

GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **4TH OCTOBER 2016**

ADDRESS/LOCATION : **GLOUCESTER CITY FOOTBALL CLUB**

APPLICATION NO. & WARD : **16/00574/REM
WESTGATE**

EXPIRY DATE : **4TH OCTOBER 2016 (TIME EXTENSION
AGREED)**

APPLICANT : **MR EAMONN MCGURK**

PROPOSAL : **A RESERVED MATTERS APPLICATION
INCLUDING DETAILS OF THE
APPEARANCE, SCALE AND LANDSCAPING
FOR THE RE-DEVELOPMENT OF
GLOUCESTER CITY FOOTBALL CLUB
COMPRISING THE ERECTION OF A
REPLACEMENT FOOTBALL STADIUM,
ASSOCIATED ENGINEERING WORKS
INVOLVING THE RAISING OF GROUND
LEVELS, ANCILLARY FACILITIES, ACCESS
AND CAR PARKING (PURSUANT TO
OUTLINE PLANNING PERMISSION REF.
16/00574/OUT).**

REPORT BY : **CAROLINE TOWNLEY**

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

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is approximately 4.80 hectares in area and includes the former Gloucester City Football Club Stadium together with land immediately to the west. The site is to the west of Hempsted Lane set back between Sudmeadow Road and Spinnaker Road. The site is largely surrounded by commercial premises together with 13 residential properties in Sudmeadow Road. The site is also in close proximity to the Hempsted Landfill and civic amenity site. Llanthony Priory is located to the East of Hempsted Lane opposite the junction with Sudmeadow Road. Access to the site is obtained from Sudmeadow Road.
- 1.2 The application for outline planning permission for the re-development of the Gloucester City Football Club comprising the erection of a replacement

football stadium, associated engineering works involving the raising of ground levels, ancillary facilities, access and car parking was reported to the Planning Committee on 17th October 2014 (14/00685/OUT). Outline planning permission was subsequently granted subject to conditions on 22nd September 2015 following completion of the Unilateral Undertaking. The means of access and siting were considered as part of this outline application.

1.3 An application to vary and remove conditions on the outline planning permission (ref. 16/00573/OUT), was reported to Planning Committee on 6th September 2016 when it was resolved to delegate authority to the Development Control Manager to grant a revised outline planning permission, subject to:

- The satisfactory completion of a Deed of Variation from the applicant to secure a financial contribution of £75,000 towards local flood improvement works; and
- The expiration of 21 days from when Notice is served on owners of land within the application site and no new material planning issues being raised from these owners; and
- The conditions set out in Section 8.0 of the Planning Committee Report.
- The Development Control Manager be authorised to amend the wording of the approved conditions if any conditions are discharged prior to issuing the decision.

It is anticipated that the revised outline planning permission will be issued prior to the Committee meeting on 4th October. The Football Club have confirmed that it intends to implement the revised outline planning permission once granted and that the reserved matters application should therefore relate to the revised outline planning permission.

1.4 It is proposed to undertake the development on a phased basis with the potential for future growth in the future. This reserved matters application has been submitted for phase 1 of the development which will provide for the minimum requirements for the National Ground Grading Category B allowing the Club to compete at National League North. If the Club were to achieve promotion to the highest division of the National League further development would be necessary to meet the minimum requirements for Ground Grading Category A. Phase 1 of the development comprises of:

A stand to south east wing containing spaces for players' facilities, administration and a small club shop on the ground floor opening out onto the pitch. Two separate entrances and two separate WC units are provided on opposite ends of the pitch to allow for segregation during matches. A stand to the south west is also proposed for terraced standing, with level standing around the other areas of the pitch totalling an overall capacity of 3,068.

The Gross External Area (GEA) of the stadium is as follows:

840 Sq.m = Ground Floor GEA including stands

342 Sq.m = First Floor GEA

1182 Sq.m = Total Stadium GEA (Phase 1)

2.0 RELEVANT PLANNING HISTORY

2.1 There have been a number of previous applications on the Football Club site including:

14/00685/OUT - Outline planning permission for the re-development of the Gloucester City Football Club comprising the erection of a replacement football stadium, associated engineering works involving the raising of ground levels, ancillary facilities, access and car parking was reported to the Planning Committee on 17th October 2014. Outline planning permission was subsequently granted subject to conditions on 22nd September 2015 following completion of the Unilateral Undertaking. The means of access and siting were considered as part of this outline application.

11/00430/OUT – Redevelopment of Gloucester City Football Stadium comprising the erection of a new football stadium, associated ancillary facilities, employment land (Use Classes B1, B2 and B8), access from Sudmeadow Road, car parking and the construction of new flood defences. Outline application to include access, appearance, layout and scale of the proposed stadium (landscaping reserved) with all matters reserved in relation to the employment land. Refused 8th August 2013.

11/00213/COU – Change of use of land for the storage of waste receptacles. Granted temporary permission 11th April 2011.

08/00412/COU – Change of use of club house to offices, re-positioning of metal staircase, formation of new door at first floor and alterations to Sudmeadow Road to provide enhanced pedestrian / cycle access. Granted temporary consent 16th June 2009.

07/01325/COU – Change of use of redundant football pitch to car park with access off Sudmeadow Road. Refused 6th December 2007.

06/00791/COU – Use of land for the landing / taking off of a helicopter (private use only). Refused 21st August 2006.

04/00529/FUL - Demolition of existing derelict building and erection of 2 storey office accommodation with ancillary living accommodation. Granted 3rd August 2004.

99/00328/OUT - (Outline) Partial Demolition and First Floor Extension to Existing Sports and Social Club. Granted outline permission 28th March 2000.

91/00908/FUL – Extension to form toilet block and construction of terracing. Granted 26th June 1991.

2.2 The following applications have also been submitted and are pending consideration:

16/00572/CONDIT – Application to discharge the conditions on the outline planning permission ref. 14/00685/OUT.

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 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.7 - Urban Design Principles
- FRP.1a – Development and Flood Risk
- FRP6 – Surface water run-off
- FRP.10 – Noise
- BE.1 - Scale, Massing and Height
- BE.5 - Community Safety
- BE.6 - Access for all
- BE.7 - Architectural design
- BE.21- Safeguarding of Amenity
- TR.9 - Parking Standards
- TR.11 - Provision of parking for people with disabilities
- TR.12 - Cycle Parking Standards
- TR.31 – Road safety
- TR.32 – Protection of cycle/pedestrian routes
- TR.33 – Provision for cyclists/pedestrians
- SR.2 – Playing Fields and recreational Open Space

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 NPPG 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.

- 3.6 On adoption, the Joint Core Strategy, City Plan and any Neighbourhood Plans 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; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

- 4.1 **Gloucestershire County Council (Highways)** – No highway objection is raised.
- 4.2 **Sport England** – Sport England raises no objection to the application which is considered to meet exception E4 of its adopted Playing Fields Policy. It is proposed to provide a replacement football stadium on existing playing field land at Gloucester City Football Club. The proposal was granted planning permission under outline planning permission 14/00685/OUT. Sport England's concluded that the proposed development met exception 4 subject to conditions. This included condition 10 (and note 3) which sought further details regarding the design of the new facility.

Sport England considers that the playing field will be provided for a local football club and therefore will be required to meet the relevant FA standards for grass pitches and built facilities (as set out in our previous response). Sport England has consulted the FA on this application and they have confirmed that they have no objection to the proposal.

- 4.3 **Lead Local Flood Authority (LLFA)** – The original application precedes the commencing date of the LLFA's statutory responsibilities of 6th April 2015 and the LLFA has confirmed that it will therefore not be making any comments on this application.
- 4.4 **Environment Agency** – In addition to the principle of development, the matters of access and siting (including layout) were dealt with in detail at the outline stage. These matters were Key in the Environment Agency's consideration of the development when bearing in mind flood risk. This

current Reserved Matters application deals with appearance, scale and landscaping. These matters have less of a bearing on flood risk.

The Agency note and welcome the statement within the agent's covering letter dated 5th April 2016 reference 6218 / 1094821-DJ-DJ-20160405, that: "All levels remain the same as per the original application in order to ensure the integrity of the flood resistance". Providing the details submitted make no material changes to the previously permitted scheme we would have no objection to the reserved matters application.

- 4.5 **Canal and River Trust** – After due consideration of the application details, the Canal and River Trust has no comments to make.
- 4.6 **Fisher German (Agents for CLH Pipeline System)** – Confirm that apparatus belonging to CLH Pipeline System may be affected by the proposals. No work should be undertaken or activity without first contacting the CLH Pipeline Operator for advice, and if required, Works Consent.
- 4.7 **Contaminated Land Advisors (WRS)** – WRS have reviewed the application in relation to contaminated land and no concerns have been identified and no adverse comments are made.
- 4.8 **Gloucestershire Constabulary (Force Crime Prevention Design Advisor)**
Object to the application based on the inappropriate location of the stadium, the unsuitable access and parking, along with the layout of the building.

Crime and Disorder Act

Gloucestershire Constabulary would like to remind the planning committee of their obligations under the Crime and Disorder Act 1998, Section 17 and their "Duty to consider crime and disorder implications (1) Without prejudice to any other obligation imposed on it, it shall be **the duty of each authority** to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can **to prevent, crime and disorder in its area.**"

The Constabulary's letter of objection raises specific concerns about the suitability of the site access for both construction and match day traffic and emergency vehicles. It also raises concerns in relation to alcohol consumption and offers advice that should be incorporated into the design of the stadium in relation to site access, parking, coaches, bicycle parking, emergency evacuation procedures, fences, CCTV, refuse areas, staff room, alarms, shop and stores.

In conclusion it is advised that the City and Quays have changed considerably since the stadium was last used and the use of this site should be objectively considered as it appears unfit for purpose.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 The application has been publicised by way of a press notice in the Citizen and through the display of a site notice. In addition 212 individuals/properties have been notified of the application in writing.

5.2 As a result of this publicity one letter of objection and two letters of support have been received. The main points raised can be summarised as:

- There is nothing wrong with the stadium that exists. If the turf had not been taken off and the top soil sold they could have had a clean-up like other business in the area and been back playing within the month.
- If you let the land be tipped without a contract let for the replacement stadium prior to the commencement of development there will never be a new stadium. The tipping is the golden egg for the land and the money won't benefit the football club. Gloucester City AFC has virtually no money and can't afford to build a new stadium unless they still have the insurance money following the flood damage.
- It will be a disaster for all the businesses in the area if Sudmeadow Road is used for tip traffic. It would be more sensible to get access through Spinnaker Park as required by the previous S106 Agreement. Access could also be gained along the tip road. Don't see why a number of businesses in a very narrow road should be inconvenienced by 1 privately owned company when there is much better access elsewhere.
- Hope that all the red tape of the English planning system can be overcome and that my children and I can enjoy watching City play in Gloucester again one day.
- Walking down Sudmeadow Road, on a weekday, during working hours, is taking your life in your own hands. The access to the trading estate is not fit for purpose. The heavy vehicles and vans etc. which use this road regularly are a real hazard. The road is not wide enough let alone the footpaths. Question why the sole responsibility for upgrading this road is being put on Gloucester City Football Club as this seems unfair. Surely in its current state with no football stadium the road needs improving. It's not right that the full cost burden is being put onto the club for improvements in this area.

5.3 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=16/00574/REM>

6.0 OFFICER OPINION

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 Outline planning permission has been granted for the re-development of Gloucester City Football Club comprising of a replacement football stadium, associated engineering works involving the raising of ground levels, ancillary facilities, access and car parking. The principle of the redevelopment of this site has therefore been established. The means of access to the site and siting was included and determined as part of the outline planning application. The current application only relates to the reserved matters not considered at the outline stage, namely the appearance, landscaping and scale of development. On this basis the main issues for consideration are as follows:-

Appearance and Scale

- 6.3 The proposed access to and layout of the site is in accordance with that agreed at the outline stage with access from Sudmeadow Road. There is currently a derelict stand with changing rooms and club house on the site which are largely obscured from view by the surrounding commercial buildings. It is intended to raise the levels of the site which will result in the new development being significantly more visible.
- 6.4 The wider area to the west and north-west of Hempsted Lane and Llanthony Road is made up of a range of industrial, manufacturing, waste processing, office and retails uses with some older residential properties to the north east of the site along Sudmeadow Road and Hemmingsdale Road.
- 6.5 The vast majority of the structures in the area relate to a basic modern industrial form, with shallow pitched roofs, over two-storeys, with metal-clad first or second floors continuing over the roof. The metal cladding is generally some form of standing seam type, in various colours with sometimes contrasting trim colours. The ground floors are generally red facing brick.
- 6.6 The application proposes phase 1 of the wider development considered at the outline application stage. The proposed development includes the provision of the pitch together with a two storey stand on the eastern side of the pitch providing space for player's facilities, administration and a small club shop on the ground floor and club house and directors boardroom at first floor level. It is also proposed to provide a smaller stand to the south of the pitch providing terraced standing, a ground keeper's store/compound, bin store and toilet block. Space for level standing is also to be provided to the edge of the pitch.
- 6.7 The main stand is designed with a structural steel frame permitting future flexibility in usage. The proposed two storey main stand would have an overall maximum height of approximately 9.7 metres (excluding the vertical structural supports). The proposed materials for the main stand comprise of a brick plinth with the use of microrib composite cladding panels above (Merlin Grey) and standard profiles steel roof (Albatross Grey). The materials submitted include the use of a yellow/buff brick which is not considered acceptable and the agent has been advised to consider alternative bricks of a red/orange

colour. The final use of materials is covered by condition on the outline planning permission.

- 6.8 Overall the location of the stadium is considered logical and was somewhat dictated by the results of the flood modelling at the outline planning application stage. The first phase of development provides for a simple steel framed structure with a functional appearance which largely reflects the existing surrounding commercial buildings. It was acknowledged at the outline planning application stage that the raising of the ground level for the pitch and stadium will have a significant visual impact when viewed from the surrounding areas. Subject to agreement on the proposed brick the design and appearance of the stands are considered acceptable.

Parking and Highway Issues

- 6.9 Access to the site is obtained from Sudmeadow Road and was considered and granted as part of the outline planning application. Parking will be provided in two separate car parking areas providing a total of 299 car parking spaces including 12 disabled spaces and space for coaches.
- 6.10 The application also proposes 16 temporary car parking spaces to be allocated to residents in Sudmeadow Road during the demolition, importation and construction phase as required by condition 8 on the outline planning permission.
- 6.11 The Highway Authority has confirmed that following the submission of the revised car parking and coach tracking plan it is satisfied and no highway objection is raised.

Impact on Residential Amenity

- 6.12 It was recognised at the outline planning application stage that the relationship between the site and existing houses in Sudmeadow Road will be particularly sensitive and is a real concern for existing residents.
- 6.13 The closest residential properties are the 13 terraced houses in Sudmeadow Road. Number 1 Sudmeadow Road is located approximately 10 metres from the existing and proposed vehicular and pedestrian access to the site and in excess of 100 metres from the corner of the new stand. It is considered that the main impact on the residents in these houses is likely to result from traffic to the site particularly in the short term during the demolition, importation and, construction phases and subsequently on match days. These issues were fully considered as part of the outline planning application. The scale, design and siting of the buildings proposed as part of the current application are not considered to have any significant impact on the amenity of residents in Sudmeadow Road.

Trees and Landscaping

- 6.14 A landscaping scheme has been submitted with the application which shows limited planting along boundaries adjacent to the proposed car parking areas. The Landscape Officer has expressed disappointment that there are not more specimen trees proposed around the external circulation and car park areas of

the stadium but given the constraints of the site considers that the proposals are acceptable.

Crime Prevention

- 6.15 The Force Crime Prevention Design Officer has raised an objection to the application based on the inappropriate location of the stadium, the unsuitable access, parking and layout of building. However, these concerns should have been raised at the outline planning application stage as the principle of the development including the means of access and siting was accepted in 2014. Gloucestershire Constabulary was consulted on the 2014 outline planning application and a letter was received stating that “*Advice from our Football Policing Unit is that should the Club progress up the leagues then a Police & Match Control Room, CCTV/Police post, Holding area, Office Area for Kit Storage would be desirable*”. It was also advised that the Police Football Unit was not specifically requesting such measures, due to the league the City play in and offered advice on a number of specific elements for consideration by the Club.
- 6.16 The current consultation response also offers some specific advice about the future operation/management of the site, many of which are not planning matters and should be discussed directly with the Football Club.
- 6.17 The Football Club have raised disappointment at the objection from the Force Crime Prevention Design Officer, particularly as these issues were not raised to the outline planning application. The Club has indicated that it has always had a good relationship with Gloucestershire Police and regular and effective liaison takes place with an Officer from the Football Intelligence/Ops Bamfurlong Unit.

7.0 CONCLUSION

- 7.1 The principle of the redevelopment of the site for the football club was established with the grant of outline planning permission in 2015 and the subsequent amendments approved under reference 16/00573/OUT.
- 7.2 Matters relating to the means of access, flooding and general principle of the development were agreed at the outline planning application stage and although issues relating to these matters have been raised in the representations they cannot be reconsidered at the Reserved Matters stage.
- 7.3 It is considered that overall the design; scale and siting of the buildings together with the proposed landscaping are acceptable for this first phase of development and accord with the principles approved by the outline planning application. There does however, need to be further discussions over the use of materials specifically the choice of brickwork which can be finalised under the relevant condition on the outline planning permission.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

8.1 That subject to no objection being received from the Highway Authority in relation to the revised Tracking Plan the Approval of Reserved Matters is granted subject to the standard time limit and the following additional conditions:

Condition 1

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 6218-PL24, 25, 26, 27, 28, 29 and 30 received by the Local Planning Authority on 14th May 2016, PL01b and PL23a received on 25th May 2016, and PL22d and PL31a received by the Local Planning Authority on 21st September 2016 and any other conditions attached to this planning permission.

Reason

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

Note 1

The attention of the applicant is drawn to the conditions on the outline planning permission 16/00573/OUT and provisions within the associated Unilateral Undertaking. This application for the approval of reserved matters is granted subject to these conditions.

Note 2

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including appropriate bond) with the County Council before commencing those works.

Note 3

The applicant is advised that the layout and design of the pitch and the stadium should comply with relevant industry technical guidance, including guidance published by Sport England and the Football Association. Particular attention is drawn to:

- Natural Turf for Sport (Sport England, 2011)
<http://www.sportengland.org/media/30865/Natural-turf-for-sport.pdf>
- The FA's National Ground Grading documents
<http://nav.thefa.com/sitecore/content/TheFA/Home/Leagues/NationalLeagueSystem/GroundGrading>
- Guide to Safety at Sports Grounds, "The Green Guide", (DCMS, 2008)
<http://www.safetyatsportsgrounds.org.uk/publications/green-guide>

Note 4

The Government Pipelines and Storage System (GPSS) may be affected by the proposals. No work or activity should be undertaken without first contacting the GPSS Operator for advice and, if required, Section 16

Consent. The GPPS Operator can be contacted at OPA Central Services, Ashdon Road, Saffron Walden, Essex, CB10 2NF (e-mail anne.swallow@oilandpipelines.com) 01799 564101. For additional information please visit www.linsearch.org.

Note 5

The importation of soil, to raise levels, is likely to require a waste permit or exemption from the Environment Agency. The applicant is advised to telephone 03708 506 506 to discuss permit requirements in greater detail.

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:

Person to contact: Caroline Townley
(Tel: 396780.)

16/00574/REM

Gloucester City Football Club
Sudmeadow Road
Gloucester
GL2 5FD

Planning Committee 04.10.2016

