

**GLOUCESTER CITY COUNCIL**

**COMMITTEE** : **PLANNING**

**DATE** : **31<sup>st</sup> MAY 2016**

**ADDRESS/LOCATION** : **LAND ADJACENT 126 BARNWOOD ROAD  
GLOUCESTER, GL4 3JW**

**APPLICATION NO. & WARD** : **15/01367/FUL  
BARNWOOD**

**EXPIRY DATE** : **3<sup>rd</sup> JUNE 2016 (AGREED EXTENSION)**

**APPLICANT** : **GABWELL PROPERTY DEVELOPMENTS  
LTD**

**PROPOSAL** : **CONSTRUCTION OF 2 APARTMENT  
BLOCKS CONTAINING 14 APARTMENTS**

**REPORT BY** : **ED BAKER**

**NO. OF APPENDICES/  
OBJECTIONS** : **1. SITE LOCATION PLAN**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application relates to a rectangular area of land located between Nos. 126 and 128b Barnwood Road, Gloucester. The area is largely residential with the properties both sides and opposite being houses.
- 1.2 The site is slightly elevated from the road and pavement, and is set behind a low brick wall. It is grassed and currently vacant. It is understood that the site was formerly part of the grounds of No. 128b, located to the immediate east.
- 1.3 There are further residential properties to the other side of Barnwood Road to the north. At the rear of the site to the immediate south, the site backs onto a public footpath, which links Colin Road with Barnwood Avenue. The footpath runs parallel to the north boundary of Barnwood Primary School. To the south of the site, just beyond the footpath, is the school playing field.
- 1.4 The site is 0.16 ha in size and has a depth of 60 metres by 27 metres wide.
- 1.5 The application seeks full planning permission for the erection of 14 apartments. The development would be provided in two blocks. There would be a 2.5 storey block at the front including rooms in the roof ("Block A" for the purposes of this report). The second block would be located at the rear of the site and would comprise four flats over 1.5 storeys, again including

accommodation in the roof space (“Block B”). The apartments would be faced with brick and render, with slate roof.

1.6 The proposed unit types are as follows:

**Block A**

4 x 1 bedroom apartments

6 x 2 bedroom apartments

**Block B**

4 x 2 bedroom apartments

1.7 Access would be from Barnwood Road. There would be a total of 16 parking spaces: eight spaces at the front of the site next to Barnwood Road; and eight further spaces between Blocks A and B.

1.8 The proposal has been revised following discussions with the planning officer. The amendments have been sought to address the following issues:

- Design quality
- Overlooking of Nos. 126 and 128b Barnwood Road
- Overlooking of the school grounds

1.9 Amended plans have been received and these have been subject to re-consultation (the re-consultation period ended on 8<sup>th</sup> April 2016).

1.10 The application is referred to the planning committee at the request of Councillor David Brown because of his concerns about the impact of the proposal on highway infrastructure.

**2.0 RELEVANT PLANNING HISTORY**

2.1 The application site has the following relevant history:

14/00570/FUL – application for four detached houses withdrawn

97/00463/OUT – outline permission granted for house and bungalow

97/00229/FUL – permission granted for detached dwelling

97/00226/OUT – outline permission granted for dwelling

95/00464/OUT – outline permission granted for demolition of existing flats

**3.0 PLANNING POLICIES**

3.1 The statutory Development Plan for Gloucester remains the 1983 City of Gloucester Local Plan.

- 3.2 Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive rounds of public consultation and was adopted by the Council for development management purposes. The National Planning Policy Framework (NPPF) published in March 2012 is also a material consideration.
- 3.3 For the purposes of making decisions, the National Planning Policy Framework sets out that, policies in a Local Plan should not necessarily 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.
- 3.4 Policy contained in the National Planning Policy Guidance is explained and amplified by the online National Planning Policy Guidance.
- 3.3 The policies within the 1983 and 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 policy is the most relevant:
- |       |  |
|-------|--|
| ST.1  | Sustainable Development                                    |
| ST.4  | Reducing Travel by Car and Promoting Other Means of Travel |
| ST.7  | Urban Design Principles                                    |
| B.7   | Protected Species  |
| B.8   | Non-identified Sites                                       |
| FRP.6 | Surface Water Run-off                                      |
| BE.1  | Scale, Massing and Height                                  |
| BE.7  | Architectural Design                                       |
| BE.12 | Landscape Schemes  |
| BE.14 | Native Species   |
| BE.21 | Safeguarding Amenity                                       |
| BE.31 | Preserving sites of Archaeological Interest                |
| BE.34 | Presumption in Favour of Preserving Archaeology            |
| TR.31 | Road Safety  |
- 3.6 In terms of the emerging Development Plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20<sup>th</sup> 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: the Plan has not yet been the subject of independent scrutiny and does not have development plan status. The Examination in Public has been ongoing since May 2015. 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.

3.7 On adoption, the Joint Core Strategy, City Plan and any Neighbourhood Plans will provide a revised local 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.

3.8 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); and Department of Community and Local Government planning policies - [www.communities.gov.uk/planningandbuilding/planning/](http://www.communities.gov.uk/planningandbuilding/planning/).

#### **4.0 CONSULTATIONS**

##### **4.1 Highway Authority (Gloucestershire County Council)**

No objection – comments as follows:

- Barnwood Road is a Class 3 highway, subject to a 30 mph speed limit
- The site is located in close proximity to local amenities and public transport
- The existing vehicular access onto Barnwood Road would be modified
- Visibility of 54 metres with 2.4 metre set back can be achieved in both directions. The proposal would not be detrimental to highway safety
- There is sufficient room within the site for vehicles to enter and leave in a forward gear
- There would be sufficient parking to serve the development
- The proposal would generate approximately 70 additional traffic movements, with 14 occurring per peak hour. However, due to the suitability of the access, the increase in traffic is acceptable
- There have been no accidents at this access in the last three years.

The following conditions are recommended:

- Submission of a Construction Method Statement; and
- Provision of parking shown on the approved drawings

##### **4.2 Lead Local Flood Authority (Gloucestershire County Council)**

Objection:

- Insufficient details have been provided – a detailed explanation of drainage is required.

Additional comments as follows:

- Foul water is a matter for the local sewerage authority;
- Future management of SUDS is a matter for the Local Planning Authority

#### 4.3 **Drainage Officer**

Comments as follows:

- There is a lack of detail on surface water drainage provision. No calculations have been provided
- Further information is required

#### 4.4 **Severn Trent Water**

No objection subject to the following conditions:

- Details of drainage plans for foul and surface water disposal;
- Implementation of the drainage plans;
- Encourage connection to the public sewer; and
- Note for Building Regulations.

(Officer comment – the final two points are advisory notes and not conditions)

#### 4.5 **City Archaeologist**

Comments as follows:

*'This site has previously been subject to an archaeological evaluation (trial trenching). That evaluation has identified very extensive remains of Roman date, including evidence of structural remains, at least one human burial and a whole sequence of pits and ditches.*

*In light of this I am concerned that groundworks associated with the proposed development have the potential to damage or destroy any archaeological remains which may be present...'*

Advises the following conditions:

- Programme of archaeological works in accordance with a Written Scheme of Investigation; and
- Detailed scheme for scope of foundations and ground works.

#### 4.6 **Environmental Health Officer**

No objection subject to the following conditions:

- Details of a Construction Method Statement;

- Restriction on hours for construction;
- Restriction on delivery times during construction;
- No burning of materials/substances during demolition/construction;
- Scheme of noise insulation; and
- Scheme of refuse storage and recycling

#### 4.7 **Gloucester Safeguarding Children Board**

Comments as follows:

- We feel that the design changes sought by the planning officer would minimise any risks from a safeguarding point of view. Even if the applicant is not willing to make these changes, the most important point is the replacement of railings at the rear with a solid fence or wall

#### 4.8 **Crime Prevention Officer**

Provides the following observations:

- Reinforce the private nature of the development, perhaps through use of different materials for the drive
- Parking area to be suitably lit
- Suggest vehicle barrier
- Careful consideration to the number of parking spaces
- Boundaries should reinforce ownership. Boundary treatment at the rear should prevent unauthorised access
- Road edging to prevent inappropriate access and parking
- Apartments to have security provision for communal living. Juliet balconies should not be easily scalable
- Suggests CCTV
- Recommended that the development is built to Secure by Design standards

#### 4.9 **Head of Business Improvement (Gloucester City Council)**

Comments as follows:

- The consultation with the Safeguarding Board should probably suffice.
- I am unable to comment on the location of the flats and the view that they would have of the school.
- Our safeguarding duties lie with the responsibility of raising awareness of safeguarding and offering training and any changes in legislation

### 5.0 **PUBLICITY AND REPRESENTATIONS**

- 5.1 The application has been publicised through a press notice and the display of a site notice. In addition, 34 properties have been notified of the application in writing.

5.4 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, or via the following link, prior to the Committee meeting:

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=15/01367/FUL>

5.2 The Local Planning Authority has received four representations from the community, which are summarised below. In addition, Councillor David Brown has requested that the application is referred to the planning committee and his reasoning is also reported.

### **Chair of Governors, Barnwood Primary School**

No objection:

*'Having looked at [the amended plans] it appears that all the concerns that we had as governors over the safety, privacy and security of the children in the care of the school have now been addressed: no clear overlooking windows and the provision of a high close boarded fence seem to have covered these points. We would not have objections to the plans as they are now put forward.'*

### **Occupier of No. 128B Barnwood Road**

No objection:

- Having owned, maintained and lived next door to the land for 15 years I see no reason to object
- The land was recently sold to the applicant and I fully appreciated that it would be developed for housing
- Whilst some of the properties may overlook our rear garden and that of our neighbour it has not caused us any problems
- The design is not particularly out of place
- Trusts that the planning department will handle the application in line with current planning regulations

**Note:** the above comments were made in relation to the plans as originally submitted.

### **Occupier of No. 126 Barnwood Road**

Objection:

- Maintains their objection to the application
- The proposal remains 14 dwellings on just 0.15 ha, which is equivalent to 90 dwellings per ha and is overdevelopment of the site
- The proposal is just under the threshold of 15 units that would trigger the requirement for affordable housing
- The scheme is overdevelopment and is poorly designed

- The proposal is contrary to local plan policy that requires good design and the protection of neighbour amenity
- The main objection is the two storey block of 4 flats at the rear
- We note the changes to the design and welcome the attempt to reduce overlooking. The design is simplified but this highlights the constraints and problems in placing a building at the rear of the site. The revised design reacts to earlier objections but the result is contrived
- The design changes still do not fully deal with the issue of overlooking of their property. Habitable rooms would overlook our children's bedrooms and look into the garden
- The rear block would be 0.5 metres above existing ground level, which would accentuate the height of the building and increase overlooking
- The building should be lowered by 0.5 metres. Living rooms should face towards the school field instead and the building aspect should be swapped which would also give some surveillance of the footpath
- They have sought advice from the Highway Authority on the tracking of refuse vehicles within the site and whether refuse vehicles would enter. If they do not enter the site then bins will be left on the roadside
- Maintain concerns about the design of the frontage block. The design has been amended but it still not good
- The street scenes of the Barnwood Road frontage are misleading. They indicate that the proposed building is of similar height to No. 126 but this is not the case. The building would be raised from the ground and would be 0.5 metres taller than No. 126. The eaves level would be 1 metre higher than No. 126
- The frontage building still extends passed the rear of No. 126 by some 3 to 4 metres
- The use of fixed light and obscured glazed windows on the side elevation is welcomed
- The proposal would dominate, be overbearing and reduce day light and sun light to No. 126
- They have provided a sketch that claims to accurately show the relationship of the front building with No. 126. It also seeks to demonstrate overlooking of the rear garden
- The building should be significantly reduced in size, lowered and living room or kitchen windows overlooking or looking towards them removed or lowered
- Overlooking from upper floor windows in the frontage block across their rear garden resulting in a "doubling up" of overlooking.

**Note:** the above comments were made in relation to the amended plans

### **Occupier of No. 161 Barnwood Road**

Comments as follows:

- The site needs developing but the proposal raises several issues
- I am surprised that the proposal is considered viable
- Possible pressures on local infrastructure



- More traffic congestion
- Concerned about the height of the front block and impact on light
- The site is becoming an eyesore and would benefit from some limited development which is more sympathetic

**Note:** the above comments were made in relation to the plans as originally submitted.

**Councillor David Brown (adjacent Hucclecote Ward)**

Requests that the application is referred to the planning committee for the following reasons:

*'As you know I have concerns about the impact this development - in its current form - will have on the local infrastructure (highways) and I acknowledge the comments already submitted by Highways. My concern in this respect is not only based on the increase in pressure this development will add to the nearby Walls roundabout (I am working with Highways and Stagecoach to ease the "rush hour" gridlock), but also on the comments put to me by residents of nearby Fairwater Park. Here there is significant pressure on the limited street parking and this has caused conflict which the local PCSOs have made attempts to resolve.*

*I have also been approached by Mr and Mrs Trower [No. 126 Barnwood Road] whose objections have already been lodged with you in writing. Mr Trower took the opportunity to tell me that he appreciates that you have been extremely helpful during this process and have listened to his concerns.*

*My understanding of Mr and Mrs Trower's main objection is that they believe this to be an over-development of the site.'*

**6.0 OFFICER OPINION**

**Legislative background**

6.1 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 Members are advised that the main issues relevant to consideration of this planning application are as follows:

- Whether this is sustainable location in principle for new housing
- Housing supply
- Impact on the character and appearance of the area
- Archaeology
- Impact on neighbouring property
- Impact on the safety of school children
- Access and parking
- Economic benefit
- Drainage
- Ecology
- Local finance considerations

### **Whether this is a sustainable location in principle for new housing**

- 6.4 The planning system seeks to promote development in sustainable locations with good access to shops, services, jobs and public transport. The objective is to reduce car usage so as to reduce congestion on roads; lower pollution levels; and to promote more sustainable and healthy modes of transport such as walking and cycling.
- 6.5 The site is located in an urban residential area with reasonable access to shops, services, jobs and public transport.
- 6.6 The proposal would make very effective use of land with the density of the scheme being just under 90 units per hectare.
- 6.7 In these regards, the site is considered to be a sustainable location for new housing. The proposal is considered to comply with Policies STR.1 and STR.4 of the 2002 Local Plan.

### **Housing supply**

- 6.8 Local Planning Authorities are required to demonstrate a five year supply of housing land. As of 25<sup>th</sup> April 2016, the Council is able to demonstrate a five year housing land supply.
- 6.9 Even still, the proposal would make a small but useful contribution to the Council's five year land supply and this should be given some weight.

### **Impact on the character and appearance of the area**

- 6.10 The site is small but prominent on the south side of Barnwood Road. The site is also elevated above the road by just under 1 metre. There are houses either side of the site and opposite and the area has a residential character.
- 6.11 The scheme would provide two apartment blocks – Block A at the front of the site and Block B at the rear. Block A would be the most prominent and Block B would largely be hidden from the road by Block A.

- 6.12 Block A would follow the existing building line of Nos. 126 and 128b located to either side. Its massing would be larger than those properties but not significantly so. The houses either side have 2 storeys and Block A would have 2.5 storeys including accommodation in the roof. According to the applicant's corrected street scene drawings, the roofline of Block A would be just under 1.2 metres above the properties either side. However, in context, this is not considered significant and Block A would be lower than the nearby block of flats at Hammond Court, situated to the east side of No. 128b.
- 6.13 The design of both blocks has been substantially re-worked following discussions with the planning officer and represents a step improvement in design quality. The overall form of Block A is considered to be sympathetic to the late 20<sup>th</sup> century design of Nos. 126 and 128b to either side. It would have a front projecting gable similar to those properties and its hipped roof design has similarities with Nos. 122/124 Barnwood Road. Facing materials of brick and render are typical to the area.
- 6.14 There is some architectural interest added through the articulation of the vertical brick and render elements on the front elevation, the use of balconies and modern flat roofed dormer windows. Block A is quite deep and will be partially visible from an easterly direction, but this elevation is not unattractive and its design is considered satisfactory. Overall, Block A is considered to be an acceptable design which responds and reflects the form and character of existing buildings in the area.
- 6.15 Block B is located at the back of the site. It would be mostly screened from Barnwood Road by Block A. However, it would be visible from the public footpath at the immediate rear of the site. Block B takes quite a different design form although there are consistencies with Block A in terms of materials and front projecting gables.
- 6.16 Block B is relatively long but low and the applicant describes them as "mews" type properties. The height of the building has been deliberately lowered to reduce impact on the school grounds to the south and the rear gardens of Nos. 126 and 128b to either side. Block B has a low eaves design and could be considered 1.5 storeys with accommodation in the roof. The design is considered to work reasonably successfully and is considered acceptable.
- 6.17 In conclusion, it is considered that the character and appearance of the area would be preserved. The proposal is considered acceptable having regard to Policies BE.1 and BE.7 of the 2002 Local Plan.

### **Archaeology**

- 6.18 The City Archaeologist notes that the site has been previously subject to an archaeological evaluation, which identified very extensive remains from the Roman era. Conditions are therefore recommended that require a programme of archaeological work and a detailed scheme for foundation design and groundworks.

- 6.19 The proposed drainage scheme, which has yet to be submitted, may have archaeological implications and this will need to be assessed.
- 6.20 Subject to these conditions and consideration of the impacts of the drainage scheme, it is considered that the proposal is acceptable having regard to Policies BE.31 and BE.34 of the 2002 Local Plan.

### **Impact on neighbouring property**

- 6.21 The residential neighbours most affected by the proposal are Nos. 126 and No. 128b to either side of the site. The houses opposite to the other side of Barnwood Road are considered to be sufficiently far such as not to be significantly or unacceptably impacted.

#### *Impact on No. 126 Barnwood Road*

- 6.22 The occupier of No. 126 objects to the application for the reasons set out earlier in this report. They would be impacted by both blocks.
- 6.23 Block A would be situated alongside No. 126. It would have four small windows on the facing west elevation, but these would serve kitchens and are shown as fixed and opaque which can be secured by a planning condition. There would therefore be no overlooking from these windows.
- 6.24 Block A would be deeper than No. 126 and its nearside gable would project approximately 3.25 metres beyond the rear of No. 126. However, Block A would be positioned off the boundary with No. 126 by about 1.5 metres at its closet point (the boundary tapers) and it is considered that there would be no harmful impacts of overbearing or overshadowing.
- 6.25 The upper floor rear windows of Block A would result in some overlooking of the rear garden of No. 126, particularly so from the nearside first floor window. However, this is a narrow secondary window and it is recommended that it is fitted with obscure glazing. The other rear windows are further off the boundary and the angle of overlooking would be quite acute and would not result in significant or harmful overlooking of the neighbour's garden.
- 6.26 Block B at the rear of the site has been redesigned and lowered so as to reduce the impact on both Nos. 126 and 128b. The front of Block A would have an angled outlook towards the rear of No. 126. However, the nearside windows to the boundary are now high level (1.7 metres from floor height to bottom cill level), which should address potential overlooking from these windows. There are two central normal height windows at first floor, however, these would be some distance from the boundary with No. 126 (around 9.5 metres perpendicular; around 14 metres at 45 degrees; and 29 metres from window to nearside of the house at No. 126). The design of the first floor windows is such that there would be no significant and harmful overlooking of the rear garden or house at No. 126.

- 6.27 No. 126 has a long rear garden at around 36 metres from the rearmost part of the house to the rear fence. Block B would be located next to the bottom of No. 126's rear garden. Its height has been lowered to 1.5 storeys (about 7 metres to ridge height) and its position and mass would not result in harmful overbearing, loss of outlook or loss of light to No. 126.
- 6.28 The bicycle and bin store is to be located on the boundary with No. 126, about half way down the rear garden of No. 126. The store will be roofed and timber clad. Its roof would be approximately 0.45 metres above the existing height of the boundary fence but it would not result in any harmful visual or overbearing impacts. Since the store would be self-contained it is unlikely that it would result in an unacceptable odour impact.
- 6.29 The occupier of No. 126 has expressed concerned that existing ground levels will be raised by as much as 0.5 metres. The submitted drawings show that Block A would be 0.25 metres above the existing ground level; and Block B would be 0.35 metres above existing ground level. This is not unusual to ensure a damp proof course and these levels are not considered unreasonable. The proposed levels would be secured by condition.
- 6.30 Subject to planning conditions, it is considered that the proposal would not have a harmful impact on the amenity of No. 126.

*Impact on No. 128b Barnwood Road*

- 6.31 No. 128b is situated on the other side of the site to the east. Block A would be set further off the boundary with No. 128b than No. 126, with the access road in between. Although Block A would extend around 5.5 metres beyond the rear elevation of No. 128b, given that there is almost 8 metres between the two buildings, there would be no harmful overbearing, loss of outlook or light.
- 6.32 The original scheme included windows in the east gable of Block A that directly overlooked the immediate rear of No. 128b. However, the scheme has since been redesigned and the internal layout changed so that the offending windows are either removed or can be fitted with obscure glazing. Subject to a planning condition to secure this, there would be no harmful overlooking from the east elevation of Block A.
- 6.33 Given the significant offset of Block A from the boundary, there would be no harmful overlooking from the rear over the rear garden of No. 128b.
- 6.34 Block B at the rear of the site has been similarly redesigned to address issues of overlooking of the rear of No. 128b. The design of Block B is mirrored so that there are high level roof lights on the nearside boundary with No. 128b. The central front facing first floor windows in Block B are around 12 metres from the boundary with No. 128b at a 45 degrees angle. It is considered that the design and position of the windows is such that there would be no harmful overlooking of No. 126b.
- 6.35 Similarly, there would be no harmful overbearing, loss of outlook or light.

6.36 In summary, it is considered that the amended scheme successfully addresses the original concerns about loss of amenity to Nos. 126 and 128b. The proposal is considered to comply with Policy BE.21 of the Local Plan.

### **Impact on the safety of school children**

6.37 Former Councillor McLellan and the school governors at Barnwood School expressed concern that the original scheme would result in direct overlooking of the school playing field and would compromise the safety of children.

6.38 The scheme has been significantly re-worked as a result of these concerns. Block B at the back of the site has been lowered from 2 to 1.5 storeys (with accommodation in the roof space) and a cat-slide roof introduced at the rear to reduce the number of first floor windows facing the school playing field. These have largely been replaced by high level roof lights to prevent overlooking. Two first floor windows remain, however, these serve bathrooms and would be fitted with obscure glazing.

6.39 The original proposal was for railings on the rear boundary next to the public footpath. This has been replaced with a new 2 metre high close boarded fence, which would provide much better security and again reduce overlooking of the school grounds.

6.40 It is considered that the amended scheme satisfactorily overcomes concerns about overlooking of the school and the safety of school children. It is noteworthy that the design changes meet the approval of the Gloucester Safeguarding Children Board. No objections have been raised on this issue by the Police Crime Prevention Officer or the City Council's Head of Business Improvement. The school governors have also withdrawn their original concerns about the application.

### **Access and parking**

6.41 The Highway Authority offers no objection to the proposal. It estimates 70 additional traffic movements resulting from the development, with 14 occurring per peak hour. The Highway Authority considers that traffic generation from the development would not be significant, nor would it have an unacceptable impact on the road network or the Barnwood Road roundabout to the west. Given the significant existing levels of traffic on Barnwood Road, the increase in traffic resulting from the proposal for 14 apartments is likely to be immaterial.

6.42 Regard is had to paragraph 32 of the NPPF that says: '*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*'

6.43 The proposal would provide 16 on-site parking spaces, which equates to one space per apartment with two visitor spaces. The Highway Authority advises that there are sufficient spaces to serve the development.

- 6.44 The site is a reasonably sustainable location with decent access to shops, services, jobs and public transport.
- 6.45 Barnwood Road is a Class 3 highway and satisfactory levels of visibility can be achieved for this type of road. The means of access is considered safe.
- 6.46 The applicant has provided a plan showing the tracking of a refuse vehicle. The Highway Authority has previously raised no objection to this plan and they have been asked to clarify that the vehicle tracking is acceptable.
- 6.47 The conditions suggested by the Highway Authority are recommended.
- 6.48 Having regard to the above, the proposal is considered to comply with Policy TR.31 of the 2002 Local Plan.

### **Economic benefit**

- 6.49 The NPPF states that '*...significant weight should be placed on the need to support economic growth through the planning system.*' [par. 19]
- 6.50** The proposal would support the construction industry and this would have some short term economic benefit. However, the residential nature of the proposal is such that the proposal would not result in significant long term economic activity and in this regard the weight that can be given to this issue is limited.

### **Drainage**

- 6.51 The applicant is preparing a drainage strategy for the development with the aim of overcoming the objections raised by the Lead Local Flood Authority and Drainage Officer. The drainage strategy will also need to take account of archaeological impacts.
- 6.52 The recommendation of this report is therefore subject to a satisfactory drainage strategy being received and the objections raised by technical consultees being appropriately addressed.

### **Ecology**

- 6.53 The site is mainly grassed with no trees and limited foliage. It is considered that the site has limited scope for wildlife and it is unnecessary to require the applicant to carry out an ecological survey of the site or provide further information on this issue.
- 6.54 The proposal is considered acceptable having regard to Policies B.7 and B.8 of the 2002 Local Plan.

## **7.0 CONCLUSION**

- 7.1 The NPPF further states that: '*Housing applications should be considered in the context of the presumption in favour of sustainable development.*' (par. 49).
- 7.2 The site is a sustainable and accessible location for new housing. The proposal would make effective use of land.
- 7.3 The proposed buildings are of a satisfactory design and the character and appearance of the area would be preserved.
- 7.4 No significant and harmful impacts on neighbour amenity are identified.
- 7.5 The building would be served by a satisfactory means of access and sufficient parking would be provided within the site.
- 7.6 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, and having regard to the relevant Development Plan policies set out earlier in the report and other relevant material considerations, the proposal is considered acceptable.

## **8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER**

- 8.1 That planning permission is granted with appropriate conditions and subject to satisfactory resolution of drainage and archaeological matters.
- 8.2 Delegated powers to be given to the Development Control Manager to prepare the required 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 approved drawings PL01 received on 08 January 2016; drawing numbers PL03F, PL06C, PL07C, PL08A, PL09A, PL10B, PL11 and PL21A received on 17 March 2016; and drawing numbers PL04C and PL05C received on 18 March 2016.

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



### Condition 3

No development shall commence on site unless a Highways Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Management Plan shall:

- a) specify the type of vehicles used during construction
- b) provide for the parking of vehicles of site operatives and visitors
- c) provide for the loading and unloading of plant and materials
- d) provide for the storage of plant and materials used in constructing the development
- e) provide for wheel washing facilities; and
- f) specify the access points to be used and maintained during the construction phase.

The development shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of highway safety, having regard to Policy TR.31 of the Gloucester Local Plan, Second Stage Deposit 2002. Approval is required up front because highway safety could otherwise be compromised at the beginning of construction.

### Condition 4

The development hereby approved shall not be occupied until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and shall remain free of obstruction for such use at all times.

Reason: To ensure adequate car parking within the site, having regard to the provisions of the National Planning Policy Framework.

### Condition 5

None of the apartments hereby approved shall be occupied unless the bicycle and refuse store has been provided in accordance with the approved drawings. The bicycle and refuse store shall be retained in accordance with the approved plans at all times

Reason: To ensure adequate provision and availability of cycle parking, and appropriate refuse storage, having regard to Policies BE.7 and TR.33 of the Gloucester Local Plan, Second Stage Deposit 2002.

### Condition 6

Notwithstanding the submitted details, no development shall commence on site unless details of a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation of the works; and proposals for future maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

Reason: To ensure sustainable drainage of the development, having regard to Policy FRP.6 of the Gloucester Local Plan, Second Stage Deposit 2002. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

### Condition 7

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless details of a foul drainage scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include a programme for implementation of the works; and proposals for future maintenance and management.

The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

Reason: To ensure appropriate drainage of the development, having regard to advice contained in the National Planning Policy Framework. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

### Condition 8

Notwithstanding the submitted details, no development shall commence on site unless a written schedule of materials (including the manufacturer and model where available) has been submitted to and approved in writing by the Local Planning Authority.

The materials schedule shall include materials, colours and finishes for the following items:

- Brickwork
- Render
- Roofing materials
- Rainwater goods
- External doors and windows

The development shall not be carried out unless in accordance with the approved plans.

Reason: In the interests of the character and appearance of the area, having regard to Policy BE.7 of the Gloucester Local Plan, Second Stage Deposit 2002.

#### Condition 9

No external facing brickwork (including the front boundary wall), render or roof slate shall be applied or constructed unless in accordance with a sample panel, which shall have first been constructed on site and approved in writing by the Local Planning Authority.

The sample panel shall show the type, size, colour, bond, pointing, coursing, jointing, profile and texture of the facing materials.

The approved sample panel shall be retained on site and made available for inspection by the Local Planning Authority for the duration of the construction works.

Reason: In the interests of the character and appearance of the area, having regard to Policy BE.7 of the Gloucester Local Plan, Second Stage Deposit 2002.

#### Condition 10

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order), the following windows shall at all times be non-opening and glazed with obscure glass to at least Pilkington Level 3 (or equivalent):

- The four windows on the west elevation of Block A (front block) (shown as serving kitchens on the approved plans)
- The first floor corner window serving the living room in Apartment 6 of Block A on the south elevation;
- The first floor window in the east elevation of Apartment 5 (shown as serving a kitchen on the approved plans) and first floor stairwell window in the east elevation of Block A
- The second floor stairwell window in the east elevation of Block A

Reason: To safeguard the privacy of adjacent properties having regard to Policy BE.21 of the Gloucester Local Plan, Second Stage Deposit 2002.

### Condition 11

The bottom cill height of the roof lights in the east and west elevations of Block A (front); and north and south elevations of Block B (rear) shall be no lower than 1.7 metres above the floor to which the roof lights serve.

Reason: To safeguard the privacy of adjacent properties having regard to Policy BE.21 of the Gloucester Local Plan, Second Stage Deposit 2002.

### Condition 12

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional windows, doors and openings shall be formed above ground level in the rear (south) or side (east and west) elevations of Block A (front); or in the rear (south), front (north) or side (east and west) elevations of Block B (rear); without express planning permission.

Reason: To prevent overlooking of the school grounds, having regard to Policy BE.21 of the Gloucester Local Plan, Second Stage Deposit 2002.

### Condition 13

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.

All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policy BE.12 of the Gloucester Local Plan, Second Stage Deposit 2002. Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

#### Condition 14

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site until details of the depth of recesses and window reveals have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, having regard to Policy BE.7 of the Gloucester Local Plan, Second Stage Deposit 2002. The information is required upfront because the dimension of recesses and window reveals may be dependent on how the building is constructed.

#### Condition 15

No development shall commence on site, including site clearance and demolition, until an Environmental Construction Method Statement (“ECMS”) has been submitted to and approved in writing by the Local Planning Authority. The ECMS shall:

- Identify measures to control the emission of dust and dirt during demolition/construction from site clearance, demolition and construction works; and
- Identify measures for the storage of waste.

The works shall not be carried out unless in accordance with the approved ECMS.

Reason: To safeguard residential amenity, having regard to Policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002). Approval is required up front because construction activities have the potential to harm neighbour amenity from the outset.

#### Condition 16

None of the flats hereby approved shall be occupied unless design measures for mitigating the impacts of noise and vibration from the adjacent Barnwood Road have been submitted to and approved in writing by the Local Planning Authority. The design measures shall ensure that the requirements of BS 8233:2014 (internal noise levels in all habitable rooms) can be achieved.

None of the flats shall be occupied unless the approved design measures have been implemented in full and shall be retained as such at all times.

Reason: To ensure satisfactory levels of amenity for occupants of the development in view of potential noise and vibration from road traffic on Barnwood Road.

#### Condition 17

No construction related activities, including deliveries to or dispatched from the development, shall be undertaken outside the following hours:

Monday to Friday	0800 to 1800
Saturdays	0830 to 1300

No such construction related activities or deliveries shall take place on Sundays or Public Holidays.

Reason: To safeguard residential amenity, having regard to Policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 18

There shall be no burning of materials/substances at the site during the construction phase.

Reason: To safeguard residential amenity, having regard to Policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

NOTES

Note 1

A fee is payable where written confirmation is required that one or more conditions imposed on this permission have been complied with. The fee is £97 per request. The fee must be paid when the request is made.

Note 2

The applicant's 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.

Statement of Positive and Proactive Engagement

In accordance with the requirements of the National Planning Policy Framework, the Local Planning Authority has worked with the applicant in a positive and proactive manner in seeking solutions to secure sustainable development which will improve the economic, social and environmental wellbeing of the area. In particular, the Local Planning Authority has negotiated issues relating to the architectural design of the scheme, overlooking and impact on neighbour amenity, drainage and highway related matters.

Decision: .....

Notes: .....

.....

.....

Person to contact: Ed Baker  
(Tel: 396835.)

15/01367/FUL

Land Adj 126  
Barnwood Road  
Gloucester  
GL4 3JW

Planning Committee 31.05.2016

