

**GLOUCESTER CITY COUNCIL**

**COMMITTEE** : **PLANNING**

**DATE** : **3<sup>RD</sup> MARCH 2015**

**ADDRESS/LOCATION** : **UNIT 10 SILVERDALE PARADE, HILLVIEW ROAD, HUCCLECOTE.**

**APPLICATION NO. & WARD** : **14/01414/COU  
HUCCLECOTE**

**APPLICANT** : **PAPA JOHN'S (GB) LTD**

**PROPOSAL** : **CHANGE OF USE TO HOT FOOD TAKEAWAY (USE CLASS A5) PLUS ASSOCIATED MINOR EXTERNAL ALTERATIONS.**

**REPORT BY** **BOB RISTIC**

**NO. OF APPENDICES/  
OBJECTIONS** : **1 SITE LOCATION PLAN  
OBJECTION FROM CLLR DECLAN WILSON  
18 LETTERS OF REPRESENTATION  
PETITION WITH 71 SIGNATURES**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 This application is brought before the Planning Committee at the request of Ward Councillor Declan Wilson.
- 1.2 The application site comprises a single storey flat roof commercial unit sited at the northern end of a parade of shops at Silverdale Parade, which is in turn accessed from Hucclecote Road and extends onto Hillview Road to the North.
- 1.3 The application property is presently vacant and was occupied by Betfred turf accountants who have since relocated to the adjoining two units to the south.
- 1.4 The application seeks planning permission for the change of use of the property from Use Class A2 to Class A5 for use as a hot food takeaway to be occupied by Papa John's Pizzas. The application also includes details of a roof mounted extraction system which would be sited to the southern part of the roof and would be screened by a timber screen.
- 1.5 The proposed opening hours would be 10am to 11pm Mondays to Fridays, Sundays and bank Holidays and 10am to midnight on Saturdays.

**2.0 RELEVANT PLANNING HISTORY**

2.1 The most recent planning history for the site is set out below:

98/00014/ADV - 1 No. non-illuminated fascia sign and 1 No. illuminated projecting box sign Grant -10.03.1998

97/00574/COU - Change of use to licensed Betting Office. Erection of Satellite dish - Grant - 17.11.1997

### **3.0 PLANNING POLICIES**

3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development control purposes. The National Planning Policy Framework has been published and is also a material consideration.

3.2 For the purposes of making decisions, the National Planning Policy Framework sets out that, policies in a Local Plan should not be considered out of date where they were adopted prior to the publication of the National Planning Policy Framework. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the National Planning Policy Framework.

3.3 The NPPF does not alter the requirement for applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

In assessing and determining applications, Authorities should apply the presumption in favour of sustainable development.

For decision-making, this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent, or relevant policies are out of date, granting planning permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
  - specific policies in the NPPF indicate development should be restricted.

Authorities should look for solutions rather than problems and decision-takers should seek to approve applications for sustainable development where possible.

- 3.3 The policies within the 2002 Local Plan remain therefore a material consideration where they are consistent with the National Planning Policy Framework.
- 3.4 From the Second Stage Deposit Plan the following policies are relevant:
- Policy ST.1 Sustainable Development
  - Policy BE21 – Safeguarding of Amenity
  - Policy TR31 – Road Safety
  - Policy FRP.10 – Noise
  - Policy FRP.11 - Pollution
- 3.5 In terms of the emerging Local Plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and are a material consideration. The weight to be attached to them is limited by the fact that the Plan has not yet been the subject of independent scrutiny and do not have development plan status. In addition to the Joint Core Strategy, the Council is preparing its Local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.
- 3.6 On adoption, the Joint Core Strategy and City Plan will provide a revised planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to
- The stage of preparation of the emerging plan
  - The extent to which there are unresolved objections to relevant policies; and
  - The degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework
- 3.7 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – [www.gloucester.gov.uk/planning](http://www.gloucester.gov.uk/planning); Gloucestershire Structure Plan policies – [www.gloucestershire.gov.uk/index.cfm?articleid=2112](http://www.gloucestershire.gov.uk/index.cfm?articleid=2112) and Department of Community and Local Government planning policies - [www.communities.gov.uk/planningandbuilding/planning/](http://www.communities.gov.uk/planningandbuilding/planning/).

#### **4.0 PUBLICITY AND REPRESENTATIONS**

- 4.1 The occupiers of 31 neighbouring properties were notified of the application by letter and a site notice was also posted.
- 4.2 In response to the consultation the council has received 19 individual letters of objections from members of the public, a letter of objection from the Ward Councillor Wilson and a petition with 91 signatures.
- 4.3 The comments raised are summarised below:

- Area already served by two Indian takeaways, two Chinese takeaways, a fish and chip takeaway and a takeaway pizza outlet
- Area is already subject to cooking smells and odours from these existing outlets and I do not consider we need more air pollution in the form of food odours
- Not suitable next door to a residential property
- Nuisance from noise and smells to residents
- Roof mounted extract would be located within 10 metres of kitchen, bedroom and conservatory windows
- Extractors can be noisy – one already on roof of Royal Oak some 40 metres away
- Previous staff would use rear yard as a smoking area.
- No benefit for area
- Area is not suitable for this kind of use
- Already suffer in a large way from the litter from the existing outlets as well as the Royal Oak public house
- Limited parking spaces in the area
- Delivery vehicles will take up valuable spaces
- This part of Hillview Road is already blighted by traffic problems
- Double Yellow Lines have no effect on parking
- Rarely see a traffic warden in the area
- Sometimes difficult to enter Hillview Road with people manoeuvring into parking spaces
- Customers drive up Hillview Road to use roundabout to turn
- Hillview Road used for all day parking by staff
- Co-op deliveries already bring road to 'stand-still'
- Co-op deliveries block Foxweell Drive
- Already suffer from driveways blocked by cars
- This area is not used to late night traffic noise
- Coop closes at 10pm whereas chip shop and pub on Hucclecote road close at 11 & 11.30pm
- Outlet would be used by drinkers leaving the pub and would cause noise
- Enough problems with drinkers from pub
- Anti-social behaviour and noise from customers outside shop
- Noise pollution from delivery vehicles late at night
- Problems will become far worse with new takeaway
- Already enough litter from existing shops.
- Would lead to more litter & vermin
- It was bad enough having a 'bookies' there
- Already a pizza delivery shop in Brockworth
- Local primary school promotes healthy eating – would add to obesity crisis
- Can not control type of food cooked once permission is granted
- Proposed pizza store will be a few feet from the nearest house.
- Unreasonable to expect the residents to live with noise and cooking smells.
- Side door is narrow wheelie bins may be left in street

- Staff would be on site beyond Midnight closing.

4.4 Councillor Wilson has raised the following objections:

- The proposed location is inappropriate
- Inadequacy of local infrastructure.
- Hillview Road is already having to cope with heavy traffic
- Junction with Hucclecote Road is often blocked by cars leaving
- Very limited number of parking spaces available.
- Regular deliveries by large lorries to the Co-op at the junction with Foxwell Drive exacerbate the situation.
- It is not unusual to find all parking spaces taken plus the entire length of Hillview Road.
- A pizza delivery service will take up spaces.
- Nuisance to local residents.
- All shops are closed by 10 which gives residents some respite
- This application extends business activity until 12
- Residents have in past put up with disruption for the benefit of the overall community.

4.5 City Council Environmental Health Officer – No objections subject to conditions.

4.6 Gloucestershire Highways – no objections

4.7 The full content of all correspondence on this application can be inspected online via the Councils website or at the reception, Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting.

## 5.0 **OFFICER OPINION**

5.1 The application has generated a considerable level of objection. It is considered that the main planning considerations in this instance are:

- Neighbouring amenities
- Highway impact

### Neighbouring Amenities

5.2 In response to the objections raised by residents the applicant has provided further information with regards to the nature of Papa John's business model and operational data from other stores.

5.3 The applicant has advised that on average an 'out of London' store generates on average 324 transactions per week, of which 206 transactions (63%) are deliveries to customers. The remaining 118 orders collected by customers equate to 16 visitors per day of which 71% are made after 6pm – 11.4 customers per day or an average of just over 2 customers per hour between the hours of 6pm and 11pm.

- 5.4 In terms of deliveries, a typical store would generate 206 orders per week or an average of 29 per day. Staff are encouraged to deliver two orders for every journey in order to lessen the number of trips, resulting in an average of 1.5 orders per trip from the unit. Of these deliveries 71% (159 orders) are made between 6pm and 11pm, equating to delivery 27.7 orders in the evening per day or 5.7 per hour.
- 5.5 While it is acknowledged that the figures provided are an average across the week and that the takeaway business may be busier towards the end of the week, I do not consider the level of deliveries and visitors would result in demonstrable harm to the amenities of the occupiers of neighbouring properties in terms of the number of comings and goings.
- 5.6 The applicant has provided a typical noise management plan for Papa John's. I consider it reasonable to impose a condition requiring the business to operate in accordance with this plan. In addition to this a condition relating to the hours in which the business is open to the public would minimise possible disturbance to neighbouring occupiers.
- 5.7 The applicant has advised that the nature of the business involves baking and there would be no frying as a result the cooking smells would be significantly less than those associated with say oriental food or chips. Given the specific nature of the takeaway and associated cooking process, I consider it reasonable to require a condition restricting the use to a Pizza takeaway only.
- 5.8 The application has been accompanied by details of the ventilation system which would be installed to remove cooking odours and fumes. The submitted information has been reviewed by the City Council Environmental Health officer who has raised no objections to the proposed use subject to the equipment being installed and maintained for the duration of the use.
- 5.9 Subject to compliance with the relevant conditions, the occupiers of neighbouring properties would not be unduly affected by cooking smells from the proposed use.
- 5.10 Concerns have been raised with regards to litter from existing outlets. The applicant has advised that papa Johns is mainly a delivery operation with customers consuming food away from the premises. Nevertheless I consider it prudent to require a waste bin to be provided for customers.

#### Highway Impacts

- 5.11 It is acknowledged that at times Silverdale Parade, Hillview Road and Foxwell Drive suffer from heavy traffic, overspill parking and congestion.
- 5.12 The National Planning Policy Framework is explicit at Paragraph 32 that '...development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

- 5.13 The surrounding area contains 9 parking spaces on Silverdale Parade outside of the shops and a further 10 spaces on the opposite side of the road at Foxwell Drive. To the immediate north on Hillview Road are a series of double yellow lines and stopping restrictions to the lower parts and western side of the street.
- 5.14 The parking bays outside of the store are restricted within the hours of 8.30-6.30pm Mondays to Saturdays with a 1 hour maximum stay and no return within 1 hour. The delivery vehicles associated with the takeaway would be required to comply with this restriction and any breaches would be a highway enforcement issue.
- 5.15 The trip generation for the hot food takeaways would be high volume but short in duration, this is backed up by the fact that the takeaway proposed would have no customer seating area. Additionally and based in information from the applicant (which also correlates with TRICS data) the majority of these visits (71%) would be after 6pm when the post office, newsagent and estate agent are closed and thereby more parking spaces would be available. It is therefore considered that there is sufficient parking provision to serve the proposed use.
- 5.16 It should be noted that the application relates to an existing commercial property which can, without the requirement for any further planning consents be occupied for any use falling within Class A2 (financial and professional services) of the Town and Country Planning (Use Classes) Order 1987 and/or Class A1 (retail).
- 5.17 The highways officer has assessed the trip generation of a takeaway against a fall back of an A1 convenience store, using the TRICS database, which indicates that a takeaway would generate a similar number of trips and as a result it is concluded that the proposed use would not result in a significant increase in vehicular tips over and above what could be generated through permitted development. As such the proposed change of use would not result in a severe impact upon the highway network.
- 5.18 The Highway Officer has also reviewed letters of representation from neighbours some of which were also accompanied with photographs and has advised that the congestion present at times is an existing problem and as such cannot be used against a change of use that does not have any significant difference in impact to what is currently occurring or could occur as part of a 'fall back'. Additionally the issue of motorists parking on double yellow lines falls outside of planning and is a legal/enforcement matter.

#### Other Matters

- 5.19 The property presently has no restrictions to hours of operation and could revert to A1 retail without requiring planning permission. This fall back is a material consideration particularly as the unit could be occupied as a convenience store or off-licence which would be able to trade earlier in the mornings and later at night. This type of use from the property could also

result in a significant volume of vehicular movements and would be outside of the council's control.

- 5.20 As the unit falls outside of the Local Centre designation and is not presently in retail use there are no specific policy restrictions relating to the change of use of this unit.
- 5.21 It is considered that the imposition of conditions limiting the occupation of the building to Pizza takeaway, the requirement to operate in accordance with a noise management plan, and with a restriction to opening hours, would ensure that the living conditions of the occupiers of neighbouring properties are maintained.

## 6.0 **CONCLUSIONS**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The application would bring back into use a vacant unit within an established parade of shops. It is considered that subject to compliance with conditions the proposal would not result in demonstrable harm to the living conditions of the occupiers of adjoining residential properties or adversely impact highways safety. For these reasons the proposal would comply with Policies FRP.10, FRP.11, BE.21 and TR.31 of the Second Deposit City of Gloucester Local Plan (2002).
- 6.3 In compiling this recommendation 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) 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 and use land buildings in accordance with planning permission and the rights under Article 8 of adjacent occupiers. On assessing the issues raised by the application no particular matters, other than those referred to in this report, warrant any different action to that recommended.

## 7.0 **RECOMMENDATIONS OF THE HEAD OF PLANNING**

- 7.1 That planning permission is granted with the following conditions to be applied:

### Condition 1

The use 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 submitted application form, supporting information and approved drawing nos. 00472-02 rev.B, 00472-04 and 00472-05 received by the Local Planning Authority on 3<sup>rd</sup> December 2014 as well as 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 Second Deposit City of Gloucester Local Plan (2002).

Condition 3

No works during the construction/conversion phase shall take place before 08:00hrs on weekdays and 08:30hrs Saturdays nor after 18:00hrs on weekdays and 13:00hrs on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason

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

Condition 4

No materials or substances shall be burnt within the application site during the construction phase.

Reason

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

**PRIOR TO OCCUPATION**

Condition 5

The extraction system and plant equipment detailed in the application (supporting information on the proposed extraction system and plant at 10 Silverdale Parade, Hucclecote, Gloucester GL3 3LA) shall be installed in accordance with the submitted details prior to the commencement of the use hereby permitted and shall be retained for as long as the uses continues.

Reason

To ensure that unsatisfactory cooking odours outside the premises are minimized in the interests of the amenity of occupiers of nearby properties and in accordance with Policies FRP.10, FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 6

Prior to the first occupation of the building, the proposed screening to the roof mounted plat shall be installed in accordance with the approved drawings. The screening shall be maintained in accordance with these details fro the duration of the use.

Reason

To preserve the visual amenities of the area and in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

**POST OCCUPATION**

Condition 7

The premises the subject of this application shall be use for a pizza takeaway and delivery use within Use Class A5 and for no other purpose (including any purposes within Use Class A5 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification.)

Reason

The Local Planning Authority wishes to have the opportunity of exercising control over the nature of any subsequent hot food takeaway use in order to protect the living conditions of neighbouring occupiers and in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 8

The premises shall only be open to the public and deliveries dispatched between the hours of 10am to 11pm Mondays to Fridays, Sundays and Bank Holidays and 10am to midnight on Saturdays.

Reasons

To define the terms of this permission and to protect the living conditions of the occupiers of neighbouring properties in accordance with policies FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

The business shall be operated strictly in accordance with the submitted Papa John's noise management plan received by the Local Planning Authority on 16<sup>th</sup> February 2015.

Reason

To protect the living conditions of nearby occupiers and in accordance with policies FRP.10 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 10

The extraction equipment installed in pursuance of Condition 5 shall be regularly maintained in accordance with the manufacturers specifications to ensure its continued satisfactory operation and the cooking process shall

cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the Local Planning Authority.

**Reason**

To ensure that the use does not result in excessive cooking odours outside the premises and that the amenity of occupiers of nearby properties is protected in accordance with Policies FRP.10, FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

**Condition 11**

All windows and doors to the property shall be fitted with self-closing mechanisms and shall be retained in the closed position save for the purpose of access and egress.

**Reason**

To ensure that doors not left open in order to contain noise and cooking odours within the property and to comply with Policies FRP.10, FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

**Condition 12**

Prior to the commencement of the use hereby permitted, precise details of the design and siting of a waste bin to serve customers, shall be submitted to and approved in writing by the local planning authority. The bin shall be installed in accordance with the approved details prior to the use commencing and shall be retained for the duration of the use.

**Reason**

To provide a suitable receptacle for customer waste and in accordance with Policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

**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.

**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.

Decision: .....

Notes: .....

.....

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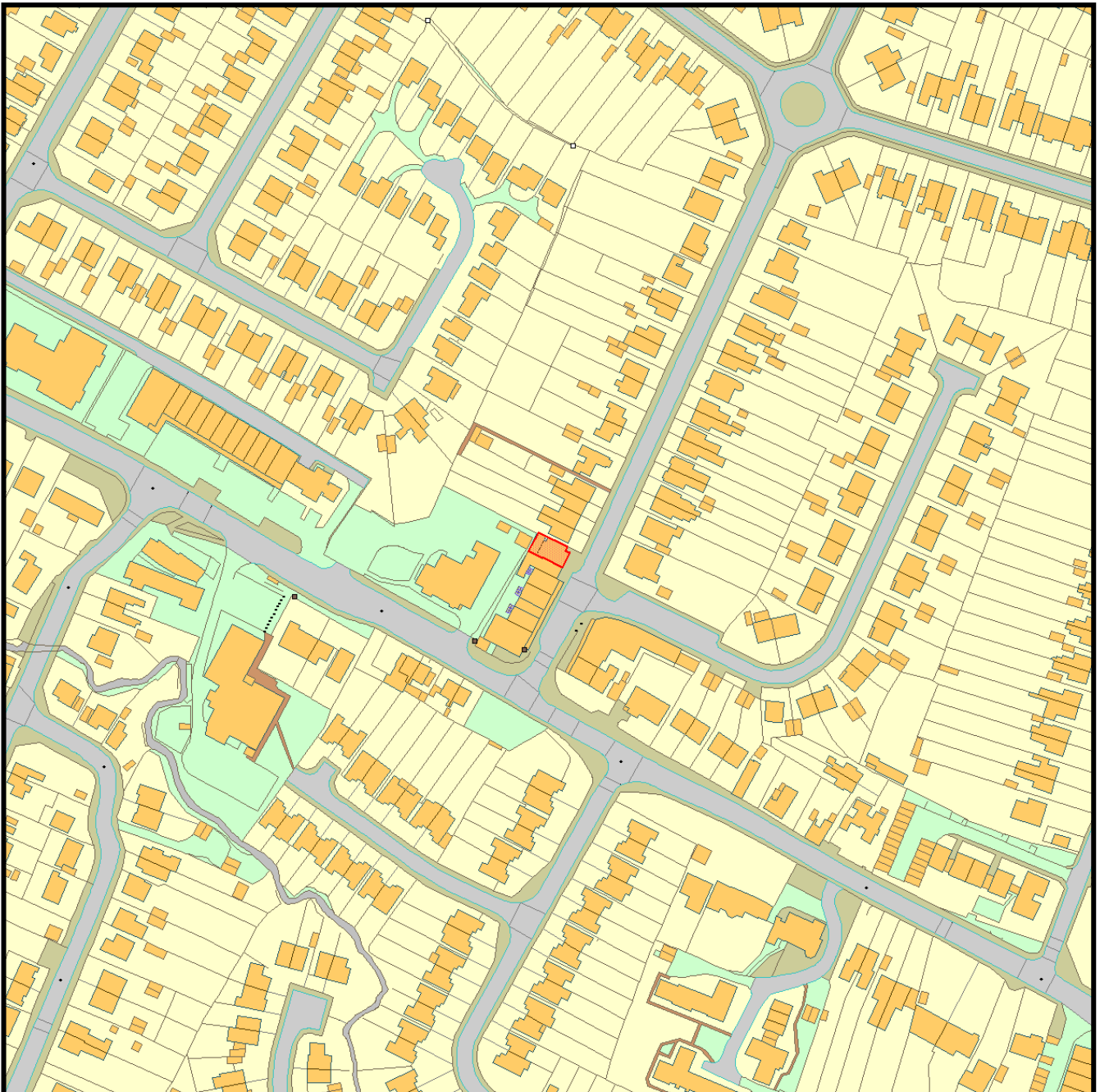
Person to contact: Bob Ristic (Tel: 396822)



**14/01414/COU**

**10 Silverdale Parade  
Hillview Road  
Gloucester  
GL3 3LA**

**Planning Committee 03.03.2015**



Hello

Comments have been submitted regarding proposal [Change of use to hot food takeaway \(Use Class A5\) plus associated minor external alterations. at 10 Silverdale Parade Hillview Road Gloucester GL3 3LA](#). The following objection was made today by Mr Declan Wilson.

*Comments Submitted on Dec 26th 2014. I object to this application on the following grounds.*

*1) Inadequacy of local infrastructure. Hillview Road is already having to cope with heavy traffic loads generated primarily by a busy post office, Co-op store, hairdressers and betting shop. The junction with Hucclecote Road is often blocked by cars leaving and trying to find the very limited number of parking spaces available. Regular deliveries by large lorries to the Co-op at the junction with Foxwell Drive exacerbate the situation. It is not unusual to find all parking spaces taken plus the entire length of Hillview Road right up to the the mini roundabout. A pizza delivery service requires vehicles. Where will they park if all spaces are taken? 2) Nuisance to local residents. Currently all shops are closed by 10 which at least gives residents some respite at the end of a busy day. This application extends business activity until 12 which is unacceptable. Residents have been remarkably tolerant over the years in being prepared to put up with some disruption for the benefit of the overall community. However this proposed pizza store will be literally only a few feet from the nearest house. It would be unreasonable to expect the residents to live with the inevitable noise and cooking smells that will result from this application. It is my view that this is an entirely inappropriate location for this type of business. Regards Cllr Declan Wilson Hucclecote Ward*

Mr Declan Wilson



Development Control Services  
Gloucester City Council  
Herbert Warehouse  
The Docks  
Gloucester  
GL1 2EQ

15<sup>th</sup> December 2014

For the attention of Mr Bob Ristic, case officer.

Dear Sir,

**Reference**

**PLANNING APPLICATION 14/01414/COU**

I write in connection with the above planning application. I have examined the plans and I know the site well. I wish to object strongly to the development of a takeaway outlet in this location.

This part of Hucclecote is already served by two Indian takeaways, two Chinese takeaways, a fish and chip takeaway and a takeaway pizza outlet.

The area is already subject to cooking smells and odours from these existing outlets and I do not consider we need more air pollution in the form of food odours.

We already suffer in a large way from the litter from the existing outlets as well as the Royal Oak public house. The council cannot cope with what we have at present. How do they propose to meet the future litter problem which will be caused by another takeaway?

This bottom part of Hillview Road is already blighted by traffic problems, both from people using the shops and by deliveries to the shops. Double yellow lines which were recently installed have had no effect. It is often very difficult to enter Hillview Road from Hucclecote Road due to people trying to park, reversing outside the shops or deliveries being made to shops. These problems will become considerably worse if a takeaway outlet is opened. Traffic is often brought to a standstill in Hillview Road due to large lorries delivering to the Co-op. Extra deliveries will only make matters worse.

As this is a residential area, it is not used to traffic noise late at night, which will occur with a takeaway closing at 11:00 pm or 12:00 midnight. This outlet will be used by drinkers leaving the local public house, who will not, I am sure be the quietest of customers.

Yours sincerely,

David & Sylvia Gaulton

*The grounds for my objections to this planning application are. Living so close we would be affected by the smell. Greater volume of litter and mess. We already have pest problems in the area and this would attract more. Parking is always an issue here, daytime problems are bad enough, we don't want to have to put up with it in the evening as well. On Hucclecote road there is already a fish and chip shop, a Chinese takeaway and a pizzeria takeaway and a short distance away in Glenville Parade there is an existing Chinese takeaway and an Indian takeaway. I don't feel our neighbourhood would benefit in any positive way by another food outlet*

Mrs Sharon Cound



Developine

29 DEC 2014

28 12 14

Dear Sir/Madam,

I am very disappointed to see the proposal for a hot food outlet in Silverdale Parade. We already have three such businesses within probably less than half a mile and I do not want to see yet another.

It was bad enough having a 'bookies', which has now enlarged, leaving the possibility of your proposal. I believe a hot food outlet will cause more parking problems, and almost invariably more waste lying about. I already frequently pick up hot food wrappers while walking my dog around the block.

I also feel that this type of business should not be permitted next door to a private residence, due to the cooking smells and other nuisance factors.

I do hope you will turn down this proposal which I believe will be detrimental to the area.

Yours faithfully

Ref. 14/01414/COU.

Develop.

29 DEC 2014

Control

Sec 1-7<sup>th</sup>

Dear Mr Ristic,

I object strongly to the planning app.  
(ref above) re food outlet in a residential road like  
Hillvie.

1. The road already has major traffic and parking problems due to post office, betting shop, co.op and people who use pub next door. Trade vehicles are parked and unloading, causing traffic chaos; an accident is waiting to happen - the road links Hillvie's school.
2. Hillvie residents already experience blocked driveways, cars on pavements and problems parking own vehicles on the road.
3. A similar pizza outlet is less than 100m from the planned shop. Also a large PIZZA company provides a second delivery service from Brockworth.

I am totally against the idea and can see many problems it will cause. The bottom line is an ageing local village population does not require such an outlet.

Yours faithfully

Development

29 DEC

REF 14/01414/cont

Mr Ristic

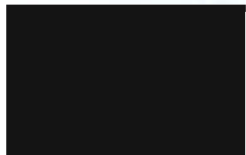
We wish to object to the change of use of 10 Silverdale Parade to a Hot food takeaway. At the present time we already have two takeaways plus a fish & chip shop, and the Royal Oak, serving food all day all of which invades the house when the wind is in the wrong direction. Now this proposal will box us in from another direction, the car parking is very limited, and causes problems to the local residents and for normal shoppers,

not to mention delivery lorries.

As the proposed opening times will be to 11 pm at night and 12 pm. Friday & Sat. Pizza delivery vehicles usually have six scooters per store, will either be parking on the pavement, or be taking up a valuable space, and will be constant noise in the area. Having had firsthand experience of this company (PAPA JOHNS) in the last three months, when a delivery rider on a mission to deliver crashed into my car, while I was stationary in a que resulting in a Insurance repair. Four hundred meters further along the road at Glenville parade we have a further two takeaways, and the wagon & horses.

Is your Department planning to  
turn Hucclecate into Bristol Road  
Eastgate street of Suburbia?

Yours Faithfully



-----Original Message-----

From: timfiw

Sent: 14 December 2014 19:05

To: Bob Ristic

Subject: Silverdale Parade

We object to Papa Johns application - we already have a pizza shop round the corner - we have 2 chineses - fish and chip shop and indian - the parking in hillview road a residential area is horrendous - this will not be a shop but a delivery outlet for this side of gloucester so where will all the delivery vehicles park and where will all the customers park? - rubbish is already a problem from the shops and this will add to problem please acknowledge our objections - tim and fiona wheeler - Sent using BlackBerry® from Orange

Hi,

As residents of Hillview Road we would like to raise objection to the proposed idea of another takeaway in this locality. This kind of facility should not be incorporated in a residential street and particularly not next door to a residential dwelling.

We were surprised and disappointed that not all the residents in this road were not informed in the leaflet distribution as this will affect everyone living there.

Why does this area need any more food outlets when within easy walking distance there are already two Co-ops, Sammys PIZZA, Golden Horse Chinese, Ruddys Chip Shop, The Royal Oak, Wagon and Horses, Janes Pantry, Chinese Kitchen and the Garlic Indian.

The main problem already is the amount of traffic using the area around the current shops :-

It is a constant problem for people to find parking already outside the shops and it seems this proposed business would include a delivery option with more vehicles trying to find parking spaces legally or illegally.

Vehicles hang around Silverdale looking for a space and make it difficult to get free passage into Hillview Road which has a knock on effect with vehicles trying to get in or out of the Hucclecote Road. This has caused gridlock at times with emergency vehicles having difficulty passing through this bottleneck area.

The Double Yellow lines are constantly abused all through the day and night as customers “pop” into one of the shops, usually the Betting Shop because they think they will get away with it and of course they will do because nothing seems to be done about it.

For some reason most of the vehicles leaving Silverdale will carry on up Hillview Road, around the roundabout and go back down into Silverdale clogging it up again.

All of Hillview Road up to the roundabout is a constant problem because in the day it is often used by shop staff for all day parking and in the evening by the residents. This means there are few passing places leading to mounting of the pavement.

We also already have to put up with regular littering of the street and properties in Hillview Road with take away containers discarded usually late at night after a visit to the pub and any new facility at the end of the road would only increase this inconvenience.

Yours Sincerely

Jeff & Doreen Webley

Hi Bob

We wish to object to the application ref 14/01414/COU due to the following:

1) We have more than enough Takeaways in a small area.

**In Hucclecote Road**

2 Public Houses

1 Fish & Chips shop

2 Takeaways, one of which is a Pizza place

**In Glenville Parade**

2 Takeaways

2) Parking could be a problem as there is only limited space.

3) Noise would be increased by car and scooter collection and delivery service.

This is a residential area not a food outlet.

Margaret & Brian Duke



-----Original Message-----

From: Fiona

Sent: 14 December 2014 21:13

To: Bob Ristic

Subject: Planning application - Hillview Road (Silverdale Parade)

Reference: 14/01414/COU

Dear Mr Ristic,

I am a neighbour of this property and am writing to let you know that I strongly object to this proposal, it is totally unacceptable and irresponsible to consider this change of use in a residential road due to...

The antisocial opening hours,with takeaway delivery vehicles coming and going up until midnight,let alone customer cars in an already over congested area. Noise pollution from said vehicles and extractor fans,which will be visible from neighbouring properties,not only heard.

Bins for food and commercial waste will attract vermin (gulls and rats) and may need to be placed on the road due to insufficient access to the rear of the property.

Incidentally,I work in a local primary school which promotes healthy eating, we do not need or want another takeaway in Hucclecote (we have 5!) adding to the obesity crisis in the UK, which in turn is affecting our NHS.

We are already tolerant of the shops we have in the street, with the latest closing time of 10.00pm,cars blocking our driveways, rubbish blowing into our gardens and seagulls attracted to the Co-op waste bins,surely there is no need to make this situation worse.

Regards,

Fiona Thompson,

**From:** 1an8 Slater  
**Sent:** 24 December 2014 19:46  
**To:** Bob Ristic  
**Cc:** cllrdavidbrown  
**Subject:** Objection to Planning Application ref 14/01414/COU

Gloucester City Council  
Development Control  
Herbert Warehouse  
The Docks  
Gloucester  
GL1 2EQ

24th December 2014

Dear Bob Ristic

We wish to strongly object against this planning application as we feel it has no benefit to the local area of Hucclecote.

**Access / Parking:**

The off street parking is not sufficient for the existing stores and permitting this application for a hot food takeaway would most likely result in more illegally parked cars with customers using residents driveways and also increase parking on double yellows, etc. This is currently a problem in the day and evenings.

Current deliveries to the post office and Co-op result in the road being blocked and has previously hindered an ambulance trying to get through. Deliveries for the fast food store and customer collections will add to these issues. Hot food takeaways generally have mopeds and cars which will add to the traffic flow all day. The traffic flow is already difficult as cars turn around at the roundabout and thus doubling the traffic on Hillview Road. This also causes congestion for cars trying to access Hucclecote Road. It will be even worse for residents on Foxwell Drive because it is their only access.

**Existing public house:**

We already have issues with late night noise from people leaving The Royal Oak pub just around the corner. Approval of the application will only encourage more people and disturbances of anti social behaviour.

**Litter / Pollution:**

This application may lead to littering on the nearby streets and possible vermin. It will put more pressure on Gloucester City Council to empty bins and carry out more litter picking. This will also cause food smells to nearby homes at all hours of the day. The volume of waste and where this will be stored is also a concern.

Existing takeaways:

We already have numerous multi cultured takeaways in Hucclecote including a pizza, fish and chip shop, 2 Chinese and 2 indian hot food take aways, do we really need another? With Hillview Primary School also on the same road, will this encourage children to use these facilities? What is Gloucester City Council's views on opening more fast food processed outlets promoting and selling unhealthy food?

Yours sincerely

Sarah & Ian Slater

Dear Mr Ristic,

In response to Abbie ( environmental) looking into the opening hours of other businesses in the area, I feel you should know that the Co-op ( with a closing time of 10.00pm) IS in Hillview Road, however, Ruddy's fish and chip shop ( closing time of 11.30pm) and The Royal Oak ( closing time of 11.00pm) ARE NOT, these businesses are on the main Hucclecote Road in an area primarily of retail and quite a distance from our properties.

Regards,  
Fiona Thompson



11<sup>th</sup> December 2014

Gloucester City Council  
Development Control  
Herbert Warehouse  
The Docks  
GLOUCESTER  
GL1 2EQ

Dear Bob Ristic

**Your Reference: 14/1414/COU**

With reference to your letter notifying us of a Planning Application to change 10 Silverdale Parade into a 'hot food' takeaway. We are writing to detail the reason why we are aghast that this could ever be considered as we already have five takeaways within the vicinity.

For our family the main concern is the noise and smells which would be emitted from extraction units on the roof of the premises. This proposed extraction fan is within 10 metres of our kitchen, conservatory, bedrooms and outside seating areas. We know from experience that these extractors can be noisy as there is one already on the roof of the Royal Oak Public House – 40 metres away and, when the wind is in the right direction we can tell what is being cooked! (Find enclosed a photograph showing the position of the proposed extraction fan in relation to our property.)

At the rear of the property is a small door which opens into a yard approximately 1 metre square. When the previous owners operated from this building often the staff would use the area to have a smoke and the smell drifted into our house. Just imagine on hot days (as last summer) this door would be left open and more smells would be emitted. (See photograph).

The next thing which concerns us is where any food waste might be stored as there is no rear entrance to the property and the small door to the side of the main entrance is not wide enough to take bins through. We can only assume that waste containers would be left out the front. On occasions wheelie bins have been turned over, so imagine what would happen to containers of food waste not to mention litter!

Another major concern are the opening hours, in particular Saturday night, when proposed times are until midnight. It is obvious that staff would be on the premises

much later than this and with the coming and going of traffic and the fans, it would be extremely noisy especially when our bedroom windows are open.

We would also like to make you aware of the traffic congestion and limited parking in Hillview Road/Silverdale Parade. This would only add to the chaos as delivery and collection lorries would have to park on the narrow part of the road.(see photograph) For many years we requested 'double yellow lines' in the road (which we now have) but unfortunately it has made no difference.

Over many years of living at No. 1 Hillview Road (42 in fact!) we have seen many changes – not all good - within this small shopping parade and have accepted them. Whilst we are aware that empty shops need to be filled we feel that this change would be a detrimental step for this area and to us in particular.

Our main objection to this application are:


- **Noise and Smell**
- **Disposal of Waste Food and containers**
- **Anti social opening hours**
- **Parking and congestion**

Yours sincerely

Eric Barton

Jennifer Barton

Andrew Barton



PROPOSED  
LOCATION  
OF EXTRACTOR  
↓





REAR  
DOOR







**BETFRED**

NEW! 100% WAGER OFFER

HALF TIME DOUBLE ODDS SPECIAL

HALF TIME DOUBLE ODDS SPECIAL

YF51 FEU



9 December 2014

Development Control  
Planning Department  
Herbert Warehouse  
The Docks  
Gloucester  
GL1 2EQ

Dear Sir/Madam

**Planning Application Ref: 14/01414/COU - Change of use to hot food takeaway (Use Class A5) plus associated minor external alterations at 10 Silverdale Parade, Hillview Road, Hucclecote, Gloucester GL3 3LA.**

I wish to object to this proposal for the following reasons:

- there will be an increase in anti-social behaviour and noise as a result of customer congregating outside the premises. The Co-Op and Bookmaker both close at 10.00pm and so the area is relatively quiet after this time. I understand that this Takeaway would be open a lot later.
- there will be an increase in litter, this is already a problem with Fish & Chip wrappers being deposited in front gardens as people finish their takeaway on the way home.
- there would be a likelihood of odours from cooking, especially as you cannot control what type of food is to be sold once change of use has been granted. Currently if the wind is blowing in the right direction food smells from the Chinese and Fish & Chip Shop on Hucclecote Road can be smelt.
- Parking is already chaotic and in short supply outside Silverdale Parade. This proposal would cause further competition for spaces, and as much of it will be short-term it would be difficult to enforce any contravention of parking regulations. Unlike the previous use there would be deliveries to the premises which would place another burden on parking demand.
- In my opinion this is not a suitable location for a takeaway, in a built up residential area.

There are already plenty of takeaways in the area, 2 Indian, 1 Chinese, Fish & Chip Shop and a Pizza Parlour, we do not need anymore. I would ask you to consult with the Police on anti-social behaviour and parking issues.

Yours sincerely



Ann Pidgeon

**From:** Peter Berry  
**Sent:** 15 December 2014 15:24  
**To:** Bob Ristic  
**Cc:** cllrdavidbrown; Peter (home)  
**Subject:** Application ref ; 14/01414/COU. 10 Silverdale Parade.

Dear Mr. Ristic.

We wish to strongly object to the above mentioned Planning Application, for the reasons set out below;

1. The already chaotic parking in the Hillview Road/Foxwell Drive area will be put under even more pressure. Even now, the recent alterations implemented by the Council are ignored on a daily bases (extra double yellow lines on or close to the junction). Also the two disabled spaces inside Foxwell Drive are regularly used by customers of the Betting shop! To encourage even more illegal parking (whilst they 'pop' in for a pizza?) would be ill advised. The residents in Hillview Road and Foxwell Drive appear to have their opinions and requests pretty much ignored when any planning applications are submitted.....we are the rate payers who have to suffer the totally unacceptable parking and traffic nightmare which happens day in, day out. There is insufficient car parking for such an establishment....fast food shops should only be allowed where there is more than enough car parking for their customers....Hillview Road does not have this luxury.....Silverdale and Glenville does and can.

2. There are already similar (if not identical) fast food shops just around the corner, close to Ruddy's chip shop....just one minute away. Is there a real need for another one?  
Also there is ample off road car parking which serves all the shops there.

3. Late night trading causes noise, litter and some mischief which once again, is unfair to residents very near.

Please give serious consideration to the dreadful impact to the residents, that this application would cause if approved.

The parking problem in this area gets worse every year, please do not make it even worse!  
Thank you

Peter and Sarah Berry (10 Foxwell Drive)  
Mrs. Margaret Perriam (9 Foxwell Drive and 84 year old who cannot u

**From:** Jim Young  
**Sent:** 14 December 2014 16:13  
**To:** cllrdavidbrown  
**Cc:** Bob Ristic; John Clay-Davies  
**Subject:** Planning Application for old BetFred shop on Hillview Road

Dear David

Thank you for letting me and other residents know about the above application. I couldn't find the website you mentioned or any Google reference, but I'm not very computer literate.

As you know, I and other residents of Foxwell Drive, which is opposite the premises in question, have been campaigning without success for many years against the blockage of the entrance to our road by a huge Co-op lorry which delivers there a number of times daily. I can only hope that the pizza shop will not have a similar vehicle delivering the 'raw' pizzas, otherwise it and the Co-op lorry will have to battle with each other to occupy the space in question, which is the only one anywhere near the premises in question that would be available to it. Even if the new company has smaller vehicles I suspect they would have to occupy one of the parking spaces opposite where the Co-op lorry parks, thus causing problems for vehicles wishing to enter or leave Foxwell Drive, which often just manage to squeeze through even when fairly small vehicles are parked in those spaces.

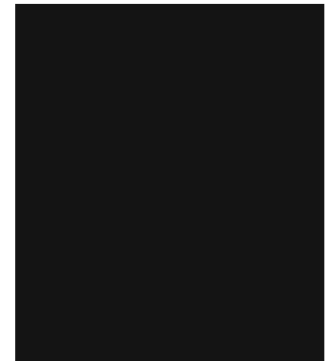
I'd be grateful if you could keep this aspect in mind when responding to the planning application.

Yours sincerely

Jim Young

Thank you - today as most days the parking at Silverdale Parade and Hillview Road is terrible - a delivery outlet would make parking intolerable - not problem with shop its the fact it will be very busy delivery outlet Sent using BlackBerry® from Orange

14/01414/COU



Bob Ristic  
Gloucester City Council  
City Planning & Technical Service Department  
Herbert Warehouse  
The Docks  
GLOUCESTER  
GL1 2EQ

Dear Bob Ristic

**Reference: 10 Silverdale Parade, Hucclecote GL3 3LA**

We read with disbelief the letter sent to you by the Highways Department regarding the parking on Silverdale Parade/Hillview Road. Did he visit and observe on a Sunday morning when the traffic/parking is SLIGHTLY better?

Reference is made to the double yellow lines – which are totally ignored and never enforced. We see a Traffic Warden 'once in a blue moon'. When they do appear they stand around for a while, and drivers who spot them will not park on the 'double yellow' but as soon as they disappear parking on/across them resumes. (see attached photographs taken during a 2 hour period!!)

Highways seem to think that the proposed business will be predominately busy after 5pm, so where will the delivery vehicles park during the day as there is 1 hour restricted parking? This business will be open from 10am 7 days a week and no one has mentioned it staying open until midnight on a Saturday!!

Reference is made to public parking 'a short distance away'. It is human nature to park as close as possible to the premises to collect hot food – so people are unlikely to park a distance away and walk!

Yours sincerely



Eric & Jennifer Barton



FRESH MILK DAILY

















TNT

SURE WE CAN

müller

WISEMAN DAIRIES

FRESH MILK DAILY

*We already have five takeaways in Hucclecote and there is already lots of litter in the parking area in Foxwell Drive, we even have seen litter from McDonald's where people have sat in their cars and just thrown the packaging out of the windows instead of putting in the litter bin at the end of the road.*

Mr Richard Langford

m

REF: 14/01414/COU

WE THE UNDERSIGNED ARE STRONGLY OPPOSED TO THE 'CHANGE OF USE' AT 10 SILVERDALE PARADE THE PROPOSED APPLICATION IS FOR A 'HOT FOOD TAKEAWAY'

MAIN REASONS FOR OBJECTIONS ARE:

Development  
29 DEC 2014


- INCREASED VOLUME OF TRAFFIC
- INADEQUATE PARKING
- UNSOCIABLE OPENING HOURS IN A RESIDENTIAL ROAD  
(PROPOSED TIMES ARE: 10AM - 11PM SUNDAY - FRIDAY AND MIDNIGHT SATURDAYS)
- INEVITABLE INCREASE IN LITTER NOISE & SMELL

NAME	ADDRESS	SIGNATURE
MRS DOREEN WEBLEY		
Ms A. Pedgion		
MRS. S. WAINWRIGHT		
MR G BANTING		
Ms J Webley		
MRS. S. SLATER		
MR IAN SCATER		
Mr F. Hiscock		
TOMY VEATZLY		
Susan Veazley		
Jeff Webley		
F Webley		
T RUSHMID		
E. BARTON		
P.A. GENT		
DE GAULTON		
G CAINE		
Mrs Mrs R. Bennett		
B.L. MAXLEY		
NIGEL FRANCIS		

WE THE UNDERSIGNED ARE STRONGLY OPPOSED TO THE 'CHANGE  
OF USE' AT 10 SILVERDALE PARADE  
THE PROPOSED APPLICATION IS FOR A 'HOT FOOD TAKEAWAY'

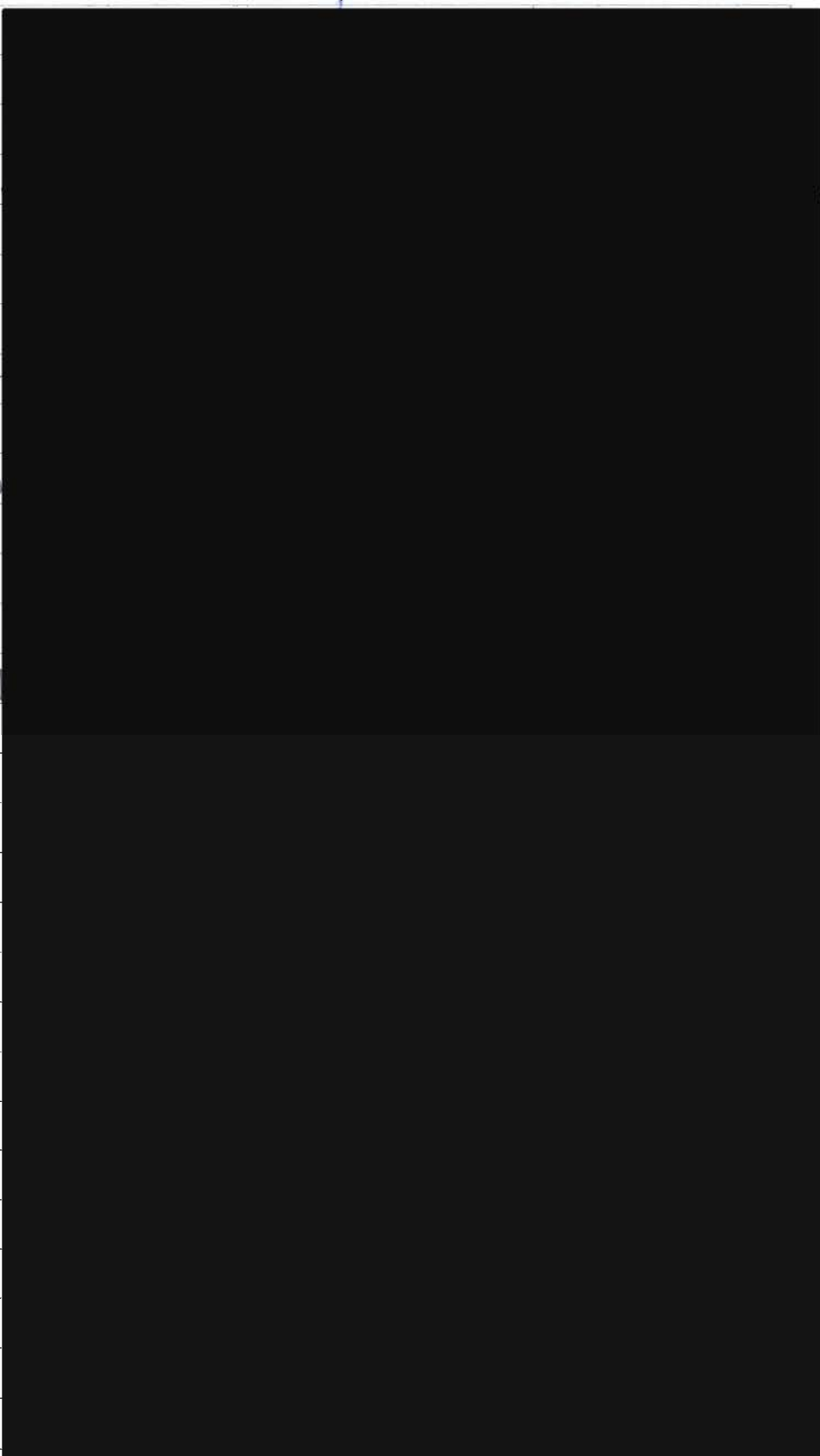
**MAIN REASONS FOR OBJECTIONS ARE:**

**INCREASED VOLUME OF TRAFFIC**  
**INADEQUATE PARKING**  
**UNSOCIABLE OPENING HOURS IN A RESIDENTIAL ROAD**  
(PROPOSED TIMES ARE: 10AM – 11PM SUNDAY – FRIDAY  
AND  
MIDNIGHT SATURDAYS)  
**INEVITABLE INCREASE IN LITTER NOISE & SMELL**

NAME	ADDRESS	SIGNATURE
Pete Berry		
Sarah Berry		
MARGARET PERRIAM		
JOAN HANMON		
ANDREW RENNIE		
PETER RENNIE		
J Ward		
Kate MOSSON		
Clive Newman		
ALISTAIR Beck		
Jean Daly		
Elaine Goode		
Bunde Stader		
<del>John Stier</del>		
<del>David O</del>		
ABell		
MIKE RYDEN		
Alex Drett		
Gemma Drett		
Carole Johnson		



Lily Barnes  
Sandra Smith  
Lynne Curtis  
Natahe Clark  
Sue McDONALD  
Charlotte Sycum  
Helen Atkinson  
Charlotte Hunt  
Richard Cook  
Jenn Hemming  
Gail Fyke  
LISA JOTHAM  
Tracie Mayson  
A Hale.  
K. HEAL  
M CALIENOA  
Phillipa Martinez  
Harry Clapton  
Edward Clapton  
J BRINKWORTH  
W T BRINKWORTH  
Fiona Thompson  
Kim Crawshaw  
MARILYN AVENT  
TERRY AVENT  
Joshua Avent  
MARTIN THOMPSON  
Beau Thompson  
Remy Thompson






NAME

ADDR.

SIGNATURE

Vanessa So  
Oliver Ramsey  
M DANGREFIELD

Elaine Bevan

JOANNA GRIFFIN  
SIMON + SAM FRENCH

J. BARTON



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