



Gloucester City Council

Planning Committee

**Meeting: Tuesday, 6th November 2018 at 6.00 pm in the Civic Suite -
North Warehouse, The Docks, Gloucester, GL1 2EP**

Membership:	Cllrs. Taylor (Chair), Lewis (Vice-Chair), D. Brown, J. Brown, Dee, Fearn, Finnegan, Hanman, Hansdot, Lugg, Morgan, Toleman and Walford
Contact:	Democratic and Electoral Services 01452 396126 democratic.services@gloucester.gov.uk

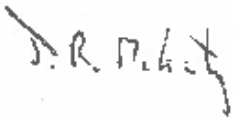
AGENDA

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 - 26) To approve as a correct record the minutes of the meeting held on 2 nd October 2018.
4.	LATE MATERIAL Please note: Any late material in respect of the applications detailed below will be published on the Council's website in the afternoon of the day of the meeting.
5.	BARBICAN CAR PARK, LADYBELLEGATE STREET - 18/00156/FUL (Pages 27 - 54) Application for determination:- Phase 2 of Student Accommodation Development comprising 186 bedrooms, arranged in cluster flats, along with ancillary accommodation, servicing facilities and works including hard and soft landscaping and the creation of the new pedestrian street from Ladybellegate Street to Barbican Road.
6.	UNIVERSITY OF GLOUCESTERSHIRE, OXSTALLS LANE - 18/00644/REM (Pages 55 - 68) Application for determination:- Application for reserved matters approval for the appearance, landscaping, layout and scale

	of hard surfaced path across Plock Court field between new sports facilities and the allotments track, new gate works to allotments track, installation of lighting alongside paths and associated works at the University of Gloucestershire, Oxstalls Lane.
7.	33 THE WHEATRIDGE - 18/00840/COU (Pages 69 - 76) Application for determination:- Change of use of land to garden space for 33, The Wheatridge.
8.	2 BEEHCROFT ROAD - 18/01105/FUL (Pages 77 - 82) Application for determination:- Two storey side extension, single storey rear extension and demolition of detached garage at 2, Beechcroft Road.
9.	4 CHAMWELLS AVENUE - 18/01115/FUL (Pages 83 - 88) Application for determination:- Single storey side extension at 4, Chamwells Avenue.
10.	LOBLEYS DRIVE PARK, LOBLEYS DRIVE - 18/00418/FUL (Pages 89 - 100) Application for determination:- Proposed change of use of part of the parkland to a regional standard BMX (cycling track); comprising four straight sections and a 4m high start hill at Lobleys Driver Park.
11.	49, SHERBORNE STREET - 18/00487/FUL (Pages 101 - 116) Application for determination:- Demolition of 23 flats/one office and construction of nine one bedroom flats and twenty two two-bedroom flats with associated access, parking and landscaping at 49, Sherborne Street.
12.	17 ST JAMES CLOSE, QUEDGELEY - 18/00672/FUL (Pages 117 - 130) Application for determination:- Conversion of existing communal facilities and warden's dwelling to form three dwellings and communal laundry facility at 17 St James Close, Quedgeley.
13.	DELEGATED DECISIONS (Pages 131 - 144) To consider a schedule of applications determined under delegated powers during the month of September 2018.
14.	EXCLUSION OF PRESS AND PUBLIC To consider the following Resolution: "That the press and public be excluded from the meeting during the following item of business on the grounds that it is likely, in view of the nature of business to be transacted that if members of the press and public are present during consideration of this item or there will be disclosure to them of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended."
15.	CURRENT PUBLIC INQUIRY UPDATE Exempt report to follow (exempt paragraph 5)

16. DATE OF NEXT MEETING

Tuesday, 4th December 2018 at 6.00pm.



Jon McGinty
Managing Director

Date of Publication: Monday, 29 October 2018

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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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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HUMAN RIGHTS

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

EQUALITY ACT 2010

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



PLANNING COMMITTEE

MEETING : Tuesday, 2nd October 2018

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

Officers in Attendance

Planning Technical Manager

Solicitor, One Legal

Principal Planning Officers (2)

Democratic Services Officer

APOLOGIES : None.

33. DECLARATIONS OF INTEREST

No declarations were made on this occasion.

34. MINUTES

The minutes of the meeting held 4th September 2018 were confirmed and signed by the Chair as a correct record.

35. LATE MATERIAL

Late material in respect of Agenda items 5, 6 & 7 had been circulated.

36. LAND AT MONKMEADOW, BAKERS QUAY AND LLANTHONY WHARF - 18/00685/FUL

The Principal Planning Officer presented the report which detailed an application for variation of Condition 5 (to alter application plans and documents), 6 (to alter masterplan) and 73 (to reduce affordable housing provision) of permission ref.

PLANNING COMMITTEE
02.10.18

14/00709/FUL (as varied) on land at Monksmeadow, Bakers Quay and Llanthony Wharf.

He advised that this application needed to be approved before the next application for reserved matters could be determined as the latter application was not compliant with the Master Plan which had been prepared some fifteen years previously.

He drew Members' attention to the late material which contained which provided an update on the terms of the proposed Section 106 Agreement.

Sarah Hawkins for Peel and Emma Geater for Crest Nicholson addressed the Committee in support of the application.

A Member expressed concern at the low level of affordable housing and he asked if consideration had been given to using some of the funding for towpath enhancement to provide more affordable housing. He was advised that the towpath improvements were part of the open space offer from the development and were considered as such by the Inspector on the original application. Not securing the funds for the towpath would prevent the scheme from delivering the enhancement.

Another Member called for safety railings along the towpath which was used by many cyclists. He was advised that this was outside of the application site and not been considered necessary as a requirement of the outline planning permission.

The Chair moved and the Vice-Chair seconded that the Planning Technical Manager be authorised to grant planning permission subject to terms detailed in the late material.

RESOLVED that the Planning Technical Manager be authorised to grant planning permission subject to the satisfactory completion of a legal agreement to secure the following heads of terms, and the addition/variation of conditions as appropriate.

Towpath

- Financial contribution of £320,000 (index linked)
- To be paid towards enhancement of towpath in vicinity of application site
- Payable upon commencement of development

Affordable Housing

- 1.2% (with no public subsidy) or up to 3.9% (with public subsidy) affordable housing (5 / 16 units) within the Monk Meadow phase (requiring a variation of Condition 73 and a legal agreement clause to set out the public subsidy testing process)
- Mix of affordable housing provision being all affordable rent (this would be agreed via a further separate submission under Condition 73)
- Delivery of affordable housing prior to 50% open market units (again this would be agreed via a further separate submission)

Monitoring fees

PLANNING COMMITTEE
02.10.18

37. LAND AT MONKMEADOW - 18/00680/REM

The Principal Planning Officer presented the report which detailed an application for Reserved Matters approval for access, appearance, landscaping, layout and scale for 409 residential developments pursuant to outline permission ref. 14/00709/FUL (as varied) for the Monk Meadow phase (phase G).

He drew Members' attention to the late material which contained an update on amended plans, the views of the Highway Authority and a revised recommendation by the Planning Technical Manager.

The Vice-Chair expressed concern regarding the noise from generators on boats using the moorings and he asked if an electrical connection would be available to serve the pontoons. He was advised that the applicants had said that they would provide an electricity supply to the site boundary. The Canal and River Trust may then be able to provide an onwards connection.

A Member expressed concerns that the flats adjacent to the petrol filling station and car wash were to be above the garages and would be open to disturbance. He was advised that the issue had been picked up in the noise report submitted by the applicants; the design had been tested for a satisfactory living environment and the building type had been altered for these plots with the omission of rear windows facing the filling station.

The Chair moved and the Vice-Chair seconded that the Planning Technical Manager be authorised to grant reserved matters approval subject to the conditions contained in the late material.

RESOLVED that, providing application ref. 18/00685/FUL is granted planning permission, the Planning Technical Manager be authorised to grant reserved matters approval subject to the following conditions;

Condition 1

The development shall be carried out in accordance with the following plans;

Masterplan A-90-001 Rev. P received by the Local Planning Authority on 1st October 2018

Proposed floor plans Blocks 1 & 17 A-00-001 Rev. A received by the Local Planning Authority on 17th August 2017

Proposed elevations Blocks 1 & 17 A-01-001 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 2 A-00-002 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 2 A-01-002 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 3 A-00-003 Rev. A received by the Local Planning Authority on 17th August 2018

PLANNING COMMITTEE
02.10.18

Proposed elevations Block 3 A-01-003 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 4 A-00-004 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 4 A-01-004 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 5 sheet 01 A-00-005 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 5 sheet 02 A-00-006 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 5 A-01-005 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Blocks 6, 7, 8, 9, 10 & 11 A-00-007 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 6 A-01-006 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 7 A-01-007 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 8 A-01-008 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 9 A-01-009 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 10 A-01-010 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 11 A-01-011 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 12 A-00-008 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 12 A-00-009 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 12 A-01-012 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Blocks 13 & 14 A-00-010 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 13 A-01-013 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 14 A-01-014 Rev. A received by the Local Planning Authority on 17th August 2018

PLANNING COMMITTEE
02.10.18

Proposed floor plans Block 15 A-00-011 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 15 A-01-015 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 16 A-00-012 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 16 A-01-016 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Blocks 18 & 19 A-00-013 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 18 A-01-017 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 19 A-01-018 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 20 sheet 01 A-00-014 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 20 sheet 02 A-00-015 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 20 sheet 01 A-01-019 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 20 sheet 02 A-01-020 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 22 A-00-016 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 22 A-01-021 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 23 A-00-017 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 23 A-01-022 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans House type 867 A-00-020 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations House type 867 A-01-023 Rev. B received by the Local Planning Authority on 13th September 2018

Proposed elevations House type 867 A-01-024 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans House type 1343 A-00-021 Rev. A received by the Local Planning Authority on 17th August 2017

Proposed elevations House type 1343 A-01-025 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations House type 1343 A-01-026 Rev. A received by the Local Planning Authority on 17th August 2018

PLANNING COMMITTEE
02.10.18

Proposed plans FOG 850 A-00-022 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations FOG850 A-01-027 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans FOG 850 (N) A-00-023 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations FOG 850 (N) A-01-028 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations FOG 850 (N) A-01-029 Rev. A received by the Local Planning Authority on 17th August 2018

Multiple garages A-00-031 Rev. A received by the Local Planning Authority on 17th August 2018

Plans/sections – Typical cycle/bin store A-00-032 Rev. A received by the Local Planning Authority on 17th August 2018

Elevations Typical cycle/bin store A-01-030 Rev. B received by the Local Planning Authority on 17th August 2018

Plans/sections – Substation A-00-033 received by the Local Planning Authority on 17th August 2018

Elevations Substation A-01-031 Rev. A received by the Local Planning Authority on 17th August 2018

Canal access ramp 2627/5704 Rev. P3 received by the Local Planning Authority on 17th August 2018

Canal access ramp A-02-107 received by the Local Planning Authority on 17th August 2018

Landscaping general arrangement 2627/5000 Rev. P5 received by the Local Planning Authority on 27th September 2018

Landscape Proposals sheet 1 of 6 2627/5001 Rev. P5 received by the Local Planning Authority on 27th September 2018

Landscape proposals sheet 2 of 6 2627/5002 Rev. P5 received by the Local Planning Authority on 27th September 2018

Landscape proposals sheet 3 of 6 2627/5003 Rev. P7 received by the Local Planning Authority on 27th September 2018

Landscape proposals sheet 4 of 6 2627/5004 Rev. P5 received by the Local Planning Authority on 27th September 2018

Landscape proposals sheet 5 of 6 2627/5005 Rev. P6 received by the Local Planning Authority on 27th September 2018

Landscape proposals sheet 6 of 6 2627/5006 Rev. P7 received by the Local Planning Authority on 27th September 2018

Illustrative play equipment & street furniture palette 2627-5-2-5703 Rev. P3 received by the Local Planning Authority on 17th August 2018

except where otherwise required by conditions of this approval or of the outline permission.

PLANNING COMMITTEE
02.10.18

Reason

To ensure the development is carried out in accordance with the approved plans.

Condition 2

No retaining walls shall be constructed until details of the facing material to the wall have been submitted to and approved in writing by the Local Planning Authority. Construction shall take place only in accordance with the approved details.

Reason

In the interests of securing a high quality finish to the development and the visual amenities of the area.

Condition 3

The noise mitigation measures identified in the Noise.co.uk Ltd 'Noise Risk Assessment & Acoustic Design Statement' ref. 18185-1 prepared 19th April 2018 (received by the Local Planning Authority on 6th June 2018) (section 10.2.5 onwards) shall be implemented in full. No unit for which that Statement identifies mitigation measures as being necessary shall be occupied until the specified measures have been installed in full for that property.

Reason

To ensure a suitable standard of living accommodation for future residents.

Condition 4

A Construction Phasing Plan shall be submitted to the Local Planning Authority prior to the commencement of construction of any dwellings.

For each phase a Noise Testing Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of any dwellings within that phase that identifies a minimum of 15 % of the dwellings within that phase with a façade onto St Ann Way and Hempsted Lane that shall be subject to noise testing.

Within each phase, no dwelling subject to this reserved matter approval shall be occupied until the results of noise testing, which has been undertaken by a professional and competent contractor, have been submitted to and approved in writing by the Local Planning Authority. The noise testing shall be carried out within the lounge and bedrooms of the dwellings identified within the Noise Testing Plan for that phase to establish whether the noise criteria as specified via condition 3 have been met through approved mitigation measures.

If the results are not satisfactory, a revised approach shall be provided to meet the requirements in condition 3 for the Local Planning Authority's approval and the revised approach shall be implemented in full prior to the occupation of a dwelling within that phase.

Reason

The purpose of the post completion testing is to establish compliance with the internal standards of BS8233 2014, as outlined within the submitted report to protect the residential amenities of the future occupiers of the properties.

PLANNING COMMITTEE
02.10.18

Condition 5

The first floor windows in the rear/south facing elevations of each of the units on plots 371, 372, 386 and 387 (as set out on the Masterplan ref. A-90-001 M), shall be constructed so that no part of the framework less than 1.7m above finished floor level within that room shall be openable. Any part below that level shall be constructed with, and retained in, an opaque material or obscure glazing.

Reason

In order to protect the residential amenity of adjacent properties.

Condition 6

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no extensions or any outbuildings or enclosures shall be erected within the curtilage of the dwellings shown on plots 371, 372, 386 and 387 (as set out on the Masterplan ref. A-90-001 M).

Reason

In order to protect the residential amenity of the occupiers of adjacent properties.

Condition 7

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no windows or other openings shall be constructed above ground floor in the rear/south facing elevations of the dwellings shown on plots 371, 372, 386 and 387 (as set out on the Masterplan ref. A-90-001 M).

Reason

In order to protect the residential amenity of the occupiers of adjacent properties.

Condition 8

The gardens of Plots 371 to 388 (as set out on the Masterplan ref. A-90-001 M) shall be tapered down (broadly in accordance with cross sections through the southern part of the site shown on plan ref.s A-02-100 Rev. C (Section A) and A-02-101 Rev. B (Section A)) to meet flush with the existing ground levels of the immediately adjacent land to south, at the shared boundary.

Reason

As confirmed by the applicant in the interests of protecting the amenities of residents of neighbouring properties.

Condition 9

No building shall be 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 and shall operate for the lifetime of the development.

Reason

PLANNING COMMITTEE
02.10.18

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.

Condition 10

The approved landscaping proposals shall be carried out concurrently with the development of this phase and shall be completed no later than the first planting season following the completion of the development of this phase. 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 damaged 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.

Condition 11

Buildings shall be constructed with window reveals to the following corresponding depths;

Where brickwork surrounds a window; 100mm

Where render surrounds a window; 120mm

Where timber surrounds a window; 150mm

Reason

To secure the quality of development confirmed by the applicant in the interests of good design and the visual amenities of the locality.

Condition 12

No dwelling shall be occupied until a method of preventing unauthorised vehicular use of the access ramp and waterside (between Blocks 3 and 8, and north of Block 14) has been implemented in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason

To prevent a detrimental impact on the appearance of the waterway corridor from the erection of poorly designed barrier and boundary treatments and to protect users of the towpath and the integrity of the canal infrastructure and in the interests of highway safety.

Note

The Environmental Impact Assessment information has been taken into consideration in this decision.

Note

The applicant is advised to contact the owners or management company for the adjacent land to the south in the interests of dealing with the section of left-over land in between the sites as there is the prospect for this to become neglected and a nuisance to residents. Further planning applications may be necessary to

PLANNING COMMITTEE
02.10.18

authorise the use of this land, and this may be affected by the planning considerations involved in determining this application.

Similarly the applicant is advised to contact the Highway Authority in the interests of dealing with the section of left over land at the south west edge of the site (opposite the southern edge of the elongated roundabout). Again further planning applications may be necessary to authorise works to or use of this land.

Note

The applicant is advised to discuss with the Canal & River Trust the provision of safety measures at the canalside to deal with persons entering the water.

Note

The applicant is encouraged to liaise with the Canal & River Trust to provide for the electrical connection to the moorings, which could provide for alternative power and heating options for boat users. The applicant is also encouraged to make future residents aware of the presence of the boat moorings.

38. DELEGATED DECISIONS

Consideration was given to a schedule of applications determined under delegated powers during the month of August 2018.

RESOLVED that the schedule be noted.

39. DATE OF NEXT MEETING

Tuesday, 6th November 2018 at 6.00 pm.

40. JESSOP COURT, QUEDGELEY - 17/01364/FUL

The Principal Planning Officer presented the report which detailed an application for the construction of a distribution warehouse with associated offices, parking, sustainable drainage and new access off Marconi Drive at Jessop Court, Quedgeley.

She drew Members' attention to the late material which contained the views of the Highway Authority and an amended recommendation by the Planning technical Manager together with revised conditions.

Mr Russell Price, on behalf of the applicant, addressed the Committee in support of the application.

The Chair moved and the Vice-Chair seconded that planning permission be granted in accordance with the recommendation of the Planning technical Officer contained in the late material.

PLANNING COMMITTEE
02.10.18

RESOLVED that planning permission be 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

The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers 5067-01, 03c, 04b, 05b, 06b, 07b, 09b and 12 except where these may be modified by any other conditions attached to this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans.

Condition 3

Notwithstanding the submitted drawings, no development above DPC level 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 to be erected. The boundary treatment shall be completed in accordance with a timetable to be agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter maintained in a suitable condition.

Reason

In the interests of visual amenity of the area in accordance with Policy SD4 of the adopted Joint Core Strategy (2017).

Condition 4

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;

PLANNING COMMITTEE
02.10.18

- vi. specify the intended hours of construction operations (including demolition and preparatory groundworks)
- vii. specify 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 with the National Planning Policy Framework and to safeguard residential amenity and prevent pollution in accordance with Policies INF1 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and paragraph 35 of the National Planning Policy Framework.

Condition 5

- (a) No development shall commence until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with current UK guidance and best practice.
- (b) Where the approved risk assessment (required by condition (a) above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.
- (c) Following implementation and completion of the approved remediation scheme (required by condition (b) above) and prior to the first occupation of the development, a verification report shall be completed in accordance with current UK guidance and best practice, and submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.
- (d) No development shall commence until a long term monitoring and maintenance scheme (to include monitoring the long-term effectiveness of the remediation and reporting on the same), where required, has been submitted to and approved by the Local Planning Authority. The approved scheme must be carried out in accordance with its terms, recommendations and time tables. All further reports produced shall be submitted to and approved in writing by the Local Planning Authority, and then carried out in accordance with its terms, recommendations and time tables.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works to ensure that the risk to buildings and their occupants from potential

PLANNING COMMITTEE
02.10.18

landfill or ground gases are adequately addressed in accordance with Policy SD14 of the adopted Joint Core Strategy (2017).

Condition 6

Notwithstanding the submitted drawings 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.

Reason

To ensure a satisfactory appearance of the development in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 7

Where premises are used for B2 uses, all factory doors shall remain closed between 23:00 and 07:00 hours.

Reason

To protect the amenity of local residents in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 8

Where premises are used for B2 uses, the loading and unloading of services and delivery vehicles together with their arrival and departure from the site shall not take place between the hours of 23:00 and 07:00 hours.

Reason

To protect the amenity of local residents in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 9

Where premises are used for B2 uses, there shall be no forklift movements on the external areas of site between the hours of 23:00hrs and 07:00hrs.

Reason

To protect the amenity of local residents in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 10

Prior to the first use or occupation of the approved development the proposed drainage and SUDs scheme shall be completed in accordance with the details set

PLANNING COMMITTEE
02.10.18

out in the Flood Risk Assessment and Drainage Strategy prepared by Cambria (Report reference CB1717-CAM-00-XX-RP-G-0760-03), dated December 2017. The approved scheme shall be maintained thereafter in accordance with the approved details for the lifetime of the development.

Reason

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding and to minimise the risk of pollution in accordance with sustainable objectives of Gloucester City Council and Central Government and policy INF2 of the adopted Joint Core Strategy.

Condition 11

The development hereby permitted shall be carried out in strict accordance with a scheme for foul water drainage arrangements which has first been submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure that satisfactory drainage arrangements are provided in accordance with policy INF 2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 12

No structures (including gates, walls and fences), storage of materials or products or raised ground levels shall be installed or constructed within the 8 metres of the watercourse (measured from the top of the bank to each side of the watercourse).

Reason

To ensure flood risk is not increased as a result of the development, to provide a 'green corridor', and to facilitate maintenance of the brook.

Condition 13

The development shall not be occupied until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of any lighting and external luminaries including measures to control light spillage onto the wooded corridor of the Dimore Brook as laid out in section 5.2.1, Lighting for Bats of the Ecological Assessment, dated 12/2017, prepared by Pure Ecology.

The lighting scheme shall include aims and objectives; information to demonstrate how the number and wattage of lighting will be kept to a minimum; details of how lighting will be controlled temporally e.g. timers, PIRs and avoid use of broad spectrum light emissions: details of how light spill will be reduced, for example low level illumination, cowling, planting schemes to screen spill, lights angled so as not

PLANNING COMMITTEE
02.10.18

to emit at greater than 70 degrees; ensuring dark zone/s; scale drawings showing the number, location, type and wattage of lighting proposed. The development hereby permitted shall be carried out and thereafter maintained in accordance with the approved details.

No further lighting shall be thereafter installed.

Reason

In the interest of good design and to secure biodiversity mitigation and enhancement in accordance with Policies SD4 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 14

No demolition, tree or shrub removal or clearance works shall take place between 1st March and 31st August inclusive unless a survey (by a suitably qualified ecologist) to assess the nesting bird activity on the site during this period and a scheme to protect the nesting bird interest on the site have first been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with any such scheme so approved.

Reason

To secure biodiversity mitigation and enhancement in accordance Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 15

Biodiversity enhancements for bats and birds, in accordance with the Landscape and Ecology Plan, drawing 5067-09b, dated 01/12/2017 prepared by Collins, shall be implemented prior to the beneficial occupation of the development and shall be maintained thereafter for biodiversity interest.

Reason

To secure biodiversity mitigation and enhancement in accordance with Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 16

No development above DPC level shall take place until a landscape plan has been submitted to and approved in writing by the Local Planning Authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers. Drawings must include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed. The submitted plan shall also include the following:

PLANNING COMMITTEE
02.10.18

- a) Details of the proposed trees, wildflower mix, hedge, shrubs and ground cover.
- b) A phased implementation programme.
- c) A management plan for the vegetation along the brook and the hedgerow.
- d) Details of tree planting pits
- e) Details of measures to protect the proposed trees from vehicles.

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with Policies SD4 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 17

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

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with Policies SD4 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 18

Prior to occupation of the proposed development hereby permitted the vehicular accesses shall be laid out and constructed in accordance with the submitted plan drawing no's. 5067-12 & CAM 00 00 GA C0651 with the first 20m of the proposed access road, including the junction with the existing public road and associated visibility splays completed to at least binder course level.

Reason

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians.

PLANNING COMMITTEE
02.10.18

Condition 19

The vehicular Marconi Drive access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distance in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason

To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 20

The building(s) hereby permitted shall not be occupied until the parking, turning and loading/unloading facilities have been provided in accordance with the submitted plan drawing no. 5067-03c, 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 scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 21

The building(s) hereby permitted shall not be occupied until the parking, turning and loading/unloading facilities have been provided in accordance with the submitted plan drawing no. 5067-03b, 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 scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 22

PLANNING COMMITTEE
02.10.18

The development hereby permitted shall not be occupied until the cycle storage facilities for a minimum of 20 no. bicycles have been made available for use and those facilities shall be maintained for the duration of the development.

Reason

To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

Condition 23

Notwithstanding the submitted details, the development hereby permitted shall not be occupied until a demarcated pedestrian crossing point linking from the site entrance to the main pedestrian building entrance has been provided and made available for use and shall be maintained for the duration of the development thereafter.

Reason

To ensure safe and suitable access to the site can be achieved for all users; to give priority to pedestrians and to address the needs of people with disabilities in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 24

Notwithstanding the submitted details, the development hereby permitted shall not be occupied until a delineated at grade pedestrian corridor with a minimum width of 1.2m from the proposed parking bays linking to the main pedestrian entrance has been provided and made available for use and shall be maintained for the duration of the development thereafter.

Reason

To ensure safe and suitable access to the site can be achieved for all users; to give priority to pedestrians and to address the needs of people with disabilities in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 25

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

The development will generate a significant amount of movement and to ensure that the appropriate opportunities to promote sustainable transport modes are taken

PLANNING COMMITTEE
02.10.18

up in accordance with paragraphs 108 and 111 of the National Planning Policy Framework.

Note 1

**Landfill and Ground Gases FURTHER INFORMATION FOR APPLICANT
Validation Requirements**

Validation of the installation of gas protection measures must be completed in accordance with current guidance and best practice, namely comprise BS8485:2015 “Code of practice for the design of protection measures for methane and carbon dioxide ground gases for new buildings” and CIRIA C735 “Good practice on the testing and verification of protection systems for buildings against hazardous ground gases”

Typically the following is required, as a minimum:

A formal technical specification of the membrane installed and confirmation of appropriate installation by a suitably qualified and independent third party such as:

- a validation report from an experienced geo-environmental consultant including details of a visual inspection of the installed membrane and a photographic record and/or;
- a validation report from LA Building Control or NHBC inspector or registered membrane installer including details of a visual inspection of the installed membrane and a photographic record.

Note 2

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 3

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 – explanatory booklet.

PLANNING COMMITTEE
02.10.18

Note 4

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.

Note 5

Severn Trent Water advises that there is a public sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. 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. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Note 6

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 and appropriate bond) with the County Council before commencing those works.

Time of commencement: 6.00 pm
Time of conclusion: 7.00 pm

Chair

GLOUCESTER CITY COUNCIL

Committee:	Planning
Date:	
Address/Location:	Barbican Car Park Ladybellegate Street Gloucester
Application No:	18/00156/FUL
Ward:	Westgate
Expiry Date:	9 th November 2018
Applicant:	Cityheart
Proposal:	Phase 2 of Student Accommodation Development comprising 186 no bedrooms, arranged in cluster flats, along with ancillary accommodation, servicing facilities and works including hard and soft landscaping and the creation of the new pedestrian street from Ladybellegate Street to Barbican Road
Report by:	Ron Moss
Appendices:	Site location and site layout plan

1.0 **SITE DESCRIPTION AND PROPOSAL**

- 1.1 The site is located just to the south west, but in close proximity to Gloucester City centre. It specifically contains land which is located between Ladybellegate Street to the east, Barbican Road to the west, Commercial Road to the south and the rear of properties along Longsmith Street to the north. Phase 1 of the redevelopment of the former Barbican Car Park comprising 295 no. student bedrooms is being completed immediately to the east and a number of students are now occupying the accommodation.
- 1.2 The northern boundary of the site is formed by a boundary wall, which separates the site from the car parking areas for the business premises backing on the site from Longsmith Street. The eastern boundary of the overall development site is formed by Ladybellegate Street. The southern boundary of the site partially borders an electricity primary station and a music school building, with Commercial Road beyond. The western boundary then abuts Barbican Road with the former prison on the opposite side of this road.
- 1.3 With regard to heritage matters, the site is within the Barbican conservation area. Parts of the Scheduled Ancient Monument, Glevum Roman Colonia fall within the western boundary. Furthermore although there are no listed buildings on the site itself, there are a number of them that directly border and are in close proximity to the site. To the west across Barbican Road lies the Former HMP Gloucester which consists of numerous designated heritage assets including a Governors House, Debtors Prison, Outer Gatehouse and perimeter brick walls which are all Grade 2 listed, together with the Central Cell Block and Chapel, which are Grade 2 *. Then to the immediate north of the site lies the Grade 2 * Bearland House and Lodge. To the east of the Phase 1 development on the opposite side of Ladybellegate Street lie the listed buildings associated with the Blackfriars Scheduled Monument, including the Grade 1 Listed Blackfriars Church, and the Grade 2* listed 13,15 and 17 Ladybellegate Street, along with the Grade 1 listed Ladybellegate House. Along Commercial Road are then three Grade 2 Listed Buildings, The Dock Company, City Flour Mills and the Regiments of Gloucestershire Museum.

- 1.4 The current proposal is for Phase 2 of the redevelopment of the former Barbican Car Park. Phase 1 of the development comprised of 4 blocks, two blocks 3 / 4 storey in height fronting Ladybellegate Street, then a block shown running back in to the site 4 / 5 storey in height and a 4 storey terrace of three town houses in the middle of the site. A landscaped court yard area is positioned to the rear of the blocks fronting Ladybellegate street. A pedestrian only route 'the street' running east –west through the whole site from Ladybellegate Street to Barbican Way was approved within phase1, however currently it has just been completed for the built eastern phase 1 section. The western part of the site is some 3 metres lower than the eastern section.
- 1.5 The current proposal for phase 2 would involve building on the western part of the site that was shown as a temporary surface car park within phase 1. As stated above the east – west pedestrian street has been approved under Phase 1, but is not as yet built. Phase 2 proposes two further accommodation buildings, Block E and Block F.
- 1.6 Block E is shown positioned fronting on to Barbican Road, but set back some 18 metres from it. It would be 5 storeys in height and is set up at ground floor with a set of 4 six bed cluster flats and at the upper floors it is shown with 2 seven bed cluster flats and 2 six bed cluster flats. The roof of the block is shown as a mix of flat and pitched roof elements.
- 1.7 Block F would be positioned along the northern border of the approved pedestrian street, with its gable end fronting on to Barbican Road. The south side of the ground floor contains communal facilities, such as the social learning, social lounge and laundry, while the northern rear part would contain 6 cluster flats. This block would have three upper floors (reduced from four as shown on the original plans) of six bed cluster flats.
- 1.8 In front of Block E there would be a small area of garden terraces for the residents, then an access way to allow access/egress to the neighbouring music centre car park, along with two disabled parking spaces, frontage landscaping to Barbican Road and a covered bin store. To the east would be a landscaped area, linking by steps in to the approved courtyard area of the first phase. To the rear (north) of Block F would be a private garden area for residents, while directly to the front would be a terraced area as part of the pedestrian street. Steps and an external platform lift are shown to link the higher eastern part of the pedestrian street with this lower western part.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
17/00659/FUL	<p>Neighbouring Property Redevelopment of the former HMP Gloucester site comprising the partial demolition and conversion of Grade II* and Grade II listed buildings to provide 38 residential dwellings (Use Class C3) and 481 sqm (GIA) of flexible commercial / community floorspace (Use Classes A2, A3, A4, A5, B1, D1, D2) at ground floor and first floor of Block C (Chapel wing); demolition of non-listed structures and the construction of seven new buildings up to six storeys to accommodate 164 residential dwellings (Use Class C3); and associated car parking, cycle parking, private and</p>	Committee approval subject to s106 agreement	

	communal amenity space, landscaping, access and related infrastructure works.		
16/01510/LDO	A residential led Draft Local Development Order that when adopted would grant planning permission for predominantly residential uses, with other supporting uses and car parking, and that includes an Environmental Statement	Approved	21.04.2017
16/01290/EIA	EIA Screening opinion for the construction of student accommodation of circa 470 no. bedroom development in two phases. Phase 1 comprising 300 bedrooms and Phase 2 comprising 170 bedrooms. The scheme to also include associated landscaping and public realm works.	Not EIA development	06.02.2017
16/01525/FUL	Re-development of the site for the construction of Phase 1 student's residences accommodation of 295 bedrooms, comprising studio flats, cluster flats and town houses, through the erection of new buildings and related / ancillary facilities, services, and amenities, with associated works comprising access (including new pedestrian route from Ladybellegate St to Barbican Road / Way), parking, hard and soft landscaping, public realm works, together with the creation and provision of temporary surface level car parking facility.	Granted	10.02.2017

3.0 RELEVANT PLANNING POLICY

3.1 The following planning guidance and policies are relevant to the consideration of this application:

3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 Development Plan

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS include:

SD3 – Sustainable design and construction

SD4 – Design requirements

SD6 – Landscape

SD8 – Historic Environment

SD9 – Biodiversity and geodiversity

SD10 – Residential development

SD14 – Health and environmental quality

INF1 –Transport network

INF2 – Flood risk management

INF3 – Green Infrastructure

INF4 – Social and community Infrastructure

INF6—Infrastructure delivery
INF7 – Developer contributions

3.4 **City of Gloucester Local Plan (Adopted 14 September 1983)**

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 213 of the NPPF states that ‘...*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*’ Therefore it is considered that the 1983 Local Plan is out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy.

3.5 **Emerging Development Plan Gloucester City Plan**

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

3.6 **Other Planning Policy Documents Gloucester Local Plan, Second Stage Deposit 2002**

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight:

BE.30a – Control of redevelopment in Conservation Areas.

4.0 **CONSULTATIONS**

4.1 **Highway Authority**

The site has previously been used for both public and private car parking and has an existing planning permission for a new car park permitted alongside the phase 1 development. The proposed access would be broadly the same as that already permitted through the phase 1 permission, however the access for phase 2 would have a much lower level use, serving only two disabled car parking spaces, the neighbouring music school and providing access for refuse and emergency vehicles where necessary.

4.2 The development is proposed to be car free, however this would mean that at the end of the academic year there would be a large demand for students dropping off/picking up their belongings. As with the Phase 1 of the development a management plan would be required as a condition on any approval to show the areas for parking and the staggered timings. Overall no highway objection is raised, subject to conditions on any planning permission to provide pedestrian and cyclist safety at the development access, a construction method statement, cycle storage and a travel plan.

4.3 **Conservation Officer**
Original Proposal

The proposals for Block F are shown as a continued block of 5 storey in height following on from the existing phase 1 scheme and shown reduced to 3 storey in height to the edge of the site next to Barbican Road. The submitted proposals for Block F are shown tight against the rear of the listed Bearland House and Lodge, where they would have an overbearing impact and dominance over these designated heritage assets. Block E would be 5 storey in height and at this height would be out of scale with the domestic scale of the conservation area and therefore harmful to it. Block E would also involve the loss of a key view to the Cathedral and the listed prison chapel.

4.4 The Barbican Conservation Area Appraisal identifies two key views across to the cathedral, one from the junction of Commercial Road across the site and the second along the narrow Barbican Road route. The proposed 5 storey element to Block F would impact upon this cathedral viewpoint and should be reduced in height. The Commercial Road view is a key link between the docks and the cathedral. Block E would cause the loss of this view and the view from Ladybellegate Street down to the listed prison buildings. It should therefore be reduced in height.

4.5 With regard to materials and features, the roof forms, materials and window openings should be domestic nature and respond to the character of the area rather than the larger warehouse form of the docks.

In conclusion it is considered that the proposal would cause less than substantial albeit considerable harm to heritage assets.

Revised Proposal

4.6 The revision to Block F to reduce the height down to 4 storey assists in reducing the harmful overbearing impact and dominance to Bearland House and Lodge, but does not remove all of the harm especially as these heritage assets are lower in scale and the block would still have some setting impact, although of a more minor nature than previously identified. All previous concerns still remain and therefore the conclusion is still less than substantial harm to heritage assets, except now the harm would be caused at the lower rather than higher end.

4.6 **Historic England**
Original Proposal

Object to the development as the proposal by reason of position, massing and design would result in harm to the character and appearance of the Conservation Area and the setting of highly graded heritage assets. The height and massing of proposed Block F would both impact significantly upon the open southerly aspect of the listed Grade 2* Bearland House and also dominate its immediate setting and outlook. Strongly advise that Block F is reduced in height, so that its massing better responds to the lower topography of the site and the former domestic scaled buildings in this part of the Conservation Area. A more heritage lead development could result in better revealing the significance of the Conservation Area.

4.7 The verified view taken from Commercial road towards the tower of the cathedral would be totally obscured by Block E, while the view from the junction of Commercial Road and Barbican Road is also identified in the Conservation Area Appraisal as a key view. This view frames the cathedral and would be impacted upon by Block F. The view from Blackfriars across the site to the Grade 2 * prison is important to the character and appearance of the Conservation Area and Phase 2 would obscure this view, thereby causing harm to the character and appearance of the Conservation Area. Block E would also dominate the setting of the listed prison within a tight street scene.

4.8 In summary it is considered that the heights of both Block E and F are arranged in a way that would result in harm to the setting of highly graded heritage assets and the character and appearance of the Conservation Area. The degree of harm is considered to be the higher end of 'less than substantial'. Emphasis is put on paragraph 193 of the revised NPPF which places great weight on the conservation of heritage assets and the more important the asset, the greater the weight should be. This is irrespective of the degree of harm caused to significance. The cumulative impact of the proposed development upon the setting of the Grade II* Bearland House, the Grade II* Prison and Grade I Cathedral (to varying extents), and the character and appearance of the Conservation Area lead us to formal objection to the application.

Revised Proposal

4.9 The proposed development has been reduced in scale although this only applies to Block F. The massing would follow more closely the topography of the site and while this would now tend to have a less dominant impact upon the setting of Bearland House, the architectural approach remains unaltered, while the character of this area is defined by a rich variety of architectural phases. The potential benefits of the reduced mass of Block F are recognised, but Historic England are not persuaded that clear and convincing justification has been provided where harm has been identified to the setting of heritage assets. On this basis there is still objection to the application.

Civic Trust

Original Proposal

4.10 Support the principle of the proposal and the redevelopment of this site. Disappointed that the opportunity to produce a cutting edge type development has not been taken, however happy with the same palette of materials being used as Phase 1. Have concern with regard to the bulk and proximity of the multi storey blocks to the rear of listed buildings in Longsmith Street and to the prison. There is main concern with regard to Block F, which towers above the listed Bearland House and Lodge, while Block E would stare down on the redeveloped debtors prison. The heights of the two proposed blocks should be reduced.

4.11 Landscape Adviser

The landscape proposals shown on the Landscape Master Plan and the Planting Proposals show that the planting has been carefully considered and would provide seasonal interest. A condition should be attached to any planning permission requiring the landscape to be carried out in accordance with these plans.

4.12 Ecology Adviser

The ecology appraisal submitted for phase 1 concluded that the site was of low ecological value. The appraisal is 2 years old and normally a walk over update survey should be undertaken, while in this case the phase 1 appraisal has just been submitted again. However as the area is primarily hardstanding, then it can be concluded that the recommendations of this survey remain valid and there is no objection subject to a condition on any approval to secure biodiversity enhancements in the form of bird and bat boxes.

4.13 Natural England

The application site is within proximity to the Cotswolds Beechwoods Area of Conservation (SAC), which is a European Site. While the site is also notified at a national level as Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI). Natural England has noted that Gloucester City Council, as the competent authority under the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects on these abovementioned areas. They concur with the view that as the proposal is for student accommodation and as there would be restrictions in place stating no pets (to require walking) or cars (to get to the areas of concern), then no likely significant effects would potentially occur as a result of this development. They have no objection

- 4.14 **Contaminated Land Adviser**
Worcester Regulatory Services reviewed and provided comments on the preliminary ground investigation survey submitted for Phase 1 of the development that covered the whole of the development site. They concur with the approach taken and findings. No objection is raised, subject to the standard suite of contaminated land conditions being attached to any approval.
- 4.15 **Drainage Adviser**
There is sufficient detail in the drainage proposals to ensure further details would not be required, however require conditions on any approval for the development to be constructed in accordance with the submitted details along with a SuDS maintenance condition.
- 4.16 **Local Lead Flood Authority**
The Lead Local Flood Authority confirm that they have no objection to the proposal, subject to a condition requiring full details of the surface water drainage strategy to include construction detail and exceedance flow paths.
- 4.17 **Severn Trent Water**
No objection subject to provision of drainage plans for disposal of foul and surface water flows.
- 4.18 **City Centre Improvement Officer (Environmental Protection)**
There was originally an element of concern regarding the potential noise impact from the Western Power Distribution electricity station. However a condition on the planning permission for Phase 1 required noise attenuation measures to suppress the noise from this substation in relation to the closer accommodation blocks in Phase 1 and the measures taken involved addressing the problem at source with noise proofing on the substation.
- 4.19 **Urban Design Adviser**
Original Proposal
The overall layout of the masterplan works well with the existing street structure and the architecture of the proposed building is consistent with Phase 1. However while the topography of the site slopes down from Phase 1 to Phase 2, the proposed buildings retain the same height, which creates overbearing buildings that would not respect their historical surroundings. The height of Block F would be overly dominant in relation to Bearland House, while Block E is also shown too high. Alterations to the heights of the buildings should be made.
- 4.20 **Archaeology**
This site is one of the most archaeologically sensitive locations in Gloucester. The site contains the following:-
- Remains from the original Roman fortress at Gloucester;
 - The remains of two (perhaps three) large town houses dating from the time of the Roman colonia (colonial city) of Glevum;
 - Remains of Saxon settlement in Gloucester;
 - Part of the 'Old' castle (a Norman ring work or mote and bailey castle); and
 - outer defensive ditches of the 'New' castle (a larger stone-built castle centred on the adjacent prison site).
- 4.23 This sequence of archaeological remains is undoubtedly of national importance, hence the two scheduled monuments within the site. It should be noted that the majority of the archaeological remains outside of the scheduled area are also of schedulable quality – as the local planning authority we are required to give 'great weight' to the preservation of these remains as outlined in paragraph 193 of the National Planning Policy Framework (2018).

4.24 The Archaeological Impact and Mitigation Statement (AIMS) submitted by the applicant outlines the likely development impacts which may result from the scheme, which indicate that the likely impacts from the foundation construction, drainage and utilities, surface drainage and attenuation tanks , utility services and general landscaping would be limited or none at all. Conditions would be required on any approval requiring written schemes of investigation to be submitted and bore hole surveys to be undertaken.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 62 neighbouring properties were notified and press and site notices were published. Further notifications with regard to the amendments to Block F have also been sent out. Any comments received with regard to the revised notification will be reported on the late list to committee members.

5.2 4 letters of objection were received, raising the following issues:-

- 1) Proposed height and position of the proposed development would lead to general loss of light to Bearland House.
- 2) The house is used for a shirt making business that employs 28 people and relies heavily on natural light to undertake the sewing, embroidery and weaving. The loss of natural light could lead to the business potentially having to relocate to continue operating.
- 3) Bearland House is currently very visible on the route between the docks and city centre and has historical links to the two areas. The proposal would block views of the house from the south.
- 4) The height and extend of proposed Block F would adversely affect the properties in Longsmith Street.
- 5) The height and layout of the proposal should respect the surrounding historic buildings.
- 6) The lack of car parking bar 2 disabled spaces is noted, how enforceable is the condition that the students would not be permitted to keep a car within 3 km of development?
- 7) How robust would be the arrangements for picking up/dropping off students at the start and end of terms, to ensure no harm to the amenities of neighbouring occupiers?

5.3 2 letters of support were received, stating the following:-

- 1) Welcome the development, the student population would bring vibrancy to this area, increase the population and help ensure there would be a demand for public services and infrastructure.
- 2) Would complete a new vibrant vision for the centre of Gloucester on a site that has remained dormant and semi – derelict for decades.

5.4 The full content of all correspondence on this application can be viewed on:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 OFFICER OPINION

6.1 *Legislative background*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

- 6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:
- a) the provisions of the development plan, so far as material to the application;
 - b) any local finance considerations, so far as material to the application; and
 - c) any other material considerations.
- 6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.
- 6.4 It is considered that the main issues with regards to this application are as follows :
- a) Principle of development
 - b) Design, Layout and Landscaping
 - c) Impact on Conservation Area and Listed Buildings
 - d) Archaeology
 - e) Traffic and Transport
 - f) Residential Amenity
 - g) Drainage and Flood Risk
 - h) Land Contamination
 - i) Ecology

Principle of development

- 6.5 Policy SD10 of the JCS supports housing development on previously developed land within the built up area of Gloucester City. The broad principle of development is therefore acceptable.
- 6.6 In the past this overall area has consistently struggled to attract development, but the Council has always recognised the importance of this part of the city and the need to regenerate it. Objective 1 of the Council's Regeneration and Economic Development Strategy 2016 – 2021 states the aim with regard to the Blackfriars project of regenerating this large brownfield site is to provide a vibrant mixed use of employment, residential, leisure, open space and parking development thereby creating a seamless link between the traditional docks and city centre.
- 6.6 The City Council in conjunction with the County Council set up a Quayside/Blackfriars regeneration board that looked at how to bring the larger area forward and with funding from GFirst LEP started undertaking de risking investigative ground works and put forward a Local Development Order (LDO) to make it quicker and easier for development to take place here. This relates to the wider area and is now in place.
- 6.7 The University of Gloucestershire have significant growth plans, which include the relocation of their Business school from Cheltenham to Gloucester. The University appointed Cityheart as their Strategic Estates Partner (SEP) for the delivery of circa 500 beds of student accommodation in 2016. Planning application reference: 16/01525/FUL specifically granted planning permission for phase 1 of the student accommodation development on the eastern side of the overall site, but clearly indicated the expectancy for a phase 2 to take place to provide student accommodation on the western side. A temporary car park was approved in this western area (the site subject to this current application), simply to be in place until this second phase came forward.
- 6.8 It is therefore considered that bringing forward this phase 2 development of student accommodation fully follows the Council aims of optimising the regeneration and seeking the most efficient use of this brown field site and is the expected follow on from application reference 16/01525/FUL. There are clear benefits in terms of city centre regeneration, along with benefits of generating additional economic activity in the city centre post development. There would also be economic benefits within the construction phase.

6.9 In light of the above the principle of development is acceptable.

Design, Layout and Landscaping

- 6.10 The NPPF states that good design is a key aspect of sustainable development. Paragraph 127 sets out criteria for achieving well-design places while paragraph 130 provides that permission should be refused for development of poor design. Policy SD3 of the JCS requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design, while Policy SD8 requires development to have regard to the valued and distinctive element of the historic environment.
- 6.11 The proposal seeks to follow a similar design to that of the first phase of the proposal, both in terms of architectural style and detail. Two buildings are proposed with Block F shown aligning with the now built Block C on the northern boundary of the site, where it would define the northern edge of the new pedestrian street, approved under phase 1 of the development, but yet to be completed on this western section. Block E would then define the eastern boundary and completes the court yard for the phase 1 development, albeit being shown at a lower level. It is shown positioned at right angles to the new pedestrian street and set some 18 metres from Barbican Road. One of the characteristics of the townscape of Gloucester is that the roof form shows great variation in height, set back and form. Buildings sitting next to each other along a street can vary greatly in heights and roof treatment, which gives the place its character. As with the first phase these two proposed blocks are shown with variation in the detailing to the point that they give the appearance in the street scene of being a set of individual fine grained buildings rather than large blocks. Block F was originally shown at 3 storey in height next Barbican Road rising to 5 storey in height on the eastern side next to Block C. The 3 storey element would appear as two individual units covered by two separate pitched roofs, while the 5 storey element would appear as four flat roofed units. Block E would be 5 storey in height, but would appear as 8 individual attached buildings with varying flat and pitched roof elements.
- 6.12 The Council's urban design advisor confirms that she is generally happy with the design of the buildings in terms of architectural style and detail however she had reservations regarding the originally shown heights of the blocks in relation to the Phase 1 development and the surrounding buildings. The applicants have now revised Block F to show the 5 storey element reduced in height to 4 storey, which would improve it's relationship both with phase 1 i.e showing the building to step down with the change in level on the site and with the lower listed Bearland House to the north of it. The matter of building heights is discussed in greater detail in the next section of this report.
- 6.13 In terms of layout, the two blocks were shown as previously illustrated as the likely second phase, when phase 1 was approved. As stated Block F forms the northern boundary for the continuation of the new pedestrian street, while Block E provides a frontage, albeit set back, to Barbican Road, and whilst on the lower level, it would complete the courtyard section of Phase1. In these positions the blocks help delineate the public and private areas of the site i.e. closing off the private space of this courtyard and then Block F positioned to provide an enclosed garden area to the north. The pedestrian street then operates as a defined public area. It is recognized that the garden terraces to the front of Block E and the paved terrace to the front of Block F are semi public/private areas, however they would be positive design features that both add interest to the scheme and are usable amenity areas. The Council's urban design advisor confirms that she is satisfied with the layout of the proposal, stating that it works well with the existing street structure and phase 1. Furthermore whilst Historic England have flagged up their concern with the proposal following the design and architectural detail of phase 1 , this approach would ensure that the overall development appears as one proposal with two integrated phases, which your planning officers do not consider an unreasonable approach.

- 6.14 With regard to landscaping, it is proposed to provide some tree planting along the northern boundary and along the frontage to Barbican Road. The area adjoining the northern boundary would then be grassed for an enclosed garden, while more open grassed terraces would be positioned to the front of Block E. The proposed landscaping integrates well with the Phase 1 part of the development with ornamental planting bordering the steps down from Phase 1 to Phase 2 and continuing around Block E. The hard landscaping materials would then closely follow the materials used for Phase 1. The Council's landscape advisor states that the landscape proposals show that the planting has been carefully considered and would provide seasonal interest and habitat for wildlife.

Impact on Heritage Assets

Conservation Area

- 6.15 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that where an area is designated a conservation area '*special attention shall be paid to the desirability of preserving the character or appearance of the area.*' In terms of impact on the Barbican conservation area, the conservation area character appraisal notes the key characteristic of the conservation area as being the number of high quality listed buildings inside and directly bordering the area as well as long views to the cathedral and to the water meadows. On the negative side the appraisal sees the key issues as being large amount of poor quality open spaces, the number of large unattractive modern buildings and the lack of green spaces and trees.
- 6.16 To a certain extent the proposal should be seen as a continuation from the original phase 1 development that addresses the issue of poor quality space i.e the previous unsurfaced car park and the lack of greenery by providing a high quality public realm in the form of the pedestrian street with tree and ornamental planting along with amenity grassed areas. The proposed frontage ornamental planting to Barbican road would help the greening of the site as would the tree planting along the northern boundary and the grassed terraces in front of Block E. It is considered that the proposal continues to improve the identified negative aspects of the conservation area.
- 6.17 With regard to the views recognised in the conservation area appraisal, it should be noted that both Historic England (HE) and the Councils' conservation officer (CO) have concerns as to how the height and mass of the blocks might affect them. Two key views across to the cathedral are noted in the appraisal, one from the junction of Commercial Road across the site and the second along the narrow Barbican Road route. Concern was raised by Historic England and the conservation officer that the originally proposed 5 storey element to this Block F would impact on these cathedral viewpoints and therefore in their opinion needed reducing in height. Block E was then also considered likely to block the view of the cathedral from Commercial Road due to its height and mass, and also to block the key view identified in the Conservation Area appraisal from Ladybellegate street to the designated prison chapel and prison buildings.
- 6.18 It is recognised that the proposal would result in harm to the character and appearance of the Conservation Area. Nevertheless, it is also recognised that the redevelopment of the site results in benefits to the conservation area. This sits alongside the economic and social benefits arising from the proposals which must be weighed against the harm.

Listed Buildings

- 6.19 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that with development which affects a listed building or its setting, the local authority '*shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses*'.

- 6.20 Concerns were raised by Historic England and the Conservation Officer with regard to the impact of the heights of the proposed blocks in relation to neighbouring designated heritage assets. Block F is shown around 22 – 24 metres away from the rear of the Grade 2* listed Bearland house and Bearland Lodge and the CO and HE felt that the 5 storey element of this building would have an overbearing, dominating impact on this heritage asset. The site is also adjacent to Former HMP Gloucester, which consists of numerous designated heritage assets including a Governors House, Debtors Prison, Outer Gatehouse and perimeter brick walls which are all Grade 2 listed, together with the Central Cell Block and Chapel which is Grade 2*. Block E would be positioned some 22 metres from the Grade 2 listed prison wall and 27.5 metres from the Grade 2 listed debtors prison. The designated structures are predominantly 2 to 3 storey in height and concern was expressed by the conservation officer as to impact of the proposed 5 storeys of Block E on their setting.
- 6.21 In response to the concerns with regard to Block F, the applicants have now reduced the height of the 5 storey element of Block F to 4 storey. The CO has assessed the amended proposals and considers that the revision to 4 storey here along with the 3 storey element adjacent to Barbican Road would assist in reducing the harmful and overbearing impact and dominance on the listed Bearland House and Lodge. However the CO does not consider that all of the harm would be removed, stating there would still likely be some setting impact, although of a more minor nature than previously identified. The COs other concerns remain, however in light of the amendment to Block F, the harm to designated heritage assets from the proposal is now judged to be at the lower end of less than substantial harm, rather than the higher end as concluded on the original plans. HE have also revised their comments in light of the changes to Block F, but only in as far as recognizing that there would be potential benefits from this height reduction, they state their original objection remains.
- 6.22 It should be noted that as well as the Phase 1 of the student accommodation that has been approved for the site, there is the adopted residential led Local Development Order (LDO) that covers the Quayside and Blackfriars area (ref:16/01510/LDO). A Design Guide accompanied the LDO that gave indicative heights for this site. The current proposal has had regard to the Design Guide, but has not followed it slavishly. The LDO and this guide do however form a material consideration. One difference between this proposal and the Design Guide is the position of the pedestrian street, which is shown as more of a diagonal route within the Design Guide. The Design Guide for the LDO does indicate potential development further back from the boundary with Bearland House and Lodge and generally lower in height, albeit with a small element of potentially up to 5 storey. Adjacent to the prison and Barbican Road however, the Design Guide shows development up to 4 storeys in height at back of pavement rising in to 5 storey on the corner with the pedestrian street.
- 6.23 As stated previously in this report, Block E would be positioned some 18 metres back from the edge of Barbican road. Whilst this block would be a storey higher than potentially could be built under the LDO, it would be set back 18 metres into the site and would thus be further from the listed buildings and wall associated with the prison. On balance, it is not considered that the 5 storey structure set 18 metres back into the site would have a significantly greater impact on the listed structures at the prison than a potential 4 storey building adjoining Barbican Road, particularly as the LDO Design Guide shows the 4 storey potentially rising to 5 storey on the pedestrian street corner.
- 6.24 As set out above the proposal would result in less than substantial harm to a number of listed buildings identified in this report. This harm, which must be given considerable weight in the determination of the application, must be weighed against the benefits referred to above, including the regeneration of the site and the associated social and economic benefits.
- 6.25 Archaeology

The City's archaeologist has stated that the site is one of the most archaeologically sensitive locations in Gloucester, with remains of national importance, two areas of which have statutory protection as scheduled monuments. He recognises that the area has already been subject to extensive archaeological investigation. He further states that it should be noted that the majority of the archaeological remains outside of the scheduled area are also of schedulable quality and that as the Local Planning Authority we are required to give 'great weight' to the preservation of these remains as outlined in paragraph 193 of the National Planning Policy Framework (2018). He concludes however that there would be no harm caused to these heritage assets subject to conditions requiring archaeological written schemes of investigation to be submitted and a number bore hole surveys to be undertaken. These conditions would be recommended on any planning approval.

Conclusion on Heritage Matters

- 6.26 Sections 16 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act require special consideration to be given to the protection of heritage assets and their settings. Paragraph 196 of the National Planning Policy Framework states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including where appropriate, securing its optimum viable use. As can be seen from the above sections it is recognized that the mass, scale and heights of the proposed buildings E and F would cause less than substantial harm to the setting of the Grade 2 * listed Bearland House and Lodge, and the setting of the variously designated parts of HMP Gloucester as well as less than substantial harm to the character and appearance of the Barbican conservation area by reason of loss of key views between the docks and cathedral and from Ladybellegate Street to the prison.
- 6.27 This less than substantial harm must be given considerable weight in the determination of the application. Planning permission should not be granted unless there are public benefits which outweigh the harm. It should be acknowledged that Gloucester City Council, aided by a number of external bodies, have prepared many plans and incentives over many years to secure the regeneration of the area; this application proposes Phase 2 of the wider scheme, Phase 1 of which is nearing completion. The public benefit of successfully developing this student accommodation scheme would be felt not just in physically uplifting this area in terms of producing a high quality vibrant transition area between the Docks and City centre, but also in the economic benefits from having this number of new students in the city centre and the impact on local business. The proposal would support the University of Gloucestershire which has significant growth plans, including the relocation of its Business School from Cheltenham to Gloucester.
- 6.28 There would be an acceptable impact on the city's archaeology subject to conditions recommended by the City Archaeologist.
- 6.29 In light of the above it is felt that the public benefits arising from the proposed development outweigh the less than substantial harm to the heritage assets.

Traffic and transport

- 6.30 Paragraph 109 of the NPPF provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts upon the road network would be severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network

6.31 The site has previously been used for both public and private car parking and has an existing planning permission for a new car park permitted alongside the phase 1 development. The proposed access would be broadly the same as that already permitted through the phase 1 permission, however the access for phase 2 would have a much lower level use, serving only two disabled car parking spaces, the neighbouring music school and providing access for refuse and emergency vehicles where necessary. The development is proposed to be car free, however at the start/end of the academic year there would be a demand for students dropping off/picking up their belongings.

6.32 Overall no highway objection is raised by the Highway Authority, subject to conditions on any planning permission to provide pedestrian and cyclist safety at the development access, a construction method statement, cycle storage, a travel plan and a management plan to control student drop offs/picking up at the start /end of academic years. Policy INF1 of the JCS is considered satisfied.

Residential amenity

6.33 Paragraph 127 (f) of the NPPF provides that planning should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

6.34 The northern boundary with the properties in Longsmith street is sensitive, in that there are both commercial and residential properties along here. The proposed Block F would be some 22 – 24 m from the rear boundary of Bearland House a three storey building occupied by a shirt manufacturer. The occupier of this building has raised concerns regarding the loss of light to the south facing windows and the importance of natural light to the sewing, embroidery and weaving. The proposed Block F has now been reduced in height by a storey and whilst the natural light and level of sunlight might not be as good as it is currently, the distance of 22 – 24 metres would ensure light is not blocked to these windows to a material extent and this distance would be quite substantial between buildings in city centre location. This relationship is considered acceptable.

6.35 There are a couple of flats above the Old Fire Station on the corner of Longsmith Street and Barbican Road. The windows to these flats would be over 20 m away, while the nearest part of Block F would be only 3 storey here. It is felt that this relationship would be acceptable in terms of overlooking and potential overbearing impact. The outdoor area for the So Thai would also lose some sunlight, however again there could not be an expectancy for the site to remain vacant and the relationship would be reasonable for a city centre location.

6.36 A concern has also been raised with regard to managing student car ownership to prevent nuisance by requesting that students don't bring them in to the city centre and how this can be enforced. Your officers accept that this concern is understandable, however it is a practice undertaken by a number of universities and has also been accepted by the Planning Inspectorate when assessing planning appeals. In Gloucester city centre there would also be the deterrent that all available parking would involve payment. Any planning permission here would therefore be subject to a condition on this matter, along with a condition for the site to be operated in accordance with the University of Gloucestershire operational management plan to prevent antisocial behavior from students affecting local residents.

6.37 With regard to the amenities of the potential occupiers of the student accommodation, on the phase 1 development, the Councils Environmental Protection officer had concerns in relation to the possible noise from the adjacent electricity station and its impact on the occupiers. A condition was therefore put on the earlier planning permission to provide a scheme of noise attenuation before occupation of phase 1. A sound proofing scheme for the substation has now been agreed and implemented. There would therefore not be a noise issue for Phase 2. Then in terms of amenity space, the garden area to the north of Block F and the area behind Block E leading in to the courtyard area approved as Phase1 would be more than sufficient, taking into account the type of development proposed and its city centre location.

6.38 It is also recognised that the neighbouring prison site has a committee resolution subject to a section 106 agreement to be converted in to residential units. Your officers have therefore looked to assess the relationship between this proposal and the potential neighbouring scheme. The converted debtors prison would be the nearest part of the neighbouring development. It is 3 storey in height with windows facing outwards at all levels. There would however be the large prison wall in between the developments while there would also be a gap of 27 m between this part of the prison and Block E at closest point and a general distance of 35m between the buildings. As the buildings would also be angled way from each other, then it is considered that the relationship here would be acceptable in terms of overlooking. It is also noted that the prison scheme was designed and determined in the full knowledge that the LDO for the Barbican Car Park site, which allowed for buildings closer to the prison site along Barbican Road, was in place.

Drainage and flood risk

6.39 The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.

6.40 The site is within Flood Zone 1 and is considered at low risk of flooding. The Lead Local Flood Authority and the Council's drainage officer confirm that they have no objection to the proposal subject to conditions on any approval regarding drainage details and maintenance.

Land contamination

6.41 Policy SD14 of the JCS requires that development proposals incorporate the investigation and remediation of any land contamination. A Phase1 Preliminary Site Assessment was submitted with this application that provides an overview of the geo-environmental setting of the site. It identifies previous uses of the site and potential sources of contamination from these sources, then runs an initial assessment of any risks that could be presented to the development, including its intended end users and the wider environment. WRS have viewed the submitted report and have confirmed they consider it satisfactory. They do however require the standard contaminated land conditions on site investigation and risk assessment, possible remediation, and reporting of unexpected contamination on any planning approval. The development would therefore accord with Policy SD14 of the JCS.

6.42 In addition to the above, a detailed Unexploded Ordnance Report was undertaken by the applicants, which assessed the site risk as low to medium. There were no bomb strikes identified on the site or in close proximity during World War 2.

Ecology

6.43 Policy SD9 of the JCS provides that the biodiversity and geological resource of the JCS will be protected and enhanced.

- 6.44 The application site is within proximity (Circa 7km) to the Cotswolds Beechwoods Area of Conservation (SAC), which is a European Site, while the site is also notified at a national level as Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI). A Habitat Regulations Assessment was undertaken that concluded no significant impacts are predicted as a result of the proposed development. Natural England concur with this view stating that as the proposal is for student accommodation and as there would be restrictions in place stating no cars or pets (no dog walking) , then no likely significant effects would potentially occur as a result of this development.
- 6.45 The Council's ecology advisor also has no objection to the proposal subject to a condition on any approval to secure biodiversity enhancements in the form of bird and bat boxes. Policy SD9 of the JCS is considered to be satisfied.

Overall Conclusions

- 6.46 Section 38(6) of the Town and Country Planning Act 1990 provides that, if regard is to be had to the development plan, the determination must be made in accordance with the development plan unless other material circumstances indicate otherwise. Section 70 (2) of the Act provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.
- 6.47 The principle of residential-led development in this location is supported by policy SD10 of the JCS and a site-specific Local Development Order.
- 6.48 Whilst in general terms it is considered that the proposal would result in high quality design, it is recognised that the proposal by reason of the scale, mass and height of the indicated blocks, would cause less than substantial harm to heritage assets. In particular the proposal would affect the settings of the designated prison, HMP Gloucester and the Grade 2* listed Bearland House and Lodge as well as the character and appearance of the Barbican conservation area in terms of reducing key views to the cathedral and from Ladybellegate Street to the prison. Amended plans have been secured to reduce the height of Block E which has served to reduce the impacts on neighbouring listed buildings and whilst the Conservation Officer still considers there to be less than substantial harm, that harm is now at the lower end of 'less than substantial'.
- 6.49 The 1990 Listed Buildings and Conservation Areas Act requires local planning authorities to give considerable importance and weight to the desirability of preserving the setting of heritage assets. Paragraph 196 of the NPPF goes on to state that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.'
- 6.50 As set out above, the public benefits are substantial, from fully developing out this student accommodations scheme across a previously long term derelict site, with both the physical uplift in producing a high quality vibrant transition area between the Docks and City Centre and the economic benefit from having this number of new students in the city centre and the impact on local business. It is also considered likely that the presence of an important local business, the University of Gloucestershire, within the city centre, would have long term economic benefits. Paragraph 80 of the NPPF emphasises the importance of supporting local business stating that '*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking in to account both local business needs and wider opportunities for development*'. There would also be economic benefits arising from the construction phase.

- 6.51 On balance, it is therefore considered that these public benefits would outweigh the less than substantial harm to the heritage assets. Overall the proposal is considered consistent with the JCS and NPPF policies in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area. Accordingly it is recommended that planning permission be granted.

7.0 RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER

- 7.1 That planning permission is GRANTED subject to the following conditions;

Time limit

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.

Plans

Condition 2

The development hereby permitted shall be carried out in accordance with the following approved drawings:-

- Location Plan - 3475-FBA-00-XX-DR-A-05_00-00 P1
- Existing Site Plan - 3475-FBA-00-XX-DR-A-05_10-00 P1
- Proposed Site Plan - 3475-FBA-00-XX-DR-A-05_10-10 P1
- Existing and Proposed Site Sections AA - 3475-FBA-00-XX-DR-A-05_10-50 P1.1
- Existing and Proposed Site Sections BB - 3475-FBA-00-XX-DR-A-05_10-51 P2
- Existing and Proposed Site Sections CC - 3475-FBA-00-XX-DR-A-05_10-52 P2
- Existing and Proposed Site Sections DD - 3475-FBA-00-XX-DR-A-05_10-53 P1.1
- Block E GA Plans 00 & 01 Level - 3475-FBA-E-XX-DR-A-00_10-000 P1
- Block E GA Plans 02 & 03 Level - 3475-FBA-E-XX-DR-A-00_10-100 P1
- Block E GA Plans 04 & Roof Level - 3475-FBA-E-XX-DR-A-00_10-200 P1
- Block E GA Sections - 3475-FBA-E-XX-DR-A-00_10-01 P1
- Block E GA Elevations - 3475-FBA-E-XX-DR-A-00_10-51 P2
- Block F GA Plans 00 & 01 Level - 3475-FBA-F-XX-DR-A-00_10-000 P1
- Block F GA Plans 02 & 03 Level - 3475-FBA-F-XX-DR-A-00_10-100 P1
- Block F GA Plans 04 & Roof Level - 3475-FBA-F-XX-DR-A-00_10-200 P2
- Block F GA Sections - 3475-FBA-F-XX-DR-A-00_10-01 P3
- Block F GA Elevations - 3475-FBA-F-XX-DR-A-00_10-51 P2
- Landscape Masterplan –N688-ONE-XX-DR-L-1001 Rev P01
- Planting Proposals –N688-ONE-00-XX-DR-L-1201 Rev P01

And in accordance with the following approved documents

- Arboricultural Impact Assessment
- Flood Risk Assessment
- Ecology Appraisal
- Noise Assessment Report
- Habitat Regulations Assessment

Reason

To ensure that the development is carried out in accordance with the approved plans and documents and in accordance with policies contained within the Joint Core Strategy.

Archaeology

Condition 3

No development or groundworks 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 first been submitted to and approved in writing by the Local Planning Authority. The agreed WSI shall include:

- The programme and methodology for an archaeological borehole survey;
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason:

To make provision for a programme of archaeological borehole evaluation, so as to describe the significance of heritage assets of archaeological interest within the site. This is to allow the scheme to be designed in a manner that reduces the impact on archaeological remains as much as possible. This is in accordance with paragraphs 193 and 199 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 4

No development shall commence until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works of the proposed development (including pile type and methodology, drains and services) has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved scheme.

Reason:

The site may contain significant heritage assets. The Council requires that disturbance or damage by foundations and related works is minimised, and that archaeological remains are, where appropriate, preserved in situ. This accords with paragraph 199 of the NPPF and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 5

No development or groundworks other than demolition to slab shall commence within the site until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. No development or demolition shall take place other than in accordance with the agreed WSI, which shall include a statement of significance and research objectives, and;

- An updated archaeological impact and mitigation statement;
 - The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
 - A programme of community and public engagement and outreach;
 - A programme for the recording of all existing and new piles and pile caps within the site;
- and
- The programme for post-investigation assessment and subsequent analysis, publication

& dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

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 199 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Environmental Protection

Condition 6

No demolition or construction works shall be carried out outside the following hours:

Monday to Friday – 0800 to 1800 hours

Saturday – 0800 to 1300 hours

No such works shall be carried out on Sundays, Public or Bank Holidays.

Reason

To safeguard the amenities of the area, having regard to Policy SD14 of the Joint Core Strategy

Condition 7

No burning of materials/substances during construction phase - No materials or substances shall be burnt within the application site during the construction phase.

Reason

To safeguard the amenities of the area and prevent pollution in accordance with policy Policy SD14 of the Joint Core Strategy

Condition 8

The site shall be managed at all times in accordance with the University of Gloucestershire Operational Management Plan Version Number 2, or any subsequent version of the Management Plan.

Reason

To safeguard the amenities of the area, having regard to Policy SD14 of the Joint Core Strategy.

Condition 9

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;
- III. provide for the parking of vehicles of site operatives and visitors;
- IV. provide for the loading and unloading of plant and materials;
- V. provide for the storage of plant and materials used in constructing the development;
- VI. provide for wheel washing facilities;
- VII. specify the intended hours of construction operations;
- VIII. provide measures to control the emission of dust and dirt during the demolition

- and construction phases from ground works, haul roads, stockpiles and material handling/removal;
- IX. provide details of light from security compounds;
 - X. 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.

Highways

Condition 10

The proposed car park access shall not be brought in to use until a scheme to restrict the vehicle use of Barbican Road and provide safe pedestrian and cyclist movement at the car park access has been completed in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that safe and suitable access to the site would be provided and to prioritise pedestrian and cycle movements in accordance with the National Planning Policy Framework

Condition 11

Prior to the development being brought in to use the proposed street and associated infrastructure shall be completed in accordance with the submitted plan N688-ONE-XX-DR-L-0001-P02

Reason

To ensure a safe and secure layout is provided that minimises conflict between vehicles and cyclists and pedestrians in accordance with the NPPF.

Condition 12

No student bedroom hereby permitted shall be occupied until the wording of a clause in the tenancy agreement under which all of the student bedrooms are to be occupied restricting students resident at the premises (other than those registered disabled or other reasonable exceptions to be specified) from bringing or keeping a motor vehicle in the city has been submitted to and approved in writing by the Local Planning Authority and the student bedrooms shall only be let on tenancies which include that clause.

Reason

In accordance with the applicants' stated position and to ensure that the development does not generate a level of vehicular parking that would be prejudicial to highway safety, in accordance with Policies INF1 and INF2 of the Joint Core Strategy

Condition 13

The development hereby permitted shall not be occupied until details of secure and covered bicycle storage for 65 cycles have been submitted to and approved in writing by the Local Planning Authority. The covered bicycle storage shall be retained in accordance with the approved plans at all times.

Reason

To ensure adequate provision and availability of cycle parking, having regard to the policies of

the NPPF.

Condition 14

No student bedroom shall be occupied until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Green Travel Plan shall incorporate the following:

- A. Objectives and targets for reducing private car use
- B. Measures to promote sustainable transports
- C. Mechanisms for monitoring and review
- D. Appointment and funding of a travel plan coordinator,
- E. Means of funding of the travel plan, and;
- F. Implementation timetable including the responsible body for each action

The approved Green Travel Plan shall be implemented in accordance with the approved details and implementation timetable.

Reason

To promote sustainable travel patterns, having regard to the policies of the NPPF.

Condition 15

The pedestrian street shown on the approved drawings shall remain open to the public at all times.

Reason

To ensure good pedestrian access in accordance with the NPPF

Design/Materials

Condition 16

No work shall commence on the construction of the external facades/elevations of the buildings hereby permitted until details or samples of all materials to be used externally for built structures, hard landscaping and the public realm 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 SD4 of the Joint Core Strategy

Condition 17

Notwithstanding the approved drawings, no work shall commence on the construction of the external facades/elevations of the buildings hereby permitted until details of the following 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:-

- I. Scaled drawings at 1:10 for doors, windows and their recesses, brick and panel details
- II. Scaled drawings 1:5 or 1:10 for landscaping details – walls, ramps, general boundary treatment, bin and bike storage
- III. Scaled drawings for parapet and gable details
- IV. Scaled drawings and details for the installation of rainwater goods
- V. Details of ventilation flues and grills.
- VI. Details of safety measures for roof if access is required.

- VII. Details of lighting
- VIII. Details for meter boxes
- IX. Details for security measures – external CCTV
- X. Details of seagull mitigation
- XI. Details of any cable TV installation and the location of any associated equipment.

Reason

To ensure the satisfactory appearance of the development in accordance with policy SD4 of the Joint Core Strategy.

Condition 18

Prior to the commencement of development (with the exclusion of groundworks), a detailed plan, showing the levels of the existing site, the proposed levels of the site, the proposed slab levels of the buildings approved and a datum point outside of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

In order to define the permission and ensure that the development is of a scale and height appropriate to the site in accordance with policy SD4 of the Joint Core Strategy.

Landscaping

Condition 19

The soft landscaping shall be carried in accordance with the details shown on the Landscape Master Plan, N688-ONE-XX-DR-L-10001 Rev P01, and the Planting Proposals, N688-ONE-00-XX-DR-L-1201 rev PO1 before occupation of the buildings. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in 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 defects period.

Reason

In the interest of the visual amenity of the area and to accord with policy SD 4 of the Joint Core Strategy

Condition 20

A site management plan, including long term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas, including the pedestrian street shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the external facades/elevations of the buildings hereby permitted. The site management plan shall be carried out in accordance with the approved details.

Reason

In the interests of visual and residential amenity in accordance with policies SD4 and SD14 of the Joint Core Strategy.

Drainage

Condition 21

No development shall commence on site until a detailed designed Sustainable Drainage system (SuDs) Strategy document has been submitted to and approved in writing by the Local

Planning Authority. The SuDs Strategy must include a detailed design, exceedance flow paths, maintenance schedule, confirmation of the management arrangements and a time table for implementation. The SuDs strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDs to manage flood risk to the site and elsewhere, and the measures taken to manage the water quality for the lifetime of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is occupied and thereafter retained for the lifetime of the development.

Reason

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding, and to accord with policy INF2 of the Joint Core Strategy

Condition 22

No part of the development hereby approved shall be occupied/put in to use until a scheme for the maintenance of all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation. The approved SuDS maintenance scheme shall be carried out in accordance with the approved details.

Reason

To ensure the continued operation and maintenance of drainage features serving the site and avoid the increase of flood risk to the site and elsewhere.

Lighting

Condition 23

Details of any floodlighting /external lighting proposed to illuminate the development, shall be submitted to and approved in writing by the Local Planning Authority before the buildings are occupied. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason

To safeguard local amenities in accordance with policy SD14 of the Joint Core Strategy.

Waste Management

Condition 24

Prior to the occupation of the buildings the refuse recycling and storage provision as shown on the approved plan shall be implemented and thereafter retained for the life of the development.

Reason

In the interests of amenity in accordance with policy SD14 of the Joint Core Strategy

Contaminated Land

Condition 25

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.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works 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 SD14 of the Joint Core Strategy.

Condition 26

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'

Reason

To ensure that appropriate measures are in place prior to the commencement of any works 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 SD14 of the Joint Core Strategy

Condition 27

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.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works 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 SD14 of the Joint Core Strategy

Condition 28

B. Implementation of Approved Remediation Scheme

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.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works 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 SD14 of the Joint Core Strategy

Condition 29

C. 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.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works 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 SD14 of the Joint Core Strategy.

Condition 30

D. 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 appropriate measures are in place prior to the commencement of any works 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 SD14 of the Joint Core Strategy

Ecology

Condition 31

No student bedroom shall be occupied until bird and bat boxes have been provided within the site in accordance with details of their specification and location which have first been submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes so approved shall be maintained for the lifetime of the development.

Reason

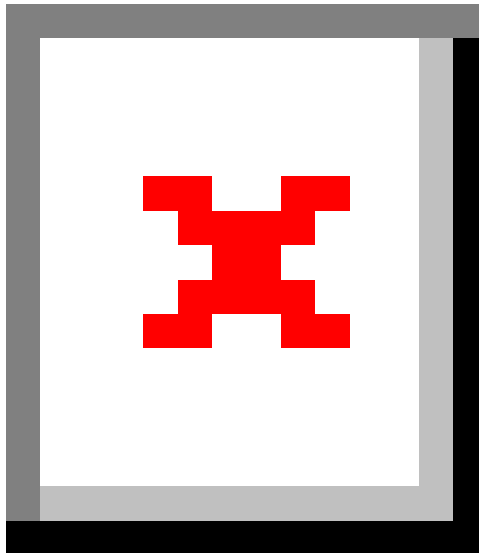
To secure biodiversity mitigation and enhancement in accordance with Policy SD9 of the Joint Core Strategy

Person to Contact: Ron Moss (396835)

Planning Application: | 18/00156/FUL

Address: | Barbican Car Park
Ladybellegate Street
Gloucester

Committee Date: |



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GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	6 th November 2018
Address/Location:	University Of Gloucestershire Oxstalls Lane Gloucester GL2 9HW
Application No:	18/00644/REM
Ward:	Longlevens
Expiry Date:	05.10.2018
Applicant:	C/O Agent
Proposal:	Application for reserved matters approval for the appearance, landscaping, layout and scale of hard surfaced path across Plock Court field between new sports facilities and the allotments track, new gate, works to allotments track, installation of lighting alongside paths, and associated works
Report by:	Adam Smith
Appendices:	Site location plan Site layout plan

1.0 **SITE DESCRIPTION AND PROPOSAL**

- 1.1 The site comprises part of the Plock Court open space between the new sports hall and pavilion and the south eastern edge of the open space, and also comprises the allotments track leading on from there down to its intersection with Estcourt Road at the south eastern end.
- 1.2 The application comprises the construction of a 1.5m wide hard surfaced footpath with a silver gravel finish along the southern edge of Plock Court to link the new sports facilities with the end of the allotments track. The allotments track would also be resurfaced. Lighting is also proposed along the whole of this route, comprising 3m high columns. The existing kissing gate at the edge of Plock Court would also be replaced.
- 1.3 The application arises from the wider proposals associated with the University expansion – specifically the outline planning permission for the business school (at the main campus – phase 1 of which has reserved matters approval and is constructed), the student accommodation (at the former Debenhams sports field – which has reserved matters approval but is unimplemented) and the sports facilities (at Plock Court/former Bishops College – which have reserved matters approvals and are constructed other than the pavilion which is under construction currently). That planning permission requires by condition the delivery of the pedestrian and cycle links from the sports facilities to the main Oxstalls campus. The University decided not to include these in any of the reserved matters applications to date, so they now comprise this separate reserved matters application. The implementation of the proposed works would partially satisfy the requirements of the condition.
- 1.3 The application is referred to the Planning Committee as it involves Council land and an objection has been received.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
15/01190/OUT	Outline planning application (with all matters reserved except for access) for the erection of a new 10,000sqm business school, the provision of new student accommodation (up to 200 beds) & the creation of additional car parking at the University of Gloucestershire Oxstalls Campus, Oxstalls Lane & the Debenhams Playing Field, Estcourt Road. Provision of new and improved sports facilities at Oxstalls Sports Park, Debenhams Playing Field, Oxstalls Campus & Plock Court Playing Fields, including on land currently occupied by the Former Bishops College, to include - the provision of new multi use sports hall, 2 x 3G all weather sports pitches with associated 500 seat spectator stand, floodlighting, replacement cricket pavilion & additional parking; improved vehicular access at Oxstalls Lane, Plock Court & Estcourt Road, new vehicular access at Estcourt Close, improved pedestrian & cycling connections & associated highways, landscaping & ancillary works.	GOP	28.07.2016
16/00945/REM	Reserved matters application for the approval of the appearance, landscaping, layout and scale of the Sports Hall, Plock Court access road and Pavilion development (pursuant to outline permission ref. 15/01190/OUT)	AR	06.12.2016
16/01012/REM	Application for approval of reserved matters of appearance, landscape, layout and scale for 2 no. sports pitches and associated development including floodlights, storage equipment, noise barrier and boundary fencing (pursuant to outline planning permission ref. 15/01190/OUT)	AR	06.12.2016
16/01241/REM	Application for approval of the reserved matters of appearance, landscaping, layout and scale for the Business School & Growth Hub building, pursuant to outline permission ref 15/01190/OUT, at the University of Gloucestershire, Oxstalls Campus	AR	09.02.2017
18/00320/FUL	Variation of Condition 46 of permission ref. 16/01242/ful to amend the implementation timescale for the junction works at Cheltenham Road/Oxstalls Lane/Site Access (this is the latest instance of the outline permission)	GOP	22.08.2018

3.0 RELEVANT PLANNING HISTORY

3.1 The following planning guidance and policies are relevant to the consideration of this application:

3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 **Development Plan
Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)**

Relevant policies from the JCS include:

- SD4 – Design requirements
- SD6 – Landscape
- SD9 – Biodiversity and geodiversity
- SD14 – Health and environmental quality
- INF1 – Transport network
- INF2 – Flood risk management
- INF3 – Green Infrastructure
- INF4 – Social and community Infrastructure

3.4 **City of Gloucester Local Plan (Adopted 14 September 1983)**

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

3.5 **Emerging Development Plan
Gloucester City Plan**

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. Paragraph 48 of the NPPF 2018 sets out that local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

As the City Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

3.6 **Other Planning Policy Documents
Gloucester Local Plan, Second Stage Deposit 2002**

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight:

- SR.2 – Playing fields and recreational open space

3.7 All policies can be viewed at the relevant website address:- national policies:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Gloucester City policies:

<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>

4.0 CONSULTATIONS

- 4.1 The **Highway Authority's** PROW team raises no objection to the footpath, but there are still ongoing discussions regarding proposed lighting design. Members will be updated on this at the Committee meeting.
- 4.2 **Sport England** raises no objection.
- 4.3 The **Ecology Adviser** sought additional information in respect of the potential ecological impact from the proposed lighting. Further information has been provided by the applicant and an updated consultation response is awaited.
- 4.4 The **Drainage Adviser** raises no objection.
- 4.5 The **Tree Officer** raises no objection.
- 4.6 The **Lead Local Flood Authority** raises no objection.
- 4.7 The **Environment Agency** has confirmed that they do not wish to provide bespoke comments.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 Neighbouring properties were notified and press and site notices were published (please note that the press notice expires on the 8th November 2018). Neighbours and contributors were also re-notified directly of the amended plans (notification expires on the 5th November 2018).
- 5.2 1 letter of objection and 2 letters neither objecting nor supporting have been received, raising the following issues;
- The street lighting should be reconsidered for the following reasons:
 - Height is excessive and unnecessary
 - Preferable in the landscape to have low level lighting (1m high posts)
 - Suggestion for motion sensitive lighting
 - If the 3m columns are essential then a condition is needed on times of use (suggests 11:30pm)
 - Studies show large wildlife presence in hedgerow and brook, potential harm from the lighting
 - Excessive lighting likely to increase risk of theft and vandalism
 - No need for lighting after Plock Court has closed
 - Destruction of valuable urban habitat – applicant should minimise impact and replace habitat on west side of the track within the adjacent Debenhams field and maintain it
 - Vegetation alongside allotments track should be cut back to ensure a minimum width of 3m for whole route, and area by kissing gate cleared
 - Should ensure integrity of allotments fence is not compromised
 - Any changes to parking arrangements along track must have regard to allotment users' need to park, and not used by students
 - Lane is a public right of way and should not be blocked off for long periods during construction, vehicle access to the allotments is needed – information needs to be provided to the allotments association about this along with any responsibilities given to the University

for maintenance.

- Suggest temporary use of Debenhams field for pedestrian and vehicle access during construction, and any restriction on access takes place December to February
- Plan needed for maintenance of the path
- The proposals would be beneficial for students

5.3 The full content of all correspondence on this application can be viewed on:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 OFFICER OPINION

6.1 *Legislative background*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows: The principle, design and landscaping, traffic and transport, residential amenity, drainage and flood risk, ecology and economic considerations.

6.5 *Principle*

The NPPF supports access to high quality open spaces and opportunities for sport and physical activity. Existing open space including playing fields should not be built on unless assessment shows it to be surplus to requirements, or the loss would be replaced by equivalent or better provision, or the development is for alternative sports and recreational provision, the benefits of which would outweigh the loss.

6.6 Policy SR2 of the 2002 Second Deposit Local Plan has a similar criteria based approach, opposing development involving the loss of playing fields and recreational open space unless redevelopment of a small part would secure retention and improvements of the facilities, or alternative provision of equivalent or better standard, or a clear long term excess of provision is shown, or the development is for an indoor sports facilities providing community benefit that would outweigh the loss.

6.7 JCS Policy INF3 seeks to protect green infrastructure in a manner that reflects its contribution. Policy INF4 requires proposals for development of land in a community facility use (including sports pitches or open space) to demonstrate why it is no longer required and where appropriate the provision of replacement facilities.

- 6.8 The site is already used for access along the track for the allotments and through to Plock Court open space with a public right of way across the field. The construction of the path through the open space requires consideration in terms of development on a playing field area, however there are particular characteristics of the proposals.
- 6.9 In terms of Policy SR2 the proposals would result in the physical loss of a small amount of the field, but not the playable areas, and the proposal would support the use of the playing fields and open space. The proposals are considered to be compliant with this policy, and on a similar basis with the NPPF. In terms of JCS policies INF3 and 4 the proposals would not inhibit the green infrastructure nor result in the loss of the community facility – it would enhance the ability to use them and neighbouring uses safely.
- 6.10 In this respect Sport England is satisfied that the proposals meet exception 3 of their playing fields policy in that they affect only land incapable of forming part of a playing pitch and do not reduce any pitch, inhibit use of a pitch, reduce capacity of the field to accommodate pitches, result in the loss of other sporting or ancillary facilities, or prejudice the use of any remaining areas of playing field.
- 6.11 In addition, pedestrian and cycle links between the sports facilities and the Oxstalls Campus are required by Condition 52 of the outline planning permission.
- 6.12 Overall, the proposal is considered to comply with the above cited policies in terms of the principle and no objection is raised.
- 6.13 ***Design and landscaping***
The NPPF sets out that new developments should be of high quality design and respond to local character integrating into the local environment. It aims for places to be safe and accessible.
- 6.14 Policy SD4 of the JCS sets out requirements for high quality design. Policy SD6 requires development to protect or enhance landscape character.
- 6.15 The proposals would have some impact on the landscape setting of the area. Plock Court is a large flat open space with views to either end. It was previously designated as a Landscape Conservation Area in the Second Deposit 2002 Local Plan although this approach to landscape designation is not supported in government policy anymore; it still seeks to protect and enhance valued landscapes but moves towards landscape characterisation and sensitivity analysis and the LCA designation has been overtaken by the characterisation and sensitivity work undertaken for the JCS.
- 6.16 The introduction of the hard surfaced path would not appear as particularly prominent or incongruous within this landscape setting and no objection is raised. In terms of the lighting columns they are proposed at 3m in height and in the context of the surrounding vegetation, the floodlights to sports facilities adjacent (which are significantly taller) and the sports hall, it is not considered that they would appear as an alien feature in the landscape, nor would the cumulative effect with them be harmful. While using a lower 'bollard' style lighting is suggested in representations, these can be subject to vandalism, and in any respect the applicant has confirmed they wish to proceed with the taller column mounted lighting and the application stands to be determined as such.
- 6.17 In terms of trees there are 3 specimens along the southern edge of Plock Court which have now been plotted on the plans and it is shown that the path would run between them. The Tree Officer has no objection to this arrangement, nor the proximity of columns to trees along the allotments track.

- 6.18 In general by illuminating this well-used route the proposed lighting would have positive design benefits in terms of creating safe and accessible environments.
- 6.19 The proposals are considered to comply with the above cited policy context and no objection is raised in terms of design and landscaping.
- 6.20 **Traffic and transport**
The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network, including to existing walking and cycling networks and should be designed to encourage maximum potential use. INF4 requires social and community infrastructure to be easily accessible on foot and by bicycle.
- 6.21 The County Council's Public Rights of Way team has confirmed that it is happy with the proposed footpath. While discussions are ongoing about future maintenance and specification of the lighting fixtures, the proposals are considered to contribute to safe communities and provide a connection to encourage further use by sustainable modes of transport, in accordance with Policies SD4 and INF1 of the JCS. The County Council's Public Rights of Way team is currently considering the latest lighting information supplied by the applicant. However if the detail needs to be changed in future due to the required specification of the party carrying out maintenance, the details may need to be subject to a further planning application – it does not have to be resolved as part of this application. Confirmation of the County Council's position in planning terms is therefore awaited. It is considered that finalising the power connection and the party responsible for maintenance can be worked through separately to this application.
- 6.22 The residual cumulative impacts of the proposals on the road network would not be severe. The final comments of the Highway Authority on the latest lighting specification information are awaited to ascertain if the proposals would have an unacceptable impact on highway safety. If not, the proposals will comply with the above cited policy context and no objection is raised in highways terms.
- 6.23 **Residential amenity**
The NPPF seeks to provide for a high standard of amenity for existing occupiers. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.
- 6.24 In the Plock Court field, the proposed works would be more than 90m from residential buildings. At the southern part of the site, along the allotments track, the proposed works would be within approximately 30m of residential buildings at the closest point.
- 6.25 The main issue is considered to be the lighting proposals. The surfacing works, subject to a condition to control construction times, would not be harmful. The applicant amended the application to remove the southernmost lights originally proposed which were closer to residential properties, although there are some existing lighting columns along the southern part of the allotments track. The vegetation alongside the allotments track provides a fairly consistent screen in the direction of the residential properties to the south west on Estcourt Road. At the closest point to residential properties there is less vegetation (rear of 161 Estcourt Road), however considering the 3m column height proposed and separation to the house of around 35m (there is a building in the rear garden but this appears to be a garage/workshop), and with the additional proposal to turn the lights off at 11pm, it is not considered that these lighting proposals would cause significant harm to the amenities of residents of neighbouring properties. The applicant's light spill modelling shows that the resultant luminance is down to 3-5 lux just inside the adjacent gardens, still some distance away from the houses themselves.

- 6.26 It is considered that the proposals comply with the above cited policy context and no objection is raised in terms of amenity.
- 6.27 ***Drainage and flood risk***
The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.
- 6.28 The site is within Flood zone 3. The Environment Agency does not wish to provide bespoke comments, they are happy that the footpath wouldn't impact the floodplain. The Lead Local Flood Authority and the Council's Drainage Adviser do not object.
- 6.29 In terms of the sequential test, the proposal is inherently site-specific to deliver the benefits. There are no other reasonably available sites appropriate for the proposals in areas with a lower risk for flooding.
- 6.30 As amended, there are no proposals to raise land; the footpath would be laid flush with ground levels and the ramp up to the pavilion previously indicated is now removed. The proposals would not increase flood risk elsewhere.
- 6.31 The proposals are considered to comply with the above mentioned policy context and no objection is raised in terms of drainage/flood risk.
- 6.32 ***Ecology***
The NPPF seeks to minimise impacts on and providing net gains for biodiversity. Policy SD9 of the JCS provides that the biodiversity and geological resource of the JCS will be protected and enhanced
- 6.33 The Ecology Report submitted in support of the outline application is useful for context and showed that the footpath hedgerow is used by foraging and commuting bats, including occasional light-sensitive species. The proposed lighting therefore has the potential to impact on protected species. Recommendations for mitigation within that earlier report included low level bollard lighting to avoid impacts on these protected species although this recommendation has not been implemented.
- 6.34 Other mitigation measures are now offered. Limited hours of use are proposed by the applicant so that the lights would be switched off at 11pm. Broadly the Ecology Advisor supports this as a mitigation measure. There are few trees with bat potential along the path so mitigation would be for foraging/commuting only, in general.
- 6.35 However tree T1 near the gate into Plock Court has the highest potential along the path to support roosting bats so it was recommended by the Ecology Advisor that this should be unlit. As a result the applicant has moved the lighting columns so that the columns closest to this tree were omitted or moved further away, and provided details of the light spill to the tree that would now occur, noting that the proposed light fixtures would be directed downwards and as such would cast less light to the tree canopy. The comments of the Ecology Advisor on this amendment in response to their earlier advice are awaited and Members will be updated at the Committee meeting.

6.36 Overall if the Ecology Adviser is content with the amended arrangements and/or the proposed restricted times of operation of the lights, or proposes such other conditions as to make the proposal acceptable, then the proposals will be in compliance with the ecology policy context set out.

6.37 ***Economic considerations***

The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. In the context of the NPPF advice to support economic growth this adds some weight to the case for granting permission.

6.38 ***Other issues raised***

The issues about the vegetation overgrowth and access to the allotments are considered to be matters that the City Council would consider dealing with through its property and maintenance functions and are of limited weight in the planning consideration. As context the applicants' Works Phasing and Methodology indicates the work being carried out in 30m sections with pedestrians to be accommodated along the allotments track section during the working week and vehicular traffic to be accommodated at weekends. It also emphasises the importance of discussing the works with the community before commencing; by newsletters, meetings and using the Works Method Statement, and a contractor liaison has also been identified. It is proposed that all construction vehicles would have a banksman to access the allotments track.

6.39 The lighting columns are all shown to be on the track side of the allotments boundary fence so would be outside the allotments themselves.

6.40 ***Conclusion***

This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of the principle of the development on the playing field, design and landscaping, residential amenity, drainage and flood risk, and economic considerations, The final positions on traffic and transport matters, and ecology matters, are yet to be resolved.

6.41 Subject to the issues relating to impacts on ecology being resolved and there being no objection in planning terms from the Highway Authority to the lighting specification, the proposal would be acceptable and accordingly it would be recommended that reserved matters approval be given subject to conditions.

7.0 **RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER**

7.1 That subject to;

- there being no new material planning considerations that have not already been considered raised in representations received prior to 9th November 2018;
- there being no objection from the Ecology Adviser that cannot be dealt with by conditions; and
- there being no objection in planning terms from the Highway Authority to the lighting specification;

then reserved matters approval is **GRANTED** subject to the following conditions;

Condition 1

The development shall be undertaken in accordance with the plans referenced

Site plan C0076 COL AN 00 DR A 160 Rev. P02 (received by the Local Planning Authority on 10th July 2018)

Upgrading of footpath – layout plan C0076 COL AN 00 DR A 161 Rev. P04 (received by the Local Planning Authority on 19th October 2018)

Upgrading of footpath – layout plan C0076 COL AN 00 DR A 162 Rev. P02 (received by the Local Planning Authority on 19th October 2018)

Upgrading of footpath – layout plan C0076 COL AN 00 DR A 163 Rev. P02 (received by the Local Planning Authority on 19th October 2018)

Upgrading of footpath – layout plan C0076 COL AN 00 DR A 164 Rev. P04 (received by the Local Planning Authority on 19th October 2018)

Upgrading of footpath – layout plan C0076 COL AN 00 DR A 165 P02 (received by the Local Planning Authority on 19th October 2018)

Upgrading of footpath – layout plan C0076 COL AN 00 DR A 166 P02 (received by the Local Planning Authority on 19th October 2018)

Upgrading of footpath – sections C0076 COL AN 00 DR A 304 P3 (received by the Local Planning Authority on 19th October 2018)

Proposed pedestrian gate C0076 COL AN 00 DR A 139 Rev. P02 (received by the Local Planning Authority on 18th October 2018)

except where otherwise required by conditions of this approval.

Reason

To ensure the works are carried out in accordance with the approved plans.

Condition 2

Unless in accordance with a methodology to be submitted to and approved in writing in advance by the Local Planning Authority, construction works and the delivery of materials shall be limited to the periods of 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturdays and no construction work or deliveries shall take place on Sundays or Bank Holidays.

Reason

To protect the amenities of the area.

Condition 3

The lighting fixtures hereby approved shall be switched off after 2300 hours and before 0800hours on any day.

Reason

To mitigate impacts on ecology and preserve the amenities of the area.

Person to Contact: Adam Smith (396702)

Planning Application: | 18/00644/REM

Address: | University Of Gloucestershire
Oxstalls Lane Gloucester GL2
9HW

Committee Date: |

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CR	Construction Record Documentation.

Revision Schedule			
Rev	Revision Description	Date	Drawn/Checked



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 www.collinson.co.uk

Client:
University of Gloucestershire

Project:
Proposed Sports Hall

Drawing Title:
Upgrading of footpath - site plan

Drawing Status:
S0

Scale @A1: 1:1000	Date: 18.06.18	Drawn: JES	Checked: TP
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Drawing No:
C0076_COL_AN_00_DR_A_160

Rev: P02

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GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee: Planning
 Date: 06/11/2018
 Address/Location: 33 The Wheatridge Gloucester GL4 4DQ
 Application No: 18/00840/COU
 Ward: Abbeydale
 Expiry Date: 03/10/2018
 Applicant: Mrs Marlene Phillips
 Proposal: Change of use of land to garden space for 33 The Wheatridge
 Report by: Shane Burgess
 Appendices: Site location plan
 Proposed Block plan

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 No.33 The Wheatridge is a residential property located within the Abbeydale ward. The property consists of a two storey detached dwelling and a detached garage at the rear. It is surrounded by residential properties to the east, south and west and fronts onto Heron Primary School to the north.
- 1.2 To the west of the property is a pedestrian footpath which connects Heron Way to The Wheatridge. The footpath is flanked on one side by a strip of open space (the application site) which includes 6.no mature trees and other shrubbery (owned by Heron Land), and by the open plan front gardens of dwellings along Grebe Close on the other side. In parts the shrubbery is overgrown and poorly maintained.
- 1.3 The application seeks planning permission to change the use of the strip of open space adjacent to the footpath and incorporate it into the garden of the application property. To facilitate this, the applicant proposes to deconstruct the existing timber fence and erect a new 1.8metre (6ft) high, painted steel fence with trellis. The proposed fence would run parallel to the footpath and would be set in approximately 0.6metres from the pathway. The application suggests that the existing mature trees would be retained and would be appropriated in to the garden of no.33 The Wheatridge.
- 1.4 It is noted that the plans submitted in support of the application are incomplete, so it is not possible to determine the full extent of the proposed changes. Specifically the south eastern corner of the plot is not included in the proposed plans.
- 1.5 **Councillor Finnegan has requested Committee determination to assess the visual impact of the proposal and the impact on the amenity of neighbours.**

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
18/01073/FUL	Demolition of garage and erection of detached guest accommodation	Pending	

3.0 **RELEVANT PLANNING POLICY**

3.1 The following planning guidance and policies are relevant to the consideration of this application:

3.2 **National guidance**

National Planning Policy Framework 2018 and Planning Practice Guidance

3.3 **Development Plan**

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS (2017) include:

SD4 – Design requirements

SD14 – Health and environmental quality

INF1 – Transport network

INF3 – Green Infrastructure

3.4 **City of Gloucester Local Plan (Adopted 14 September 1983)**

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

3.5 **Emerging Development Plan**

Gloucester City Plan

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. Paragraph 48 of the NPPF 2018 sets out that local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

As the City Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

3.6 **Other Planning Policy Documents**

Gloucester Local Plan, Second Stage Deposit 2002

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. The following “day-to-day” development management policies, which are not of a strategic nature, which broadly accord with the policies contained in the NPPF, and are not superseded by policies within the JCS should be given weight:

BE.19 – Enclosure of Front and Side Gardens in Existing Open Plan Estates.

3.7 All policies can be viewed at the relevant website address:- national policies:

4.0 CONSULTATIONS

4.1 Highway Authority

The Local Highways Authority raises no objection to the proposal. The proposed boundary fence would not be regarded as materially worse in terms of highway safety. Pedestrian visibility splays will not be made any worse due to the existing trees and vegetation fronting the Wheatridge.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 Eight neighbouring properties were notified via letter. Three letters raising the following issues were received:

42 Grebe Close

Concerned that if the land were to be appropriated then access to the phone line chamber would not be readily available and that the proposed fence would block the view to The Wheatridge, potentially causing a safety issues for pedestrians (particularly children who frequent the footpath in connection with the nearby Primary School).

45 Grebe Close

Moving the fence and taking the extra land will make this footpath an accident waiting to happen.

46 Grebe Close (Objection)

Not happy for the buffer of land to be appropriated. The trees and bushes act as a sight and sound barrier. This will only bring disturbances closer.

5.2 The full content of all correspondence on this application can be viewed on:

<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 OFFICER OPINION

6.1 Legislative background

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

- 6.4 It is considered that the main issues with regards to this application are as follows:
- Design, Layout and Landscaping
 - Traffic and Transport
 - Effect on the amenity of neighbouring occupants

Design, Layout and Landscaping

- 6.5 The NPPF states that development should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. This is reflected in Policy SD4 of the JCS, which sets out requirements for high quality design, and Policy INF3 which seeks to protect green infrastructure.
- 6.6 Policy SD4 specifies, among other things, that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. Design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live. It further specifies that new development should create clear and logical layouts that create and contribute to a strong and distinctive identity and which are easy to understand and navigate. This should be achieved through a well-structured and defined public realm, with a clear relationship between uses, buildings, routes and spaces, and through the appropriate use of vistas, landmarks and focal points.
- 6.7 Table SD4b of the JCS sets out Principles of Urban Design. Amongst other things, table SD4b specifies that areas of hard and soft landscaping should be created, that buildings and trees should be used to define space, and that public and private spaces should be clearly distinguished.
- 6.8 Policy INF3 (Green Infrastructure) of the JCS specifies, among other things, that existing green infrastructure will be protected in a manner that reflects its contribution to ecosystem services (including biodiversity, landscape/townscape quality, the historic environment, public access, recreation and play) and the connectivity of the green infrastructure network.
- 6.9 Policy BE.19 of the Gloucester Local Plan Second Stage Deposit 2002, is a locally specific policy has not been superseded by the JCS policies and as publically published in June 2008, should also be given weight when determining planning applications. Policy BE.19 states: *'Enclosure of gardens and unusable strips of land will be allowed on existing open plan estates provided that the land to be enclosed does not adjoin a footpath link and its enclosure does not harm the visual amenity of community safety of the locality.'*
- 6.10 The local area consists of numerous pedestrian, open plan footpath links, often surrounded by trees and greenery; it is fair to say that one of the defining characteristics of the area is that of an open plan estate, enriched with green infrastructure. It is clear that the area was carefully planned, creating an open and attractive character. Whilst this particular piece of land is not currently well maintained, it nonetheless plays an important role in the leafy suburban character of the area, both in respect of providing an attractive footpath link and providing a leafy setting to The Wheatridge.
- 6.11 Removing much of the green infrastructure from the application site, appropriating the mature trees in the garden of the application property, and enclosing the footpath on one side would not respect the prevailing character of the area and would be in stark contrast to the other pedestrian footpath links in the locality.

- 6.12 It is considered that the proposed steel fencing here would change the spacious open plan nature of the immediate surroundings to the detriment of the character and visual amenities of the area as a whole. It would change the nature of the footpath link considerably, making it a much less attractive route for pedestrians. This would be at odds with the design principles for the original development and the aspirations for high quality design set out in Policy SD4 of the JCS.
- 6.13 The proposed steel fence itself, by virtue of its length, design and materials in this location would be inappropriate and would be harmful to the appearance of the area. It is also questioned whether, if the land were to be subsumed into the garden of no33 The Wheatridge, the trees would be retained in the longer term.
- 6.14 In light of the above the proposal would conflict with the NPPF which requires high quality design, and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017.
- 6.15 Furthermore the proposal would clearly conflict with Policy BE.19 of the Gloucester Local Plan Second Stage Deposit 2002 in that the land adjoins a public footpath and its loss would be harmful to the visual amenities of the open plan estate

Traffic and transport

- 6.16 The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network
- 6.17 The Local Highways Authority raises no objection to the proposal. The proposed boundary fence would not be regarded as materially worse in terms of highway safety than the existing trees and vegetation fronting the Wheatridge. It is therefore considered that the proposal would not adversely impact upon highway safety, so would conform to policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017.

Residential amenity

- 6.18 Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.
- 6.19 Six dwellings along Grebe Close have frontages which face out onto the footpath. Specifically all of the properties have living rooms and bedroom windows which face the footpath.
- 6.20 Currently, the outlook of the occupants of the aforementioned dwellings is one of a timber fence set back considerably from the footpath, with green infrastructure in front. Although in parts the greenery is poorly maintained, the set-back nature of the fence with the greenery in front, breaks up the large expanse of fence, lessens the impact, provides a reasonable outlook to the properties along Grebe Close, and adds to the open character of the footpath area.

- 6.21 It is considered that with the proposed steel fence, in close proximity to the footpath, with no planting to offer relief, the outlook from the properties along Grebe Close would be harmed. The occupants along Grebe Close would look out from their living rooms and bedrooms, onto a large blank expanse of fence (over 50metres in length), which would not be set back adequately from the footpath. This would make for an unattractive and diminished outlook.
- 6.22 In respect of the above, the proposal would not represent high quality design, would not offer a good standard of amenity for all existing and future occupants and would cause unacceptable harm to the amenity of the occupants along Grebe Close. The proposal would therefore be contrary to Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017.

Conclusion

- 6.23 This application has been considered in the context of the policies and guidance referred to above. For the reasons set out above, the proposal would not comply with policy SD4 or SD14 of the JCS, or the guidance set out in the NPPF 2018. Consequently the proposal would not be acceptable and accordingly it is recommended that planning permission be refused.

7.0 RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER

- 7.1 That planning permission is **REFUSED** for the following reasons;

The proposed change of use would not respect the prevailing open plan, spacious and green character of the estate and would introduce a harsh and blank frontage that would harm the visual amenities of the area and make the adjoining public footpath a less attractive route for pedestrians. The proposal would also be harmful to the amenity of neighbouring occupants, in that it would create a poor outlook from the front facing living room and bedroom windows of properties along Grebe Close. The proposed development would therefore be contrary to Policies SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 and Policy BE.19 of the Gloucester Local Plan Second Stage Deposit 2002.

Person to Contact: Shane Burgess (01452 396822)

Planning Application: | 18/00840/COU

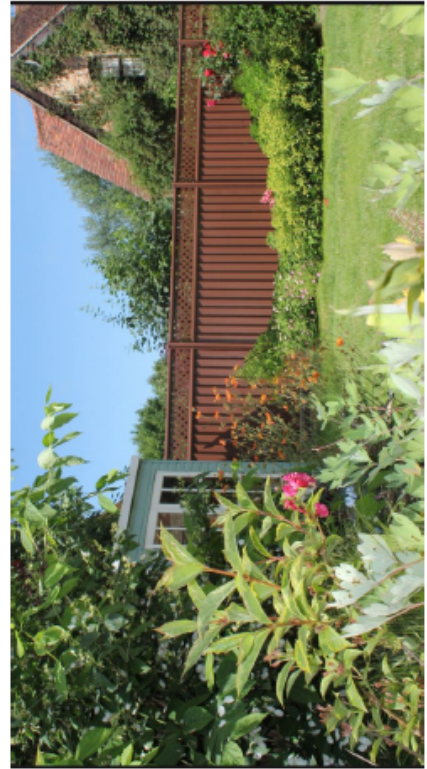
Address: | 33 The Wheatridge Gloucester
GL4 4DQ

Committee Date: | 06.11.2018

FOR PLANNING ONLY



1:200 BLOCK PLAN



EXAMPLE OF FENCING PROPOSED 1.8M CW TRELLIS TO TOP STEEL FENCING FINISHED IN BROWN BY COLOURFENCE

REV A: THIS FRONT CORNER TO REMAIN UNFENCED AND AS OPEN ASPECT, GARDEN TO FRONT LAD TO LAWN

REV A: NEW 1.8M FENCE (INCLUDING TRELLIS TO START AT CORNER OF HOUSE AND CONTINUE AS PER ORIGINAL SUBMISSION SET IN 600MM FROM PATHWAY

AREA OUTLINED IN RED INDICATES CLIENTS OWNED EXISTING LAND

AREA OUTLINED IN BLUE INDICATES LAND CURRENTLY OWNED BY HERON WHICH THE CLIENT WISHES TO PURCHASE

RED DASHED LINE INDICATES PROPOSED NEW FENCE LINE

FENCE LINE PROPOSED TO BE SET IN 600MM FROM PATHWAY EDGING STONE, THIS WILL LEAVE STREETLIGHTING OUTSIDE OF FENCING PROPOSED ALL HEDGEROW EXISTING TO SIDE TO BE CLEARED, ALL EXISTING TREES TO REMAIN AND BE WITHIN NEW EXTENDED GARDEN AREA



PHOTO SHOWS POSITION A ON EXISTING



PHOTOS SHOWS POSITION B ON EXISTING EXAMPLE OF LITTERING WITHIN HEDGEROW



PHOTO SHOWS POSITION C ON EXISTING EXAMPLE OF LACK OF MAINTENANCE



PHOTO SHOWS POSITION D ON EXISTING

WE'A 28/07/2018 10:41 AM TO PRINT AS CLIENTS INQUIRY

<p>CLIENT PROJECT: MRS MARLENE PHILLIPS PROSPECTIVE PURCHASE OF LAND ADJACENT TO 33 THE WREATHEAD, GLOUCESTER GL4 4DG</p>	<p>TITLE: BLOCK PLAN AND DETAILS</p>
<p>DATE DRAWING NUMBER: AUGUST 2018</p>	<p>SCALE: 1:200 @ A1</p>
<p>MP-337144-001A</p>	

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	06.11.2018
Address/Location:	2 Beechcroft Road Gloucester GL2 9HF
Application No:	18/01105/FUL
Ward:	Longlevens
Expiry Date:	09.11.2018
Applicant:	Mr Gareth Evans
Proposal:	Two storey side extension, single storey rear extension and demolition of detached garage.
Report by:	Mark Fisher
Appendices:	Appendix 1: Site Location Plan, Existing Site Plans, Floor Plans and Elevations Appendix 2: Proposed Drawing, Elevations, Site Plan & Floor Plan

1.0 **SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application property is a right-handed two storey semi-detached dwelling occupying a corner plot adjacent to the junction of Beechcroft Road and Oxstalls Drive. The property benefits from gardens to the front and rear of the property. The application seeks permission for a two storey side extension and a single storey rear extension.
- 1.2 The proposed side extension would be of gable roof design and would measure approximately 3.6 metres in width, 7.0 metres in depth, 4.9 metres in height at the eaves and 7.2 metres at the ridge line. It would be constructed of facing materials to match the existing property (part render, part artificial stone) and matching roof materials. The fenestration with be of a type and material to match the existing property.
- 1.3 The proposed rear extension would be of lean to design and would measure approximately 8.8 metres in width, 3.0 metres in depth, 2.5 metres in height at the eaves and with a maximum height of 3.4 metres. It would be constructed with roofing materials to match the exiting property and finished in render. The proposed fenestration would be of a type and material to match the existing property.
- 1.4 **Committee determination is required as the Applicant's wife is an employee of the Council.**

2.0 **RELEVANT PLANNING HISTORY** None

3.0 **RELEVANT PLANNING POLICY**

- 3.1 The following planning guidance and policies are relevant to the consideration of this application:
- 3.2 **National guidance**
National Planning Policy Framework (NPPF) and Planning Practice Guidance

- 3.3 **Development Plan**
Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)
Relevant policies from the JCS include:
- SD4 – Design requirements
 - SD14 – Health and environmental quality
- 3.4 **City of Gloucester Local Plan (Adopted 14 September 1983)**
The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 213 of the NPPF states that ‘...*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*’ The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.
- 3.5 **Emerging Development Plan**
Gloucester City Plan
The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.
- 3.6 **Other Planning Policy Documents**
Gloucester Local Plan, Second Stage Deposit 2002
While there are number of policies in the 2002 Plan which are considered to accord with the NPPF and have not been superseded by the JCS, none of these are considered to be relevant to the current application.
- 3.7 **Supplementary Planning Guidance/Documents**
Gloucester City Council Home Extensions Guide (August 2008)
- All policies can be viewed at the relevant website address:- national policies:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Gloucester City policies:
<https://www.gloucester.gov.uk/planning-development/planning-policy/>
- 4.0 **CONSULTATIONS**
No consultations required.
- 5.0 **PUBLICITY AND REPRESENTATIONS**
- 5.1 Neighbouring properties were notified.
- 5.2 Comments have been received from the adjoining neighbour (4 Beechcroft Road) requesting that the rear extension be set in 100mm from the boundary line as they may also wish to extend at the rear of their property in the future.

6.0 OFFICER OPINION

6.1 **Legislative background**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows:

6.5 **Visual impacts**

The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. Policy SD4 sets out requirements for high quality design.

6.6 The proposed development would be appropriate in terms of scale and design so as to appear subservient to the existing property. The proposed side extension would be set back and down from the existing property, though to a minimal extent, and would be constructed of appropriate matching materials. The surrounding street scene is comprised of properties of varying design, scale and spacing and therefore the proposed development would not detract from the existing property or appear overly dominant in the existing street scene.

It is therefore considered that the proposed development would respect the character of the site and its surroundings in accordance with policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

6.7 **Amenity impacts**

Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

6.8 The proposed two storey side extension would be situated at the northwest side of the application of the application property and would therefore not result in any adverse impacts in terms of overshadowing, loss of light, overlooking or loss of privacy to the adjoining dwelling, No. 4 Beechcroft Road, which is a two storey, semi-detached property situated to the southeast of the application property.

- 6.9 The proposed single storey rear extension would result in a degree of overshadowing and loss of light to the rear of the adjoining dwelling, No. 4 Beechcroft Road, as it would breach the 45-degree test both in terms of height and depth. However, the orientation of the two properties results in overshadowing from the existing properties for a significant portion of the day. Furthermore, there is already overshadowing in the latter part of the day due to the existing garage at the application property, which will be removed as part of the proposed development. Therefore, on balance, the proposed development would not result in significant harm to the adjoining neighbour.
- 6.10 All other neighbouring properties are of sufficient distance away from the proposed development that they would not suffer any adverse impacts in terms of overshadowing, loss of light, overlooking or loss of privacy.
- 6.11 It is therefore considered that the proposed development would not cause unacceptable harm to local amenity, including the amenity of neighbouring properties, so would be in accordance with policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

CONCLUSION

- 6.12 This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, impact upon the amenity of any neighbours and the local area; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

7.0 RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER

- 7.1 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

The development hereby permitted shall be carried out in accordance with the application form, and drawing number 02C (received by the local authority on 22nd October 2018) except where these may be modified by any other conditions attached to this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 3

The external facing materials to the development hereby permitted shall match in colour, form and texture to those of the existing building.

Reason

To ensure the satisfactory appearance of the development in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017)

Person to Contact: Mark Fisher (01452 396738)

Planning Application: | 18/01105/FUL

Address: | 2 Beechcroft Road Gloucester
GL2 9HF

Committee Date: |

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	06.11.2018
Address/Location:	4 Chamwells Avenue, Gloucester, GL2 9JB
Application No:	18/01115/FUL
Ward:	Longlevens
Expiry Date:	14.11.2018
Applicant:	Mr & Mrs Cowley
Proposal:	Single Storey Rear Extension
Report by:	Mark Fisher
Appendices:	Appendix 1: Existing Block Plan Appendix 2: Proposed Block Plan Appendix 3: Existing Floor Plan Appendix 4: Proposed Floor Plan Appendix 5: Existing Elevations Appendix 6: Proposed Elevations

1.0 **SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application property is a right-handed single storey semi-detached dwelling situated to the west of Chamwells Avenue. The property benefits from a garden and off-road parking to the front and an enclosed garden to the rear of the property. The application seeks permission for a single storey rear extension.
- 1.2 The proposed development would be of flat roof design with a parapet wall and would measure approximately 4.05 metres in depth, 6.85 metres in width and 2.75 metres in height at the roof and 3.0 metres to in height at the top of the parapet wall.
- 1.3 The proposed development would be constructed of facing brick to match the existing property and a GRP flat roof. The proposed fenestration would be of a type and material to match the existing property.
- 1.4 **Committee determination is required because one of the applicants is an employee of the Council.**

2.0 **RELEVANT PLANNING HISTORY**

None

3.0 **RELEVANT PLANNING POLICY**

- 3.1 The following planning guidance and policies are relevant to the consideration of this application:
- 3.2 **National guidance**
National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 **Development Plan - Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)**

Relevant policies from the JCS include:

SD4 – Design requirements

SD14 – Health and environmental quality

3.4 **City of Gloucester Local Plan (Adopted 14 September 1983)**

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 213 of the NPPF states that '*...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*' The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

3.5 **Emerging Development Plan - Gloucester City Plan**

The Gloucester City Plan ("City Plan") will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

3.6 **Other Planning Policy Documents - Gloucester Local Plan, Second Stage Deposit 2002**

While there are number of policies in the 2002 Plan which are considered to accord with the NPPF and have not been superseded by the JCS, none of these are considered to be relevant to the current application.

3.7 **Supplementary Planning Guidance/Documents**

Gloucester City Council Home Extensions Guide (August 2008)

All policies can be viewed at the relevant website address:- national policies:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Gloucester City policies:

<https://www.gloucester.gov.uk/planning-development/planning-policy/>

4.0 **CONSULTATIONS**

No consultations required

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 Neighbouring properties were notified and no letters of objection were received.

6.0 **OFFICER OPINION**

6.1 ***Legislative background***

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows:

Visual impact

6.5 The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. Policy SD4 sets out requirements for high quality design.

6.6 The proposed development would not be visible from the street and therefore would not impact on the existing street scene. Additionally, parapet walls are a common feature within the locality and therefore the proposed development would not detract from the existing property.

6.7 It is therefore considered that the proposed development would respect the character of the site and its surroundings in accordance with policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Amenity impact

6.8 Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

6.9 No. 2 Chamwells Avenue

No. 2 Chamwells Avenue is a detached single storey dwelling situated to the north of the application property. There is currently no boundary treatment between the two properties as this has been removed to enable groundworks to be undertaken. No. 2 has also previously been extended at the rear and as such, the proposed development would only extend marginally beyond the rear elevation of No. 2. Therefore the proposed development would not result in any adverse impacts in terms of overshadowing or loss of light.

6.10 The proposed fenestration in the side elevation would be obscured by the boundary treatment once reinstated and as such would not result in any adverse impacts in terms of overlooking or loss of privacy.

6.11 No. 4 Chamwells Avenue

No. 4 Chamwells Avenue is a left-handed single storey semi-detached dwelling situated to the south of the application property and is attached to it. The two properties are separated at the rear by a boundary fence and hedge measuring at least approximately 1.8 metres in height.

- 6.12 Whilst the proposed development does breach the 45-degree test both in height and depth, due to the relative positions of the properties and the estimated path of the sun the proposed development would not result in any adverse impacts to No. 4 in terms of overshadowing or loss of light.
- 6.13 There is no proposed fenestration directly facing towards No. 4 and therefore the proposed development would not result in any adverse impacts in terms of overlooking or loss of privacy.
- 6.14 It is therefore considered that the proposed development would not cause unacceptable harm to local amenity, including the amenity of neighbouring properties, so would be in accordance with policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Conclusion

- 6.15 This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

7.0 RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER

- 7.1 That planning permission is **GRANTED** subject to the following conditions;

7.2 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.

7.3 Condition 2

The development hereby permitted shall be carried out in accordance with drawing numbers CWY18.01 03, CWY18.01 06 and CWY18.01 07 (received by the local authority on 18th September 2018) except where these may be modified by any other conditions attached to this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

7.4 Condition 3

The external facing materials to the development hereby permitted shall match in colour, form and texture to those of the existing building.

Reason

To ensure the satisfactory appearance of the development in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017)

Person to Contact: Mark Fisher (01452 396738)

Planning Application: | 18/01115/FUL

Address: | 4 Chamwells Avenue
Gloucester GL2 9JB

Committee Date: |

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GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	06.11.2018
Address/Location:	Lobleys Drive Park Lobleys Drive Gloucester
Application No:	18/00418/FUL
Ward:	Abbeymead
Expiry Date:	09.07.2018
Applicant:	Mr Kieren Perry
Proposal:	Proposed change of use of part of the parkland to a regional standard BMX (cycling track); comprising four straight sections and a 4m high start hill.
Report by:	Rhiannon Murphy
Appendices:	Case officer to attached key plans that illustrate the proposal, minimum requirement is site location and site layout plan

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The existing site comprises an area of open space within the Abbeymead area of Gloucester with Lobleys Drive passing the south of the site and Abbeymead Avenue being located to the west. The site stands adjacent to the existing Abbeymead Skatepark and there are residential properties located to the south and east. There are further areas of green space located to the north and west as well as Abbeymead Primary School being located to the north west. The site is surrounded by mature trees and is currently used for informal recreational purposes.
- 1.2 The proposal seeks the construction of a regional standard BMX (cycle track) which would consist of four straight sections and a 4 metre high start hill. The use will be a publicly accessible area with the addition of a sporting facility. The surfacing of the track will consist of a fine, rolled aggregate for the straight sections along with tarmac start ramp. The banked sides of all raised areas of the track will be covered with grass to blend in with the open space.
- 1.3 Committee determination is required as Gloucester City Council is the landowner.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
44/01732/HIST	10727/01/OUT:- (OUTLINE) COMPREHENSIVE RESIDENTIAL AND ANCILLARY DEVELOPMENT OF APPROXIMATELY 154 HA LAND	Z45ASC	27.02.1986
44/102363/HIST	10727/11/APP:- LAYOUT AND LANDSCAPING OF AREAS OF PUBLIC OPEN SPACE EXCLUDING OS4.	Z45ASC	16.07.1986
11/01106/FUL	Erection of a new church community centre, associated parking, alterations to vehicular access and new pedestrian access from Lobleys Drive.	G3Y	17.03.2014

3.0 **RELEVANT PLANNING HISTORY**

3.1 The following planning guidance and policies are relevant to the consideration of this application:

3.2 **National guidance**

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 **Development Plan**

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS (Main Modifications) include:

- SP1 - The need for new development
- SP2 – Distribution of new development
- SD3 – Sustainable design and construction
- SD4 – Design requirements
- SD6 – Landscape
- SD9 – Biodiversity and geodiversity
- SD14 – Health and environmental quality
- INF1 –Transport network
- INF2 – Flood risk management
- INF3 – Green Infrastructure
- INF4 – Social and Community Infrastructure

3.4 **City of Gloucester Local Plan (Adopted 14 September 1983)**

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 215 of the NPPF states that '*...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*' The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

3.5 **Emerging Development Plan**

Gloucester City Plan

The Gloucester City Plan ("City Plan") will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 216 of the NPPF.

3.6 **Other Planning Policy Documents**

Gloucester Local Plan, Second Stage Deposit 2002

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. The following "day-to-day" development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight: : *Case officer to delete any policies that are not relevant. if no policies are relevant replace sentence beginning with "the following day- to-day policies & subsequent text with...While there are number of policies in the 2002 Plan which are considered to accord with the NPPF and have not been superseded by the JCS, none of these are considered to be relevant to the current application.*

4.0 **CONSULTATIONS**

Case officer to ensure that all consultation responses are summarised rather than included in full. Delete any consulted that are not relevant to the proposal

4.1 **Highway Authority**

Further to numerous discussions from the highways authority and the submission of additional information from the applicant, highways raised the following comments;

The Local Highway Authority has undertaken discussions with the Local Planning Authority and applicant to seek additional information relating to the justification for the provision of parking, dimensions of parking bays, addressing the needs for people with disabilities, swept path analysis for the accesses, internal layout arrangements and projected trip rate evidence. Whilst some of this information has been submitted and is acceptable there are still some areas of concern but I consider that these could be overcome by suitably worded planning conditions to prevent any further delay in the determination of the application which are discussed in greater detail below;

4.2 Pedestrian

A segregated pedestrian access is provided into the development located to the west of the car park access from Lobleys Drive along with a footway fronting Lobleys Drive. However, this pedestrian route connects directly into the car park and therefore fails to minimise the scope for conflict between pedestrians and vehicles in accordance with paragraph 110(c) of the NPPF.

4.3 The requirement for a 2m footway linking to each individual parking bay would have a significant impact on the number of car parking spaces and landscaping for the site. I therefore consider that the scope for conflict could be reduced/ mitigated with an at grade delineated pedestrian corridor that is over- runnable by vehicles when pedestrians are not present. This would assist in reducing the scope for conflict by highlighting routes from the parking area to be segregated pedestrian footways. This can be achieved through road markings and can be secured by an appropriately worded condition.

4.4 Parking Provision

In the absence of any locally adopted parking standards the applicant has been required to demonstrate that sufficient parking has been provided to accommodate the demand arising from the development in accordance with paragraph 105 of the NPPF. This takes into consideration the accessibility of the development; the type, mix, use of the development, availability of and opportunities for public transport, local car ownership levels and the need to ensure that an adequate provision of spaces for charging plug –in and other ultra low emission vehicles.

4.5 As the car park that forms part of the application site also serves the remainder of Lobleys Drive Park, which hosts 11- aside football matches during weekend afternoons the peak parking accumulation times have been assessed on a worst case scenario.

4.6 Although no evidence has been provided in support the projected total members of the BMX Club that will use the pump track is approximately 30, which is lower than the overall total parking provision, and due to the nature of the development not all trips to and from the site will be via motor vehicle.

4.7 Furthermore it has been identified that the peak hours of the development will be 19:00-21:00 primarily during race season (March- July) which falls outside of the PM highway peak (17:00-18:00) and whilst other uses for the remainder of the park are non- operational.

4.8 Trip Generation

As the BMX track has been designed to be a community facility people are less than likely to drive to the site. It is considered that most users will reside locally and will travel to the facility on their bikes.

4.9 Although it is considered that the proposal will not have a significant impact on the surrounding highway network on a day to day basis, on the occasions that large race meetings and other events are to be held at the BMX track volunteer marshalling could be arranged by the club along with additional parking space identified to manage the flow of traffic to and from the site. This could be controlled through a suitably worded planning condition requiring a traffic management and parking plan to be submitted to and agreed with the Local Planning Authority prior to such events taking place.

4.10 Personal Injury Collisions

There has been no personal injury collisions recorded in the last 5 years within the vicinity of the site access.

4.11 Recommendation

The highway authority recommends that no highway objection be raised subject to conditions.

4.12 **Tree Officer** – no objections

4.13 **Environmental Health Comments**

No concerns generated by the proposed day to day use, however there is no mention of a PA system/ amplified sound during the everyday scenario or during any race day. The only way to negate the requirement for an acoustic assessment would be to impose a condition upon consent that prevents the use of any PA system in addition to amplified sound for as long as the use continues.

4.14 **Drainage**

No objection subject to standard SUDS/ drainage condition.

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 38 neighbouring properties had been notified of the proposal and a site notice was put up on the site.

5.2 6 letters of objection have been received raising the following in respect to the proposal;

- Use is unsuitable for a residential area
- Negative environmental impact on the loss of trees, landscape, destruction of habitat for wildlife
- Harm to character of the area
- Car park would need to be substantially enlarged. Takes up a large percentage of parkland and exclude others from enjoying the open space and park provides.
- Increased traffic. Noise and air pollution. Risk of accidents.
- Noise
- No mention of access ramp
- No reference to high perimeter fence to keep out non club members not, the requirements for flood lighting for evening events
- Already a BMX track off Naas Lane
- Could attract anti social behaviour at night time – track would not be locked/ fenced
- Emergency services access. Has a risk assessment been requested/ completed.
- No trees should be removed

Two sites were available at Kingsway and Westgate but were not proceeded with. Why?

- 5.3 The full content of all correspondence on this application can be viewed on:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 OFFICER OPINION

6.1 *Legislative background*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

- 6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

- 6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

- 6.4 It is considered that the main issues with regards to this application are as follows:

- Principle of proposal
- Design, layout and landscaping
- Traffic and transport
- Residential amenity
- Drainage and flood risk

6.5 **Principle**

Policy INF3 of the JCS requires all development to make a positive contribution to green infrastructure in the JCS area, helping to establish and reinforce networks for ecology, recreation and travel. The Policy states that the green infrastructure network of local and strategic importance will be considered and enhanced, in order to deliver a series of multifunctional, linked green corridors across the JCS.

- 6.6 Policy INF4 of the JCS states that everyone living and working in the JCS area should have access to facilities that meet their everyday needs. Open space should be easily accessible, being located within a reasonable walking distance of the development it serves.

- 6.7 Whilst the proposed change of use of the existing open space to a BMX track would result in a more formal use of the land as a sports facility, the site would also be accessible for more informal recreational purposes. The proposal would create a new community facility for this area of Gloucester and surrounding areas and would assist in enhancing the area. The proposal would encourage outdoor activity and would co-exist among other nearby uses which includes a skatepark, open space for dog walkers and football fields. The proposed BMX track would not be contrary to policy and therefore the principle of development is considered to be acceptable subject to assessment against other planning considerations in the remaining sections of this report.

6.8 ***Design, Layout and Landscaping***

Policy SD3 requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design and Policy SD6 requires development to protect or enhance landscape character.

6.9 The layout of the proposal is considered to be acceptable and would not result in adverse harm on the character and appearance of the area. The site itself benefits from mature planting around the site which will help to screen the development from the road and nearby residential properties. In addition to this, the banked side of the raised areas of the track will be covered with grass which will help the track to blend in with the area. The proposal does not intend to remove any of the trees at the site and the landscape officer and arboriculturist have made no objection to the proposal.

6.10 Whilst the proposal would result in the loss of the existing green open space, its replacement with a community recreation facility such as that proposed would outweigh any conflict with Policy INF3 of the JCS.

6.11 ***Traffic and transport***

The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network

6.12 Existing car parking provision next to the site includes 35 marked parking spaces, including 2 minibus/ van spaces and two disabled parking spaces. The existing site access and car parking arrangements are to be retained at the site. It should however be noted that the application site does not include the car park and therefore the applicant does not intend to make alterations to this car park. The applicant has provided a technical transport note in support of the application to demonstrate the expected levels of parking at the adjacent car park and indicate any impact on the highway network.

6.13 The report demonstrates that the BMX track would be most in use between the hours of 7pm and 9pm. The statement found that within these busy periods, the car park would likely allow enough space for parking and that the proposal would not have an unacceptable impact in terms of parking or the nearby highway network.

6.14 It is expected that some users of the site would likely access the site through sustainable transport modes. The site is located within a relatively sustainable location but is likely to generate some additional traffic. In terms of the day to day use by the club on these levels would likely be relatively low.

6.15 Whilst noted that the highways authority has requested conditions in regards to disabled parking spaces, delineated footways, parking spaces and cycle storage. As previously stated, the car park is already in existence and is not included within the application site and therefore no changes are proposed to the existing car park. It is not therefore considered necessary in this instance to request these changes to the car park.

6.16 The County Highways Officer has suggested condition requiring a traffic management and parking plan. The applicant has confirmed that no events will take place at the site without further consultation with the Local Planning Authority. However, as set out in the 'Residential Amenity' section below, it is not clear how this could be conditioned as part of any application.

- 6.17 It is not judged that the day to day use of the track would result in harm in terms of impact. Nevertheless, further consideration needs to be given to the potential use of the track for events. Discussions as to how the use could be controlled are ongoing and **an update will be provided at Committee.**
- 6.18 ***Residential amenity***
Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.
- 6.19 To the east of the site are residential properties along Willow Close and to the south of the site are residential properties along Lobleys Drive.
- 6.20 In terms of noise generated from the proposed use, the Environmental Health Officer (EHO) has raised no concern in regards to day to day use of the BMX track. Nevertheless there is very little information submitted with the application which explains how the facility would be used.
- 6.21 The Transport Technical Note submitted with the application assesses what is termed a worst case scenario of what could be 30 club members visiting the site at any one time. It is stated that the application site would be at its busiest during the hours of 19:00 to 21:00 where up to 30 BMX Club members may visit throughout the race season (March to July). Although the site would continue to operate outside of this period, regular attendance is expected to decrease, especially during the winter months. Whilst it is accepted that, on the basis of this pattern of use, there would likely to be an acceptable impact arising from the day to day use of the track, the information submitted does not appear to take into account race days and the potential for regional events taking place which would attract more people, both racers and spectators. The EHO has also queried whether PA systems/ amplified sound would take place during race days.
- 6.22 The Design and Access Statement submitted with the application states that the track will be a regional standard facility built to a high specification and is likely attract some users from outside the city. However, the main intention is that the track is used for the Gloucester BMX club and local residents. It is noted however that the proposal is similar in scale to a previous BMX track approved under application reference 15/00145/DDD, at the Westgate Leisure Centre, which it is understood was also proposed to cater for the Gloucester BMX Club. The supporting information submitted to accompany that application commented:
- “Club members would use the track on competition days but at all other times it would be open for anyone to use. The track would be a regional standard facility built to a high specification and would be likely attract people to Gloucester from all over the midlands and south west. This would be quite a coup not only for the park, but for the city as a whole.”*
- 6.23 The applicant has confirmed that they would not intend to use PA systems/ amplified sound and have confirmed that they would be happy for this to be added as a condition to any permission. The applicant has also confirmed that there are no plans to include flood lighting in this location at the present time.
- 6.24 The site itself due to existing landscaping would be relatively well screened from neighbouring properties. Given this and the distance at which neighbouring properties are located, it can be judged that the proposal would not have a significant impact on neighbouring properties in terms of loss of privacy and amenity.

- 6.25 Whilst it is considered that the day to day use of the facility would not give rise to undue impacts on nearby residential properties, there remain some concerns whether the activities during race days could give rise to unacceptable impacts on the living conditions of nearby residents. Officers are continuing to work with the applicant and EHO to resolve how these issues could be satisfactorily address via appropriate planning conditions and **an update will be provided at Committee.**
- 6.26 ***Drainage and flood risk***
The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.
- 6.27 The application has been supported with proposed drainage plans which show track water being captured by means of French drains which will then convey water to the existing pond in pipes/ a swale with the pond being enlarged to accommodate additional volume.
- 6.28 The drainage officer has made comments on these plans confirming that they look acceptable in outline and that details can be approved through the addition of standard drainage conditions which will be added to any permission. The drainage officer also suggested that it may be likely that additional drainage runs may be required to prevent boggy areas of land forming.
- 6.29 **Other Matters**
Concerns have been raised that the proposal would result in increased air pollution. Given the nature of the use and the limited additional traffic expected to arise from it, it is not considered that any increase in air pollution would be so significant to justify refusal of planning permission.
- 6.30 Concerns have also been raised about the potential requirements for security fencing and floodlighting however the proposal does not include such elements and any future proposals would be considered on their merits at the time.
- 6.31 On a similar note, an objection has been received on the basis that the proposal would result in anti-social night-time behaviour due to the lack of fencing and the fact the facility would not be locked. There is no evidence to suggest this would be the case however. The lack of floodlighting also means that it is unlikely to be a night-time destination.
- 6.32 **Conclusion**
This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

6.33 **Human Rights Act**

In compiling the recommendation full consideration has been given 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 application no particular matters, warrant any different action to that recommended

7.0 **RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER**

7.1 That planning permission is delegated to the Technical Planning Manager subject to the following conditions; resolution of the outstanding issues regarding the control of the use of the site; and the addition of/alterations to any conditions to mitigate the impact of the proposed development on the living conditions of nearby residents and highway safety.

7.2 That planning permission is GRANTED subject to the following conditions;

7.3 **Condition 1**

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

Reason

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

Condition 2

The development hereby permitted shall be carried out in accordance with the application form and following drawings as well as any other conditions attached to this permission:

- Site Layout and Landscape Plan received on 14th May 2018
- Cut and fill drawing (Drawing number JL/2018/100/001

Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within the Joint Core Strategy (2017).

Condition 3

There shall be no use of public address systems or amplified sound anywhere on the application site for as long as the use continues.

Reason

To protect the amenities of nearby properties in accordance with policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017.

Condition 4

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

implemented prior to the first use or occupation of the development and maintained thereafter for the life of the development.

Reason

To ensure satisfactory drainage arrangements are provided in accordance with sustainable objectives of Gloucester City Council and Central Government and Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

Condition 5

Throughout the construction and demolition period of the development hereby permitted, provision shall be made within the site that is sufficient to accommodate the likely demand generated for the following;

- i. Parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used in constructing the development
- iv. Provide for wheel washing facilities

Reason

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

Note 1

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 2

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.

Note 3

Guidance on SUDS can be found in the Council's Adopted Supplementary Planning Guidance (SPG) 2001 and Ciria Document C696.

Note 4

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.

Person to Contact: Rhiannon Murphy (396361)

Planning Application: | 18/00418/FUL

Address: | Lbleys Drive Park Lbleys
Drive Gloucester

Committee Date: | 06.11.2018

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GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	6 th November 2018
Address/Location:	49 Sherborne Street Gloucester GL1 3DL
Application No:	18/00487/FUL
Ward:	Kingsholm & Wotton
Expiry Date:	23.08.2018
Applicant:	Kelly Thomas
Proposal:	Demolition of 23 flats/ 1 office and construction of 9 no. one bedroom flats and 22no. two bedroom flats with associated access, parking and landscaping.
Report by:	Nigel Gould
Appendices:	Site Location Plan Proposed Site Plan Proposed Elevations

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site is currently occupied by Sherborne House consisting of 23 flats and 1 office. Sherborne House is a three storey flat roof brick property of three linked blocks. The property has a north to south orientation and is located at the rear of the plot with a large car park to the fore, on the west side of Sherborne Street.
- 1.2 To the north of the site are properties of a similar age and design but with truncated mono-pitched roofs, sited off Sherborne Street. Adjacent to this and sited off Union Street is a row of three storey properties, again of a similar age and design but with an elevated walkway/balcony on the north elevation onto Union Street. Adjacent to the opposite side of Union Street are the school fields of Kingsholm C of E Primary School, with the school buildings to the rear. Wrapping around the west and south elevations are three storey flat roof apartment blocks, with similar properties to the south and the large Clapham Court high rise block adjacent to the west. On the opposite side of Sherborne Street are the rear gardens of the residential dwellings off Oxford Street, being two storey pitched roof, red brick Victorian terrace.
- 1.3 The site lies approximately 1km north of the city centre and 0.5km southeast of Kingsholm Stadium. The railway station is approximately a 10 minute walk away with a variety of services within a 5 minute walk. There are Conservation Areas to the north, south, east and west – Kingsholm, Denmark Road, Worcester Station, and London Road – however the site is not adjacent to or in close proximity to any of these.
- 1.4 Permission is sought to demolish Sherborne House and reconfigure the site with three detached blocks comprising of 31 flats in total – 9no. one bedroomed flats & 22no. two bedroom flats. Block A would be sited fronting Sherborne Street and parallel with the eastern edge of the site boundary. An undercroft with gated access would provide vehicular access to a central courtyard parking area. Block B would have the same orientation but would be sited on the western edge of the site, enclosing the central courtyard and enclosing the central green to Columbia Close to the rear. Block C would be sited to the north of the site at right angles to block B and C, and would continue the linear development of the existing properties on Union Street.

1.5 Block A would have a height to eaves of 8.00m and ridge of 10.38m, with a height of 6.43m from ground level to the top of the balcony wall. The block would have a footprint of 11.87m x 28.46m. Block B would have a height to eaves of 8.00m and ridge of 10.38m, with a height of 6.43m from ground level to the top of the balcony wall. The block would have a footprint of 11.85m x 28.46m. Block C would have a height to eaves of 8.00m and ridge of 10.38m, with a height of 6.28m from ground level to the top of the balcony wall. The block would have a footprint of 9.04m x 25.23m.

1.6 All three units would have the same design pallet as follows:

- Walls – light red/buff brick. Off white coloured cladding. Black timber effect cladding.
- Windows & doors – Grey uPVC
- Roof – Grey concrete tile.

As a design theme the bottom two floors of each block would be brick with black contrasting panels in the windows, with the same detailing on the third floor but with white cladding rather than red brick.

2.0 RELEVANT PLANNING HISTORY

The site has no relevant planning history.

3.0 RELEVANT PLANNING POLICY.

3.1 The following planning guidance and policies are relevant to the consideration of this application:

3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 Development Plan

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS include:

SP1 - The need for new development
SP2 – Distribution of new development
SD3 – Sustainable design and construction
SD4 – Design requirements
SD6 – Landscape
SD10 – Residential development
SD11 – Housing mix and standards
SD12 – Affordable Housing
SD14 – Health and environmental quality
INF1 –Transport network
INF2 – Flood risk management
INF7 – Developer contributions

3.4 City of Gloucester Local Plan (Adopted 14 September 1983)

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 213 of the NPPF states that due weight should be given to relevant policies in existing plans *'according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.'* The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

3.5 **Emerging Development Plan Gloucester City Plan**

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

3.6 **Other Planning Policy Documents Gloucester Local Plan, Second Stage Deposit 2002**

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight:

- 3.7 All policies can be viewed at the relevant website address:- national policies:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
Gloucester City policies:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>

4.0 **CONSULTATIONS**

4.1 **Highway Authority**

No objections subject to conditions relating to access, parking, Construction Method Statement and cycle storage. The key comments are:

- The site is located in a sustainable location reducing reliance on private vehicle use within walking and cycling distance from local amenities and the city centre as well as frequent bus and rail services throughout the city and beyond. There have been no recorded collisions related to the site access or in the immediate vicinity of the site within the past 5 years according to collision records to illustrate a related highway safety issue.
- The site includes 17 parking spaces accessed via an undercroft new vehicle access off Sherborne Street which is considered sufficient. The existing highway has traffic regulation orders to prevent unsafe parking close to the nearby junctions with restricted on-street parking.

An appropriate level of cycle parking can be sought via condition. A suitable bin store just adjacent to the footway would be acceptable and accessible for collection.

- In order to aid pedestrian connectivity to London Road for the potential increase in additional pedestrians from the additional dwellings a condition is sought for a tactile drop kerb crossing over the junction of Columbia Court with Sherborne Street

4.2 **Conservation Officer**

Whilst the replacement of the existing building is welcomed, raises concerns about the aesthetic contribution that the scheme would make to this part of the city and sees it as a lost opportunity to enhance the space between conservation areas.

4.3 **Arboricultural Officer**

No objections subject to conditions relating to implementation of the submitted tree report and submission of tree planting plans.

4.4 **Ecology Adviser**

No objections subject to the addition of conditions relating to implementation of the ecology report and submission of details of Biodiversity Mitigation and Enhancements.

4.5 **City Archaeologist**

(No objections subject to the addition of a condition relating to a programme of archaeological work to be submitted and approved.

The site is located on the edge of medieval and Roman settlement in Gloucester. Activity dating from both periods has been found 120m to the west on the north side of Alvin Street, and 130m to the south (at 1 Alvin Street). It's currently very difficult to know if these remains extend into the area of the site. The site was later an engineering works before being cleared for its current use presumably sometime in the 1990s. There is some potential for archaeological remains of Roman and later date to survive within undisturbed parts of the site. There is concern that the proposed development may damage or destroy any archaeological remains that may be present.

4.6 **Drainage Adviser**

I concur with the comments submitted by the LLFA. From a water quality perspective, the water quality objectives set out in the publication CIRIA C753 should be met. Please note that traditional gullies/slot drains and interceptors alone will not meet the objectives.

4.7 **City Centre Improvement Officer (Environmental Protection)**

Comments not received.

4.8 **Housing Strategy and Enabling Officer**

Welcomes the provision of affordable housing which should be secured by a s106 obligation.

4.9 **Urban Design Adviser**

The site is located within an existing estate of flats and houses, the existing development is of poor quality and the regeneration of this area is encouraged. The site is surrounded by existing development with existing flats and houses on all boundaries.

Block C comes forward of the building line on Union Street, I would have concerns about the impact of this on the appearance of the street scene. This block is also very close to the rear gardens on Sherborne Street and although there are no windows in this elevation I would have concerns about the overbearing impact that this could have on the amenity of these properties.

Block A is also extremely close to the existing block to the south. The relationship with this building is unacceptable and the impact on the existing building and the amenity of the residents is unacceptable.

The appearance of the buildings is generally acceptable although the cladding on the second floor is unattractive and I would question the appropriateness of using cladding at all, an alternative would be render or a timber cladding.

As it stands I have concerns about the layout of the proposed blocks. With amendments to the

layout this application would be acceptable.

4.10 **Local Lead Flood Authority**

No objections subject to the addition of conditions.

The proposed site location is in flood zone 1 but very near to flood zone 2 and river Twyer which is culverted. According to paragraph 4.0 of the submitted drainage strategy report "No ground investigation or soakaway testing has been undertaken yet. Prior to the detailed design soakaway testing will be undertaken to confirm the potential for infiltration drainage to be utilised at this stage of application stage.

The applicant has supplied an indicative plan for that development which demonstrates the general principle of the development is acceptable in terms of surface water flood risk and management. However, further information is required at a detail design stage to ensure the surface water drainage system is informed by infiltration tests and ground water levels. LLFA agree that site is at low risk of surface water flooding as LLFA has no records of surface water flooding in the vicinity of the development's location.

4.11 **Gloucester Civic Trust Planning Appraisal Panel**

Acceptable.

4.12 **Gloucestershire County Council S106 Officer**

No education or library contributions required.

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 Neighbouring properties were notified and press and site notices were published.

5.2 Two letters of objection have been received from nearby residents that raise the following issues:

1. The proposal does not comply with the Planning Practice Guidance.
2. The bus service data within the statement is incorrect.
3. The transport statement does not consider the travel characteristics of the proposed development.
4. The development displaces a car park.
5. Sherborne House was previously a sheltered housing development, with low car ownership.
6. Sherborne House is currently vacant but the parking block associated with this is normally full. Where will these cars be able to park if the development is built?
7. Disagree with the car ownership data.
8. The development is not sustainable.
9. Is the development to be gated?
10. The development is out of proportion with the existing dwellings.
11. Loss of parking spaces.
12. Loss of privacy.
13. The nearest bus stop is on London Road.

5.3 The full content of all correspondence on this application can be viewed on:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 **OFFICER OPINION**

6.1 **Legislative background**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows:

- Principle
- Design, layout and landscaping
- Affordable Housing
- Traffic and transport
- Residential amenity
- Drainage and flood risk
- Open Space, Recreation, Education and Community Facilities
- Economic considerations
- Planning obligations

6.5 **Principle**

The NPPF requires local planning authorities to demonstrate a 5 Year Housing Land Supply against the relevant housing requirement, with an appropriate buffer. Policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. The JCS addresses housing supply and demand under Policies SP1 (The Need for New Development) and SP2 (Distribution of New Development) as well as within Part 7 (Monitoring and Review).

6.6 The Council can currently demonstrate a five year supply of deliverable housing sites with a 20% buffer and this positive housing land supply position means that the housing policies in the Joint Core Strategy can be given full weight.

6.7 Policy SD10 of the JCS allows for infilling within the existing built up areas of the City Gloucester. In terms of the broad principles of development, the site is within the built up area of the City, is in a sustainable location for residential use and would contribute to housing supply. As such the proposal would meet the thrust of Policy SP1 to focus investment and regeneration within the built up area of the city, the principle of development is considered acceptable in accordance with JCS Policy SD10. There are no key policy constraints that would affect this, in principle support. However, proposals that are acceptable in principle are still subject to all other policy tests.

6.8 As the site is located within the built up area of the city, the principle of development is considered to be acceptable in accordance with JCS Policy SD10, subject to assessment against other planning considerations in the remaining sections of this report.

6.9 **Design, Layout and Landscaping**

Part 12 of the NPPF attaches great importance on good design and seeks to promote development which is appropriate in terms of overall scale, massing, height, landscaping, layout, materials and access in relation to neighbouring buildings and the local area more generally. It

further states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions...' Policy SD3 requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design, Policy SD6 requires development to protect or enhance landscape character while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network.

- 6.10 The existing property – Sherborne House – although of the same style and age as the surrounding residential apartments, has a different footprint, layout and external appearance. The internal layout is sub-optimal as is the external appearance. The demolition of Sherborne House would allow a better designed more efficient use of the space.
- 6.11 Pre-application advice was provided on the proposals in July 2017. The principle of development was welcomed and some guidance given on lifting the design quality of the scheme. The development as proposed responds to the design and layout of the surrounding development but with a modern clean interpretation. The contrasting brick and white cladding and the recessed balcony at the third floor being two key aspects. The location of Block A to the front of the site, adjacent to the highway extends the building line from the existing properties to the north and brings a positive influence to the street scene. Block B encloses the proposed internal courtyard and in turn closes off the green to the rear (west). Block C closes off the proposed courtyard to the north and extends the present building line along Union Street.
- 6.12 It is considered that the agent has responded positively to the pre-application response and the design suggestions on the current application from the City Council. Whilst the comments of the Urban Design Adviser and Conservation Officer are noted, it is considered that the scheme is well related and integrated within the wider site and has an acceptable design, layout and landscaping.
- 6.13 Therefore, having had regard to Policies SD3, SD4 and SD10 of the JCS and the appropriate sections of the NPPF it is considered that the proposal would be acceptable in respect to its impact on the character and form of the area.

Affordable Housing

- 6.14 The NPPF states that where local authorities have identified the need for affordable housing, policies should be set for meeting this need on site, unless off site provision or a financial contribution can be robustly justified. Policy SD12 of the JCS provides that a minimum of 20% affordable housing will be sought on sites of 11 or more dwellings in the Gloucester City administrative area. Bullet point 10 of the Policy provides that the viability of the site may enable additional levels of affordable housing to be provided.
- 6.15 Gloucester City Homes are the applicants for this development who will retain ownership of the completed flats. All of the flats are proposed as affordable housing units with the owner/applicant acting as the affordable housing provider. The applicants have agreed to enter into a s106 Agreement for the purpose of securing the affordable housing in perpetuity. As such the proposal complies with the requirements of Policy SD 12 and the proposal is acceptable in this respect.

Traffic and transport

- 6.16 Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network.
- 6.17 The Local Highway Authority has assessed the scheme in full. They consider the site to be in a

sustainable location which reduces the reliance on private vehicle use. They have also reviewed the supporting Transport Assessment and agree with the assessment of the comparison between existing and proposed trip generation. The comments from the Local Highway Authority are noted (see section 4 above), and the conditions they request recommended below. As such, there are no highway safety implications as a consequence of the proposed development in accordance with JCS Policy INF1 and Part 9 of the NPPF.

6.18 **Residential amenity**

Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 127 (f) of the NPPF seeks to achieve well designed places "...with a high standard of amenity for existing and future users". This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

6.19 The proposal involves the demolition of an existing three storey flat roof property with a large footprint – Sherborne House – and its replacement with three detached blocks of flats. Due to the siting of Block C it is not considered that it would impact on the amenity of existing residents on Union Street or Sherborne Street. It is not considered that Block B would impact on the amenity of residents of Union Street but it has the potential to impact on the amenity of apartment block to the south – 1 to 30 Sherborne Street. Similarly it is not considered that Block A would impact on the amenity of residents of Sherborne Street to the north – numbers 55 to 64 - but it has the potential to impact on the amenity of apartment block to the south – 1 to 30 Sherborne Street. For these reasons a Sunlight and Daylight Impact Assessment was commissioned. The report assesses the impact for residents of the proposed development as well as the impact of the proposed development on existing residents and has been specifically designed to follow the best practice guidance as set out in the BRE publication 'Site Layout Planning for Daylight and Sunlight'

6.20 For future occupants of the proposed development the report concludes that: *"the Sherborne House Development has met, and in some cases exceeded recommendations for both Sunlight and Daylight for a greater proportion of areas than those that do not pass. No further changes to Design are required at this stage in either layouts or glazed areas."*

6.21 As part of the methodology for assessing the impact of the development on the amenity of existing residents, the commissioned consultants assessed 5 key windows nearest the site on the adjacent row of flats to the south - 1 to 30 Sherborne Street. The Assessment was separated into two core sections: The Sunlight & Daylight Impact of the proposed development; and the potential change in Sunlight & Daylight Impact on the proposed development from surrounding buildings. Five areas of glazing in neighbouring properties were chosen as 'worst-case', as these appear to be close enough to the proposed development to see a potential reduction to the amount of available natural daylight. Two separate calculations were completed for the selected windows to show both the existing results and the difference as a result of the proposed development. The calculations are shown in table 9 below which is an extract from the submitted Sunlight and Daylight Impact Assessment and relate to a Virtual Sky Component (VSC).

	Existing (Unobstructed Nodes)	Proposed (Unobstructed Nodes)	Difference
Window 1	100%	92%	8%
Window 2	99%	93%	6%
Window 3	94%	93%	1%
Window 4	98%	93%	5%
Window 5	94%	79%	15%

Table 9: VSC before and after comparison for existing dwellings.

- 6.22 If the proposed VSC is less than 27% and there is more than a 20% reduction in sunlight between the existing and proposed calculation, the building work could be considered as causing a serious effect on the levels of accessible natural light. The table shows that the VSC would exceed 27% and that the difference between the two readings is less than 20%. As such it is not considered that the proposed development would cause a loss of light to existing residents.
- 6.23 It is important to note that the above assessment was based on the proposed site plan, drawing number: 5696/P/10 Rev A. Further to discussions with the Council the site plan has been amended with the latest proposed site plan being drawing number: 5696/P/10 Rev B. The key changes are that the footprint of blocks B and A have been reduced and moved approximately 1.78m away from existing properties to the south in comparison to Rev A. The existing development has a staggered profile on the southern elevation, with the proposed development having a flat profile that would be between 4.20m and 6.20m away from the footprint of the existing building.
- 6.24 Whilst it is clear that there would be a change of outlook experienced by some neighbouring residents, for the reasons given above it is considered that the impacts on the living conditions of existing and future residents would be acceptable.
- 6.25 ***Drainage and flood risk***
The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.
- 6.26 The site is located within Flood Zone 1 and therefore comprises land assessed as less than 0.1% (1 in 1000) chance of flooding occurring each year. The submitted drainage strategy confirms that the existing foul connection has capacity for the proposed development. The strategy also states that ground infiltration tests for surface runoff have not been done, although there is an appended letter to the strategy which confirms a fall-back position in this regard. The comments from the LLFA and the drainage officer are noted and there are no objections subject to appropriate planning conditions which are currently being drafted. **An update will be provided at Committee.** For the reasons given, and subject to appropriate conditions, it is considered that the proposal accords with the requirements of Policy INF2 of the JCS and the relevant

sections of the NPPS and is acceptable in this regard.

6.27 ***Open Space, Recreation, Education and Community Facilities***

The NPPF provides that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities Policies INF3, INF4 and INF6 of the JCS require new residential developments to provide for any additional infrastructure and community facilities required to serve the proposed development. Policies OS.2, OS.3, and OS.7 of the 2002 Plan set out the council's requirements for open space.

6.28 Given that the scheme is for the redevelopment of existing residential units it is not considered that, given the small net increase in units, the proposal would justify contributions to open space, recreation or community facilities.

6.29 The County Council S106 Officer has been consulted and has indicated that the proposal gives rise to additional needs in respect of education and libraries. Discussions are ongoing in respect of the actual sums sought and **an update will be provided at Committee.**

6.30 For these reasons it is considered that the proposal accords with the criteria of Policies INF3, INF4 and INF6 of the JCS and is acceptable in this regard.

6.31 ***Economic considerations***

The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment and job growth. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth through the planning system', this adds some weight to the case for granting permission.

6.32 ***Planning Obligations***

Planning legislation and the NPPF provide that 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.

6.33 This is reflected in Policy INF6 of the JCS which provides that where the need for additional infrastructure and services is expected, the local planning authority will seek to secure appropriate infrastructure which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. Similarly, a Section 106 agreement is the mechanism for providing affordable housing in compliance with Policy SD12. The requirements for S106 contributions arising from the proposal are set out below.

6.34 As set out above the proposal for affordable housing is for the provision of 100% of the residential units for affordable rented units, to be provided by an approved registered provider. Discussions are ongoing in respect of possible education and library contributions.

6.35 ***Conclusion***

This application has been considered in the context of the policies and guidance referred to above.. The proposed development would secure the provision of 31 affordable rented homes in a sustainable location and would result in an improved design which would have an acceptable impact on the character and appearance of the area and the living conditions of existing and proposed residents. Subject to conditions the proposal would have an acceptable impact on highways safety. In light of the above, the proposal is acceptable and accordingly it is

recommended that planning permission be granted.

7.0 RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER

7.1 That the GRANT of permission is delegated to the Technical Planning Manager subject to the completion of a Section 106 agreement to provide the following:

- 100% affordable rented units.

and subject to the following conditions and the amendment to and/or addition of conditions as necessary:

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 application form, and drawing numbers except where these may be modified by any other conditions attached to this permission:

5696-P-01 Site Location Plan
5696-P-02 Block Plan
5696-P-05 Existing Site Plan
5696-P-06 Demolition Plan
5696-P-10B Proposed Site Layout
5696-P-11A Proposed Landscaping Plan
5696-P-20A Prop Floor Plans Plots 1-10
5696-P-21A Prop Floor Plans Plots 11-22
5696-P-22A Prop Floor Plans Plots 23-31
5696-P-70C Proposed Elevations Plots 1-10
5696-P-71C Proposed Elevations Plots 11-22
5696-P-72B Proposed Elevations Plots 23-31
5696-P-75 Indicative Street Scene
5696-P-76 Indicative Sections
5696-P-4000 Design and Access Statement
17093.D100 Drainage Strategy
1300 Preliminary Ecological Appraisal
1808REP01 Transport Statement
BS5837 BJUFC Tree Report Protection Plan
Affordable Housing Statement
Energy Statement QDSHGL1
Sunlight and daylight Impact Assessment

Reason

To ensure that the development is carried out in accordance with the approved plans.

Condition 3

No development shall take place above ground level until details or samples of materials to be used externally 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.

Reason

To ensure that the materials harmonise with the surroundings in accordance with policy SD4 of the Core Strategy.

Condition 4

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows, other than those expressly authorised by this permission, shall be constructed in the gable end elevations of Blocks A, B and C.

Reason

In order to protect the residential amenity of adjacent properties in accordance with policy SD4 of the Core Strategy.

Condition 5

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 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 SD4 of the Core Strategy.

Condition 6

No works shall commence on site on the development hereby permitted until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 paragraph 35 and Core Strategy INF1.

Condition 7

The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan 1808DWG02, 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 paragraph 35 and Core Strategy INF1.

Condition 8

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

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. specify 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.

Condition 9

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan 1808DWG02 and those facilities shall be maintained for the duration of the development.

Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework paragraph 35 and Core Strategy INF1.

Condition 10

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 5m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework paragraph 35 and Core Strategy INF1.

Condition 11

Prior to occupation the existing vehicle crossover shall be reinstated as full height kerb and footway and a tactile footway crossover shall be provided across the junction of Columbia Close with Sherborne Street.

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 paragraph 35 and Core Strategy INF1.

Condition 12

Notwithstanding the details in the Tree Constraints, Impact Assessment & Tree Protection Method Statement prepared by BJ Unwin Consultancy (dated 29 March 2018) details of planting for the replacement trees, including species, sizes and pit planting specifications shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the development hereby approved.

Reason

To ensure the satisfactory appearance of the development in accordance with the requirements of Policies SD4 & SD6 of the Core Strategy.

Condition 13

Development shall be carried out in accordance with sections 1.3 and 1.4 of the Preliminary Ecological Appraisal with Preliminary Roost Assessment, dated 17/04/2018, published 09/05/2018, prepared by Focus Ecology Ltd.

Reason

To safeguard biodiversity as set out by the Habitats Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and in accordance with Policies SD4, SD6 & SD9 of the Core Strategy.

Condition 14

No work above DPC level on the development hereby permitted shall take place until a scheme for biodiversity mitigation and enhancement measures, such as new planting, incorporation of permanent bat roosting feature(s) and or nesting opportunities for birds has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in general accordance with the recommendations at section 1 of the Preliminary Ecological Appraisal with Preliminary Roost Assessment, dated 17/04/2018, published 09/05/2018, prepared by Focus Ecology Ltd. . The scheme shall include, but not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
- ii. Materials and construction to ensure long lifespan of the feature/measure
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- iv. When the features or measures will be installed within the construction, occupation, or use phased of the development permitted.

The development shall be carried out and thereafter be retained and maintained in strict accordance with the approved scheme.

Reason

To secure biodiversity mitigation and enhancement in accordance with Policies SD4, SD6 & SD9 of the Core Strategy.

Condition 15

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 written scheme of investigation which has been submitted to 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 Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Note 1

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 2

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 – explanatory booklet.

Note 3

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.

Note 4

The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

Note 5

The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality; however pollution control is the responsibility of the Environment Agency.

Person to Contact: Nigel Gould (396967)

Planning Application: | 18/00487/FUL

Address: | 49 Sherborne Street
Gloucester GL1 3DL

Committee Date: |

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	6 th November
Address/Location:	17 St James Close Quedgeley Gloucester GL2 4PL
Application No:	18/00672/FUL
Ward:	Quedgeley Fieldcourt
Expiry Date:	21.08.2018
Extension of time:	12.11.2018
Applicant:	Mr Robert Panou - Gloucester City Homes
Proposal:	Conversion of existing communal facilities and warden's dwelling to form 3no. dwellings and communal laundry facility.
Report by:	Fiona Ristic
Appendices:	<ol style="list-style-type: none"> 1. Location plan 2. Proposed site plan and elevations <p>This application has come before planning committee as it has an attached S106 agreement to secure affordable housing</p>

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located to the north-east of St. James' Close in Quedgeley. St. James' Close is historically a supported housing scheme with communal facilities. The application site involves a detached building which currently houses communal areas including a laundry room and communal lounge and a 3 bedroom warden's dwelling. Gloucester City Homes have faced funding reductions, a pressure to provide more affordable housing and the need to manage costs. This application is to convert the rooms at St James' Close into 3 bungalows. The scheme provides affordable housing, allows a reduction in management costs and retains a small, communal laundry facility.
- 1.2 The site is bounded by residential properties on all sides. The housing surrounding the site is predominantly single storey bungalows with two storey buildings to the west. To the north of the site is a commercial unit and car park. There is a nearby construction site providing 13 new dwellings for Gloucester City Homes.
- 1.3 The building is currently unused by residents apart from the communal laundry facility which would be retained. The wardens dwelling is vacant. The proposed application would result in
- 1 bed 2 person bungalow - 61.5m²
 - 1 bed 2 person bungalow – 51m²
 - 1 bed 2 person bungalow - 52.5m²
- Communal laundry facility – 3.8m²
- 1.4 The existing unit would be converted within the existing building footprint and retain the majority of windows and door openings currently in situ. The existing associated hard and soft landscaping would remain unaltered. There is a parking area in front of the site providing parking for the proposed bungalows.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
16/00811/FUL	Conversion of existing two storey building into a 2 bedroom dwelling and construction of 9 no. 2 bedroom bungalows, 2 no. 1 bedroom bungalows and 1 no. 3 bedroom dwelling with associated car parking, hard and soft landscaping.	Granted	24.08.2017

3.0 RELEVANT PLANNING POLICY

3.1 The following planning guidance and policies are relevant to the consideration of this application:

3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 Development Plan

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS (Adopted version) include:

SD4 – Design requirements

SD.12 – Affordable Housing

SD14 – Health and environmental quality

INF1 –Transport network

3.4 City of Gloucester Local Plan (Adopted 14 September 1983)

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 213 of the NPPF states that ‘...*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*’ The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

3.5 Emerging Development Plan

Gloucester City Plan

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. Paragraph 48 of the NPPF 2018 sets out that local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

As the City Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

- 3.6 All policies can be viewed at the relevant website address:- national policies:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
Gloucester City policies:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>

4.0 **CONSULTATIONS**

4.1 **Environmental Health** – no comments received

4.2 **Quedgeley Parish Council** – no objection

4.3 **Highways** – refer to standing advice

4.4 **Housing** - Agree with GCH's view that further delivery of affordable homes will help meet the City's needs. Only concern is how this now sits with the original application for 13 dwellings. The dwellings should be secured as affordable units by way of a s106 obligation.

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 **15 Neighbouring properties were notified in writing and a site notice was erected.** – no comments were received

5.2 The full content of all correspondence on this application can be viewed on:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 **OFFICER OPINION**

6.1 ***Legislative background***

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:
a) the provisions of the development plan, so far as material to the application;
b) any local finance considerations, so far as material to the application; and
c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows :

Principle of development

- 6.5 Policy SD10 of the JCS supports housing development on previously developed land within the built-up area of Gloucester. The scheme is located in a predominantly residential area and is bordered by similar bungalows owned by Gloucester City Homes. The proposal is therefore acceptable in principle.
- 6.6 Policy SD12 of the JCS sets out that the JCA authorities will seek, through negotiation, for new development to deliver new affordable housing. Outside of Strategic Allocations, on sites of 11 dwellings or more a minimum of 20% affordable housing will be sought in the administrative area of Gloucester. Since the publication of the JCS however there has been a change in material considerations, in the form of the NPPF (2018) which provides a new threshold for when affordable housing contributions are required, reflecting the definition of 'major development' (i.e. 10 dwellings or more or 0.5 hectares or more). The JCS authorities view is that applications should be considered in accordance with the thresholds set out in the NPPF, which are given more weight than those set out at paragraph 1(iii) of Policy SD12 of the JCS (given that it is more recent and because the explanation to Policy SD12 relies heavily on the national thresholds which had been set out in the written ministerial statement and the PPG).
- 6.7 Paragraph 2 of Policy SD12 of the JCS sets out that where a development site has been divided into parts, or is being delivered in phases, the site will be considered as a whole for the purpose of determining the appropriate affordable housing requirement. This is the case in this instance as 13 dwellings have already been permitted on what is essentially the same site, by the same developer. On that basis the Applicant has agreed to enter into a s106 obligation which would secure the three dwellings currently proposed as affordable units in perpetuity.

Design, Layout and Landscaping

- 6.8 The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment., Policy SD4 sets out requirements for high quality design, while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network.
- 6.9 The scheme involves the conversion of the existing building retaining the majority of the doors and windows. The biggest change is on the front elevation where the existing brickwork would be rendered and new doors will be added. The proposed changes are in keeping with the character of the area and would not appear overly prominent. The proposal is therefore in accordance with policy SD.4 (Design).

Traffic and transport

- 6.10 The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network
- 6.11 There is a parking area at the front of the bungalows which provides adequate parking for residents. The proposed net addition of 2 dwellings would not give rise to a material impact on the safe operation of the local highway network and the proposal therefore complies with policy INF.1 (Transport Network).

Residential amenity

- 6.12 Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

- 6.13 The proposal is for conversion. Given that the building is single storey, the changes in the fenestration would have no significant impact on the neighbouring properties. It is therefore considered that the proposal complies with policy SD.14 of the JCS (2018).

Economic considerations

- 6.14 The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment and job growth. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth through the planning system', this adds some weight to the case for granting permission.

Conclusion

- 6.15 This application has been considered in the context of the policies and guidance referred to above. The application provides much needed affordable housing. The application has been considered in the context of the policies and guidance referred to above and the proposal is consistent with those policies and guidance in terms of design, materials, impact upon the amenity of any neighbours and the local area. The proposal is therefore considered acceptable and it is accordingly recommended that permission should be granted.

6.16 Human Rights Act

In compiling the recommendation full consideration has been given 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 application no particular matters warrant any different action to that recommended.

7.0 RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER

- 7.1 That delegated authority is granted to the City Council Technical Planning Manager to grant planning permission subject to the completion of a legal agreement securing the properties as affordable housing in perpetuity and subject to the following conditions;

Condition 1

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

Reason

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

Condition 2

The development hereby permitted shall be carried out in accordance with the application form, covering letter and drawing numbers 5748/P/01 (site plan), design and access statement, 5748/P/91 B (proposed elevations) and 5748/P/81 B (proposed floor plans) received by the Local Planning Authority 1st June 2018 except where these may be modified by any other conditions attached to this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans and in

accordance with policies contained within the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 3

The external facing materials to the development hereby permitted shall match those specified in drawing number 5748/P/91 B (proposed elevations) received by the Local Planning Authority 1st June 2018.

Reason

To ensure the satisfactory appearance of the development in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017)

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.

Note 1

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucester City Council Building Control Team on 01452 396771 for further information.

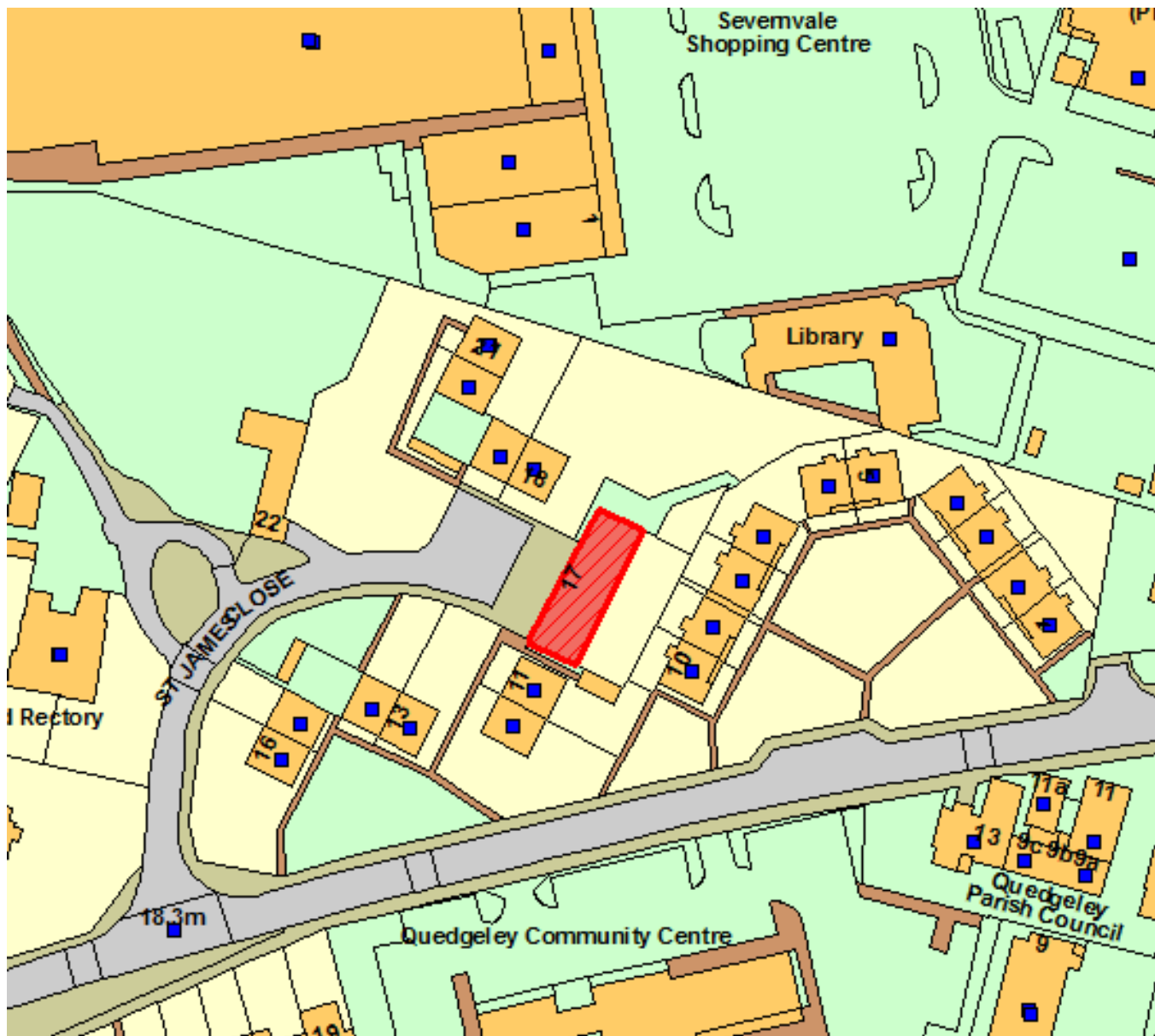
Person to Contact: Fiona Ristic (396716)



Planning Application: | 18/00672/FUL




Address: | 17 St James Close Quedgeley
Gloucester GL2 4PL

Committee Date: | 6th November 2018



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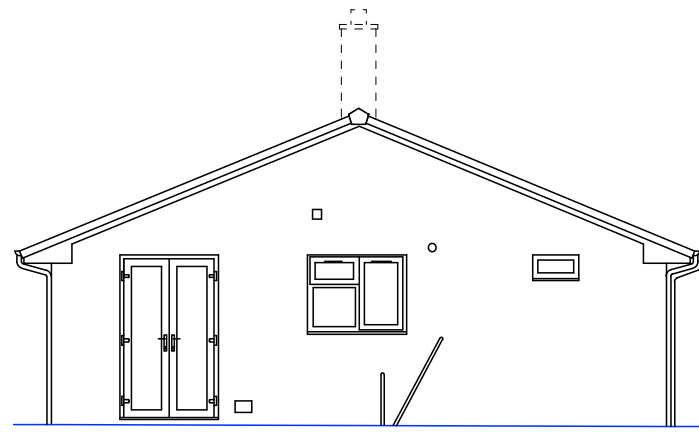
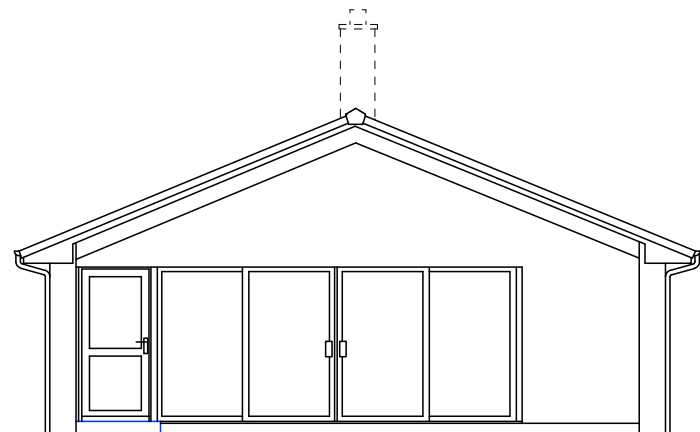
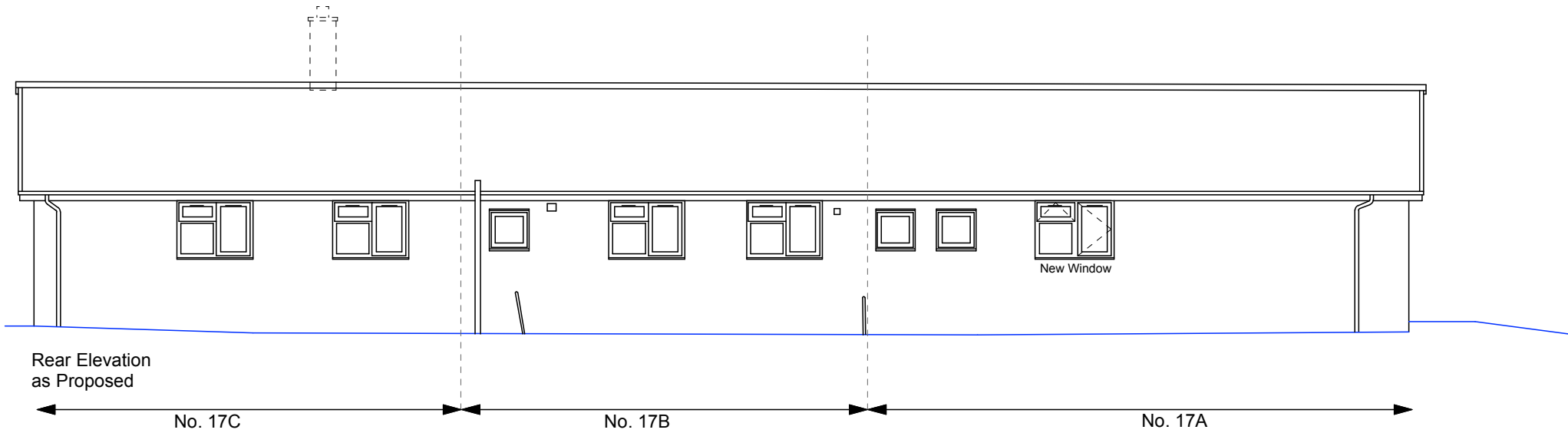
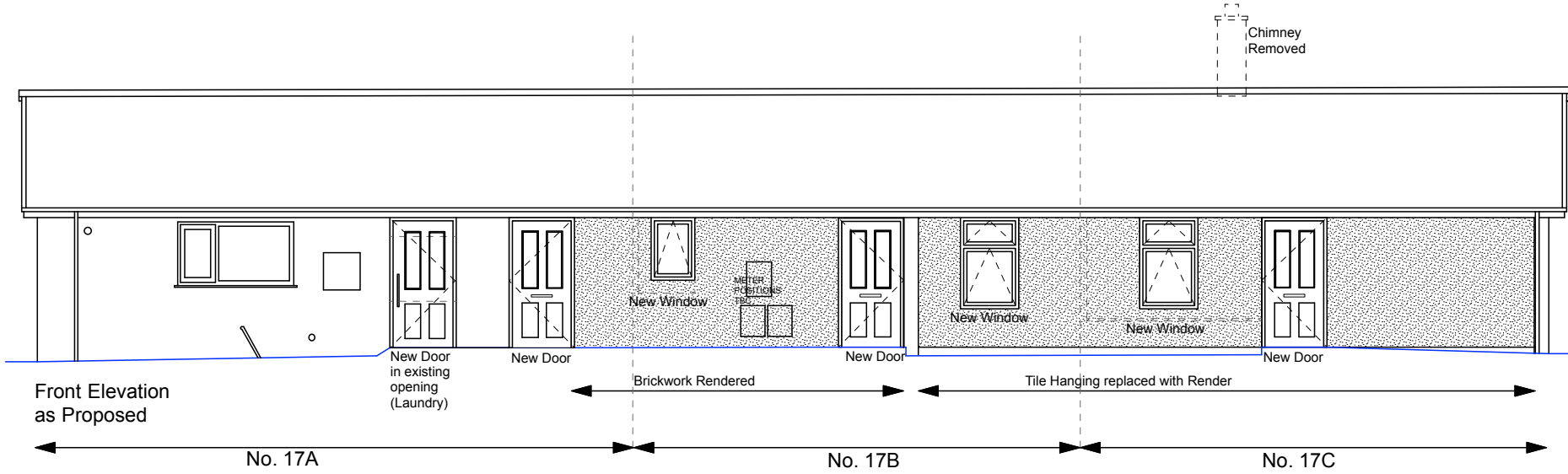
- Key:**
-  Brick - As Existing
 -  New Render - Colour: Cream
 - New Windows: UPVC Colour: White to match existing
 - New Doors - SBD Doorset - White Final Style TBC
 -  External adjustments to structure

NOTES

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REVISIONS

REV: DATE - DRAWN - CHECKED: NOTES
 -: 19.04.2018 - KDCG:
 Drawing created following survey receipt
 A: 22.05.2018 KDCG
 Laundry door to RH opening in & front doors to be white as requested by SW AQUA 20.04.2018.
 B: 22.05.2018 KDCG
 front doors amended handing & 17B position
 25.05.2018 front door types updated



PLANNING

DRAWING TITLE

No. 17 Conversion
Proposed Elevations

PROJECT

St James Close
Quedgeley

CLIENT

Gloucester City Homes

SCALE

1:100@A3

DATE

Apr 2018



DRAWING NO.

REV

5748/P/91

B

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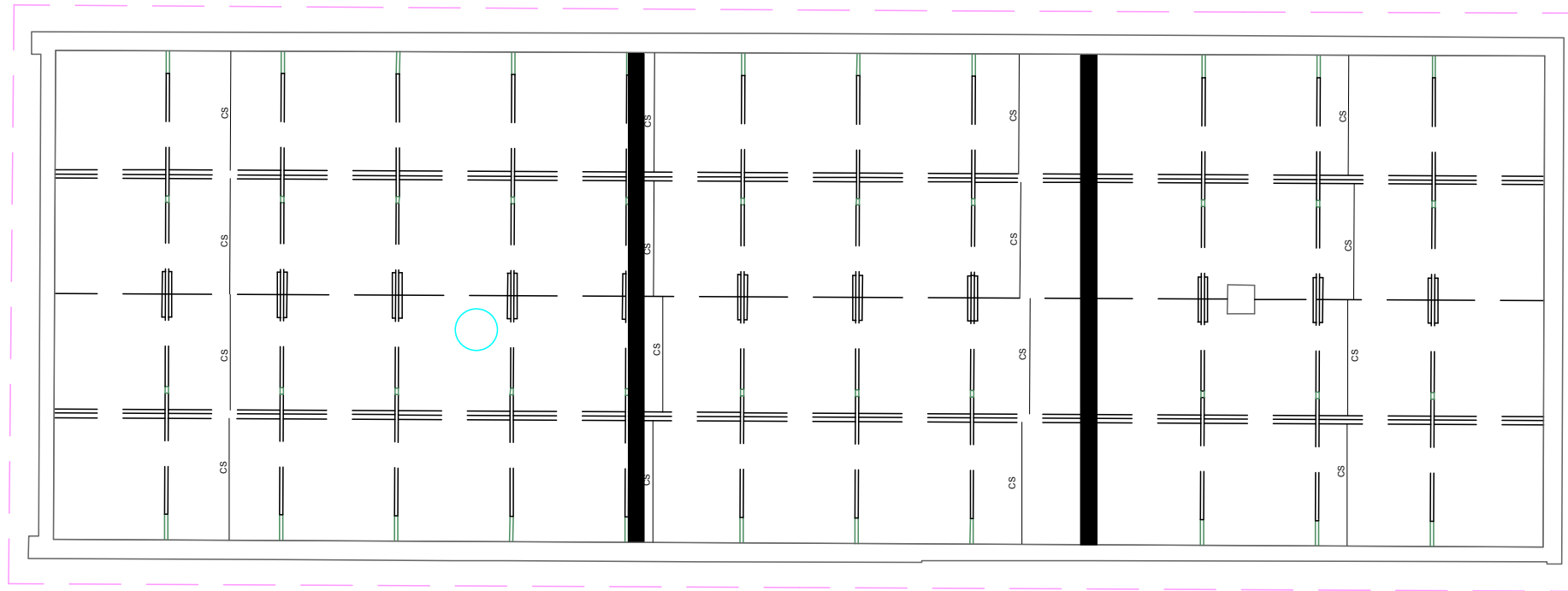
NOTES

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REVISIONS

REV: DATE - DRAWN - CHECKED: NOTES

- : 18.04.2018 - KDCG:
- A: 22.05.2018 KDCG
- All bathrooms made wetrooms as requested KT GCH. Laundry door to RH opening in as requested by SW AQUA 20.04.2018.
- B: 22.05.2018 KDCG
- Kitchens in all plots reconfigured and combi boiler positions added. 17B. Front door repositioned & Store added to hall. 17C to have open plan kitchen revision and Laundry door to open outward as per RP GCH request.



Proposed Roof Plan

- Key:**
- Existing Walls & Windows Retained
 - Existing Internal Partitions Retained
 - Existing Internal Partitions Removed
 - New Walls
 - New Separating Party Walls
 - New Internal Partitions
 - New Windows
 - New Doors



Proposed Ground Floor Plan

PLANNING

DRAWING TITLE

No. 17 Conversion
Proposed Floor Plans

PROJECT

St James Close
Quedgeley

CLIENT

Gloucester City Homes

SCALE 1:100@A3

DATE Apr 2018



DRAWING NO. **REV**

5748/P/81 **B**

Matthews Warehouse, High Orchard Street
Gloucester Quays, GL2 5QY T: (01452) 424234

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REVISIONS

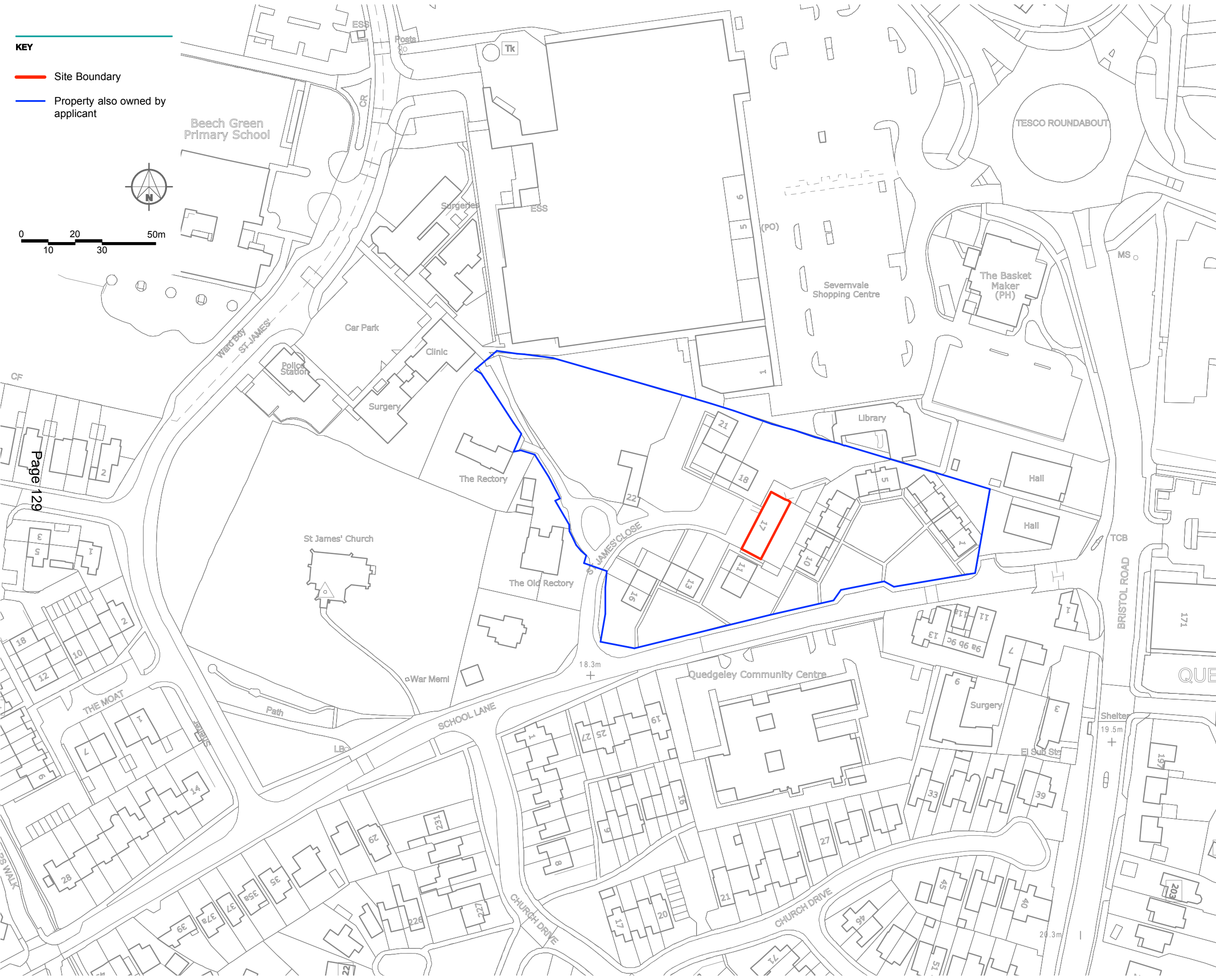
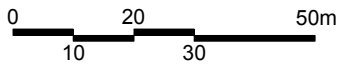
REV: DATE - DRAWN - CHECKED: NOTES

-: 01.06.2018 - KDCG:
Drawing created.

KEY

— Site Boundary

— Property also owned by applicant



Page 129

DRAWING TITLE

Site Location Plan
No. 17

PROJECT

St James' Close,
Quedgeley

CLIENT

Gloucester City Homes

SCALE

1:1250@A3

DATE

June 2018



DRAWING NO.

REV

5748/P/01

-

Imperial Chambers, Longsmith Street
Gloucester GL1 2HT T: (01452) 424234

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Abbeydale

18/00630/FUL SHANE.

19 Sudbrook Way Gloucester GL4 4AP

Two storey side and single storey front extension

G3Y 07/09/2018

18/00834/FUL SHANE.

19 Rosemary Close Gloucester GL4 5TL

Two storey extension to side and rear to create a disabled adapted annex.

G3Y 20/09/2018

18/00835/FUL ELENJ

99 Swift Road Gloucester GL4 4XJ

SINGLE STOREY EXTENSION TO REAR OF PROPERTY

G3Y 11/09/2018

18/00891/FUL SHANE.

2 The Malverns Gloucester GL4 4WN

Two storey extension and conversion of garage. Creation of car parking

REFUSE 24/09/2018

Abbeymead

18/00749/FUL SHANE.

34 Kennett Gardens Gloucester GL4 5TZ

Proposed two storey side extension.

G3Y 28/09/2018

18/00753/FUL SHANE.

25 Damson Close Gloucester GL4 5BW

Change of use from council owned open space to residential space at rear of

REFUSE 20/09/2018

18/00832/FUL	SHANE.
6 Foxglove Close Gloucester GL4 4DX	
Two Storey Side Extension	
REFUSE	28/09/2018
18/00888/FUL	FISHM
6 Combrook Close Gloucester GL4 5UN	
First Floor Side Extension over Existing Garage and Associated Works.	
G3Y	11/09/2018
18/00917/FUL	ELENJ
1 Neptune Close Gloucester GL4 5UQ	
Proposed single storey side extension.	
G3Y	19/09/2018
18/00923/FUL	FISHM
7 Centurion Close Gloucester GL4 5EG	
Two storey side and single storey rear extensions. (Revised from application 18/00528/FUL)	
G3Y	20/09/2018
18/00942/LAW	SAMLA
61 Bay Tree Road Gloucester GL4 5WD	
Provision of single storey rear extension	
LAW	26/09/2018
18/00994/PDE	SAMLA
29 Trinity Road Gloucester GL4 5GB	
Demolition of existing conservatory and single storey extension and replacement single storey extension. (Depth 3.04m, Height 3.21m, Eaves 2.27m)	
EOBJ	21/09/2018

Barnwood

18/00490/FUL

FEH

Bennetts Coaches Eastern Avenue Gloucester GL4 4LP

Demolition of single storey offices, workshops and stores and replacement with two storey building with offices, service bays and heavy stores on ground floor with offices, general stores and welfare accommodation over. Close existing access and reopen an

G3Y 19/09/2018

18/00902/FUL

FISHM

4 Lilliesfield Avenue Gloucester GL3 3AQ

Proposed two-storey extension at the side of the property to replace an existing garage.

G3Y 11/09/2018

18/00962/TPO

JJH

3 Grovelands Gloucester GL4 3JF

T 1-6 Re-pollard Lime trees. T7 Horse Chestnut - Remove the lower side branches by up to 2m. Mid crown, reduce the length of the branches up to 1m.

Overall crown pruning, including crown thinning, reducing the crown density

TPDECS 25/09/2018

Barton & Tredworth

18/00503/FUL

SHANE.

5 Goodyere Street Gloucester GL1 4UG

Proposed single storey rear extension to enlarge kitchen. Loft conversion to include construction of a dormer window on the rear elevation and the removal of the hipped roof.

REFUSE 28/09/2018

18/00728/FUL

RHIAM

55 Hopewell Street Gloucester GL1 4HQ

2 storey extension to side and rear of property.

G3Y 28/09/2018

18/00805/FUL ELENJ
23 Adelaide Street Gloucester GL1 4NL

Retrospective planning application for large conservatory midway through construction and extended porch

G3Y 05/09/2018

18/00864/FUL ELENJ
Asda Supermarket Bruton Way Gloucester GL1 1DS

Erection of retail pod at ASDA store

G3Y 11/09/2018

18/00972/TPO JJH
24 The Conifers Gloucester GL1 4LP

Lime tree in rear garden - pollard to previous points, remove all dead,

TPDECS 03/09/2018

Elmbridge

18/00178/COU RONM
Former Double Gloucester 82 - 84 Cheltenham Road Gloucester GL2 0LX

Change of use and alterations to former public house to create fourteen apartments with associated car parking.

GSC 06/09/2018

18/00744/FUL SHANE.
40 Liddington Road Gloucester GL2 0HL

Two storey side extension.

G3Y 25/09/2018

18/00820/FUL ELENJ
7 Sisson Road Gloucester GL2 0RJ

single storey extension to dwelling

G3Y 03/09/2018

18/00839/FUL ELENJ
27 Liddington Road Gloucester GL2 0HL

Single storey side extension to dwelling

G3Y 04/09/2018

18/00926/FUL ELENJ
72 Barnwood Road Gloucester GL2 0SG
Single storey side and rear extension to property
G3Y 25/09/2018

18/00943/FUL ELENJ
9 Sisson Road Gloucester GL2 0RJ
Single storey extension to rear
G3Y 26/09/2018

18/00955/PDE SAMLA
56 Liddington Road Gloucester GL2 0HL
Demolition of existing conservatory and original external store/wc. Erection of single storey extension to form family room, utility and shower/cloakroom. (6m depth, 3.9m height, 2.5m eaves height)
ENOBJ 06/09/2018

Grange

18/00795/FUL SHANE.
1 Vincent Avenue Gloucester GL4 0SW
Proposed single storey extension to the rear of the property with single storey garage to side of property
G3Y 10/09/2018

18/00848/FUL ELENJ
59 Holmwood Drive Gloucester GL4 0PN
Proposed Single Storey Side and Rear Extension
G3Y 11/09/2018

18/00907/FUL ELENJ
100 Watermint Drive Quedgeley Gloucester GL4 0SY
Rear and side extension
G3Y 11/09/2018

18/00934/FUL ELENJ
17 Randwick Road Gloucester GL4 0NH
PROPOSED PORCH TO FRONT OF PROPERTY
G3Y 25/09/2018

Hucclecote

18/00523/FUL	FISHM
3 Barnacre Drive Gloucester GL3 3DQ	
Part single storey, part two storey rear extension	
G3Y	26/09/2018
18/00563/LAW	FISHM
24 Churchdown Lane Gloucester GL3 3QQ	
Loft conversion with rear dormer and roof light	
LAW	10/09/2018
18/00692/PDE	SHANE.
38 Lynmouth Road Gloucester GL3 3JD	
Single storey wrap around extension	
ENOBJ	06/09/2018
18/00700/LBC	SHANE.
117 Hucclecote Road Gloucester GL3 3TS	
A replacement conservatory and replacement of modern kitchen ceiling	
G3L	07/09/2018
18/00836/FUL	ELENJ
19 Lynmouth Road Gloucester GL3 3JD	
Single storey rear extension, Porch and reconstruction of gargage	
G3Y	03/09/2018
18/00871/LAW	SAMLA
95 Dinglewell Gloucester GL3 3HT	
Hip to gable With front sky lights and Rear Dormer.	
LAW	19/09/2018
18/00897/FUL	ELENJ
13 Mayfield Drive Gloucester GL3 3DS	
Single storey extension to side and rear.	
G3Y	11/09/2018

18/00978/FUL SHANE.
49 Churchdown Lane Gloucester GL3 3QJ
Proposed two storey and single storey extensions. Roof extension to existing garage and widening of dropped kerb.
G3Y 28/09/2018

18/01048/TPO JJH
16 Churchdown Lane Gloucester GL3 3QQ
Re-pollard ash tree to previous points to maintain the tree in its current
TPDECS 28/09/2018

Kingsholm & Wotton

18/00666/FUL SHANE.
96 Kingsholm Road Gloucester GL1 3BB
Proposed new dwelling to the rear of 96 Kingsholm Road (Resubmission of previously withdrawn application)
REFUSE 10/09/2018

18/00961/TRECON JJH
13 Kingsholm Square Gloucester GL1 2QJ
T1 - Large Horse Chestnut - 30% reduction with a 40% reduction over home owners gardens to balance tree. T2 - Small Horse Chestnut - Fell, T3 - Ash - leaning by garage, fell and remove.
TCNOB 03/09/2018

18/00973/TPO JJH
3 Tewkesbury Road Gloucester GL2 9AY
Lime tree - Crown Lift all round to give 5m clearance from ground level, remove lower epicormic growth, crown reduction by 20 - 30% (branch reduction of 2 - 3m to give better shape and form)
TPDECS 03/09/2018

18/01001/TRECON JJH
18 Henry Street Gloucester GL1 3DZ
Fell Leyland Cypress (in rear garden)
TCNOB 17/09/2018

18/01012/TRECON JJJH
6 Malvern Road Gloucester GL1 3JT

Conifer (at front) - Fell because of damage to foundation, sewer and excessive shading to main living room.

TCNOB 25/09/2018

18/01076/CONDIT FISHM
89 Denmark Road Gloucester GL1 3JL

Discharge of conditions 4 (archaeology) of planning application 18/00589/FUL

ALDIS 28/09/2018

Longlevens

18/00756/FUL SHANE.
211 Longford Lane Gloucester GL2 9ET

Erection of single storey pitched roof side extension to garage and pitched roof single storey extension to rear of dwelling.

G3Y 11/09/2018

18/00806/FUL ELENJ
3 Ennerdale Avenue Gloucester GL2 0EE

Demolish existing garage and porch to construct single storey porch, side extension and rear extension.

G3Y 03/09/2018

18/00828/FUL ELENJ
23 Penny Close Gloucester GL2 0NP

Extension over Garage

G3Y 10/09/2018

18/00879/FUL SHANE.
46 Richmond Gardens Gloucester GL2 0DT

Single storey extension to the front and rear elevation and two storey side

G3Y 19/09/2018

18/00883/FUL ELENJ
2 Chamwells Avenue Gloucester GL2 9JB

Single storey rear extension (with rooflight) to the existing hipped roof of the bungalow to replace existing flat roof of the conservatory.

G3Y 11/09/2018

18/00964/FUL SHANE.
5A Rydal Road Gloucester GL2 0NT
Proposed detached dwelling with the benefit of existing vehicular and pedestrian access.
Renewal of permission 15/01552/FUL
G3Y 28/09/2018

Matson & Robinswood

18/00693/PREAPP GOULN
Land Adjacent To And Including The School Lodge 1 Matson Lane Gloucester
Erection of 12no. new dwellings and conversion of existing school lodge building into 1no. dwelling with associated access and amenities.
CLOSED 19/09/2018

18/00743/FUL SHANE.
3 Chervil Close Gloucester GL4 6YJ
Proposed single storey detached garage located at the front of the property.
REFUSE 07/09/2018

18/00977/CONDIT ELENJ
Capel Cottage Sneedhams Green Gloucester GL4 6EQ
Approval of details reserved by condition
ALDIS 14/09/2018

Moreland

18/00850/FUL FISHM
97 Calton Road Gloucester GL1 5ER
Demolish and rebuild single storey rear extension
G3Y 21/09/2018

Quedgeley

18/00789/FUL ELENJ
10 Holly End Quedgeley Gloucester GL2 4UY
Erection of a Single Storey Front Extension and associated internal alterations to an existing two storey dwelling.
G3Y 03/09/2018

18/00872/FUL ELENJ
12 Highliffe Drive Quedgeley Gloucester GL2 4QN
Single storey infill extension connecting the garage to the house.
G3Y 03/09/2018

18/00937/FUL FISHM
7 Ashleworth Gardens Quedgeley Gloucester GL2 4WU
Double storey side and rear extension plus single storey rear extension.
G3Y 25/09/2018

Quedgeley Severnvale

18/00732/FUL SHANE.
19 Kestrel Gardens Quedgeley Gloucester GL2 4NR
Two storey extension to side of property
G3Y 19/09/2018

18/01022/CONDIT SAMLA
Elmore Back Rear Stonecroft Elmore Lane West Quedgeley Gloucester
Discharge of Condition 11 (archaeology)
PADIS 13/09/2018

18/01099/CONDIT FEH
Elmore Back Rear Stonecroft Elmore Lane West Quedgeley Gloucester
Discharge of conditions 5 (drainage strategy) and 6 (flow routing plan) of
planning permission 17/01429/FUL
ALDIS 28/09/2018

Tuffley

18/00958/NMA ELENJ
37 Firwood Drive Gloucester GL4 0AD
Amend the proposed wall material from 'bricks to match existing' to white
render. Add bi-folding doors on the side elevation and remove window on
ROS96 11/09/2018

Westgate

18/00062/FUL SHANE.

147 Hempsted Lane Gloucester GL2 5LA

Freestanding Carport

G3Y 10/09/2018

18/00676/CONDIT ADAMS

Land At Bakers Quay Llanthony Wharf And Monkmeadow Bounded By

Discharge of conditions 26 (noise testing), 28 (external lights/bats), 35 (remediation), 37 (Merchants Road improvements), 38 (highway safety warning), 42 (cycle storage) and 45 (residential travel plan)

PADIS 20/09/2018

18/00736/ADV SHANE.

11 Westgate Street Gloucester GL1 2NW

Fascia sign and a projecting sign advertising Coventry Building Society.

GFY 19/09/2018

18/00740/CONDIT ADAMS

Llanthony Wharf Llanthony Road Gloucester

Discharge of conditions 3 (archaeological WSI), 4 (works to retaining wall), 5 (surfacing materials), 6 (soft landscaping), 7 (gates), 8 (external lighting), 9 (interpretation materials), 10 (tree protection), 11 (surface water drainage), 13 (flood warnin

ALDIS 18/09/2018

18/00751/COU FEH

6 Pitt Street Gloucester GL1 2BH

Change of use from C3 (Residential) to D1 (Education) and minor refurbishment and repairs

G3Y 10/09/2018

18/00752/LBC	FEH
6 Pitt Street Gloucester GL1 2BH	
Change of use from C3 (Residential) to D1 (Education), minor refurbishment and repairs	
GLB	10/09/2018
18/00777/FUL	ELENJ
HSBC 1 - 3 Northgate Street Gloucester GL1 2AP	
Uplighters with white bulbs installed to cast light onto building facade. Rainwater downpipes to be painted black (amended description).	
G3Y	04/09/2018
18/00814/FUL	FEH
DSC Consultants 47 Brunswick Road Gloucester GL1 1JS	
Change of use of office building, ground to third floor, to a single dwelling (use class C3) to include minor internal remodelling	
G3Y	24/09/2018
18/00815/LBC	FEH
47 Brunswick Road Gloucester GL1 1JS	
Change of use of office building, ground to third floor, to a single dwelling (use class C3) to include minor internal remodelling	
GLB	24/09/2018
18/00861/ADV	SHANE.
Unit R5 Gloucester Quays Designer Outlet St Ann Way Gloucester GL1 5SH	
To replace the existing shopfront advertising with a halo illuminated fascia sign and non-illuminated projecting sign	
GFY	21/09/2018
18/00870/FUL	FEH
183 Westgate Street Gloucester GL1 2RN	
Demolition / Removal of Existing Wall and Gate and Proposed Erection of New Fencing and Gates	
GFY	07/09/2018

DECISION DESCRIPTIONS ABBREVIATIONS

AAPRZ:	Prior Approval Approved
ALDIS:	All Discharged
AR:	Approval of reserved matters
C3C:	Conservation Area Consent for a period of 3 years
CAC:	Conservation Area Consent
ECREF:	PDE Refused - Commenced
ENOBJ:	No Objections
ENPDEZ:	PDE Decision – No objections
EOBJ:	PDE Decision - Objection
G3L:	Grant Listed Building Consent for a period of 3 Years
G3Y:	Grant Consent for a period of 3 Years
GA:	Grant Approval
GATCMZ:	Grant approval for telecommunications mast
GFY:	Grant Consent for a period of Five Years
GLB:	Grant Listed Building Consent
GLBGOS:	Grant Listed Building Consent subject to Government Office of South West clearance
GOP:	Grant Outline Permission
GOSG:	Government Office of South West Granted
GP:	Grant Permission
GSC:	Grant Subject to Conditions
GTY:	Grant Consent for a period of Two Years
GYO:	Grant Consent for a period of One Year
LAW:	Certificate of Law permitted
NOB:	No objections
NOS96:	No objection to a Section 96 application
NPW:	Not proceeded with
OBJ:	Objections to County Council
OBS:	Observations to County Council
PADIS:	Part Discharged
PER:	Permission for demolition
RAD:	Refuse advert consent
REF:	Refuse
REFLBC:	Refuse Listed Building Consent
REFREA:	Refuse
REFUSE:	Refuse
RET:	Returned
ROS96:	Raise objections to a Section 96 application
RPA:	Refuse Prior Approval
SCO:	EIA Screening Opinion
SPLIT:	Split decision
TCNOB:	Tree Conservation Area – No objection
TELPRI:	Telecommunications Prior Approval
TPDECS:	TPO decision notice
TPREF:	TPO refuse
WDN:	Withdrawn

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