



## PLANNING COMMITTEE

**MEETING** : Tuesday, 4th October 2016

**PRESENT** : Cllrs. Taylor (Chair), Lugg, Hanman, Morgan, D. Brown, Dee, Hansdot, Toleman, J. Brown, Fearn, Finnegan and Tracey

**Officers in Attendance**

Jon Sutcliffe, Development Control Manager

Nick Jonathan, Solicitor, One Legal

Ed Baker, Principal Planning Officer, Housing Delivery

Jamie Mattock, Highways Officer

Oliver Eden, Highways Officer GCC

Tony Wisdom, Democratic Services Officer

**APOLOGIES** : Cllr Lewis

### 59. DECLARATIONS OF INTEREST

Councillor Morgan declared a personal and prejudicial interest in agenda item 6, land adjacent to Newark Farm, due to the proximity of the site to his property.

Councillor Tracey declared an interest in agenda item 6.

### 60. MINUTES

The minutes of the meeting held on 6 September 2016 were confirmed and signed by the Chair as a correct record.

### 61. LATE MATERIAL

Members' attention was drawn to late material in respect of agenda items 6, 7 and 8.

### 62. LAND ADJACENT TO NEWARK FARM, HEMPSTED LANE - 15/01494/FUL

Councillor Morgan, having declared a personal and prejudicial interest in this application, withdrew from the meeting and took no part in the consideration and determination of this item.

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Councillor Tracey, having declared an interest in this application due to pre-determination withdrew from the meeting and took no part in the consideration or determination of this item.

The Principal Planning Officer presented his report which detailed an application for the erection of forty-four dwellings with roads, infrastructure and landscaping (previously forty-six dwellings; revised scheme as per amended plans and supporting information received on 26 August 2016) on land adjacent to Newark Farm, Hempsted Lane.

He drew Members' attention to the late material which contained the detailed comments of the Highways Authority who raised no objection subject to the imposition of conditions, three further objections and clarification of how the heritage impacts of the development are to be assessed.

**Councillor Melvin as Member for Westgate Ward addressed the Committee.**

Councillor Melvin stated that regardless of the proposed distance between the new and existing houses, the residents, many of whom were approaching the quiet years of their lives, enjoyed views that would be lost as a result of this development.

They had requested a bund together with an evergreen hedge but she believed that a development of bungalows would be more appropriate. She stated that some residents wished to down-size their properties and bungalows would have a ready market in Hempsted.

She questioned whether the development was sustainable as the school was full, there was no surgery and bus services were limited.

She referred to the affordable housing proposed and noted that many of the future occupiers may not be able to afford motor cars and she questioned how they would be able to take their children to school.

She noted the lack of infrastructure and hoped that following the adoption of the City Plan greenfield sites would not be developed while brownfield sites were available.

She believed that this proposal was driven by the need for social housing but there was a need for infrastructure.

In conclusion, she noted that the Council was required to make savings of £1.3 million in the current year and there would be no money available for the Council to maintain the proposed public open space.

**Lisa Jackson, planning consultant and member of the RTPI addressed the Committee in opposition to the application.**

Mrs Jackson stated that she was a planning professional and was representing the objectors to the application. She made the following points:-

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- The application had not demonstrated that the public benefits outweighed the harm to the historic environment.
- The impact on the historic environment was not acceptable and would cause major harm to the setting of Our Lady's Well and Newark House.
- The development would cause loss of views
- Loss of ridge and furrow and damage to historic earthworks
- Case law proved a presumption against planning permission
- No assessment had been made of views in wintertime
- In accurate photo-montages had been provided
- The open space offered was not a public benefit as it provided no play facilities
- The primary school was full and children would not be able to walk to school
- The application rode rough shod over the Neighbourhood Plan
- Newland Homes had not engaged fully with residents
- Sustainability is questionable
- The only public benefit was a small amount of affordable housing

In conclusion, she asked, that should the Committee be minded to grant consent, the thirteen houses in the no development zone should be removed.

**Tom Sheppard, on behalf of the applicant, addressed the Committee in support of the application.**

Mr Sheppard thanked Council Officers for their input. He noted that the application had been reduced to forty-four homes and the applicant had responded to the concerns of the Conservation, Archaeological and Urban Design Officers.

The nearest dwelling was sixty-five metres from Newark House and the nearest dwellings had been reduced in scale. The applicant had been guided by the heritage assessment and he believed that there was no significant adverse impact on Newark House.

He stated that there has been a full archaeological survey where housing was proposed and a ten metre buffer would protect the historic earthworks.

The views to the Malverns and Robinswood Hill were protected and development had been confined to the lowest part of the site. The proposed development to the west was of a lower density.

There was a separation distance of forty metres to existing houses including a separation bund.

In conclusion he stated that the applicant had adopted a low density high quality approach to the development which would deliver nearly forty per cent affordable housing and the planning obligations of the Section 106 agreement.

The Chair questioned the status of Hempsted Neighbourhood Plan. The Principal Planning Officer referred to paragraphs 6.23-25 of his report and the Development Control Manager advised that the plan appeared to be in abeyance and was not ready for publication for consultation.

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A Member expressed concerns regarding the garages close to the existing dwellings. He was advised that garages would have flat roofs to minimise impact. The area of land in the top right hand corner would be a balancing pond.

Another Member was advised that the public open space would be protected for such use.

The Principal Planning Officer advised that the proposed affordable housing mix was supported by the Council's Housing Officer and had been tailored to meet local need.

A Member was satisfied that the archaeological impacts of the proposed development would not be harmful because the City Archaeologist raised no objection to the proposal

The Chair stated that given the Council could not demonstrate a five year land supply, the major issue appeared to be balancing the benefits of the proposed development with the harm to the setting of Newark House. On balance he was in favour of the application.

**RESOLVED that**

- 1) Subject to the recommendations of the Highway Authority being appropriately addressed and the conclusion of a section 106 legal agreement to secure the obligations listed at paragraph 8.2 of the report, planning permission be granted with appropriate conditions; and**
- 2) The Development Control Manager be authorised to prepare the required conditions and the detailed wording of the Section 106 legal agreement.**

**63. GLOUCESTER CITY FOOTBALL CLUB - 16/00574/REM**

The Development Control Manager presented the report which detailed a reserved matters application including details of the appearance, scale and landscaping for the re-development of Gloucester City Football Club comprising the erection of a replacement football stadium, associated engineering works involving the raising of ground levels, ancillary facilities, access and car parking (pursuant to outline planning permission ref: 16/00574/OUT).

He noted that the applicant had changed the colour of bricks for the new stadium from buff to red to be more in keeping with the City.

He drew Members' attention to the objection from Gloucestershire Constabulary and explained that some of the matters referred to therein should more properly have been raised for the outline permission which had already been granted. Other matters were more operational than planning related

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Overall the proposals were considered acceptable by Officers.

He confirmed that the Highway Authority raised no objection and amended his recommendation accordingly.

**RESOLVED that the approval of reserved matters be granted subject to the conditions in the report.**

**64. NORVILLE OPTICAL CO LTD, PAUL STREET - 16/00815/FUL**

The Principal Planning Officer presented his report which detailed an application for the demolition of existing buildings and clearance of site, and the erection of sixty-three affordable homes including new vehicular access at Norville Optical Co. Ltd, Paul Street.

A Member welcomed the application which would see the redevelopment of a long vacant site. He noted that the development would achieve one hundred per cent affordable housing and there had been no objections from local residents. He asked if the Sud Brook would be culverted and was advised that the response of the Environment Agency on the requirements for the Brook was awaited.

Another Member raised concerns relating to lack of tree planting, the size of windows in the house buildings and the future of the land in the same ownership situated the other side of the Sud Brook.

The Member was advised that tree planting would be secured by means of a planning condition. Officers had sought larger windows for the houses but were advised by the applicant that this would be too expensive.

The proposal was only viable because of a significant grant from the Homes and Communities Agency. The land in the control of the applicant to the other side of the brook had previously been proposed as allotments but had been removed from the application for reasons of viability. There were no clear proposals for this land at this time.

Another Member expressed concerns relating to the loss of the existing historic walls and the impact on street parking. She was advised that the Highway Authority were satisfied there was on-street capacity in the area in peak hours. Some of the new boundary walls would reflect the relief features on the existing walls; the applicant would be encouraged to re-use existing bricks if possible.

A Member was advised that a Section 106 contribution for education would not be possible because of the marginal viability of the site.

Another Member requested that the location of Millbrook Street be marked as this contained the last mill in the City.

**RESOLVED that**

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**1) Planning permission be granted with appropriate conditions, subject to resolution of the following matters:-**

- a. Receipt of outstanding design information**
- b. Re-examination of the design of Plots 39, 43 and 56 with a view to reducing overlooking of the rear gardens of Nos. 39 and 56;**
- c. Continued refinement of the design of the buildings, which is part of the on-going negotiations to achieve the best design possible for the site, having regard to viability constraints;**
- d. Flood risk, drainage and ecological issues being satisfactorily addressed in consultation with the Environment Agency, LLFA and Drainage Officer;**
- e. Any new and substantive issues arising as a result of re-consultation being reviewed and appropriately dealt with by the Development Control Manager.**

**and the conclusion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following obligations:-**

- i. Secure the development as 100% affordable housing including control over the type, size and tenure of affordable housing, energy standards, and other relevant requirements**
- ii. Management of the SUDS, drainage and common parts of the site**

**2) The Development Control Manager be authorised to prepare the required conditions and detailed wording of the legal agreement.**

**65. SHIELD HOUSE, 2 CREST WAY - 16/00896/FUL**

The Principal Planning Officer presented his report which detailed an application for the variation of conditions 2, 9, 11 and 12 and removal of condition 10 of planning permission 15/01428/FUL (which grants permission for the reconfiguration of premises including two and single storey extensions, plant and alterations to access) at Shield House, 2 Crest Way.

He referred Members to the late material which contained the comments of the Environmental Protection Team, confirmation that the Highway Authority were satisfied with the new LED lighting and a revised Officer's recommendation.

A Member expressed concern that the new LED lighting installed by the County Council in the alley way to the south west of the site might not be sufficient. The Chair advised the Member that the Highway Authority was satisfied that the new lighting provided sufficient lighting of this space.

A Member expressed concerns that the alley way might be blocked during construction. The Member was advised by the Principal Planning Officer that this was not a planning consideration but a matter for the Highway Authority.

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**RESOLVED that**

- 1) Subject to clarification of the Lead Local Flood Authority's position on the application with regard to conditions 11 and 12, planning permission be granted subject to appropriate conditions; and**
- 2) The Development Control Manager be authorised to prepare the required conditions.**

**66. LAND TO EAST OF STEPHENSON DRIVE, WATERWELLS - 16/01022/FUL**

The Development Control Manager presented the report which detailed an application for the erection of six Use Class B1/B8 industrial units together with associated parking and landscaping on land to the east of Stephenson Drive, Waterwells.

He noted that planning permission had been granted for six Class B8 units on the site in February. He reported that Quedgeley Parish Council had no objection subject to a restriction on operating hours and he advised there was no planning reason to impose shorter operating hours than previously granted.

He advised that the Highway Authority had requested that no more than thirty per cent of the gross floor area be designated within Use Class B1(a) and B1(b).

**RESOLVED that consent be granted subject to the conditions in the report.**

**67. 99, DENMARK ROAD - 16/01039/LAW**

The Development Control Manager presented the report which detailed an application for a Lawful Development Certificate for a proposed single storey side extension at 99, Denmark Road.

**RESOLVED that a Lawful Development Certificate be granted for the reason in the report.**

**68. DELEGATED DECISIONS**

Consideration was given to a schedule of applications determined under delegated powers during the month of August 2016.

**RESOLVED that the schedule be noted.**

**69. DATE OF NEXT MEETING**

Tuesday, 1 November 2016 at 6.00 pm.

**Time of commencement: 6.30 pm**

**Time of conclusion: 9.12 pm**

**Chair**

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