details of such measures to be taken shall be submitted to and approved by the Local Planning Authority. Demolition works shall only resume when translocation to an alternative acceptable site, in accordance with the approved details, has been completed.

For the protection of a European protected species if found on the site, and in accordance with policy B.7 of the Second Deposit City of Gloucester Local Plan (2002).

Notes:

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

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The Wildlife and Countryside Act 1981 (as amended) contains provisions relating to the protection of nesting birds which must be complied with in relation to the removal of trees and demolition of buildings.

66. DATE OF NEXT MEETING

Tuesday, 12 January 2016 at 6.00 pm.

The Chair wished all present a Merry Christmas.

Time of commencement: 6.00 pm hours

Time of conclusion: 8.45 pm hours

Chair

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GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	12th JANUARY 2016
ADDRESS/LOCATION	:	GLENVILLE PARADE
APPLICATION NO. & WARD	:	15/01210/FUL & 15/01211/ADV, HUCCLECOTE
EXPIRY DATE	:	21st DECEMBER 2015 (TIME EXTENSION AGREED TO 15TH JANUARY 2016)
APPLICANT	:	MRS D'GAMA
PROPOSAL	:	Extension to and Change of Use of former public convenience building (suis generis) to A1 (gents barber shop), and signage and advertising to front of building
REPORT BY	:	CARLY HOLDER
NO. OF APPENDICES/ OBJECTION	:	SITE LOCATION PLAN

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located within the local centre of Glenville Parade, which comprises A1 (retail), A2 (bank) and A5 (hot food takeaway) units and associated parking. The application site comprises a brick built, former public convenience building, situated adjacent to the north eastern boundary with Hucclecote Road. The public conveniences are privately owned; however the Council hold a long lease. The conveniences have not been in use for a minimum of 10 years; no other applications have been put forward in this time to bring the site back into use.
- 1.2 The application seeks planning permission for the extension to and change of use of the public convenience building, from suis generis to a gents barber shop (A1 use class). The proposed extension would be to the front (north west) elevation, facing into the car park, and would measure approximately 1360mm in depth to meet the edge of the existing brick dividing walls, to create a total depth of approximately 4810mm. There would be no change to the width or height of the building, which would remain at approximately 7550mm and 2715mm respectively. There would be a large window, door and high level window inserted within the front (north west) elevation; a large window within the side (north east) elevation, and a high level window within the rear (south east) elevation. The building would be finished in render, with treated high level timber cladding and aluminium framed windows and doors.

Internally, there would be waiting and hairstyling area, with a separate store, toilet and small kitchen.

- 1.3 The associated proposed signage would comprise a hanging sign in the form of a vertically hung barbers pole, located adjacent to the door, at a height of approximately 1300mm above ground level and projecting from the front elevation by approximately 500mm. There would also be window vinyls. The detail of the materials and colours of the signage has not been submitted.
- 1.4 This application has been referred to the planning committee for determination by Councillor David Brown (ward councillor). The reason given relates to Highways, and the concern regarding the additional pressure a new business in this location would subsequently have upon the limited number of parking spaces available.

2.0 RELEVANT PLANNING HISTORY

- 2.1 None

3.0 PLANNING POLICIES

- 3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development control purposes. The National Planning Policy Framework has been published and is also a material consideration.
- 3.2 For the purposes of making decisions, the National Planning Policy Framework sets out that policies in a Local Plan should not be considered out of date where they were adopted prior to the publication of the National Planning Policy Framework. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the National Planning Policy Framework.
- 3.3 The policies within the 1983 and the 2002 Local Plan remain therefore a material consideration where they are consistent with the National Planning Policy Framework.
- 3.4 From the Second Stage Deposit Plan the following policies are relevant:
 - ST.6 (District and Local Centres)
 - BE.7 (Architectural Design)
 - BE.11 (Shopfronts, Shutters and Signs)
 - BE.21 (Safeguarding of Amenity)
 - TR.31 (Road Safety)
 - S.12 (Local Centres)
 - S.13 (Changes of Use in District and Local Centres)

- 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; Department of Community and Local Government planning policies : www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

4.1 Gloucestershire County Council (Highways)

It was considered that the parking provision existing on site is adequate to accommodate the change of use, which would see a high volume but short duration footfall, and would not cause a detriment to highway safety. Consequently, no highway objection was raised.

Environmental Health Officer

No objection was raised with regard to the development.

Urban Design Officer

No objection raised. Suggested that 3 or 4 brick courses remained at the bottom of the elevations in order to preserve the appearance and longevity of the render.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 The occupiers of 30 neighbouring properties were notified of the original application by letter. 2 letters of representation were received in the 21 day statutory consultation period. A further 11 letters of representation were

received, as well as a petition signed by 106 people. The comments raised are summarised as follows:

Highway Safety/Parking

- Car park often at full capacity, resulting in cars stopping [within the car park]whilst waiting for a vacant space; this results in vehicles stopping on Hucclecote Road causing traffic to back up, sometimes in both directions.
- Car park not only used by customers of shops [at Glenville Parade], but also by people using surrounding amenities and businesses, and people catching the bus into the city centre
- Further business on this site will increase parking problems and public safety could be compromised
- Suggest toilets are demolished and extra parking provided
- Not enough car parking spaces during busy periods
- Construction will disrupt the car park and local people and cause issues for staff parking their vehicles
- Concerned for pedestrian safety; access to the new business will be adjacent to the car park entrance- cars often enter quickly.
- [frustrated at idea of] an already small car park being made smaller when it needs to be made bigger
- Having a shop at the opposite end of the car park will encourage people to go through the car park- lead to an increased risk of pedestrian/vehicular accidents

Other

- There are 6 other salons within a half mile radius- competition between businesses/job losses as a result of the proposed barbers. Saturation of market.
- Should be re-opened as toilets or used for something more practical (knock down to make more parking spaces)
- Trade of existing traders could be affected as there will be less spaces for their customers to park

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

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=15/01210/FUL>

6.0 OFFICER OPINION

6.1 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.

6.2 Principle of Development

Policy ST.6 of the Gloucester City Council Second Stage Deposit Local Plan (2002) states that *'new development which serves suburban areas or the needs of local neighbourhoods shall be located at District and Local Centres respectively, where there are suitable sites available.'* Similarly, policy S.12 states that *'planning permission will be granted for new retail development of a suitable scale and type in local centres where there are suitable sites available provided it does not have an unacceptable impact on district centres and the Primary Shopping Area.'* Policy S.13 of the Local Plan is concerned with the loss of A1 retail units within District and Local Centres; as this application proposes a gain of an A1 unit, this policy is not applicable in this instance. It is noted that there are no policies which control the gain or creation of new A1 retail units located within District or Local Centres

6.3 The application site has been vacant for at least 10 years; in this time, no other proposals for the re-development of the site have been submitted to the local planning authority. It is considered that the proposed change of use to an A1 retail unit, and more specifically a barber shop, would be of a scale which would be suitable at the proposed location within an existing Local Centre, which also comprises other day to day amenities and services. Concern has been raised through the letters received that an additional barber shop would not be appropriate in this location, given the number of other similar businesses within the area. As aforementioned, there is no policy within the Local Plan which restricts the creation of A1 units within Local Centres, and the concern regarding competition and any subsequent impacts of an additional barber shop upon other local businesses do not form material planning considerations. The nearest District Centre to the application site is Abbeydale District Centre, located approximately 2 kilometres to the south west and also comprising a hair salon and other amenities similar to those available at Glenville Parade. As the proposal is likely to serve a local community it is considered that the proposal would not have any unacceptable impact upon the Abbeydale District Centre or the Primary Shopping Area within the City Centre. The proposal is therefore in accordance with the aforementioned policies, and consequently the principle of such a use in this location is considered acceptable.

6.4 Amenity Impacts

The application site is located within an existing and established Local Centre; with a childrens nursery and public house to the side (south east) and north west of the application site respectively. There are also residential properties within the area, most notably those above the A1 units at Glenville Parade. The proposed barbers would be open between the hours of 9am and 6pm, Monday to Saturday, which is consistent with many of the existing businesses at Glenville Parade. It is not considered that the creation of the shop would result in any significantly exacerbated levels of noise disturbance or light pollution which would adversely impact the amenity of surrounding residential properties. The proposal is therefore considered to comply with Policy BE.21 of the Gloucester City Council Second Stage Deposit Local Plan (2002).

6.5 Highway Issues

The overarching issues raised within the letters received relate to the potential impact that the development is perceived to have upon highway safety, pressure on existing parking allocations and pedestrian safety. The proposal, whilst including an extension to the building, would not protrude into the car park, but would project to meet the edge of an existing brick dividing wall. The extension would not project over any existing delineated parking spaces. The front elevation of the building would be set back from the vehicular entrance by approximately 4850mm; this distance is considered adequate to allow pedestrians to pass safely in front of the shop without sharing the space with vehicles. This area is tarmac to match the car park surface; no proposal to change the surface material has been submitted, nor is it considered necessary to do so.

6.6 Whilst it is considered reasonable to suggest that the presence of a business at this location would result in increased footfall and number of users of the car park, this increase is not considered to have any significantly exacerbated or severe impact upon highway safety. The Highways Authority considered that the parking provision existing at the site would be adequate to accommodate the proposed change of use, and therefore it was not considered that the proposal would cause detriment to highway safety. The proposal therefore complies with Policy TR.31 of the Gloucester City Council Second Stage Deposit Local Plan (2002), and would not have a severe impact as referred to in paragraph 32 of the National Planning Policy Framework (2012).

6.7 Architectural Design

The design of the building does not differ significantly from that of the existing; the elevations would be finished in render, and the existing timber cladding would be replaced. The existing timber door frames would be replaced with aluminium frames, and the new windows would also comprise aluminium frames. The extension would be of a design which would match the form of the existing building, and the external materials are present at surrounding properties. The Urban Design Officer raised no objection to the design of the proposal. The proposal is therefore considered to comply with Policy BE.7 of the Gloucester City Council Second Stage Deposit Local Plan (2002).

6.8 Advertisements

The signage proposed comprises one non illuminated hanging sign and window vinyls; details of the colours and materials have not been submitted. The hanging sign would comprise a traditional barber's pole. Each existing unit at Glenville Parade comprises its respective signage, in the form of fascia signs with large font of differing colours. It is consequently not considered that the proposed signage would appear incongruous with the area, nor would it have any impact upon amenity or highway safety. The proposal would therefore comply with Policy BE.11 of the Gloucester City Council Second Stage Deposit Local Plan (2002).

However, whilst an application has been made for the advertisement consent, it is considered likely that the proposed signage falls outside the requirements for advertisement consent, and would be covered by Class 5 of Part 1 of Schedule 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7.0 CONCLUSION/REASON FOR APPROVAL

7.1 Taking into account all of the above, it is considered that the proposal would result in the regeneration of the application site which would serve to enhance the appearance of the area whilst providing a service which would be appropriate within the Local Centre. The impacts of the proposal have been carefully considered, and it is concluded that, subject to the compliance with conditions, the proposed extension, change of use and signage would result in an acceptable development, which would not have any severe impact upon highway safety or neighbouring amenity. The proposal is therefore in accordance with policies ST.6, BE.7, BE.11, BE.21, TR.31, S.12 and S.13 of the Gloucester City Council Second Stage Deposit Local Plan (2002).

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

8.1 That planning permission and advertisement consent is granted subject to the following conditions:

15/01210/FUL

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 entitled SUR.1149 PL03A entitled 'Proposed Plans and Elevations' received by the local planning authority on 26th October 2015.

Reason

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

Condition 3

No development shall take place until 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.7 of the Second Deposit City of Gloucester Local Plan (2002).

15/01211/ADV

Condition 1

This consent shall expire on 5 years from the date of the decision notice.

Reason

In the interests of the visual amenity of the area in accordance with policy BE.11 of the Second Deposit City of Gloucester Local Plan (2002).

Decision:

Notes:

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.....

Person to contact: Carly Holder (Tel: 01452 396361)

15/01210/FUL & 15/01211/ADV

Public Convenience
Glenville Parade
Gloucester

Planning Committee 12.01.2016



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GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	12th JANUARY 2016
ADDRESS/LOCATION	:	183 LINDEN ROAD,
APPLICATION NO. & WARD	:	15/01450/FUL, MORELAND
EXPIRY DATE	:	1ST JANUARY 2016 (TIME EXTENSION AGREED TO 15TH JANUARY 2016)
APPLICANT	:	KATHRYN MINCHEW
PROPOSAL	:	CHANGE OF USE OF ANCILLARY BUILDING (C3) TO RESTAURANT (A3)
REPORT BY	:	CARLY HOLDER
NO. OF APPENDICES/ OBJECTION	:	SITE LOCATION PLAN

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site comprises an outbuilding within the rear garden of number 183 Linden Road, which itself comprises the facing right hand, two storey dwellinghouse in a pair of semi-detached properties. The rear garden of this property measures approximately 19 metres at its shortest length, and backs on to properties at Tweenbrook Avenue. The outbuilding is currently restricted to be used for ancillary purposes only, as stipulated by Condition 2 of planning permission reference 15/00288/FUL (see section 2.0 of this report).
- 1.1 The application seeks planning permission for the change of use of the outbuilding, from an ancillary use (C3) to a restaurant (A3), to be used in conjunction with the applicant's food journalism business. The Planning and Justification Statement submitted in support of this application states that the proposed number of sessions per annum would be limited to 30, with not normally any more than 5 sessions in any one month, and that the hours of use would be between midday and 11:30pm only; each session would comprise a maximum of 6 people.
- 1.3 This application has been referred to the planning committee for determination by Councillor Terry Pullen (ward councillor). The reason given relates to the potential impact upon the neighbouring amenity and local environment.

2.0 RELEVANT PLANNING HISTORY

- 2.1 The previously approved application reference 15/00288/FUL was for the retention of the outbuilding. This was required as the height of the outbuilding was greater than 2.5 metres in height and was located within 2 metres of the boundary. This therefore exceeded the limits of permitted development and as such, required a 'Householder' planning application to be submitted to the council for consideration.
- 2.2 That application was made following approaches by colleagues in Planning Enforcement. Through the application process, the use of the outbuilding was discussed (and indeed was referred to within the delegated report), however the use was not being assessed, nor had a change of use been applied for. It had been confirmed by the applicant at the time that the use of the outbuilding as a restaurant (at a smaller scale than that of the pending application) was due to cease after the 30th June 2015, and that until that date there would be no more than 2 bookings per month. The council did not request any further application for the change of use of the outbuilding to be submitted on the basis that the applicant had confirmed that the non-ancillary use would be ceasing. Whilst the use of the outbuilding was discussed within the delegated report as a result of the neighbour comments, it was the erection (retention) of the outbuilding which was the subject of the application.
- 2.3 The application was therefore solely assessed, and the recommendation for approval was made, based on the limited impacts the ancillary outbuilding would have upon the surrounding amenity. The attachment of Condition 2, stating that "After the 30th June, the outbuilding hereby permitted shall be used solely for purposes incidental to the enjoyment of the dwellinghouse as such and not for the carrying out of any trade or business", is a condition which is regularly used when permitting outbuildings in order to protect the amenity of surrounding residents.

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.10 (Noise)

BE.21 (Safeguarding of Amenity)

TR.31 (Road Safety)

S.4a (New Retail Development Outside Designated Centres)

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; Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

4.1 Environmental Health Officer

Concern was raised regarding the proposal and its potential impact upon neighbouring amenity as a result of the proposed frequency of sessions and hours of opening. It was considered that, by permitting the application and allowing the use to operate up to five sessions in any one month between the hours of 12:00-23:30, that this amount of use would potentially prove detrimental to the locality and give rise to Statutory Nuisance. This would be mainly due to the smoke/odour from the cooking facility within the building, along with the noise from the persons using the premises as a restaurant.

Whilst the EHO was not 'wholly in favour' of recommending approval, it was considered that an amendment to the number of sessions and operating

hours would allow the business to operate without materially interfering with the amenity of the locality.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 The occupiers of 16 neighbouring properties were notified of the original application by letter, and a Site Notice was displayed. In response, 3 letters of representation was received. The comments raised are summarised below:

5.2 Highways

- Did not expect the restaurant to be opened as frequently or for as many hours. The additional parking required by customers over this period of time could cause problems for residents who already find it difficult to park on the road.
- Safe parking is extremely limited and is an issue once everyone returns from work. During the evenings and weekends the area is frequently gridlocked- this distance to walk from a space to [my] door is getting longer.
- Area is already used by several businesses and care homes as their parking- any additional congestion is an accident waiting to happen.
- Fear that the expanding business will lead to additional pressure for parking
- Increased need for parking could be dangerous- people are sometimes forced to park on the junction of Linden Road and Calton Road.

Location

- Location of this business in a busy residential street is not inappropriate
- Other businesses in the area are appropriate for their location within a residential area (e.g. Co-operative Store) as they are local amenities providing a service to the community they are located in.

Noise

- Fear that expanding business will lead to noise levels spiralling out of control
- Concurs with the EHO's consultation response and concerns regarding noise

Other

- Obvious that despite the fact the [previous application did not permit] a business to operate, local and national marketing activities and events continue to be held
- Concern regarding fire risk and smoke produced, particularly when lit during antisocial hours.
- Photos and statements submitted regarding the other local businesses in the area are inaccurate and misleading

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

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=15/01450/FUL>

6.0 OFFICER OPINION

6.1 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.

6.2 Principle of Development

The application proposes the change of use of a residential outbuilding to a restaurant (A3). This A3 use is defined within the National Planning Policy Framework (NPPF) as a 'main town centre use', and therefore consideration must be given to the sequential test and impact test.

6.3 In brief, the sequential test should be used to identify preferable sites for development within town centres for accommodating main town centre uses, which in this instance is a restaurant; paragraph 001 of the Planning Practice Guidance 'Ensuring the vitality of town centres' is relevant here. In summary, this paragraph sets out that main town centre uses have particular market and locational requirements, which means they can only be accommodated in specific locations. Although the application site is not within a town centre, it is considered that the proposal does have specific locational requirements, as the outbuilding would effectively be used as a 'dining room' serviced by either the kitchen within the principal dwellinghouse or by the fire pit within the outbuilding. In addition, the outbuilding can only accommodate up to 6 guests, which necessitates a much smaller floor space requirement than could be provided within an existing restaurant unit within the nearest designated local centre (at Seymour Road) or within the City Centre.

6.4 Further, it is noted that the proposal would be providing a bespoke service, as opposed to being open to the public on a daily basis, and would only be available for use for a specified number of days per annum. It is therefore considered that, due to the specific locational requirements and low intensity use in comparison to that of a restaurant found within a local or city centre, there would be no other sequentially preferable site for this use to be located.

6.5 The impact test determines the likelihood of a proposal having significant adverse impacts as a result of locating main town centre development outside of existing town centres. However, this test only applies above a floor space threshold of 2,500 square metres, as set out in paragraph 26 of the NPPF. The scale of the proposal is considerably below this threshold, and consequently it is considered unlikely that the proposal would have any significant adverse impact upon the vitality of any designated centre.

6.6 It is consequently considered that, given the small scale and specific requirements of the proposal, the operations would not detract from or have any impact upon the vitality of any designated centre. The proposal therefore complies with Policy S.4a of the Gloucester City Council Second Stage Deposit Local Plan (2002), and would not be contrary to paragraphs 23- 27 of the National Planning Policy Framework (2012).

6.7 Highway Issues

The application proposes a maximum of 30 sessions per annum, with no more than 5 sessions in any one month. With a maximum number of 6 people able to visit at one time, this would result in a maximum of 6 additional vehicles parked along the unrestricted highway of Linden Road at a given time. The issues of parking pressures and congestion in the area were raised through the letters of representation; however it is not considered that the addition of a 6 vehicles being parked on the highway would result in any severe impact upon highway safety. The proposal therefore complies with Policy TR.31 of the Gloucester City Council Second Stage Deposit Local Plan (2002), and would not have a severe impact as referred to in paragraph 32 of the National Planning Policy Framework (2012).

6.8 Amenity Impact

Concern was raised by the Environmental Health Officer and within the comments received regarding the potential impact of the proposal on neighbouring amenity, particularly with regard to noise and as a result of the odour and smoke from the cooking facility within the outbuilding. The EHO considered that the use of the outbuilding as a restaurant, for up to five sessions per month and between the hours of 12.00 to 23.30 as proposed, could potentially prove detrimental to the locality and give rise to Statutory Nuisance. Consequently, it was proposed that the frequency of the use and times of operating should be reduced, to 2 session per month and between the hours of 16.00 to 22.00 Monday to Saturday, and not on public or bank holidays, respectively.

6.9 Paragraphs 6.2 to 6.6 of this report have identified that the proposed use would be small in scale, and it is not considered that the use could be likened to that of A3 units located within designated centres. Similarly, and as aforementioned, to use the restaurant requires a booking in advance, and is not open to members of the public on a daily basis as per A3 units within designated centres.

6.10 The EHO proposed a reduction in the number of sessions per month and operating hours. Conversely, it is considered that the proposed number of sessions, at 30 per annum, with a maximum of 5 sessions per month, would be acceptable. On average, this would result in 2.5 sessions per month. This frequency can be conditioned to ensure that this number is not exceeded in order to protect neighbouring amenity. However, it is concurred that the hours of opening to 23.30 would not be acceptable, and allowing the use to this time could give rise to Statutory Noise nuisance. It is not considered that the use between the hours of 12.00 and 16.00 would result in any significantly adverse impact upon neighbouring amenity. It is therefore proposed that the operating hours should be from 12.00 to 22.00; this can be controlled by condition.

6.11 It is not considered that any noise generated between the hours of 12.00 and 22.00, on a maximum of any 5 days per month, would be significantly detrimental upon neighbouring amenity, as it is not considered that it would be dissimilar to the applicant having 6 friends to visit and using the outbuilding for

informal purposes, as if it were ancillary to the principal dwellinghouse. It is proposed that any permission granted be made personal, as the operation is only considered acceptable with regard to the particular circumstances of the proposal. The proposal is therefore considered to comply with Policy BE.21 of the Gloucester City Council Second Stage Deposit Local Plan (2002).

7.0 CONCLUSION/REASON FOR APPROVAL

7.1 Taking into account all of the above, it is considered that the proposal would not have any severe impact upon highway safety; would not have any significantly detrimental impact upon neighbouring amenity, and the location of the proposal is appropriate and acceptable due to the specific nature of the business. It is therefore concluded that, subject to the compliance with conditions, the proposal would be in accordance with policies FRP.10, BE.21, TR.31 and S.4a of the Gloucester City Council Second Deposit Local Plan (2002).

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

8.1 That planning permission is granted subject to the following conditions:

Condition 1

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

Reason

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

This permission shall enure for the benefit of Kathryn Minchew only and not for the benefit of the land or any other persons interested in the land.

Reason

The nature and scale of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

Condition 3

When the dwellinghouse ceases to be occupied by Kathryn Minchew, the use hereby permitted shall cease.

Reason

The nature and scale of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

Condition 4

The restaurant shall not open to the public outside the following times:
Monday- Sunday 12:00hrs – 22:00hrs.

Reason

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

Condition 5

The restaurant shall not open more than five (5) times in any calendar month, and shall not open more than thirty (30) times in any calendar year. The applicant shall maintain a logbook to record the dated of use and the number of sessions each month. This information shall be made available to the local planning authority on request.

Reason

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

Condition 6

Prior to the commencement of the development, a waste management plan for the commercial use, including waste oil, shall be submitted to and approved in writing by the local planning authority. The approved plan will be implemented on permission being granted and shall be retained for the duration of the use.

Reason

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

Decision:

Notes:

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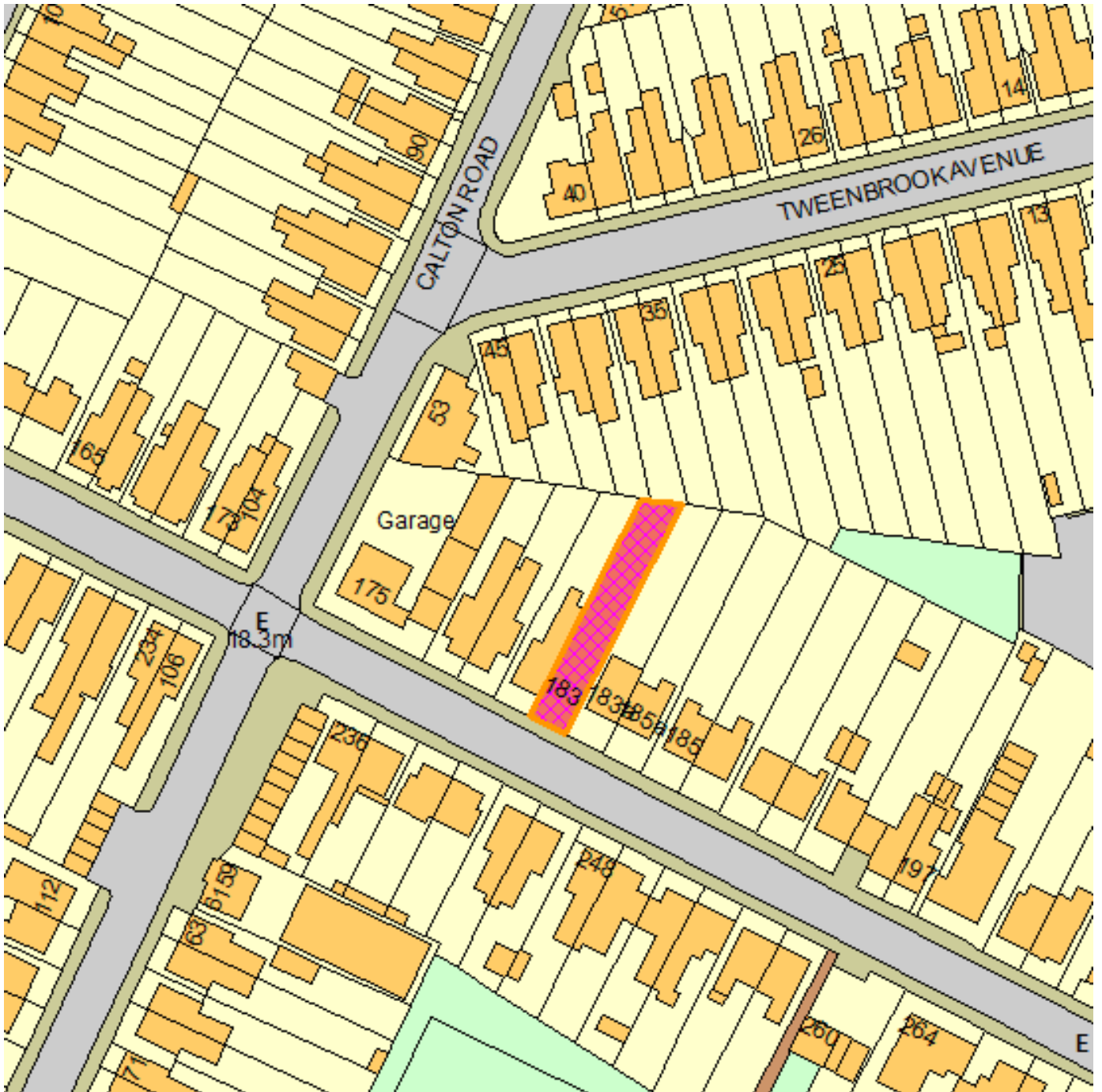
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Person to contact: Carly Holder (Tel: 01452 396361)

15/01450/FUL

183 Linden Road
Gloucester
GL1 5DU

Planning Committee 12.01.2016



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GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	12TH JANUARY 2016
ADDRESS/LOCATION	:	LAND AT THE PROPOSED EMPLOYMENT AREA ON FRAMEWORK PLAN 5, KINGSWAY, FORMER RAF QUEDGELEY SITE.
APPLICATION NO. & WARD	:	15/0112/REM QUEDGELEY FIELD COURT
EXPIRY DATE	:	31ST DECEMBER 2015
APPLICANT	:	ROBERT HITCHINS LTD
PROPOSAL	:	ERECTION OF 2 INDUSTRIAL BUILDINGS
REPORT BY	:	JOANN MENEAUD
NO. OF APPENDICES/ OBJECTIONS	:	1. SITE LOCATION PLAN

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The former RAF Quedgeley site comprises two areas of land located on the west and east side of the A38 to the south of the main urban centre of Gloucester. The larger part of the site on the east side of the A38 comprises approximately 133.5 hectares of land with a much smaller area of 3.25 hectares of land set between the A38 and the B4008. The larger part of the site is bounded by the railway line and Daniel's Brook to the east, the A38 to the west, Naas Lane to the south and the development known as Copeland Park to the north.
- 1.2 Outline planning permission for the redevelopment of the site was granted by the Secretary of State on the 26th June 2003 following a public inquiry in September and October 2001. The permission was for a mixed use development including residential (2650 dwellings), employment uses (B1 and B8) on 20 hectares of land, two primary schools, a local centre, roads, footpaths, cycleways and public open space.
- 1.3 A further outline planning permission was granted by the Secretary of State for additional residential development including a primary school, roads, footpaths and cycleways, and public open space (providing an additional 650 dwellings to the total approved under the earlier outline planning permission to make an overall total of 3,300 dwellings) in 2007.

- 1.4 A further permission was the granted under reference 13/00585/OUT to renew the outline permission in relation to the employment land.
- 1.5 The land allocated for employment uses is located to the south western end of the development site adjacent to the A38 and to the rear of existing residential properties in Naas Lane. The land runs south from the main entrance road from the A38, behind Asda and down to Naas Lane and includes the land to the north of Rudloe Drive up to the boundary with the Manor Farm sports area.
- 1.6 The land is generally flat but slopes gradually from North to South. The area is bounded by the new linear balancing pond to the east with the Manor Farm sports and open space area to the north. A number of the former RAF buildings on the site have now been demolished but some still remain and are in active use. The area also includes Avionics House, the former officer's mess, and now in office use and the cricket square open space.
- 1.7 The site to which this application relates is located to the southern side of Rudloe Drive and the rear boundary is adjacent to residential properties in Naas Lane. The eastern boundary of the site runs along the linear balancing pond adjacent to land parcel 4A2
- 1.8 The application proposes one large building (referred to as unit1) to accommodate a B8 use and a further building (referred to as unit 2) to provide 6 small units for B1 purposes. Access to the site is from Rudloe Drive via the existing spur. The parking and service areas will be set centrally between the two units. A three metre high grassed and landscaped bund will be constructed to the rear of the buildings

2.0 RELEVANT PLANNING HISTORY

2.1 00/00749/OUT

Outline permission for the redevelopment of the site was granted by the Secretary of State on 26th June 2003 following a public inquiry in September and October 2001. The permission was subject to 63 conditions.

06/01242/OUT

Proposed Residential development including a Primary School. roads, footpaths and cycleways, public open space, (Framework Plan 4 Kingsway) To provide an additional 650 dwellings to the total approved under outline planning permission 00/00749/OUT (Overall Total 3,300 dwellings). (Outline Application - All matters reserved) Granted on appeal September 2007

07/01081/REM

Provision of the link road between Naas Lane roundabout to the local centre, landscape buffer and drainage. Granted April 2008.

07/00505/OUT

Proposed Residential development including a Primary School, roads, footpaths and cycleways, public open space, (Framework Plan 4 Kingsway) To provide an additional 650 dwellings to the total approved under outline planning permission 00/00749/OUT (Overall Total 3,300 dwellings). (Outline Application - All matters reserved) (Amended Scheme). Withdrawn

08/00584/FUL

Variation to condition 54 of planning permission APP/U1620/A/01/1062329 to amend the permitted hours for deliveries and construction work from 8 am to 7.30pm Monday to Saturday to 7.30 am to 7pm Monday to Saturday. Refused 25th June 2008.

08/01198/REM

Infrastructure to serve the local centre, school and manor farm area (extension to areas of roads and drainage already approved). Awaiting decision

08/00708/REM

Reserved matters application for infrastructure (roads and drainage) to serve residential development on FP4 and primary school on FP2/3. Approved 10th August 2009.

09/00114/REM

Construction of balancing pond (Pond 5) on employment area (retrospective application). Granted 9th December 2010.

10/00842/REM

Erection of five buildings for B1 office use (including access roads, parking, landscaping and associated works. Granted 16th September 2011.

12/00423/FUL

Erection of a food store (Class A1) (3,713 sqm) with new vehicular and pedestrian accesses, layout of parking and servicing area and associated works. Permitted January 2013

13/00493/FUL

Variation of conditions 2, 9, 10 and 13 of planning permission reference 12/00423/FUL for the erection of a food store (Class A1) (3,713sqm) with new vehicular and pedestrian accesses, layout of parking and servicing area and associated works. (Amended scheme). Permitted August 2013.

13/00767/ADV

Display of signage to building and car park including internally illuminated fascia signs, non illuminated fascia signs, free standing totem sign, ATM signs, banner signs, poster frames, entrance signs and general information signs. Granted September 2013.

13/00585/OUT

Renewal of outline planning permission for the re-development of the former Raf Quedgeley site (00/00749/out) granted 26th June 2003 in relation to the employment area (20 hectares) on framework plan 5. Granted November 2014

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 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 BE1 – Scale, Massing and Height
 - Policy BE4 – Criteria for the layout, circulation and landscape of new development
 - Policy BE5 – Community safety
 - Policy BE6 – Access for all
 - Policy BE7 – Architectural design
 - Policy BE9 – Design Criteria for Large Scale Development
 - Policy BE21 – Safeguarding of amenity
 - Policy FRP6 – Surface water run-off
 - Policy FRP.10 (Noise)
 - Policy FRP.15 (Contaminated Land)
 - Policy TR8 links the development of the site with the completion of the South West bypass
 - Policy TR31 – Road safety
 - Policy TR32 – Protection of cycle/pedestrian routes
 - Policy TR33 – Provision for cyclists/pedestrians
 - Policy E1 – Mixed use allocations
 - Policy MU5 – Mixed use allocation for former RAF Quedgeley
 - Policy E4 – Protecting employment land
 - Policy ST12 – Identifies the RAF Quedgeley site as a key priority.

- 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 The NPPF advises that authorities should approve development proposals that accord with statutory plans without delay, and also grant permission where the plan is absent, silent, indeterminate or out of date. This should be the case unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the framework as a whole, or specific policies in the NPPF indicate development should be restricted. It also states that Authorities should seek to approve applications where possible, looking for solutions rather than problems.
- The NPPF sets out 12 core planning principles that may be summarised as follows – planning should;
- Be genuinely plan-led, empowering local people and should be kept up to date;
 - Not be just about scrutiny but a creative exercise to enhance and improve places;
 - Proactively drive and support sustainable economic development;
 - Always seek high quality design and good standards of amenity;
 - Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting green belts;
 - Support the transition to a low carbon future, taking account of flood risk and coastal change, and encourage the re-use of existing resources;
 - Contribute to conserving and enhancing the natural environment and reducing pollution;
 - Encourage the effective use of land by reusing brownfield land;
 - Promote mixed use developments;
 - Conserve heritage assets;

- Actively manage patterns of growth to make fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;
- Take account of and support local strategies for health, social and cultural wellbeing and deliver sufficient community and cultural facilities and services.

3.7 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

4.1 Urban Design Officer – Comment Upon Amended Proposals

Since my previous comments dated 19th June, the most significant change to the proposals is the introduction of a new landscaped 3m bund. This will have a positive impact on the properties to the South. The largest unit has been reduced in height, which will result in reduced impacts on future residents. However, the close proximity of this industrial use to the existing residents along Naas Lane, and the recently built properties to the east, is awkward. There will be a number of impacts from the proposed development on the local residents. There are ways, in design terms, to partially mitigate the impacts through design, but fundamentally, this will not remove all of the impacts.

I raised in my previous comments the issues of the elevations and their impact on existing residents. This is connected to the issue of trying to develop this type of use in a residential area. The eastern elevation of units 2-7 in particular, facing the properties to the East, does need some further work. The proposal is for a completely blank elevation running the whole length, articulated simply with alternating vertical and horizontal metal cladding, in a lighter and darker grey finish.

Some tree planting is proposed along the eastern boundary. For what is a very prominent boundary to the site, which can be viewed from numerous residential vantage points, it lacks interest and presents a very dull and functional appearance. The use of the two grey colours is particularly dull.

I would suggest that increased tree planting along the eastern boundary would be a good way to mitigate some of the visual impact of the development, but that the materials used in this elevation should also be reconsidered. An approach where a multi-orange/red brick is used, in combination with vertically aligned metal cladding, could add interest and help to break up the elevation. One approach could be to treat each half of each unit as an individual façade and apply a random arrangement of brick and metal cladding along the facades. For example, Unit 7 could have half brick and half vertical metal cladding, while Unit 6 could be all metal cladding. This would add interest, while still being a simple approach.

Pre-built brick panels (using brick slips) can be used which give that appearance of solid brick, but which are actually non-structural. This would be

a way of reducing costs and saving time. The other elevations, particularly within what is characterised as a residential area, would need some refinement.

4.2 City Landscape Architect

The proposed mound/bund is intended to reduce noise levels. Do we have any details of the levels of reduction anticipated?

The bund also offers an opportunity to further screen views of the large buildings from the properties on Naas Lane by fully planting it, with both a 1m matrix planting native understorey and specimen trees, to provide more immediate impact.

A revised planting plan does not seem to have been provided at this stage, but the bund is very steep-sided and we have had issues on other developments where it has proven very difficult to establish vegetation on the bund. If at all possible, the slope gradient should be made shallower. We will need to see planting details for the bund (and methods for ensuring planting establishes on the steep sides) as well as the other planting areas to each side. On the eastern boundary, additional specimen tree planting should be incorporated into the proposals, to further soften views of the large new units from the existing residential properties. The tree officer's ongoing concerns will also need to be addressed

4.3 Environmental Protection Manager - No objection subject to conditions

4.4 Severn Trent Water – No objection subject to a condition requiring details of surface water and foul drainage.

4.5 Gloucestershire County Council Highway Authority – Comments awaited

4.6 Quedgeley Parish Council – Object to the provision of light industrial units, the site should be reserved for offices, storage and distribution only.

The tracking should be redone using fixed axle vehicle

No increase in run-off from the site from green field state up to and including 1:100 yrs rainfall event +20% by volume for climate change

A natural noise barrier to be provided to protect existing residential properties in Naas Lane

Restrict the house of operation to 6.00am – 10.00pm Monday – Saturday and from 8.00am – 9.00pm on Sundays and public holidays.

Support the comments of the Tree Officer and would oppose removal of any trees.

Ensure a noise protection barrier including the provision of established trees and shrubs be provide to offer a suitable amenity to the existing properties.

The results of the unattended noise survey gives too great increase and will offer an unacceptable standard of living.

All windows to be removed from the residential side of the proposals.

Restrict the hours of operation to 7am – 7pm Monday to Friday, no vehicle movements in or out before 8am or after 6pm on Saturday and no vehicle movements on Sunday or Public Holidays.

Disabled parking should be provided

The buildings should be re positioned to ensure the parking is provided furthest away from the residential properties.

Height of units to be sympathetic in scale and form to the existing properties in Naas Lane. The current proposals appear to provide an over intrusive form of development which will provide detrimental to the amenities to the local residents.

The numerous comments received by the local residents appear to give similar concerns and Quedgeley Parish Council support those concerns.

- 4.7 City Tree Officer - From a tree perspective the amended plans are an improvement but I still do not think this new scheme mitigates for the loss of the oak trees. Mature oak trees are currently a key landscape characteristic across the Kingsway estate. To maintain this it is important that young semi mature oak trees such as these are retained.

On a positive note the walnut tree is to be retained but I am concerned the footprint of unit 1 will be within the root protection area (rpa) of this tree as I can not see any plans submitted to confirm or otherwise. I would also have concerns about the impact of a 3 m soil bund within the rpa of this tree. If you are minded to grant consent these issues will need addressing.

5.0 **PUBLICITY AND REPRESENTATIONS**

- 5.1 The application has been advertised with a site notice, press notice and individual letters of notification to occupied properties in the immediate vicinity. Letters advising residents have also been sent following the submission of amended plans. At the time of writing the report over 40 letters of objection have been received.

I have reproduced in full below, those comments received in relation to the most recent amendments (including the change from 24 hour operation of the units). However all comments on the application can be viewed at the following link.

<http://glcstrplnng12.co.uk/online-applications/applicationDetails.do?activeTab=externalDocuments&keyVal=NIKUJKHMC0000>

I was surprised when a neighbour informed me that another amendment had been made to this proposed development and I had not been notified despite my previous objections. Now I have seen these I can see they have made no significant changes and my objections have not changed and they are as follows; The enormous height of the buildings will be overbearing this close to

residential properties. I am very concerned at how close these proposed units will be to our house. I understand there will be a 3m high bund, which I do not think will reduce the pollution from vehicles and the noise by much, especially with reversing lorries and fork lift trucks, car doors opening and shutting all and every day. This will be unbearable and be unacceptable to our neighbours and ourselves. Presumably there will be regular grass cutting and ground maintenance on the bund, overlooking neighbouring properties, which will invade our privacy and cause even further noise at that height. The working hours on Saturdays, Sundays and Bank Holidays is totally unacceptable in a residential area. We will never be able to sit in our gardens, because of the noise and pollution. Surely we have Right to use our houses and gardens without putting up with this level of activity every day of our lives. There is bound to be security lighting around the building perimeter, which will again impose on our property and our lives. Naas Lane is a residential area and with the existing units on one side of the lane and the proposed new units to the other side, the lane will be in narrow corridor between very high industrial units. Gloucester City Council have recently granted planning permission for houses and bungalows to be built along the boundary of this proposal, knowing that there are plans to build commercial units near the border. Surely Gloucester City Council now has a responsibility of care to the residents of these new homes and indeed to the rest of those residents nearby. Now they are contemplating allowing larger units than those agreed in the Master Plan of 2003, and again proposed in November 2014. We, and residents along Naas Lane bought our homes in good faith, understanding that smaller units and offices would be built on this land, and further back from the boundary. When we purchased this house we knew there probably would be light industrial units on the adjacent site, but we hardly thought there could be such enormous buildings this close to a residential area. I have no objections to commercial buildings being built on this land, but a distribution centre is certainly not appropriate so close to a residential area. As far as I am concerned, the only acceptable buildings would be low level offices with the parking facing towards Rudloe Drive. I consider this development would be detrimental to the amenities ourselves and of neighbouring residents. I trust that you will consider my objections when you are deciding this application.

Once again I write to object to this development its totally inappropriate to block in Naas Lane with Industrial type units both from the South (Waterwells) and the North with this development. I understand the need that R Hitchings requires to develop this land but surely not an industrial unit but the office type buildings which were agreed in the original proposal

I would like to strongly object for the exact same reasons given previously. Too close, overbearing, light pollution, noise pollution, probable air pollution and loss of privacy.....AND their proposed working hours. Again, commercial greed and no thoughts or consideration towards the people, who are expected to put up with their fallout. The questions I have raised about drainage/site run off, omitted details from plans (dimensions and heights, and totally out of scale), removal of oak trees still haven't been answered. What I fail to understand is the ignorance of this company in its quest to line it's pockets? It

had hundreds of acres of land on this site, and it chooses to try and dump this monstrosity several metres from our boundaries? We are the only residents that can be affected by the redevelopment of this site and they try to burden us with the largest unit with 24/7 working?? I suggest someone pours Mr Hitchins a coffee and asks him to smell it!! They still have the rest of the site available and my suggestion is you MOVE IT, because it isn't going to be a detrimental part of our household, or my neighbour's. I would also like to point out that our house was purchased back in 2004, when all that Hitchins proposed was offices?? If we ever thought this was going to be proposed, we certainly would never have moved here. A good proposal which was raised by one of my neighbour's was for you all to come and look at the area, then perhaps you may have a greater understanding of our concerns?

As I have said previously nothing has changed, I understand that they have made the one building smaller, it's still not small enough it intrudes on our privacy, most of all it's the noise that will be continuing to make on erecting of the buildings, and the continuation of the awful noise that will happen 7 days a week, our outlook will be spoilt, our totally privacy in our gardens will have gone, as most of us are pensioners now this is incroaching on our personal liberties.

We bought our house in Naas Lane in good faith in May 2015 understanding that permissions had been granted for low-rise buildings to be erected on the land directly behind our property. Since then it transpires that permission is being sought to erect much higher units. This is totally unacceptable for a variety of reasons.

- Noise - commercial vehicles with reversing sirens will substantially increase the current noise levels. The proposed hours of activity from 7am to 7pm including Sundays and Bank Holidays will impact hugely on our lives, preventing us quiet both inside and outside our homes.*
- View - currently from the back of our house we look out toward Robinswood Hill, the height of the proposed buildings so close to our property will be overbearing and will obscure our view.*
- Privacy - We are not at present overlooked from the back of our property - potentially we could lose our privacy. In the original plans I understood the development would have been 90 metres from the property borders in Naas Lane, what has changed so that could be decreased by about 2/3rds to 32 metres? I believe that as permissions for new properties have recently been granted the Council has a duty of care to the residents. The residential area of Naas Lane will become a corridor between two industrial sites.*
- Pollution - with large units comes large vehicles which will cause, with the units being so close to our houses, an increase of pollution to the residential area and potentially could impact on our health. We will also be subjected to night time security lights causing increased light pollution.*
- Bund - Should a bund be built to supposedly alleviate some of the raised concerns it will come with it's own problems. Maintenance of the bund will presumably be the responsibility of the landowner but cutting the grass and pruning the trees will increase the privacy and noise issues. What consideration has been made as to where the water will drain from the mound*

*especially during heavy rainfalls? Will this excess water cause flooding to our properties the impact of which will be to increase our house insurances?
We implore you to deal sympathetically with our concerns. I believe that taking the above points into consideration our properties will be less desirable and become devalued. Who is going to compensate us for this? Perhaps a site visit to include the residents of Naas Lane would be helpful to illustrate our concerns. I will be grateful if you keep me informed of future correspondence and developments with the owner of the land.*

*Naas Lane is a long established residential road with some large gated properties and several bungalows. At present the warehouses on Waterwells ie to the south side of Naas Lane, tower above all the houses at the west end of this lane. Now these proposed warehouse units would do the same on the north side of Naas Lane. Is it really good to have a residential area sandwiched between large warehouse units.? I assume that someone has walked down Naas Lane and seen the affect of the Waterwells warehouses. If not then I invite you to come down and see for yourself what is in store for us if this development goes ahead. It is difficult to understand why, that in this lovely residential lane, such a plan is being considered.
If everybody in the Council is adamant that this development goes ahead, then I am astonished and saddened that the voice of the local residents, who pay council tax, is being over ruled by big business.*

From my point of view the distance from the back of my house to the south side of unit 7 is still too small. As you will recall from my previous letter you will understand that in planning application 13/00585/OUT which was based on application 00/00749/OUT, and modified by the Dyer document Design statement dated 10th December 2008, the distance from the back of the house known as The Shieling on Naas Lane to the south side of unit 7 was set at 90 metres.

*Because new houses have been built behind the older houses on Naas Lane, mine being one of them, the distance from the back of these new houses to the south side of unit 7 is now set at 32 metres, I enclose a sketch below showing the relative positions of The Shieling the new houses and unit 7. What makes a building look overbearing is the angle at eye level subtended from the horizontal to the top of the building. As you can see the original angle was 5 degrees and it is now 14 degrees which is a large increase.
Consequently I still maintain that the proposed units will be overbearing and I request that single storey offices are built instead, A quick survey of the Waterwells industrial estate to the south side of Naas Lane, indicates that there are several large warehouses that are still empty. However the small offices/units in this area are all occupied. It seems that there is a market for small offices/units and no market for large units. So economically it seems sensible that to go for small offices/units. Single storey units would benefit the area by providing more employment than seven larger units and be more appropriate in scale to the new bungalows on Naas Lane.*

Too much noise and heavy traffic , too big and unsightly and the wrong type of business net to a residential areas. Buildings of this calibre should be on a proper industrial site, not sandwiched next to homes and houses.

I feel Robert Hitchins could be a lot more imaginative with what they build here - as we've all side beofre, we have to live with what goes here.

As regards the working hours, I feel they are far too long and unacceptable on Sundays and Bank Holidays, We will never have any peace. We have a basic right to be able to live in our homes and gardens without having to put up with this level of activity every day of our lives.

Although this is something neither planners nor Robert Hitchins care about, this is diminishing the value of our homes and making them unsellable.

THE SITUATION It's noted that Hitchin's Architects have indicated changes to the proposal, in order to obtain planning, but once again, for the 4th time, we have to point out the changes are just minimal and insignificant, and yet again, they do not address our 1 major concern, THE NOISE ISSUE, and until this aspect is considered seriously, and dealt with, this proposal can never be acceptable, to those that live here.

THE PROBLEM Since The Master Plan of June 2003, Gloucester City Council have granted planning permission for houses and bungalows to be built along the boundary of this proposal, well knowing, that R Hitchins had plans to build an environment for employment near this border. Gloucester City Council now bears a responsibility of care, for allowing these homes to be built, as they are now contemplating allowing R Hitchins to build larger units, than those agreed in the Master Plan of 2003, and again proposed in November 2014. We, the residents along Naas Lane bought our homes in good faith, understanding that smaller units and Offices would be built further back from the boundary. The units now proposed in 2015, bear no resemblance in size, layout or usage to the original outline planning. If R Hitchins had proceeded with their build in 2003 as per the original plans, no doubt, our homes would never have been built, nor purchased, so R Hitchins also bears a responsibility now, to reduce (NOT ENLARGE) the size and shaping of these units. Its noted that the Environmental Health had agreed restricted hours of 7am – 7pm every day of the week, and to include working during Saturdays, Sundays and Bank Holiday. (Effectively 365 days of the year) How can an organisation with the word HEALTH in its title, expect those living by these proposed buildings, to put up with with Noise and Pollution every day of their lives. Such permission demonstrates a real lack of empathy, towards the residents in Naas Lane. These working limits need serious admendments.

THE SOLUTION • Gloucester City Council and R Hitchins need to discuss how noise and inconvenience to Naas Lane, can be substantially reduced, which this proposal has failed to apply at this stage. • The layout of buildings is totally WRONG, Noise is funnelled through to Naas Lane, making the proposal unacceptable. The layout needs changing to offset Noise, with parking and vehicles close to Rudloe Drive. • This Parcel of land is just far too small for the 2 steel structures, proposed at this time, which comes complete with far too many complications, being too large for the plot, damaging the backdrop to Robinswood Hill and the entrance to Kingsway, and far to near to housing. The sensible conclusion is to move these massive

structures back to the other side of Rudloe Drive as per the Master Plan. • B1 and B8 Industrial usage in this area is plainly unworkable, as mentioned in previous letters. So Small Sensible Height Office Space, and Business Units, would be far more acceptable to the residents in Naas Lane, and more lucrative for R Hitchins, as there seems to be a need, after consultation in the Area. • We would encourage R Hitchins to stick closely to their Design and Access Statements made in 2007, in their Summary where it states" they aim to achieve a development with a strong identity and distinct sense of place, whilst at the same time integrating with the existing community" At this time, the only existing community in the area thats affected by this proposal, are those in Naas Lane, Just When will R Hitchens demonstrate, this integration?

I would like to object to these newly submitted plans as the new drawings do not show any substantial alterations that take in many of the points that were made on my previous objections. Mainly but not only, the mater of working hours, associated noise and ugly monstrosity being built. It will make all the noise from other areas rebound as well as funnel noise to the Nass lane residential corridor. Our voices seem to be ignored by the developers and they are making very minimal adjustments to the plans to try and appease the objectors. Many more adjustments and conditions need to be implemented before a development of the magnitude purposed can be even considered by my self, my wife and many of the residents of Naas Lane.

Well, these amendments from Robert Hitchins are really keeping us on our toes. This latest statement doesn't alter any of our previous objections. The working hours of Saturdays, Sundays and Bank Holidays is totally unacceptable in a residential area. We will never be able to sit in our gardens, because of the noise and pollution. We will be subject to grinding, banging, crashing, sawing ,car noise and anything else that's based in these units. As mentioned in previous letters, if Robert Hitchins is intent on keeping these monsters in the present formation with the car park where it is, they will never be acceptable to us. As far as we are concerned, the only acceptable buildings next to a residential area would be low level offices with the parking facing towards Rudloe Drive. Then H.G.Vs and operational noise wouldn't be an issue. The architect speaks about the offices on the original plan being 2 storeys and more intrusive. Well what he fails to mention is that they were further away, and also that a lot of the parking was away from us. So noise from buildings of this type would have nowhere near the impact as the proposed buildings. If these were built with mature trees facing Naas Lane along with the existing bund in place and no windows on the south elevation this would probably be acceptable to most people along here. This option would both be more aesthetically pleasing from the roundabout and wouldn't produce more heavy traffic to carve up the road. Unlike the monstrosities proposed. We appeal to the planning department to put themselves in our shoes, and ask if they would be happy living with this in their backyard. I'm sure they wouldn't. Perhaps some visits to the homes on the border would be appropriate to see for yourselves the impact these buildings will have along with the excessive working hours.

We were given to understand from passed comments that there was going to be LOW level offices that may go there, that would of been far better as long as they were low, and set back further from our fences in Naas Lane. You have to understand our comments from coming from us resident...perhaps a meeting with the developer and our residents would be a good idea, where we can vent our objects personally and put both sides of views over in a constructive sensible manner.

6.0 OFFICER OPINION

- 6.1 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.
- 6.2 In terms of the development plan we are still working with the City of Gloucester Second Deposit Local Plan 2002 which was also the relevant plan considered at the time the original application was determined, in 2003. The plan, under policies E1 and MU5 allocated the RAF Quedgeley site for a mixed use development including the allocated employment land. Additionally Policy ST12 identified the RAF Quedgeley site as a key priority for development and TR8 refers to the provision of the south west bypass linked to the phasing of the site.
- 6.3 The NPPF does not alter the requirement for applications to be determined in accordance with the development plan, unless material considerations indicate otherwise and is underpinned by a presumption in favour of sustainable development. In terms of applicability to the planning system the NPPF refers to sustainable development comprising of economic, social and environmental roles.
- 6.4 The main issues for consideration with this application relate to the design of the buildings, parking and manoeuvring within the site, the impact upon trees and the impact upon amenity.

Design and Layout of the Buildings.

- 6.5 The site is to be accessed directly from Rudloe Drive. The road into the site has the subject of a previous approval and the junction is already in place. The application proposes 2 buildings that, for ease I shall refer to as unit 1 and unit 2. The buildings are to be sited gable end to the road with the parking and servicing areas set between the two buildings
- 6.6 Unit 1 is proposed as one large unit to be used for B1 purposes. The overall size and height of the building has been reduced since the original submission and as now proposed it would measure 40 metres by 70 metres. It is designed with a shallow pitched roof to an overall height of 9.5 metres and 7.5 metres to the eaves. The building is to be sited at a minimum of 25 metres from the rear

boundary and is to be set back just over 7 metres from Rudloe Drive. The part of the building facing Rudloe Drive will contain the office accommodation with a small area of first floor accommodation. This elevation will be constructed of brick with vertical cladding panels and contain windows and glazed panels to provide interest to the important road facing elevation. The south elevation facing the properties in Naas Lane is completely blank and constructed of metal cladding. The western elevation will be the most prominent as you travel along Rudloe Drive from the Naas Lane roundabout and we did raise concerns at the mass and prominence of the building from that approach. This is of particular concern given that the adjoining land remains undeveloped and therefore this elevation will be prominent until such time as the neighbouring land is built upon. The applicant has sought to address this by providing more detail and the use of two different coloured vertical cladding a variety of material to help “break up” this elevation into sections and therefore visually reduce its mass. . The eastern elevation faces into the parking area and uses the brick and again two different colours of cladding. This elevation also contains two small glazed “pedestrian” entrance doors into the building and 3 roller shutter doors.

- 6.7 Unit 2 is designed to accommodate 6 individual units and the building is not of regular shape like unit 1, but is designed with staggered and projecting elements. The overall length of the building would be 95 metres and the width varies between 30 and 32 metres. It is designed with a shallow pitched roof to an overall height of 9 metres and 7.3 metres to the eaves. The building is to be sited 23 metres from the rear boundary(at the closest point).The gable end of the building facing Rudloe Drive will be constructed of predominantly metal cladding with a small brick element to the lower half and contain windows facing onto the road. This elevation is similarly designed to unit 1 and together will provide a cohesive design to the road. The south elevation of the building facing the properties in Naas Lane is completely blank and constructed of metal cladding. The east elevation will be the most prominent as you are travelling along Rudloe Drive towards Naas Lane roundabout and will also be visible from newly built properties to the east. The applicant has again taken a similar approach as per the design of unit 1, with the long elevation broken up through the staggered elements of the design and the use of dark and light coloured cladding. The western elevation faces into the parking area and contains the entrances into the units with pedestrian door entrances and roller shutter doors. The material would comprise brick to the majority of the ground floor element of the building and again the use of two shades of the grey metal cladding.
- 6.8 A 3 metre high grassed and landscaped bund is proposed to the rear of the buildings with further planting around the buildings.
- 6.9 Overall these are large scale buildings compared to the domestic nature of the surrounding residential properties. However this part of the RAF Quedgeley site is allocated for employment purposes and larger building designs must be expected. The applicant has amended the proposals to reduce the size and mass of the buildings and with the use of a variety of materials this helps to create more interest to the elevations. At 9 and 9.5

metres in height I do not consider the buildings to be particularly high and they would be well within the limit of 17 metres set by the outline permission, as a maximum height for any of the buildings on the employment area.

Impact upon residential amenity.

- 6.10 Policy SD15 within the JCS is an overarching policy seeking to support the health and wellbeing of local communities and requires that new development does not result in unacceptable harm to the amenity of neighbouring occupants.
- 6.11 Policy BE21 of the 2002 Plan seeks to ensure that new developments are acceptable in terms of impacts upon the amenity of neighbouring residents and policy FRP15 requires full consideration is given to potential noise impacts.
- 6.12 The application has generated significant levels of objection from local residents with particular concerns raised regarding the potential noise and disturbance from the site and the impact arising from the built form of the actual buildings. I will deal with each of these issues in turn.
- 6.13 Unit 1 would be set to the north of bungalows in Naas Lane (numbers 56-62), built on the site of the former Cotswold Lodge. 56, 58 and 60 are orientated so that their rear elevations face the site with their rear gardens joining the site boundary. The rear gardens are fairly small and at the closest point are of just over 7 metres in depth from the joint boundary. 62 is sited differently and at right angles to its neighbours, with its gable end set right up to the boundary of the site. The distance from these garden boundaries to the unit 1 varies between 25 and 38 metres.
- 6.14 Similarly unit 2 would also be set to the north of houses at 88 – 92 Naas Lane, which are two storey flat roofed, white rendered properties that have been built in the grounds of Quinton. Their rear elevations also face the site and distances from garden boundaries to the side elevation of unit 2 would be between 23 and 35 metres. There is a further two storey property at 74 Naas Lane, which has been built within the rear garden of Oaklands. This property faces towards unit 2 but is not set directly behind it, but would be the property closest to the parking/servicing area.
- 6.15 The two proposed units would clearly be visible to the properties to the south and their outlook would be very different to that at the moment. However the units would not be particularly high (at 9 metres), would be to the north of the existing residential properties and given the distances involved with at least 30 metres between buildings I do not consider that the units would be overly prominent or would result in overshadowing or loss of light to an unacceptable degree. Additionally a landscaped bund is proposed between the rear garden boundaries and the units, together with additional tree planting.
- 6.16 Residential properties are proposed as part of land parcel 4A2, to the eastern side of unit 2. Distances here would be in excess of 33 metres between buildings. The new dwellings would be separated from the site by their access

road and the landscape buffer containing the linear detention pond. I consider that this relationship would be acceptable.

- 6.17 There are additional houses now constructed to the north east of this site and to the northern side of Rudloe Drive and along Wycome Road. Again these are separated from the site by the linear balancing pond and additionally by Rudloe Drive and with the distances involved I do not consider that these properties would be affected in physical terms by the proposed buildings.
- 6.18 Given that the site is/will be adjoined on two sides by residential properties we need to carefully consider the impacts that may arise from the proposed use of the building for B1 and B8 purposes.
- 6.19 The whole of the employment land has the benefit of permission for B1 and B8 uses. This was granted under the original outline permission in 2003 and again in the renewal of that outline granted in 2014. Additionally the wider site is allocated/committed for employment purposes both in the City of Gloucester Second Deposit Local Plan and The City Plan consultation document.
- 6.20 In broad terms B1 uses include office, research and light industrial uses that are generally considered appropriate in a residential area and some examples would include an accountant's office, a laboratory or a tv repairing place. B8 uses involve storage and distribution and are more akin to warehouses.
- 6.21 I understand that at this stage the proposal is a speculative development and proposed occupiers are not known. However the applicant has submitted a noise assessment and supplementary report. It should also be noted that as originally submitted the applicant was proposing a 24 hour use from the site but following discussions has now reduced the proposed operating hours to 0700-1900 M-F, 0900-1700 Sat, Sun & Bank Holidays. Deliveries would occur 0800-1800 M-F, 0800-1300 Sat with none on Sundays or Bank Holidays.
- 6.22 The report includes an assessment of existing background noise levels at the site and considers noise arising from the units and particularly noise from fixed plant e.g. air conditioning and the use of the service yard including loading activity.
- 6.23 The advice from our Environmental Protection Manager is that the noise assessments have demonstrated that B1/B8 use of the units can comply with the most up to date guidance available in terms of the impact of noise, on the following basis.
- 6.24 The measured background noise levels (background = the noise normally present for most of the time at a given site) are given below. The predominant noise source in the area is from variable traffic levels.
- Daytime (07:00 – 19:00 hours) – 45 dB LA90;
 - Evening (19:00 – 23:00) - 42 dB LA90; and
 - Night-time (23:00 – 07:00) – 35 dB LA90

The final plant requirements for the units are unknown and therefore a condition would require a noise limit 5 dB(A) below the limits specified above. This would seek to ensure that the overall site noise limit was not exceeded, thus minimising any potential adverse effects.

- 6.25 It is anticipated that the any potential loading operations would be made during the daytime period and as a result loading operations have been assessed against a limit of 45 dB LAeq, 1 hour. It is considered that 4 deliveries per hour (i.e. 8 movements) / 1 every 15 minutes would represent a realistic worst case for site operations (on this basis the calculated LAeq, 1 hour and LAeq, 15 minute would be equivalent).

Based upon a B1 type of use and the boundary mitigation provided, with occasional delivery vehicles to the site, noise levels associated with the occasional deliveries would give rise to a facade level of 30 dB LAeq, T at the ground floor of the dwellings along Naas Lane. (Well below the background limit above)

Taking account of the potential B8 Use, calculations made at a distance of 60 metres between the dwellings and closest loading bay of Unit 1, with the boundary mitigation, indicates a façade level of 32 dB LAeq, at the ground floor of the dwellings. (Well below the background limit above)

The proposed boundary mitigation would also seek to provide partial screening to the upper floors of the dwellings along Naas Lane and the following noise levels have been calculated at the first floor levels:

- Typical B1 Use – 34 dB LAeq, T; (Well below the background limit above)
- B1 / B8 Use with electric forklift operating at Unit 1 – 37 dB LAeq,T. (Well below the background limit above)

- 6.26 The Environmental Protection Manager also requires that a condition be applied to require a noise management plan which specifies how noise from deliveries taken at site and deliveries dispatched from site shall be controlled so as not to cause a noise nuisance to neighbouring properties on Naas Lane .Furthermore it is recommended that hours of operation be restricted to 7.00am to 7:00pm Monday to Friday and 9.00am to 5.00pm Saturday, Sunday and Bank Holidays and servicing/deliveries to be restricted to 8.00am to 6.00pm Mondays to Fridays and 8.00 am to 1.00 pm on Saturdays.

- 6.27 With these restrictive conditions designed to protect residential amenity it is considered that an objection to the proposal on noise impact could not be sustained.

Parking and Access

- 6.28 Reserved matters approval has previously been granted for the road access from Rudloe Drive into this site area and the road spur is already in place. This part of Rudloe Drive has footpaths on both sides and the site is located centrally between two “traffic calming areas”. Additional information has recently been submitted in relation to parking and turning facilities and this is currently being considered by the Highway Authority. Their comments will be provided as part of the late material.

Trees and Landscaping

- 6.29 The proposal entails the removal of four oak trees and the group of three in particular, which comprise semi mature trees, are an important feature in the local area. It is very unfortunate that these trees are to be felled however the applicant is proposing new tree planting to Rudloe Drive, to the eastern side boundary and to the southern boundary between the proposed buildings and the residential properties in Naas Lane.
- 6.30 There is an existing walnut tree on the site located close to the southern boundary. It was originally proposed that this tree would be felled but following the reduction in the overall footprint of the building following the amended plans, this tree is now to be retained. The walnut is a “grade a” tree of the highest quality and again makes an important contribution to the local area. The Tree Officer has raised some concern at the closeness of the proposed unit and the landscaping bund to the proposed tree and the potential impact upon its roots. Further details from the applicant have been requested.
- 6.31 The applicant has provided some landscaping information and details of new and replacement tree planting. These details are still being discussed and Members will be updated at the meeting on both issues raised above.

7.0 CONCLUSION/REASON FOR APPROVAL

- 7.1 The principle of development for employment uses on the RAF Quedgeley site was established by the grant of outline planning permission in 2003 and the subsequent renewal in 2014. Those two permissions granted consent for B1 and B8 uses. Whilst residential development on the wider site has been ongoing since 2004, the employment site has lain largely undeveloped, other than the construction of the Asda store.
- 7.2 It is considered that the design, scale and siting of the buildings are acceptable for this allocated employment site and this together with the mix of materials should provide for interest to the road frontages and help to visually reduce their overall mass. However they will appear as much larger buildings compared to the domestic proportions and design of the surrounding residential properties.
- 7.3 The application has been subject to careful consideration of the potential noise impacts given the closeness of the site to existing, and still to be built, housing. With restrictive conditions in relation to noise levels, the management of the service area and hours for deliveries and the operation of the units themselves, it is considered that activities will be within acceptable limits.
- 7.4 Issues relating to parking and turning arrangements, the impact upon the walnut tree and landscaping proposals are still being discussed with the applicant and Members will be updated at the meeting.

7.5 Overall the proposals are considered to comply with the relevant national and local planning policies, and as such the application is recommended for approval.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

That subject to no new material planning considerations being raised within the consultation period, and resolution of the outstanding issues in relation to trees, landscaping and parking/turning arrangements that committee resolve to grant reserved matters approval with delegated powers being granted to the Development Control Manager to issue the decision subject to the following conditions and any others that may be necessary.

Condition 1

Commence within time period.

Condition 2

Development in accordance with the approved plans

Condition 3

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;
- 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 and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

Condition 4

Submission of detailed drainage proposals

Condition 5

Within one month of the commencement of the development details or samples of materials to be used externally shall be 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 6

Prior to the first use of the buildings a noise assessment shall be carried out in accordance with BS4142:2014. Noise associated with plant and machinery incorporated into the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5db below the existing typical LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:2014. In addition, there should be no tonal element to the noise.

Reason: In the interests of the amenities of existing residential property in the locality in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 7

Prior to the first use of the buildings here by permitted a noise management plan shall be submitted and approved in writing by the local planning authority which specifies how noise from deliveries taken at site and deliveries dispatched from site shall be controlled so as not to cause a noise nuisance to neighbouring properties on Naas Lane. The use of the development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of existing residential property in the locality in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 8

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 8.00 am to 6.00 pm Mondays to Fridays and 8.00 am to 1.00 pm on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of existing residential property in the locality in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

The use hereby permitted shall only be allowed to operate between the hours of 7.00am - 7:00pm Monday to Friday and 9.00am – 5.00pm Saturday, Sunday and Bank Holidays.

Reason: In the interests of the amenities of existing residential property in the locality in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 10

Within three months of the commencement of the development a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to the Local Planning Authority. 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.

Reason

To ensure that appropriate measures are in place prior to the commencement of development in the interests of visual amenity and to ensure dwellings have satisfactory privacy in accordance with policies BE.21 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 11

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 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

The development shall not be occupied until details of a lighting scheme to illuminate the external areas of the application site have been submitted to and approved in writing by the Local Planning Authority. The details shall include the lighting fixtures, their location on the site/on the buildings, and the extent of illumination. The scheme is also to include details on how the impact of floodlights and external lighting will be minimised. The approved lighting scheme shall be implemented prior to the commencement of the use of the development and maintained for the duration of the use of the site unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of crime prevention and residential amenity in accordance with Policy BE.5 and BE21 of the City of Gloucester Second Deposit Local Plan 2002.

Condition 14
Tree protection measures

Condition 15
Replacement tree planting and full landscaping details.

Decision:

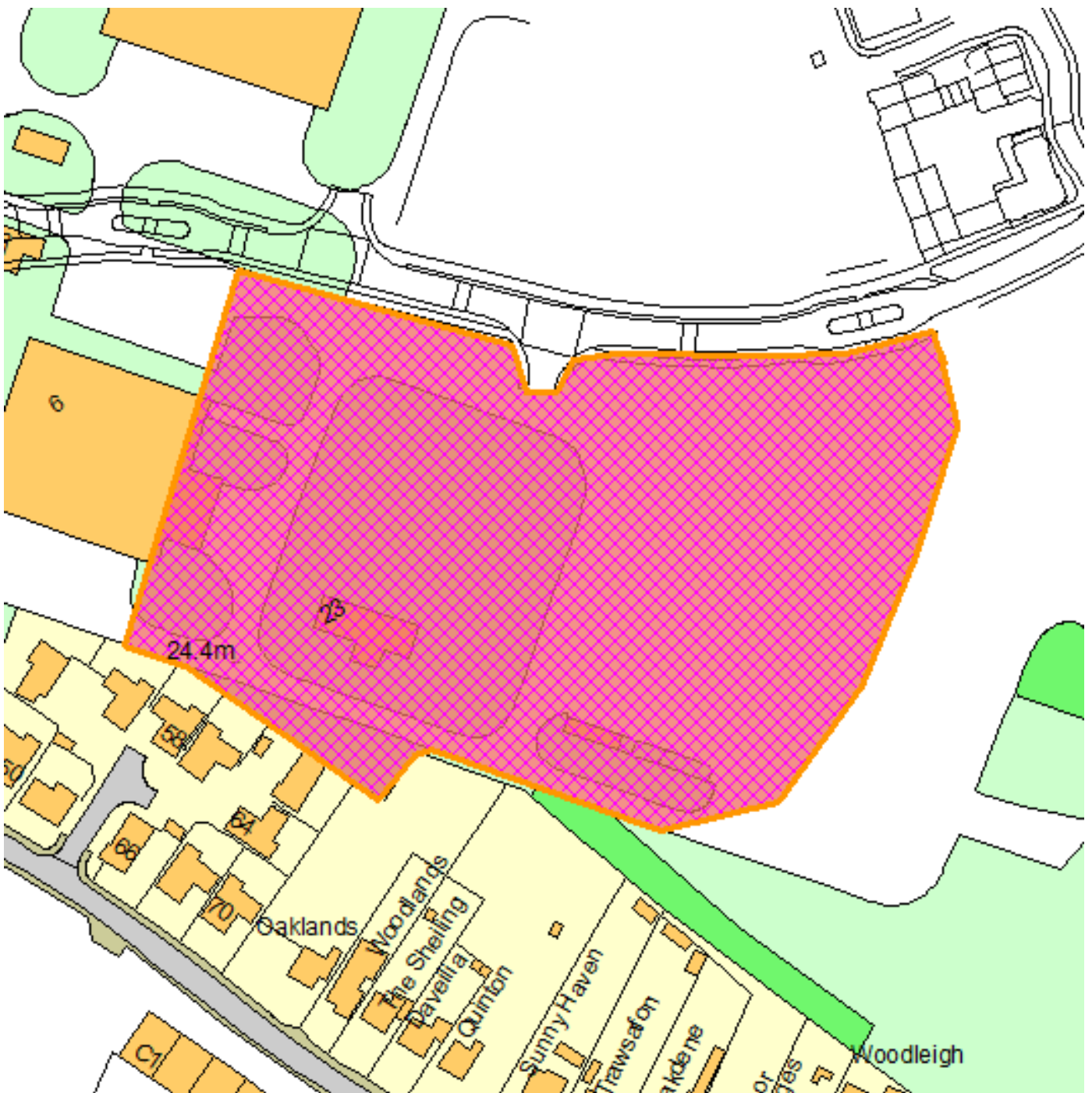
Notes:

Person to contact: Joann Meneaud
(Tel: 396780.)

15/00112/REM

Land To East West Of A38 And
Naas Lane
Quedgeley
Gloucester

Planning Committee 12.01.2016



GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	12TH JANUARY 2016
ADDRESS/LOCATION	:	7 – 12 WESTMINSTER COURT, LONDON ROAD.
APPLICATION NO. & WARD	:	15/01291/MOD KINGSHOLM AND WOTTON
EXPIRY DATE	:	3RD DECEMBER 2015
APPLICANT	:	HARTLEYMORE LIMITED
PROPOSAL	:	DISCHARGE OF LEGAL AGREEMENT RESTRICTING THE AGE OF OCCUPANTS TO 50 YEARS AND OVER.
REPORT BY	:	CAROLINE TOWNLEY
NO. OF APPENDICES/ OBJECTIONS	:	1. SITE LOCATION PLAN 2. ORIGINAL LEGAL AGREEMENT DATED 29TH JULY 1986

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 Westminster Court is a development comprising of 6 houses and a block of 6 no. 2 bedroom flats located on the southern side of London Road, approximately 75 metres to the east of its junction with Horton Road. Planning permission was granted for the three storey flats, formation of vehicular access and car parking area on 18th August 1986 (ref. 25170/07a). The application was the subject of a Legal Agreement which restricted the age of occupants to 50 years old and above. A copy of the Agreement is attached as an appendix.
- 1.2 There are currently 3 car parking spaces allocated to the six flats. There is no private amenity space. It appears from correspondence relating to the original planning application for the flats that the development was restricted on the basis that the City Council's normal planning standards of the time were relaxed in terms of both car parking and private amenity space.
- 1.3 This application seeks to discharge the legal agreement and so remove the age restriction for occupiers of the flats.

2.0 RELEVANT PLANNING HISTORY

2.1 The planning permission to which the Legal Agreement relates to is ref. 25170/07a granted in August 1986 for the erection of three storey flats, formation of vehicular access and car parking area.

2.2 An application was received in 2002 for the variation of the Legal Agreement restricting the age of occupants for no. 11 Westminster Court. Three objections were received to this application from residents of the flats. This application was reported to Planning Committee on 9th April 2002 with an Officer recommendation that the age restriction be waived in respect of the occupancy of no. 11 Westminster Court. However, Members resolved to refuse the applications due to continued concerns relating to car parking, lack of amenity and the potential change in the character of the flats.

2.3 The earlier history relating to the site can be summarised as:

2920/64/68 Conversion of house to nurses homes. Granted 25th May 1948.

25170/01/OUT (Outline) Erection of 2 blocks of 19 elderly persons flats and warden accommodation. Granted 14th September 1983. This permission was the subject of the following condition:

Condition

The occupation of the dwellings hereby permitted shall be restricted to a maximum of 2 persons and the age of any one of those persons shall not be less than 50 years.

Reason

In view of the size of the flats proposed and the restricted area of amenity and parking space, the Council considers that the flats are unsuitable for family occupation.

25170/02 Change of use from dwelling house to elderly persons home. Granted 20th July 1983.

25170/03 Construction of new vehicular access and formation of car parking areas. Refused 30th November 1983.

25170/03/A (Revised scheme) Construction of new vehicular access, alterations to existing access and formation of car parking areas. Granted 4th January 1984.

25170/04 Erection of 16 flats in one block of two and three storeys and construction of vehicular access and car parking area. This application was refused on 21st March 1984 for the following reasons:

- *In the Council's opinion, the proposal would result in the over-development of the site, without adequate private amenity space for the reasonable enjoyment of its occupants.*

- *The development does not meet the Council's car parking standards which is considered essential in this location.*
- *Satisfactory on-site turning facilities are not available for service vehicles to manoeuvre within the curtilage of the site so as to be able to leave in a forward gear, consequently, such vehicles would either need to park on or reverse into the site, or reverse into London Road and thereby impede the free flow of traffic and cause danger to other highway users.*

25170/05 Erection of one block of six flats and six no. 1 bedroom dwellings. Granted 31st October 1984.

25170/06 Erection of new front boundary wall. Granted 16th April 1985.

25170/07 Erection of six no. 1 bedroom dwellings and formation of vehicular access and car parking areas. Granted 25th February 1986.

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 policy is the most relevant:

Policy BE.21 (Safeguarding of Amenity)

Policy H.8 (Housing Mix)

Policy TR.9 (Parking Standards)

Policy TR.12 (Cycle Standards)

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 site is in an accessible area of the City with good access to public transport and other sustainable modes of travel. On street parking is controlled in the City, spare capacity is available in off street car parks. In addition planning policy has changed significantly since 1986. No highway objection is raised.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 The application has been publicised through a press notice and the display of a site notice. In addition 46 properties have been notified of the application in writing.

5.2 Two letters of representation have been received. The main issues raised can be summarised as:

- Concerns regarding parking on site should residents own their own vehicles. There are currently 3 spaces for 6 properties and there seem to be problems whenever tradespeople or visitors come despite the majority of residents in nos. 7-12 not owning cars.
- Question whether it would be made clear to residents that there is no or very limited parking allocations for the flats or whether provision is being made elsewhere.
- Would appreciate it if this issue could be addressed first and new residents should be made aware of the lack of a yellow box junction enabling any of them who do have cars to get in and out of the drive

when Horton Road lights are red. It can take ridiculous amounts of time to leave the premises at peak times.

- Have no objection to the age of occupants being lowered but believe the flats should only be let to professional people without children. There is nowhere for children to play outside and the flats are not large enough for families to live without hindrance to other residents.

5.4 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, or via the following link, prior to the Committee meeting:

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=15/01291/MOD>

6.0 OFFICER OPINION

6.1 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.

6.2 The age restriction was originally imposed to address the limited car parking available for occupiers of the flats and the lack of any private amenity spaces taking into account the planning policies in existence in 1986.

6.3 Section 106A of the Town and Country Planning Act 1990 allows planning obligations to be renegotiated at any point where the local planning authority and developer wish to do so. Where there is no agreement to voluntarily renegotiate, and the planning obligation predates April 2010 or is over 5 years old, an application may be made to the local planning authority to change the obligation where it is “no longer serves a useful purpose” or would continue to serve a useful purpose in a modified way.

6.4 Advice in respect of Planning Conditions and Obligations in the National Planning Policy Framework (paragraphs 203-206) states that in relation to planning obligations:

203 Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

204. Planning obligations should only be sought where they meet all of the following tests:

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *fairly and reasonably related in scale and kind to the development.*

205. Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

- 6.5 Since the grant of the original planning permission there have been significant changes in both local and national planning policies and any application to vary the agreement should be considered against today's standards.
- 6.6 The site is considered to be located in an accessible area of the city with good links to public transport and other sustainable modes of transport. The Highway Authority has raised no objection to the applications and in the light of advice in the NPPF, particularly in respect of the presumption in favour of sustainable development; it is not considered that an objection could be sustained on the grounds of parking standards.
- 6.7 The second reason cited for the age restriction relates to the lack of any private amenity space. The site is approximately 150 metres from the entrance into Barnwood Park and with possibly the exception of a family with young children I do not consider that a person under the age of 50 years has a necessarily greater need for private amenity space. An individual would take into account the lack of any such space in their decision to purchase or rent a property.
- 6.8 Given the location of the development, if the application were to be assessed under current planning policies and advice no objection would be raised by Officers on the grounds of insufficient parking or amenity space.

7.0 CONCLUSION

7.1 Overall In conclusion I do not consider that there is any planning reason to object to the discharge of the Legal Agreement to remove the age restriction of occupants.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

8.1 To grant approval for the discharge of the Legal Agreement thereby removing the age restriction for occupants of the flats.

Decision:

Notes:

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

15/01291/MOD

7-12 Westminster Court
London Road
Gloucester
GL2 0RW

Planning Committee 12.01.2016



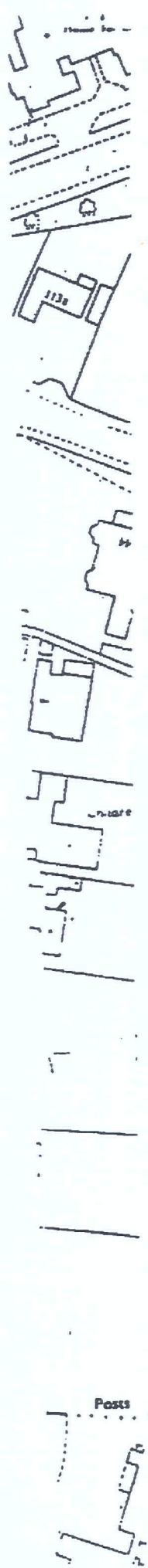
THIS AGREEMENT is made the *Twenty-third* day of *July* One Thousand Nine
Hundred and Eighty-Six BETWEEN FUTURE HOMES OF GLOUCESTER LIMITED
whose Registered Office is situate at 13 Park Road in the City of
Gloucester (hereinafter called "the Developer") of the one part and THE
COUNCIL OF THE CITY OF GLOUCESTER (hereinafter called "the Council") of
the other part

WHEREAS:-

- (1) The Developer is the registered proprietor of the land adjoining
Number 146 London Road in the City of Gloucester which is
registered with Title Absolute at H.M. Land Registry under Title
Number GR74142 which is shown for identification only edged red on
the plan annexed hereto (hereinafter called "the land")
- (2) The Developer has by application number 25170/07 applied to the
Council for permission to develop the land by (inter alia) the
erection thereon of six two-bedroomed elderly persons flats
(hereinafter called "the flats")
- (3) The Council is the District Planning Authority for the purposes of
the Town and Country Planning Act 1971 and the Local Government
Act 1972 for the City of Gloucester
- (4) The flats are designed to provide accommodation suitable for
elderly persons and the Council on the 25th day of February 1986
being desirous of restricting the use of the flats for that
purpose resolved to grant the said application for planning
permission subject to the covenants herein contained

NOW THIS DEED WITNESSETH as follows:-

- 1 The parties hereto hereby agree that this is an Agreement made in pursuance of Section 52 of the Town and Country Planning Act 1971 and Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 and that the same is registrable and shall be registered as a Local Land Charge against the land
- 2 The Developer for itself and its successors in title being owners or occupiers for the time being of the land or of any part or parts thereof hereby covenants with the Council:-
 - (a) not to cause or permit any of the flats to be occupied by any person who is under fifty years of age Except in the case of married couples where at least one spouse shall be over forty-nine years of age or in the case of resident married couples where the spouse over forty-nine years of age dies leaving a resident widow or widower under fifty years of age
 - (b) that no Transfer or Lease or other document passing the title to any one or more of the flats shall be completed without the same being made subject to the above-mentioned covenant
 - (c) to apply to H.M. Land Registry and to request the Registrar to enter details of this Agreement on the Registers of the Title or respective Titles of the flats
 - (d) immediately following registration as aforesaid to supply to the Council (free of charge) office copy entries of the said Title or respective Titles revealing the entries relating to this Agreement



IN WITNESS whereof the parties hereto have caused their respective
Common Seals to be hereunto affixed the day and year first before
written

THE COMMON SEAL OF FUTURE)
HOMES OF GLOUCESTER LIMITED)
was hereunto affixed in the)
presence of:-)

Director

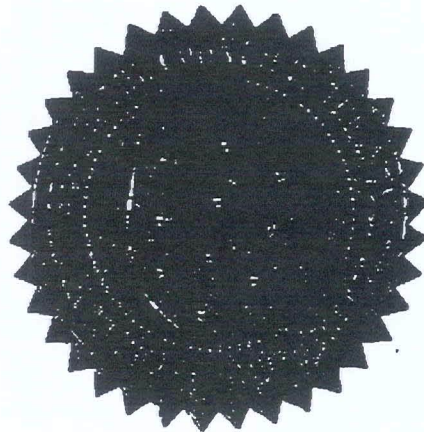


Secretary



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


Chief Executive Officer



SEAL N° 6789



CITY OF GLOUCESTER

PLANNING COMMITTEE

ON

12th January 2016

DELEGATED DECISIONS

1ST – 30th November 2015

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

Abbey

15/00776/FUL EDBAK

Hadwen Medical Practice Glevum Way Gloucester GL4 4BL

Erection of a three storey extension (896 sqm) to rear of existing medical practice to make provision for reconfigured and improved healthcare facilities (use class D1) and ancillary pharmacy (100 sqm) (use class A1).

G3Y 18/11/2015

15/01278/FUL AEROR

2 Calderdale Gloucester GL4 5SZ

Two storey side extension

REF 10/11/2015

15/01336/FUL AEROR

44 Fieldfare Gloucester GL4 4WF

First floor front extension and two story rear extension.

G3Y 13/11/2015

15/01344/LAW CARLH

5 Fox Close Gloucester GL4 5YH

Erection of single storey rear extension

LAW 20/11/2015

15/01359/PDE AEROR

11 Drivemoor Gloucester GL4 5XP

Erection of single storey rear and side extension (depth: 4.4 metres from rear elevation of original dwellinghouse, maximum height: 3.85 metres, height of eaves: 2.4 metres)

ENOBJ 24/11/2015

Barnwood

15/00812/FUL CJR

Southern Site Gloucester Enterprise Eastern Avenue Gloucester GL4 6PG

Retrospective change of use of part of site to car sales and retention of temporary sales office/welfare unit, shipping container and portable garage.

GP 09/11/2015

15/01118/FUL CARLH

Land Rear 31 - 49 Birch Avenue Gloucester

Variation of Condition 2 of planning permission 14/01458/FUL to alter the approved drawing numbers 4236/P/74, 4236/P/24 and 4236/P/25, to alter the roof style and add decorative brick courses to Plot 1

G3Y 16/11/2015

15/01208/FUL BOBR

8 Church Lane Gloucester GL4 3HZ

Two storey extension to side and single storey extension to rear.

G3Y 27/11/2015

15/01220/FUL CJR

11A Barnett Way Gloucester GL4 3QA

Installation of 6no. air conditioning condenser units on new concrete plinth with new fenced enclosure and alterations to existing louvres.

G3Y 06/11/2015

15/01247/FUL CARLH

Beechwood Funeral Services 7A Highfield Place Gloucester GL4 4PB

Erection of a 1.5 storey garage with storage above, attached to the rear of the existing single storey extensions, serving a funeral parlour.

G3Y 12/11/2015

15/01304/FUL CARLH

52 Birch Avenue Gloucester GL4 4NL

Erection of a single storey front extension

G3Y 19/11/2015

Barton & Tredworth

15/00725/FUL EDBAK

1 Knowles Road Gloucester GL1 4TW

Proposed new dwelling on land adjacent to No. 1 Knowles Road, Gloucester.

G3Y 10/11/2015

15/01020/FUL CARLH

27 Conduit Street Gloucester GL1 4XF

Erection of single storey side extension (retrospective)

GA 04/11/2015

15/01051/FUL FEH

18 Conduit Street Gloucester GL1 4XH

Erection of a three bedroomed detached house on land to the rear of 18 Conduit Street and new parking area for number 18

REFREA 10/11/2015

15/01279/FUL CARLH

35A Conduit Street Gloucester GL1 4XE

Extension to shopfront, including installation of new external shutters

G3Y 16/11/2015

15/01299/FUL FEH

14 Ducie Street Gloucester GL1 4PD

Demolition of existing workshop and erection of two number 2 storey buildings to provide 4 flats

REFREA 27/11/2015

15/01374/PDE AEROR

38 Vicarage Road Gloucester GL1 4LD

Erection of single storey rear extension (depth: 4.0 meters from the rear elevation of the original dwellinghouse, maximum height 2.7 meters, height

ENOBJ 13/11/2015

Elmbridge

15/01223/FUL CARLH

54 Lavington Drive Gloucester GL2 0HS

Erection of first floor side extension, hipped roof to existing first floor side extension, and change of roof from flat to monopitch to existing ground floor

G3Y 16/11/2015

15/01276/LAW CARLH

18 Grafton Road Gloucester GL2 0QW

Erection of rear conservatory

LAW 20/11/2015

15/01342/FUL CARLH

53 Nine Elms Road Gloucester GL2 0HD

Erection of rear conservatory

G3Y 20/11/2015

Grange

15/01320/FUL AEROR
91 Grange Road Gloucester GL4 0PT
Two storey side extension; single storey rear and side extension
REF 26/11/2015

Hucclecote

15/01231/FUL CARLH
16 Trinity Road Gloucester GL4 5GB
Erection of single storey rear extension
G3Y 09/11/2015

15/01269/FUL CARLH
34 Green Lane Gloucester GL3 3QU
Erection of a two storey and single storey rear extension
G3Y 10/11/2015

15/01308/LAW CARLH
21 Pitt Mill Gardens Gloucester GL3 3ND
Installation of rear dormer window
LAW 20/11/2015

15/01348/FUL AEROR
3 Tyndale Road Gloucester GL3 3PH
Single storey rear and side extension.
G3Y 24/11/2015

15/01490/FUL AEROR
116 Chosen Way Gloucester GL3 3BZ
Two storey side extension
RET 20/11/2015

Kingsholm & Wotton

15/00376/LBC FEH
29 The Crescent Gloucester GL1 3LF
Alterations to interior arrangement of apartment
G3L 04/11/2015

15/01229/FUL		BOBR
8 Heathville Road Gloucester GL1 3DS		
Variation of condition 2 of permission no. 13/00966/FUL to incorporate French doors to northern and western elevations and stepped access.		
G3Y	12/11/2015	
15/01285/ADV		CARLH
Aspen Centre Horton Road Gloucester GL1 3PX		
Erection of 2 pole mounted free standing signs at entrance to the Aspen Centre		
GFY	16/11/2015	
15/01318/TRECON		JJH
Denmark Road Gloucester		
Various works to street trees in Denmark Road Conversation Area as per Mr T. Bird (Glos Highways) notification of 6 October 2015 (modified 28th October		
TCNOB	03/11/2015	
15/01338/FUL		AEROR
70 Estcourt Road Gloucester GL1 3LG		
Two storey rear extension, single storey side and front extension and dormer		
G3Y	24/11/2015	
15/01349/TRECON		JJH
106 London Road Gloucester GL1 3PL		
Robinia (rear garden). Lift canopy by 1m & thin by approximately 10%.		
TCNOB	10/11/2015	
15/01368/CONDIT		CARLH
12 Honyatt Road Gloucester GL1 3DU		
Discharge of Condition 3 of planning permission reference 13/00325/FUL, for the submission of specific details of the type of rooflight to be installed in the front and rear roofslopes.		
ALDIS	30/11/2015	
15/01371/ADV		BOBR
Coate Water Care Co Ltd The Old Chapel Nursing Home Horton Road		
A free standing double sided advertisement hoarding within the properties grounds adjacent to Horton Road.		
WDN	23/11/2015	

15/01415/TPO JJJH
80 Kingsholm Road Gloucester GL1 3BB
Cupressus arizonica in front garden. Damaging driveway _ public footpath.
Fell _ replace. Yew in front garden 10 - 15% reduction.
TPDECS 19/11/2015

15/01432/DCC ADAMS
Kingsholm C Of E Primary School Guinea Street Gloucester GL1 3BN
Non-material amendment relating to planning consent 14/0063/GLR3MJ
dated 25/09/2014 for the re-location of door and window to the south, east
and north elevations and re-location of new fence enclosing staff car parking
NOB 10/11/2015

15/01481/FUL AEROR
71 Tewkesbury Road Gloucester GL2 9BE
Single storey side and rear extension
RET 13/11/2015

Longlevens

15/01183/FUL CARLH
15 Tainmore Close Gloucester GL2 0XE
Garage conversion and single storey extension to front of garage
G3Y 20/11/2015

15/01283/FUL CARLH
33 Grasmere Road Gloucester GL2 0NQ
(Removal of existing single storey rear extension) Erection of single storey
side and rear extension
G3Y 25/11/2015

15/01295/FUL AEROR
71 Cheltenham Road Gloucester
Provision of Addition Parking Space
G3Y 13/11/2015

15/01310/FUL AEROR

32 Ennerdale Avenue Gloucester GL2 0EF

Two storey side extension

G3Y 13/11/2015

15/01313/FUL AEROR

46 Oxstalls Drive Gloucester GL2 9DE

Single storey rear extension

G3Y 26/11/2015

15/01361/FUL AEROR

10 Foxleigh Crescent Gloucester GL2 0XW

Single storey extension to rear

G3Y 24/11/2015

15/01472/LAW AEROR

23 Grasmere Road Gloucester GL2 0NQ

Single storey rear extension.

RET 13/11/2015

Matson & Robinswood

15/00389/LAW JONSU

31 Saintbridge Close Gloucester GL4 4AN

Lawful Development Certificate for ground floor extension

LAW 10/11/2015

15/01213/FUL CARLH

Penny Patch Sneedhams Green Gloucester GL4 6EF

Erection of a two storey side extension, garage conversion, and single storey rear extension to replace existing conservatory.

G3Y 02/11/2015

15/01277/FUL CARLH

3 Chervil Close Gloucester GL4 6YJ

Erection of first floor extension above existing side garage; and single storey rear extension

G3Y 16/11/2015

15/01332/FUL CARLH
4 Withy Mews Cotteswold Road Gloucester GL4 6RE
Side extension to provide shower room at ground floor level
G3Y 20/11/2015

15/01448/LAW AEROR
34 Teddington Gardens Gloucester GL4 6RJ
Single storey rear extension
RET 13/11/2015

Moreland

15/00373/FUL BOBR
Church Stroud Road Gloucester GL1 5AH
Single storey front extension
G3Y 27/11/2015

15/00795/FUL FEH
124 Tredworth Road Gloucester GL1 4QY
Proposed change of use from Florists (A1) to Launderette (sui generis)
G3Y 06/11/2015

15/01103/FUL CARLH
4 Henley Place Gloucester GL1 5EF
Erection of a two storey rear extension
G3Y 09/11/2015

15/01124/DCC CARLH
Calton Primary School Calton Road Gloucester GL1 5ET
Proposed footpath with associated lighting and 1.8m high mesh fence and gates between Ribston High School and Calton Primary School to enable access for pedestrians from Stroud Road. Proposal includes various alterations to Stroud Road to facilitate footp
NOB 13/11/2015

15/01206/FUL BOBR
313A Stroud Road Gloucester GL1 5LF
Construction of a 2.5 storey 5 bedroom house and separate garage with associated works.

G3Y 06/11/2015

15/01242/FUL

CARLH

13 Hartland Road Gloucester GL1 4RU

First floor extension above existing single storey, and erection of a

G3Y 09/11/2015

15/01288/FUL

AEROR

195 Stroud Road Gloucester GL1 5JU

Single storey rear and side extension

G3Y 13/11/2015

Podsmead

15/00604/FUL

CJR

Land To The Rear Of 13-15 Podsmead Road Gloucester GL1 5PB

Proposed development of two 3 bedroom dwellings (bungalows), associated parking and landscaping. (Amended plans).

G3Y 25/11/2015

15/01268/FUL

CARLH

Unit 1 325 Bristol Road Gloucester GL2 5DN

Extension of existing car park

G3Y 19/11/2015

15/01424/DEM

JONSU

National Grid Bristol Road Gloucester GL2 5YA

Prior notification of proposed demolition

NEGPD 06/11/2015

Quedgeley Fieldcourt

14/01269/NMA

JOLM

Land To East West Of A38 And Naas Lane Quedgeley Gloucester

Installation of pv panels to the roofs of plots 451, 468 and 501 on Framework Plan 4 area 4B2.

NOS96 03/11/2015

15/00919/FUL

CJR

Aquarius Centre Edison Close Quedgeley Gloucester

Erection of 1 No. building with use class B1c / B8. Includes associated loading yard, car parking and landscaped areas.

G3Y 24/11/2015

15/01022/FUL CJR
Units L - Q The Aquarius Centre Edison Close Quedgeley Gloucester

Erection of 1no industrial Unit Containing up to 5 individual units (Class B1c/B8) with associated servicing area, car parking and landscaped areas.

G3Y 24/11/2015

15/01109/FUL CARLH
390 Bristol Road Quedgeley Gloucester GL2 4QX

Erection of a two storey side extension; first floor rear extension, and; single storey rear extension

G3Y 09/11/2015

15/01157/FUL CARLH
Holiday Inn Express Telford Way Quedgeley Gloucester GL2 2AB

Installation of external air conditioning plant and screening

G3Y 02/11/2015

15/01272/FUL FEH
Field Court Junior School Courtfield Road Quedgeley Gloucester GL2 4UF

Removal of an existing cycle rack and provision of new library building

G3Y 09/11/2015

15/01439/TCM
Telecommunications Antenna (ORANGE SITE) Francis And Lewis

Installation and replacement of telecommunications equipment

PDV 02/11/2015

Quedgeley Severnvale

15/00925/FUL BOBR
Former Orchard Olympus Park Quedgeley Gloucester GL2 4NF

Variation of Conditions 1 & 6 of application no.14/01158/FUL to allow for amendments to the approved landscaping scheme.

G3Y 11/11/2015

15/01182/FUL CARLH

34 Sims Lane Quedgeley Gloucester GL2 3NJ

Erection of detached garage within front garden

G3Y 04/11/2015

Tuffley

15/00184/OUT

BOBR

The Pata Centre Grange Road Gloucester GL4 0DJ

Redevelopment of the former Tuffley Resource Centre comprising 12 new dwellings including the retention and conversion of the original school building with demolition latter additions, provision of new vehicular access

WDN 19/11/2015

15/01280/FUL

AEROR

14 Ardmore Close Gloucester GL4 0BL

Retrospective application for decking.

G3Y 10/11/2015

Westgate

15/00167/FUL

JONSU

9 - 13 St Johns Lane Gloucester GL1 2AT

Erection of a rooftop penthouse flat extension to second floor, and modernisation of existing elevations of building including windows.

G3Y 18/11/2015

15/00707/COU

BOBR

27 Wellington Street Gloucester GL1 1RD

Change of use from A1 (retail) to A5 (hot food takeaway) with installation of flue to rear elevation.

G3Y 05/11/2015

15/01094/FUL

BOBR

College Green Gloucester

Landscape works to reconfigure College Green including removal of parking from upper College Green, new steps to the west front of the Cathedral, paving and planting works.

G3Y 05/11/2015

15/01095/LBC	BOBR
College Green Gloucester	
Landscape works to reconfigure College Green including removal of parking from upper College Green, new steps to the west front of the Cathedral, paving and planting works.	
G3L	05/11/2015
15/01112/FUL	ADAMS
Lord High Constable Of England The Docks Gloucester GL1 2EH	
External alterations to public house and associated works (retrospective application - changes to scheme approved under ref. 14/00853/FUL) comprising relocated double gate, construction of two areas to store cages	
G3Y	16/11/2015
15/01122/FUL	ADAMS
Lord High Constable Of England The Docks Gloucester GL1 2EH	
External alterations to public house and associated works (retrospective application - changes to scheme approved under ref. 14/00853/FUL), comprising the erection of enclosures to front and rear/dockside of property and trough lights at front and rear/do	
REFREA	16/11/2015
15/01251/FUL	FEH
59 Southgate Street Gloucester GL1 1TX	
Replacement of current modern aluminium shop front with a hand built timber shopfront and construction of railings around roof terrace	
G3Y	25/11/2015
15/01252/LBC	FEH
59 Southgate Street Gloucester GL1 1TX	
Replacement of current modern aluminium shop front with a hand built timber shopfront and construction of railings around roof terrace	
G3L	25/11/2015
15/01284/LBC	CARLH
8 Priory Place Gloucester GL1 1TT	
Installation of a wall mounted ventilation system; render and waterproofing system, and; new skirting boards to a Listed Building	
WDN	25/11/2015
15/01297/NMA	CARLH

GF Energy Limited Sudmeadow Road Gloucester

Application for a Non-Material Amendment of planning permission reference 15/00684/FUL, for 1) Re-positioning of gas governor kiosk and HP-Gas Regulating Compound to front (south west) , and 2) subsequential alterations to internal layour of wider compou

NOS96 12/11/2015

15/01311/FUL

AEROR

Upper Rea Farm Rea Lane Gloucester GL2 5LP

Subdivision of dwellinghouse to create annex accommodation for a dependent relative; single storey rear extension, change to fenestration and construction of raised platform. (retrospective).

G3Y 26/11/2015

15/01380/SOLAR

CARLH

B & Q St Oswalds Park Gavel Way Gloucester GL1 2UE

Installation of 7327m2 solar photo voltaic equipment to roof of unit

NRPR 27/11/2015

15/01387/DCC

JONSU

Netheridge Sewage Treatment Works Netheridge Close Gloucester GL2 5LE

Consultation on EIA screening

NOB 10/11/2015

15/01410/TPO

JJH

17 Brunswick Road Gloucester GL1 1HG

Pollard 4 Large Lime Trees due to shading of property.

TPDECS 13/11/2015

15/01412/TRECON

JJH

Cathedral View Archdeacon Street Gloucester GL1 2QX

Tree works as per Alan Watson tree report (20/10/2015)

TCNOB 19/11/2015

15/01413/TRECON

JJH

2 North Villas Montpellier Gloucester GL1 1LD

1. Thin (removal of 2) conifers close to rear boundary. 2. Remove evergreen, rear garden adjacent to drive. 3. Annual pruning of cherry to front of house.

TCNOB 27/11/2015

15/01414/FUL

EDBAK

Oxleaze Wing The Quay Gloucester

Demolition of existing buildings and replacement with temporary car park
(ahead of comprehensive future proposals for regeneration of the site at

RET

18/11/2015

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