

## **LATE MATERIAL (APPLICATIONS FOR DETERMINATION)**

### **PLANNING COMMITTEE: 12<sup>th</sup> January 2016**

#### **AGENDA ITEM 5: 15/01210/FUL & 15/01211/ADV**

##### **Addition Representations**

An additional representation has been received from the planning agent on behalf of the applicant. The comments raised are in response to the conditions proposed within the report and to comments made by contributors, and are as follows:

*“Further to the public consultations there have been several issues raised which we attempt to address in this short statement.*

*It can be stated that the applicant is prepared to be guided by the council as to opening hours and number of sessions per month in order reach an acceptable level of activity as per the direction of the environmental protection officer.*

*A condition enforcing a capped number of sessions and opening hours will restrict the activity to prevent expansion of the business over time in any case and this is accepted. It is also accepted that the permission can be tied to the occupier and their relevant business. This is one of the concerns raised by the objectors, and we therefore feel this has dealt with this particular objection issue.*

*It is noted that there are concerns over parking issues along Linden Road. This has been noted, and the response is, as mentioned within the planning justification statement document, that the activity is at such a low and potentially capped level, that it is not considered that the activity would have any significant impact on the highway itself. It is envisaged that most groups of 6 people attending a session would be friends in any case, and that transport would be shared and this would reduce the quantity of cars parked. Most customers would normally access the property by taxi in any case, and therefore this should keep any parking issues to a bare minimum. Overall, as echoed in the planning officer’s report, the highways issue considering the number of customers at any one time would be minimal.*

*There is a point raised regarding noise. In response to this, the number of people, the nature of the activity and the cost of the activity proposed are not conducive to groups which make excessive noise and would not impact upon amenity. The people attending the studio are there because of their interest in food and cooking, and not because they are seeking to make excessive noise. The sessions will require advance booking only, and it would not be possible for customers to walk in from the street therefore limiting activity.*

*It is rumoured in one of the consultation responses that the studio has continued to be used for a restaurant use without permission. For the avoidance of doubt this is*

*categorically untrue, hence this application for formalisation of the position. The applicant continues to run publicity for other events linked to her food journalism business, and therefore it is assumed that this is what has been seen by the objector and interpreted incorrectly.*

*Furthermore, it is not felt that photos and statements of other business activities in the locality are misleading. The point of highlighting such business activities in the report was to raise the general point that there is commercial activity taking place in and around Linden Road and that such a proposal would not be entirely foreign to the location in question. The business activities highlighted were not done so to try and prove any other point or precedent case and again were not intended to be misleading in any way.*

*To conclude, it is felt the points raised by objectors have been adequately discussed above to mitigate any potential negative impacts on the local amenity. It needs to be mentioned, that in light of the 16 consultation letters sent out to properties on Linden Road, with a response rate of 18 percent, the objections to the proposed activity are very low in comparison to those who did not object.*

*Fundamentally the business is a small local business, and this opportunity would contribute positively to the local economy. The applicant is more than willing to take guidance through planning conditions applied by the Local Planning Authority to meet a compromise and an acceptable way forward for all. It is hoped that the planning committee will view that the proposals will have minimal negative impacts on the local amenity and provide a positive asset to Gloucester City.”*

## **AGENDA ITEM 7: 15/00112/REM**

### **Additional Consultation Response from Highway Authority**

The application is for the erection of 2 Industrial units amounting to 6,860 gross internal area. The application is for Reserved Matters approval following the grant of Outline permission 13/00585/OUT which renewed the original outline permission (00/00749/OUT) for employment use.

The internal road layout is the same as that already approved under application 13/00118/REM and runs approximately north south between the units with a tuning head provided. There is sufficient space within the development for vehicle to manoeuvre and vehicle parking has been provided for 106 vehicles which is sufficient for a mixed use development of B1 and B8 uses.

Any additional parking, should it occur, is likely to be contained within the development. The application site is in a sustainable location with good cycle and pedestrian facilities offering future employees the opportunity to walk and cycle from the local residential areas.

Therefore I recommend that no highway objection be raised subject to the following conditions being attached to any permission granted:-

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

2) No building on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, 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.

3) The buildings hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plan 7543/ PL03c, 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.

4) 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 7543/ PL03c 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.

5) No works shall commence on the development hereby permitted until a Framework Travel Plan has been submitted to and agreed in writing by the Local Planning Authority, setting out;

- i. objectives and targets for promoting sustainable travel,

- ii. appointment and funding of a travel plan coordinator,
- iii. details of an annual monitoring and review process,
- iv. means of funding of the travel plan, and;
- v. an implementation timetable including the responsible body for each action.
- vi. a timetable for the implementation of a full Travel Plan for each end user

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

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

#### Officer Comments

Since the report was written further amended plans have been submitted. These provide further revisions to the proposed elevations of the buildings and amended design to the bund

I consider that the proposed changes to the elevations are acceptable and address the concerns previously raised within the report.

The Landscape Officer is satisfied with the amended details of the bund but does require some further planting to the southern boundary and eastern boundary. The exact detail of the bund and landscaping proposals can be dealt with by condition. Conditions will also be required to protect the walnut tree during construction.

I note the Highway Authority have suggested a condition requesting details of a travel plan prior to commencement of the development. However I consider that such details should be required prior to occupation and once a contract to lease/sell the building has been completed as the proposed occupier may not be known until that time

The expiry date on the additional consultations does not expire until 13<sup>th</sup> January and therefore a decision can not be made until 14th January.

#### Amended Recommendation

Committee resolve to grant approval of reserved matters, subject to no new material planning considerations being made within the consultation period that expires on 13<sup>th</sup> January with delegated powers being granted to the Development Control Manager to issue the decision subject to conditions as detailed, and any other considered necessary.

