



PLANNING COMMITTEE

MEETING : Tuesday, 31st May 2016

PRESENT : Cllrs. Taylor (Chair), Lewis (Vice-Chair), Lugg, Hanman, Morgan, Brown, Dee, Toleman, Brown, Cook, Finnegan and Coole

Officers in Attendance

Jon Sutcliffe, Development Control Manager

Nick Jonathan, Solicitor, One Legal

Ed Baker, Principal Planning Officer, Housing Delivery

Matt Haslam, Urban Design Officer

Andy Powick, Planning Enforcement Officer

Helen Chard, Housing Strategy & Enabling Service Manager

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllrs. Hansdot and Fearn

1. **MEMBERSHIP OF THE PLANNING COMMITTEE**

RESOLVED that the following appointments made at the Annual Meeting of Council be noted:-

Planning Committee

Councillors Taylor (Chair), Lewis (Vice Chair), Lugg, Hanman, Morgan, D.Brown, Dee, Hansdot, Toleman, J. Brown, Cook, Fearn, Finnegan.

Planning Policy Sub Committee

Councillors Taylor (Chair), Lewis (Vice Chair), Lugg, D. Brown, Dee

2. **DECLARATIONS OF INTEREST**

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Councillor Taylor declared a personal and non-prejudicial interest in agenda item 19, Lidl Supermarket, Eastern Avenue as he lived near the application site.

3. MINUTES

The Chair deferred consideration of the minutes of the meeting held on 12 April 2016 until after the other business on the agenda had been completed.

4. LATE MATERIAL

Members' attention was drawn to the late material in respect of agenda item 10 which had been published on the internet as a supplement to the agenda.

5. LIDL SUPERMARKET, EASTERN AVENUE - 16/00013/FUL

Councillor Taylor had declared a personal and non-prejudicial interest in this application.

The Development Control Manager presented the report which detailed an application for the demolition of the existing discount food store and construction of a replacement discount food store with associated car parking, servicing and landscaping.

He advised that nine letters of representation had been received and were detailed in section 5.0 of the report.

He noted that the proposal was for a replacement for the existing Lidl store and he referred Members to paragraphs 6.6 and 6.7 which explained that Officers were satisfied with the issues regarding the sequential test.

He reported that the Highways Authority were satisfied with application and the Environmental Health Officer was satisfied that subject to appropriate conditions, there would be no demonstrable harm to the amenities currently enjoyed by the occupiers of neighbouring houses or the funeral business.

He referred Members to the late material which contained an amended recommendation to address errors in the original conditions.

Margaret Jones, a local resident, addressed the Committee to express some concerns over the application.

Ms Jones was speaking on behalf of the residents of 8, 9, 10 and 11 Highfield Place. She expressed concerns relating to security particularly at the back of the proposed store as acoustic fencing could be easily climbed. She called for a fence to secure the entire perimeter and asked that the Committee require such a fence.

She believed that the proposal would result in increased noise in particular from refrigerated vehicles and cages rumbling inside vehicles.

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She noted that the car park was used for gatherings after the store had closed and asked if there would be a CCTV installation.

She stated that there would be no objection if the above issues were addressed.

Miles Drew representing Lidl UK addressed the Committee in support of the application.

Mr Drew stated that Lidl UK welcomed the Officer's recommendation and explained that the existing store no longer met the current business model which was designed to deliver a better shopping experience.

He stated that Lidl UK recognised the amenity and security issues and should the Committee grant the application they would ensure boundary treatments addressed those matters. He added that measures would be taken to address issues with seagulls and all waste would be stored internally until collected.

He advised that Lidl UK had consulted the local community including 4,000 leaflets and a website. They had received 380 responses of which 98 per cent were in support of the application.

The Chair questioned the boundary treatments and was advised that condition 8 would address the issue. There was a balance between achieving security and visual acceptability together with acoustic issues and there was an expectation that serious thought would be given by the developer to achieve a satisfactory solution.

A Member asked if CCTV would be required and was advised it was not known. It would be necessary to demonstrate a real risk if the Council were to insist on it.

Another Member expressed disappointment that the layout plans had not been included in the report. He suggested soft landscaping to address the dominance of the rear wall.

The Development Control Manager advised that detailed plans had not been included in reports for some years. He advised that there would be a fence of a height up to 2 metres and planting around the site. He reminded the Committee that the site had previously been occupied by a fire station.

The Chair questioned the boundary treatment at the rear of the site and was advised that information was not available at the meeting.

A Member expressed concerns about the lack of apparent supervision of the bottom corner of the site.

The Chair noted that the applicant's agent had heard Members' concerns and the Development Control Manager believed that the developer would be keen to design in security of their premises as it was in their own interest.

The Chair requested that he and the Vice Chair be consulted prior to the discharge of conditions relating to boundary treatment and soft landscaping.

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

Condition 1

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

Reason

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

Condition 2

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 1234 006 and 007 received by the Local Planning Authority on 7th January 2016, 2015/96. Rev D received on 22nd March 2016, 1234 008 Rev C received on 27th April 2016 and 1234 005 Rev G received by the Local Planning Authority on 29th April 2016 and any other conditions attached to this planning permission.

Reason

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

Condition 3

No development 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 a suitable construction vehicle access;
- 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. provide measures to control the emission of dust and dirt during demolition/construction from ground works, haul roads, stockpiles and material handling removal.
- viii. provide details of any lighting from security compounds
- ix. provide for the storage of waste.

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 and to safeguard residential amenity and prevent pollution in accordance with policies TR.31 and BE.21 of the Second Deposit City of Gloucester Local Plan.

Condition 4

No development or demolition below slab level 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

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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

Condition 5

No development approved by the permission shall be commenced until a Detail Drainage Strategy for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The Strategy should be supported by evidence demonstrating the drainage scheme is technically feasible; and where applicable adheres to the NPPF, Non-statutory technical Standards for Sustainable Drainage, Building Regulation H and local policy. Where surface water requires disposal off site (i.e. not infiltrated) the applicant must provide evidence of consent to discharge/connect through 3rd party land or to their network/system/watercourse. Sections will be required demonstrating that the sloping car park can accommodate the attenuation volume required. 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). The details need to be submitted prior to the commencement of any works to ensure that the ability to implement a satisfactory drainage system is not compromised.

Condition 6

No development shall be put in to use/occupied until a SUDS maintenance plan for all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason

To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding 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). The details need to be submitted prior to the commencement of any works to ensure that the ability to implement a satisfactory drainage system is not compromised.

Condition 7

No development works above DPC level shall take place until details or samples of materials to be used externally on walls, roofs, windows and external doors, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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Reason

To ensure a satisfactory appearance to the development hereby approved and in accordance with policies BE.7 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 8

Notwithstanding the submitted drawings, no development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of all boundary treatments including precise details of the acoustic fencing to be erected. The boundary treatment and acoustic fencing 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

It is important that these details are provided prior to the commencement of development to ensure that adequate protection is provided to neighbouring properties in the interests of residential amenity and to ensure dwellings have satisfactory protection and privacy in accordance with policies BE.21 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

The building hereby permitted shall not be occupied until the vehicular parking and turning and unloading/unloading facilities have been provided in accordance with the submitted plan drawing no.1234 005 Rev G, and those facilities shall be maintained available for those purposes thereafter.

Reason

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

Condition 10

The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority

Reason

To ensure that the opportunities for sustainable transport modes are taken up in accordance with paragraphs 32 and 36 of the National Planning Policy Framework.

Condition 11

No building shall be occupied until measures to discourage seagulls from nesting and roosting on the buildings hereby approved have been implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of the appearance of the development and to avoid nuisance caused by nesting and roosting seagulls, in accordance with Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version

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November 2014, Paragraphs 17 and 58 of the National Planning Policy Framework and Policy BE.10 of the City of Gloucester Second Deposit Local Plan 2002.

Condition 12

The development hereby permitted 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 how 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 to protect the amenities of the occupiers of neighbouring properties in accordance with Policies BE.5 and BE.21 of the City of Gloucester Second Deposit Local Plan 2002

Condition 13

The building shall not be occupied until a noise assessment has carried out (by a competent person i.e. member of the IOA) and has been submitted to and approved in writing by the Local Planning Authority to ensure that the rating level of any noise generated by mechanical plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142: 2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

Reason

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

Condition 14

Mechanical plant installed in pursuance of this application shall be regularly maintained to ensure its continued satisfactory operation to ensure that the rating level of any noise generated by mechanical plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time, and the use of the equipment shall cease if at any time it does not operate to the satisfaction of the Local Planning Authority. As soon as possible thereafter, a noise assessment shall be carried out (by a competent person i.e. member of the IOA) to ensure that the rating level of any noise generated by mechanical plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142: 2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

Reason

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

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Condition 15

The landscaping scheme, as shown on the approved plan 2015/96. Rev D, shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with policies BE4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 16

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 DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing. 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 prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

Reason

To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 17

The gross external floorspace of the approved building shall not exceed 3041 sq. m and the net sales floorspace as defined by the National Retail Planning Forum* shall not exceed 1689 sq. m. The proportion of the net sales area to be used for the sale of comparison goods shall not exceed 20% of the net sales floorspace without the prior written agreement of the Local Planning Authority.

Reason

To define the terms of this permission and in order to protect the vitality and viability of existing centres and to ensure the store retains its status as a deep discount retail food-store and in accordance with Policy S.4a of the Second Stage Deposit City of Gloucester Local Plan (2002).

*The area within the walls of the shop or store to which the public has access or from which sales are made, including display areas, fitting rooms, checkouts, the area in front of checkouts, serving counters and the area behind used by serving

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staff, areas occupied by retail concessionaires, customer services areas, and internal lobbies in which goods are displayed; but not including cafes and customer toilets

Condition 18

The development hereby approved shall only be used as a Class A1 retail foodstore. This shall be restricted to 'limited product line deep discount retailing', and shall be used for no other purpose falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987. 'Limited product line deep discount retailing' shall be taken to mean the sale of no more than 2,000 individual product lines. No increase in the number of product lines shall be permitted without the prior written approval of the Local Planning Authority.

Reason

To define the terms of this permission and in order to protect the vitality and viability of existing centres and to ensure the store retains its status as a deep discount retail food-store and in accordance with Policy S.4a of the Second Stage Deposit City of Gloucester Local Plan (2002).

Condition 19

All waste management activities shall be handled internally and there shall be no external waste storage facilities, cardboard containers or compactor. Public facilities for the recycling of glass shall at no time be provided at the site.

Reason

To safeguard the residential amenities of the occupiers of neighbouring residential properties in accordance with policies FRP.10 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 20

The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the following times: Monday-Saturday 07.00hrs-21.00hrs, Sunday 08.00hrs – 13.00hrs.

Reason

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

Condition 21

The store shall only open to the public between the hours of 08.00 hrs and 22.00 hrs Monday to Saturday and 10.00 hrs to 16.00 hrs on Sunday.

Reason

In the interest of the amenities of the occupiers of neighbouring residential properties and in accordance with policy BE.21 contained within Second Deposit City of Gloucester Local Plan (2002).

Condition 22

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

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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 23

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).

Notes

1. 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.

2. Severn Trent Water Ltd advises that there may be a public sewer located within the application site and encourage the applicant to investigate this. Please note that public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. If there are sewers which will come into close proximity of the works, the applicant is advised to contact Severn Trent Water to discuss the proposals and we will seek to assist with obtaining a solution which protects both the public sewer and the building.

3. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Statement of Positive and Proactive Engagement

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

6. 18, BRUNSWICK SQUARE - 15/00894/FUL AND 15/00895/LBC

The Development Control Manager presented the report which detailed an application for the conversion of an existing building into eight single bedroomed flats, demolition of the existing storage shed to the rear and the erection of a replacement building to provide an additional five flats (three one bedroomed and two of two bedrooms) together with the associated Listed Building Consent at 18, Brunswick Square.

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He advised that the building was currently identified as 'vulnerable' on the City Council's Buildings at Risk Register.

He advised that no objections had been received from statutory consultees and he drew Members' attention to the representations detailed in Section 5 of the report and he reported that a further representation had been received by e-mail from a neighbour which noted that the development would prevent the conversion of the adjoining building currently used as offices into residential use and also requested that Committee Members walk the area.

He advised that the principle of development was acceptable and the loss of the Old Tram Shed was not considered to be significant and he considered that the development would enhance the Conservation Area.

He considered that the proposal was sustainable and close to public transport. The Highways Authority had raised no objection and noted that the parking demand would be lower than office use which would be the fall back position should this application not be approved.

He drew Members' attention to paragraphs 6.25 to 6.29 which detailed the impacts on residential amenity. He illustrated the sunlight analysis and concluded that the proposal would not result in any demonstrable harm to the amenities of occupiers of the neighbouring properties by way of any significant overshadowing, overbearing or overlooking.

Sheila Clarke addressed the committee in opposition to the application.

Ms Clarke stated that she was representing local residents. She referred to the comments of Historic England and the Council's Conservation Officer and believed that the amended plans had not achieved a reduction in scale to two storeys.

She stated that the owner of No. 17 wanted a residential property with garden, and this application would set a precedent for two and three storey extensions. She asked why object to windows when the whole application would despoil the Conservation Area.

She believed that the parking survey was flawed and there was no parking available in either Brunswick Square or Road after 6.00 pm.

She stated that the proposal would cause significant overshadowing and noted that No 9 Albion Street was 6.25 m from the site. She believed that the proposed condition 7 (requirement for a Construction Method Statement) was totally unworkable and that Officers had taken more care on internal detail rather than the external elements of the application.

Nick Carroll, architect, addressed the committee in support of the application.

Mr Carroll stated that significant harm would be caused by leaving the building in its present state. He noted that it had been empty for eight years and this application presented the only opportunity to restore the building.

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He believed that the application would benefit the local community and the aesthetics of the community. Dilapidated buildings bring crime and lower property values.

He noted that the gardens were already in shadow from other buildings but not all day.

He noted that the independent parking survey had found that the proposal would not exacerbate the situation in the square.

He clarified that the new element was two storeys with dormers rather than two and a half storeys.

He concluded that the market had suggested smaller units and the applicant could not cater for potential future uses. If the site was left as a car park it would not bring regeneration and the application was intended to raise the quality of life of the community.

A Member was advised that five flats would be provided in the new element and he expressed a preference that the new element be constructed to the lower height throughout.

Another Member noted that the location was sustainable but he believed that the proposal was overdevelopment.

A Member who had lived in the City for 79 years considered it unbelievable that it was proposed to demolish the Old Tram Shed.

In answer to a question the Development Control Manager advised that the windows were in the same location as in the existing buildings and there would be no new openings.

The Urban Design Officer noted that the contrast between old and modern windows was a key feature of the design.

The Chair believed that the principle of development was acceptable but he expressed concerns relating to size and height of the proposal, massing and residential amenity particularly light.

The Development Control Manager advised that the Committee should provide a clear explanation of the reasons for any refusal and identify the policies involved.

The Chair, accompanied by the Development Control Manager and the Solicitor left the meeting for a short time.

RESOLVED that the applications be refused as contrary to the provisions of Policy BE.21 (Safeguarding of Amenity) of the Second Stage Deposit Plan by virtue of the amenity impacts on neighbours.

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7. 31, LONDON ROAD - 16/00206/FUL

The Principal Planning Officer presented his report which detailed an application for the change of use from four apartments to a house in multiple occupation (twelve bedrooms) at 31, London Road.

He advised that the change of use rather than the internal layout was the issue before the Committee for consideration.

Councillor Hilton as Ward Member was invited to address the Committee.

Councillor Hilton stated that the property was within a Conservation Area and was currently split into four apartments which he believed was more sustainable than the proposed twelve bedrooms. He noted that the building was in need of refurbishment but the proposal represented overdevelopment in an area where parking was already congested.

He noted that the only communal space was within the annexe next to a bedroom and the bathroom was accessed through the communal lounge.

He expressed concerns regarding the collection of refuse and noted that the recycling system was breaking down in the City centre. He believed that it would be difficult to park two cars at the rear of the property and questioned whether the cycle and bin store would be adequate for twelve individuals.

He noted that there was no indication of future management arrangements and he called upon the Committee to reject the application as over-intensification.

The Vice Chair noted that the size of the proposed rooms was similar to the existing arrangements.

The Principal Planning Officer advised that the communal area indicated in the annexe was for the use of the bedroom in the annexe and not intended as a communal space to be shared with the other flats.

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

8. LAND ADJACENT 126, BARNWOOD ROAD - 15/01367/FUL

The Principal Planning Officer presented his report which detailed an application for the construction of two apartment blocks containing fourteen apartments on land adjacent to 126, Barnwood Road.

Andy Trower, resident of 126 Barnwood Road and an architectural consultant himself, addressed the Committee in opposition to the application.

Mr Trower stated that he had no objection to the principle of development of the site his objection was based on over-development and highways issues.

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He believed that refuse collection vehicles would not enter the site and he had concerns regarding the intensification of traffic.

He stated that density of the development was equivalent to 93 dwellings per hectare or 38 per acre excluding parking and would represent reduced residential amenity.

He noted that there had been little response to the public consultation and advised that the other immediate neighbour had sold the land for the development.

In conclusion, he stated that the development was overpowering, would cause a loss of light and create a parking nightmare.

Aled Roberts addressed the Committee in support of the application.

Mr Roberts stated that the proposal was an effective use of a brownfield site, was sustainable and had been carefully developed.

He advised that the plans were based on an accurate survey and would provide sufficient parking. There was space for a refuse collection vehicle to turn safely and overlooking had been minimised to the satisfaction of the local planning authority.

The mews element had been set back to exceed minimum requirements and he believed that the developer had responded to all the issues.

A Member reported the concerns of residents of Fairwater Park regarding parking. Sixteen spaces were proposed for fourteen flats but there was nowhere other than Fairwater Park for any overflow parking.

He noted there were generally spaces in Colin Road and Grove Crescent but these were a fair distance from the development. He asked if the spaces would be allocated and he was advised by the Principal Planning Officer that this would be a matter for the developer but it was likely that one space would be allocated to each unit.

The Vice-Chair noted that the Highways Authority was satisfied and the refuse collection vehicles would enter the site. He noted that the plan had evolved after a lot of consultation and although the development was dense he believed that it was acceptable.

Another Member was advised that the City Archaeologist's concerns had been addressed and that he would be sent a copy of the drainage scheme for comment before it was agreed.

The Chair had some concerns over highways issued but acknowledged that the Highway Authority was satisfied. He liked the design and noted that the development would help meet a housing need.

In answer to a question the Principal Planning Officer confirmed that the side windows would have obscure glazing.

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RESOLVED that the Development Control Manager be authorised to grant consent subject to the conditions in the report, satisfactory resolution of drainage and archaeological issues and any necessary amendments or additional conditions.

9. BLACK DOG WAY - 16/00142/FUL

The Principal Planning Officer presented his report which detailed an application for the demolition of existing structures, erection of ninety-five residential units (with associated communal areas, storage and plant) and Use Class A1 unit, with associated landscaping (amended description) at the former Kwiksave site, 103, Northgate Street. A physical model of the proposal was circulated to Members.

Craig MacDonald of Rooftop Housing Association addressed the Committee in support of the application.

Mr MacDonald advised that the project team had worked hard to bring forward the scheme which he believed represented a significant betterment on the site and he thanked Council officers for their assistance.

He advised that, subject to conditions including completion by March 2018, the project had received funding of £2,500,000 from the Homes and Communities Agency.

He noted that a few matters were still outstanding but he hoped that the Committee would be able to support the scheme.

The Chair believed that the scheme represented a great improvement of the site and noted that it would provide one hundred per cent affordable housing. He was confident that it would be delivered and noted that Council Officers had worked hard on the scheme and that the outstanding issues would be satisfactorily addressed.

A Member believed that the proposal was an exciting design for a key entry point to the City. He believed it to be a sympathetic way of addressing a series of gaps in the streetscape and would provide the area with a unique solution.

Another Member questioned the open space requirements for the development and the Principal Planning Officer advised that the overall scheme was marginal and there was no money available for contributions.

A Member echoed the praise for the scheme and was assured that the Council's Tree Officer would be consulted on the tree planting to ensure species suitable for planting in proximity to the culver.

The Principal Planning Officer confirmed that measures to address seagull issues would be included.

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RESOLVED that the Development Control Manager be authorised to grant consent subject to the necessary conditions, satisfactory resolution of the outstanding matters detailed in the report and the satisfactory completion of a Section 106 legal agreement.

10. 126,TREDWORTH ROAD - 15/00797/COU

The Development Control Manager presented the report which detailed an application for the proposed change of use from florist to takeaway and extract flue at 126,Tredworth Road.

He advised Members that the application had been deferred at the meetings held on 1 March and 12 April 2016. The Committee had requested an independent assessment of highway safety which was appended to the report.

He referred Members to section 1 of the report which contained details of the accident referred to by the public speaker at the April meeting. The Highway Authority had concluded that it had been caused by driver error. It was also stated that the Highway Authority's comments on the site remained unaltered as the incident was not attributable to the site.

He reminded Members that the key issue was that the site enjoyed open Class A1 use which could include use as a 24 hour convenience store and this had to be regarded as a fall back position.

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

11. SECTION 106 MONITORING - PROGRESS REPORT 2015/16

The Planning Compliance Officer presented the report which detailed new Section 106 Agreements entered into, contributions received and any other benefits realised as a result of section 106 Agreements during the 2015/6 financial year.

He advised the Committee that he would be leaving the Council's employment on 17 June and the team would be reduced to the Senior Planning Compliance Officer. As a result enforcement activities would have to be prioritised to deal with the more serious or urgent breaches of planning control.

The Vice Chair thanked Officers for the report and noted that he had experienced problems with the formatting of the report on his i-pad.

The Planning Compliance Officer undertook to provide a Member with further details of the works at Clock Tower Park. He advised that Hucclecote library was a County Council matter.

The Chair thanked the Officer for his services to the Council and wished him well for the future.

RESOLVED that the report be noted.

PLANNING COMMITTEE
31.05.16

12. DELEGATED DECISIONS

Consideration was given to a schedule of applications which had been determined under delegated powers during the month of March 2016.

RESOLVED that the schedule be noted.

13. MINUTES

Consideration was given to the minutes of the meeting held on 12 April 2016.

All the Committee Members who had present at that meeting agreed that minutes were a correct record of the proceedings with the exception of Minute 96, Land at Winnycroft Lane, Matson.

The Vice Chair suggested that approval of this minute be deferred to the next meeting as the proposed amendment would require minor redrafting.

The Development Control Manager invited the Chair and Vice Chair to an informal discussion of the matter.

RESOLVED that confirmation of Minute 96 of the meeting held on 12 April 2016 be deferred until the next meeting.

14. DATE OF NEXT MEETING

Tuesday, 14 June at 6.00 pm

Time of commencement: 6.00 pm
Time of conclusion: 9.50 pm

Chair