

GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **1ST NOVEMBER 2016**

ADDRESS/LOCATION : **PLOCK COURT/FORMER BISHOPS
COLLEGE PLAYING FIELDS**

APPLICATION NO. & WARD : **16/01012/REM
LONGLEVENS**

EXPIRY DATE : **15TH OCTOBER 2016**

APPLICANT : **UNIVERSITY OF GLOUCESTERSHIRE**

PROPOSAL : **Application for approval of reserved matters
of appearance, landscape, layout and scale
for 2 no. sports pitches and associated
development including floodlights, storage
equipment, noise barrier and boundary
fencing (pursuant to outline planning
permission ref. 15/01190/OUT)**

REPORT BY : **ADAM SMITH**

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

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site comprises part of the former Bishops College playing fields. The application is for reserved matters approval pursuant to the University's outline planning permission ref. 15/01190/OUT granted earlier this year. That outline permission also included the means of access, so this application seeks approval of the remaining reserved matters of appearance, landscaping, layout and scale for this phase.
- 1.2 The proposal is for the two '3g' sports pitches. The sports facilities have been divided into two phases with the sports hall, pavilion, car park and access road submitted as a separate reserved matters application. The layout has moved on from that suggested in the outline permission indicative masterplan. The two pitches are now laid out along the southern and eastern parts of the site. The football pitch would be capable of supporting multiple adult, youth and team size pitch layouts. The rugby pitch would be capable of supporting rugby union and rugby league layouts. The football pitch has been prepared in accordance with the Football Association / Sport England design guidance and the rugby pitch in accordance with the Rugby Football Union technical recommendations and Rugby League Ltd pitch dimensions. Each pitch would

have a series of 15m high pole mounted floodlights (10 to the rugby pitch and 8 to the football pitch). The acoustic fence (2.6m high) is proposed around the southern and part of the eastern boundaries of the site. No spectator stands are included at the present time. Various boundary treatments are proposed, notably a 4.5m high ball stop mesh fence in dark green around the pitches with an additional 2m high ball stop nylon netting on top around the rugby pitch.

- 1.3 The application is referred to the planning committee due to the scale and Council involvement with representations received.

2.0 RELEVANT PLANNING HISTORY

15/01190/OUT

- 2.1 Outline planning application (with all matters reserved except for access) for the erection of a new 10,000sqm business school, the provision of new student accommodation (up to 200 beds) & the creation of additional car parking at the University of Gloucestershire Oxstalls Campus, Oxstalls Lane & the Debenhams Playing Field, Estcourt Road. Provision of new and improved sports facilities at Oxstalls Sports Park, Debenhams Playing Field, Oxstalls Campus & Plock Court Playing Fields, including on land currently occupied by the Former Bishops College, to include - the provision of new multi use sports hall, 2 x 3G all weather sports pitches with associated 500 seat spectator stand, floodlighting, replacement cricket pavilion & additional parking; improved vehicular access at Oxstalls Lane, Plock Court & Estcourt Road, new vehicular access at Estcourt Close, improved pedestrian & cycling connections & associated highways, landscaping & ancillary works. Granted outline permission subject to conditions and s106 agreement 28th July 2016.

16/00945/REM

- 2.2 Reserved matters application for the approval of the appearance, landscaping, layout and scale of the Sports Hall, Plock Court access road and Pavilion development (pursuant to outline permission ref. 15/01190/OUT). Pending consideration.

3.0 PLANNING POLICIES

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

Statutory Development Plan

- 3.2 The statutory Development Plan for Gloucester remains the partially saved 1983 City of Gloucester Local Plan ("1983 Local Plan").
- 3.3 Paragraph 215 of the National Planning Policy Framework ("NPPF") states that '*...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.)*

- 3.4 The 1983 Local Plan is more than thirty years old and, according to the Inspector who dealt with an appeal relating to the Peel Centre, St. Ann Way (13/00559/FUL), ‘...its sheer ages suggests it must be out of date...’ (par. 11 of the Inspector’s report). Members are advised that the 1983 Local Plan is out-of-date and superseded by later planning policy including the NPPF.

Central Government Guidance - National Planning Policy Framework

- 3.5 This is the latest Government statement of planning policy and is a material consideration that should be given significant weight in determining this application.

Decision-making

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.

Core planning principles

Planning should:

- Be genuinely plan-led;
- Be a creative exercise in ways to enhance and improve places;
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Secure high quality design and a good standard of amenity;
- Take account of the different roles and character of different areas;
- Support the transition to a low carbon future, take account of flood risk and encourage the use of renewable resources;
- Contribute to conserving and enhancing the natural environment and reducing pollution;
- Encourage the effective use of land by reusing brownfield land;
- Promote mixed use developments;
- Conserve heritage assets in a manner appropriate to their significance;

- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;
- Take account of and support local strategies to improve health, social and cultural wellbeing and deliver sufficient community and cultural facilities and services to meet local needs.

The NPPF includes relevant policy on;
Promoting sustainable transport, including the statement that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe.

Requiring good design

Promoting healthy communities

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

Conserving and enhancing the historic environment

Planning obligations and conditions

Planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Planning conditions should only be imposed where they are

- Necessary;
- Relevant to planning and to the development to be permitted;
- Enforceable;
- Precise; and
- Reasonable in all other respects.

For the purposes of making decisions, the NPPF 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 NPPF. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.

The National Planning Practice Guidance has also been published to accompany and in part expand on the National Planning Policy Framework.

Emerging Development Plan

Draft Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury

- 3.6 The City Council is currently working on a new Development Plan that will replace the 1983 Local Plan. The new Development Plan will comprise the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury ("JCS") and Gloucester City Plan ("City Plan") once they are adopted.

3.7 The JCS was submitted to the Government for Inspection in November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and are a material consideration.

3.8 Paragraph 216 of the NPPF states that weight can be given to relevant policies in 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 NPPF

3.9 The JCS is part way through the Examination process and the Inspector published an Interim Report in May 2016. However, a number of proposed modifications are expected to be made to the policies in the plan. The Council has received legal advice to the effect that the JCS can only be given limited weight at this time.

3.10 Relevant policies from the Draft JCS are:

SD1 – Presumption in favour of sustainable development
SD4 – Sustainable design and construction
SD5 – Design requirements
SD7 – Landscape
SD9 – Historic environment
SD10 – Biodiversity and geodiversity
SD15 – Health and environmental quality
INF1 – Access to the transport network
INF2 – Safety and efficiency of the transport network
INF3 – Flood risk management
INF4 – Green infrastructure
INF5 – Social and community infrastructure

Gloucester City Plan

3.11 The Gloucester City Plan (“City Plan”) is at a much less advanced stage than the JCS. The City Plan will be presented in three parts: Part 1 will set out the context for the City Plan, including the main challenges facing the city, a strategy for development and key development principles. Part 2 will identify development management policies. Part 3 will identify development opportunities.

3.12 Part 1 was subject to consultation in 2012 and is to be reviewed. Part 2 was subject to consultation in 2013 on potential future development sites in the City as well as a draft vision and strategy for the city centre. Parts 2 and 3 have also yet to be completed.

3.13 On adoption, the Joint Core Strategy, City Plan and any Neighbourhood Plans will provide a revised planning policy framework for the Council.

Gloucester Local Plan, Second Stage Deposit 2002

- 3.14 Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. This cannot be saved as it is not a formally adopted plan, however with it being adopted for development control purposes it is still judged to be a material consideration, albeit of limited weight.

2002 Plan allocations

- 3.15 None

2002 Plan policies

- 3.16 Members are advised that the following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight:

- B.7 – Protected species
- B.10 – Trees and hedgerows on development sites
- B.11 – Tree preservation orders
- FRP.1a – Flood risk
- FRP.6 – Surface water run-off
- FRP.9 – Light pollution
- FRP.10 – Noise
- FRP.11 – Pollution
- FRP.15 – Contaminated land
- BE.1 – Scale, massing and height
- BE.2 – Views and skyline
- BE.4 – Criteria for the layout, circulation and landscape of new development
- BE.5 – Community safety
- BE.6 – Access for all
- BE.7 – Architectural design
- BE.8 – Energy efficient development
- BE.12 – Landscape schemes
- BE.14 – Native species
- 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.33 – Providing for cyclists/pedestrians
- SR.2 – Playing fields and recreational open space
- SR.3 – Intensive use facilities and floodlighting

All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Communities and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

- 4.1 The Highway Authority has not yet commented but a response is expected. Members will be updated at the Committee meeting.
- 4.2 The Lead Local Flood Authority raises no objection subject to conditions to secure a detailed surface water drainage strategy and SuDS maintenance scheme.
- 4.3 Sport England raises no objection.
- 4.4 The Drainage Engineer raises no objection subject to conditions to secure a detailed surface water drainage strategy and SuDS maintenance scheme.
- 4.5 The Neighbourhood Services Manager raises no objection.
- 4.6 The Urban Design Officer has not commented.
- 4.7 The Environmental Protection Officer raises no objection subject to securing the agreed extent and specification of the noise fence.
- 4.8 The Landscape Architect raises no objection.
- 4.9 The Tree Officer raises no objection.
- 4.10 The City Archaeologist raises no objection.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 162 neighbouring properties were notified and press and site notices were published.
- 5.2 One representation has been received;

I strongly object for the following reasons.

1. The existing Access road.

The access road is too narrow and is presently incapable of two way traffic as a coach or lorry takes up the whole road. It cannot be widened due to the hedge abutting properties and the beech trees. It has a right hand bend where, despite speed bumps, cars frequently speed and slam on their brakes to avoid one another when passing. I have pictures where cars park along the access road causing obstruction to other cars and pedestrians as they partially park on the pavement. The road, pavement and abutting grass area flood frequently in four places due to a high water table and water unable to freely drain. It has flooded 4 times this month alone. It is a matter of time before a serious accident occurs.

2. Access from Tewkesbury Road.

Traffic on the Tewkesbury road is heavy and fast as it comes off the northern bypass. This road will become increasingly busy when 3000+ new homes are built at Longford, Twigworth and Innsworth. It currently takes an hour to travel from Kingsholm rugby ground to Plock Court when there is a home match.

People already leave the match early or do not go due to the congestion caused. Residents from all parts of the city due to the congestion stay at home which is detrimental to the economy of the city. Tewkesbury road was closed from Escourt Road roundabout all the way to Tewkesbury as recently as February 2014 due to flooding, despite the flood report saying otherwise.

3. Access from Tewkesbury road to the barrier to join the existing Access Road.

Plock Court is a narrow cul de sac and it takes just one car parked to cause problems with traffic being able to pass not being able to pass without causing obstruction to oncoming traffic. This results, on a daily basis, to cars mounting and driving along the pavement to pass each other. If a car wants to turn right onto Tewkesbury Road it is again common practice for cars, on a daily basis, to mount the pavement to pass to turn left. This is illegal and very dangerous as there is a high incidence of dog walkers, joggers, families with babies in prams and toddlers and children using the pavement. The police and local councillors have been notified on many occasions, yet it seems to be an acceptable practice. A PCSO witnessed it and I have taken pictures, but it is no deterrent. The police have informed me that it will take a serious accident before anything is done. Cars also park partially on the pavement which again causes obstruction to pedestrians, who are forced out between cars into the path of cars often travelling at excessive speed. Coaches or heavy goods lorries take up the whole width of both Plock Court and the access road and have difficulties negotiating the entrance through the barrier. Cars have to physically reverse onto pavements to allow large vehicles to pass otherwise they would be backing onto the main Tewkesbury road. Again it is only a matter of time before a serious accident occurs.

4. Plock Court

The layout of this cul de sac is that if you park in front of someones house you block access to the drive of the house opposite even if you park partially on the pavement. You have to partially park on the pavement to allow another car to pass due to the narrow width of the cul de sac. The road has a bend and again pedestrians are forced into the road from behind parked cars. It has been accepted that rugby and music events at Kingsholm causes problems for residents in Gambier Parry and match day restrictions apply there. Also the UOG has accepted the frustrations of residents in the Oxstalls area and are proposing a 5 year monitoring system for that area. Yet we are being trapped in our houses because of congestion and obstruction and despite many residents voicing their concerns with councillors and university staff at public consultations no provision is being made for inconsiderate and dangerous parking in our road. We have a high incidence of elderly people and young children and yet there would be serious repercussions if an ambulance could not gain prompt access and egress to us. Also we have a high volume of traffic missing the junction to the Tennis Centre and with so many parked cars have to result to turning on people's drives often at speed. There have been many cases of children being run over and killed by their family member because they did not see them on the drive. What chance have our children and grandchildren have when neither they or the inconsiderate driver are expecting each other to be on a residents drive. We

also experience the problem of cars just driving straight out through the barrier, not expecting anyone to want to drive up such a quiet cul de sac. Again it is only a matter of time before an accident occurs, as this proposed development will only exasperate problems. Traffic lights are not the answer as traffic will just tail back causing more obstruction. Railings or bollards on the pavements means that traffic has nowhere to go and double yellow lines does not address the problem of large vehicles passing one another or stop people mounting the pavement to turn left. Also the road cannot be widened because of the need for pedestrian access.

5. Air and Noise Pollution.

An increase of another sports hall, 3 more pitches and a 500 seater spectator stand and additional car parking facilities, resulting in more events will result in an enormous amount and frequency of traffic causing tailbacks as access and egress to the sports facilities is already impractical. Scientific studies have proven that noise and air pollution is detrimental to the health and wellbeing and can cause chronic illnesses and result in early death. Plock Court is going to the only entrance to all of these facilities and yet we are not being offered any buffer. The council hedge at the rear of our gardens is in poor condition and is practically bare from October to May inclusive and is no screen from noise and air pollution. Scientific studies have advised people not to loiter at traffic lights. What respite do we have from a significant increase and frequency of traffic at the front and particularly the rear of our properties, where it is expected that people spend a large part of their lives working, playing, entertaining and relaxing. This will be very intrusive into our daily lives and have serious health implications without adequate screening,

6. Events

There has been 3 events this year where the police have been informed about ensuing traffic delays, congestion and obstruction, which would make it difficult for the 999 services to attend residents in Plock Court.

A university of Gloucester cross country event on 7 February 2016 resulted in 45 minute traffic delays and joggers running up and down Plock Court and the access road to warm up causing problems for motorists. An official was 30 minutes late and asked to park outside my house, as he could not access the tennis centre to park, He informed me that all participating universities were informed there was no parking in the vicinity. This was not adhered to. The problem was exasperated by people being dropped off and vehicles trying to exit against the volume of incoming traffic. The field was left littered with rubbish and the broken frame of a gazebo. Yellow uni tape and general rubbish was in the brook, which seeing that the field was flooded from 7 Feb - till 13 Feb and I have pictures of scum in the water and on the field. The field was so churned up by the runners that it took 6 months to recover.

A Big health check and Social Care day incorporating a special Olympics, organised specifically for people with learning disabilities resulted in two cyclists narrowly missing being knocked over by a speeding motorist taking a right hand bend, on the opposite side of the road. I spoke to a steward who took my name and address, but I received no response to my concerns. I was informed that they tried to marshall the plock Court entrance the previous year, but it just resulted in traffic delays. They said everyone would be arriving

and leaving at the same time and turning left to exit onto Tewkesbury Road. They failed to factor in that taxis and mini buses were dropping people off and turning against the flow incoming traffic causing obstruction etc. They also did not factor in that Jo public would be using the sports field and that vulnerable people with learning impairments and physical handicaps were weaving in and out of the traffic. They were expecting 1000 cars and they were being marshalled outside the Tennis Centre to stop them blocking the area by The Gala Club barrier. They were being parked on the Oxstalls school site, yet they had to access and egress through Plock Court, Why could they not use the school entrance.

We have had to endure a sports beat festival for 3 years with the ensuing traffic chaos, with traffic consisting of cars hgvs, taxis, service and catering vehicles and fun fare lorries travelling in 14 different directions mingling with pedestrians, cyclists, walkers, joggers young children and families, and drunken festival goers, falling about drunk into incoming traffic in the dark, with no marshalling or speed restrictions or notices of traffic or lessons learnt from the previous years. Again parking was encouraged on the school site to boost the coffers, despite the traffic chaos caused. I have videos of cars driving on pavements, and speeding and causing obstruction to verify.

I find it odd that the stage, each year, has to face our homes which are nearest to the event. We don't hear the music like they do in Kingsholm/Oxstalls/ Longford/Armscroft and other parts of Longlevens. We just hear a noise distortion and vibration which sends our animals mental. I close the windows and turn the volume of the telly up to 30 from 18 and still hear the boom boom during a 11 hour period for two days, which affects my heart rhythm. Apparently this intrusion of noise is not acceptable, according to your noise evaluation report, but is acceptable to the council, and organisers, despite protestations, they allow the event to continue and wish to grow the event in size. The organisers have informed many residents that the council told them not to discuss the organisation and impact of the event with residents, as we will only complain. It would not be acceptable to others if they had to endure the parking obstructions and distorted noise.

7. Parking

It would be detrimental to Joe Public if they have to pay to park or cannot park as spaces used by university staff, students, and visitors or hospital workers or rugby fans. It seems that all facilities are at the bottom half of the field, and yet all parking has to accessed through a road travelling over half the length of the field, that is identified as being in the highest zone for flood risk. Plock Court playing field is a Public Utility area to be enjoyed by Jo Public and to deny accessibility is against the spirit of the status endowed on it by Queen Elizabeth.

8. Bus services

Out of a long list of bus services mentioned the only relevant bus service along Tewkesbury Road is the 97/98 bus that runs alternatively every half hour and after 1940 there is a bus at 2130 and then 2305 on Mon - Sat. The Sunday service is hourly and finishes approx. The 71 Tewkesbury bus is

hourly and the last bus is at 1815. There is no Sunday service. The 97/98 bus is so full that it often is unable to take buggies, mobility aids or wheelchairs leaving bus users stranded with no guarantee that they will catch the next bus or make the return journey. I queried with uni staff why provide more parking as I worked for 30 years and raised 3 children and was not entitled to a parking space at work. She informed me that if they did not provide car parking people would not use the facilities.

9. Flooding

Despite the environment agency flood reports I can verify with pictures that the field floods in different areas to encompass the whole field to include where football pitches are being proposed. I have written on numerous occasions to my local councillors and MP to no avail. The field and road have been flooded yearly since 2007 and recently on 14 Feb 14 when Tewkesbury road was closed. I have pictures of the access road flooded on 14/10/14, 8, 9 and 10/2/16, 20/2/16, 28/3/16 and 10/9/16.

The road will either be repeatedly flooded, bearing in mind the 3000+ houses being built in the vicinity and the proposed expansion of The Longford Inn and the UOG planning proposals or access will be difficult, hazardous and time consuming which could have serious risks for the success of the development and the standing of the University. When I visited the UOG on 6/9/16 3 different people raised issues re flooding concerns. Flooding or being at risk of flooding is detrimental to the health and well being of residents so I found it quite insightful when a uni representative said everyone flooded in 2007 and I find that quite insulting and dismissive of my concerns.

I have warned you of the dangers and if you do not heed them it will leave you very vulnerable when the Health and Safety Executive have to be involved and they become aware that you were informed of the serious health and safety implications of this development.

Another university could study the impact of this planning application on residents health and wellbeing.

The above is based on my daily experiences of living at Plock Court and using the playing field.

- 5.3 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting.

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=16/01012/REM>

6.0 **OFFICER OPINION**

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

- Design
- Traffic and transport
- Residential amenity

6.2 The principle of the development has already been agreed by the outline permission, restricted by certain conditions. Given the scale of development and limited scope for relocation of the buildings, the development was assessed in some detail at the outline stage. There are no concerns raised by this detailed scheme in respect of local plan designations, ecology, archaeology or land contamination that are not already addressed by conditions of the outline consent.

Design

6.3 The layout works functionally within the space available, with the new layout providing easier access from the sports hall to both pitches than that indicated in the outline masterplan. The main design issues are considered to be with the vertical structures – the fences and floodlighting.

6.4 The ball stop fencing/netting is substantial, in parts of the site up to 6.5m, however it is by its nature of a lesser impact than a solid screen and is considered acceptable in this context with the green colour to the mesh fence assisting its appearance.

6.5 The 2.6m acoustic fence is likely to present a substantial hard edge to the scheme and it is welcome that it is not required to the western edge at the fields of the Bishops College site. It is likely to form the edge of a residential development to the south, should that scheme proceed, and while larger than most it is considered acceptable as a boundary division in that context. At the eastern edge the fence returns along part of the boundary with the allotments. The University has now reduced the length of this to the minimum necessary and set it in slightly from the boundary, which I hope will allow the retention of most if not all of the boundary hedge. In this context it is considered acceptable.

6.6 The final major vertical element is the floodlights. There are a range of other lights and vertical structures in the vicinity including lights at the Plock Court artificial pitch, the Bishops College MUGA, the Bishops College north eastern ruby pitch, the Gala Wilton pitch, as well as the rugby posts and wind turbine on the college fields. The proposals would increase the number of floodlights on the land but given the scale and context would not be objectionable on design or landscape impact grounds.

6.7 There are also some levels changes proposed, reduced up to around 1m in the southern part of the football pitch and raised up to around 0.6m in the northern part. The rugby pitch area is cut and filled to a lesser extent, around 0.65m reduced at the southern side and 0.3m raised at the northern side. It is not considered that this is problematic in the context. The residential scheme to south can be designed in this context and it is unlikely to create harmful relationships to this adjacent site.

6.8 The proposals would comply with the above cited policy context in design terms.

Traffic and transport

- 6.9 The principle of the development has already been determined to be acceptable in terms of traffic generation, and the outline permission decision addressed many of the issues raised in the resident's comments.
- 6.10 The pitches would utilise the car park proposed in the other reserved matters application ref. 16/00945/REM.
- 6.11 The applicants have provided indicative details of construction traffic arrangements given Officers' concerns regarding the use of the access road in front of the tennis centre. A construction method statement is required already under the outline condition, but the indicative arrangements give some comfort as to the proposals, which will ultimately be drawn up in detail by their principal contractor. They consider there are plenty of systems in place now for traffic management and a competent contractor should be able to deliver this. They also propose that the strategy will be agreed with the tennis centre directly. Their current strategy includes management of the existing access road for large vehicle movements to avoid blockages, a vehicle holding area before the new access road, a traffic control point at the start of the new road, a speed limit, hoarding to restrict ad hoc pedestrian crossing of the new access road and a secure gate to the entrance of the site immediately east of the tennis centre, where the site compound is proposed. This is suggested to be the minimum expectation to ensure pedestrian and vehicular safety.
- 6.12 The Highway Authority's comments have not yet been received however the principle of development in this general arrangement has been accepted. Further conditions requiring details may be necessary depending on the Highway Authority's observations.

Residential amenity

- 6.13 The nearest existing residential properties would be around 140m to the west and to the north east, 110m to the south, and in addition there is a resolution from Committee to grant outline permission for residential development of the former Bishops College campus immediately to the south/west.
- 6.14 The floodlights proposed are 15m high with light fixtures mounted at the top. They are designed to provide the required light levels and uniformity for different types of play, and can be programmed to individual sections of the pitches for economical use and not to unnecessarily over-illuminate other parts of the pitch. The 15m height is required to allow all luminaires to be mounted as close to the horizontal plane as possible to give low vertical overspill and good uniformity to the surface, and help avoiding sky glow (higher masts would necessitate more intensive lighting, lower masts would necessitate a higher aiming angle). Control switches and time clocks would be installed to ensure they do not remain on later than that permitted (the outline permission requires their use ceases by 10pm).
- 6.15 The application was accompanied by a range of light spill information. We have commissioned a lighting consultant to review the impact of the floodlights. There are ongoing discussions about the technical aspects of the

lights and Members will be updated on progress at the Committee meeting. If it is accepted as satisfactory I recommend the specification is secured by condition.

- 6.16 The outline permission requires a noise barrier to deal with impacts of this part of the development. A noise report has been submitted alongside this application and details of the barrier's specification and location. It is required to preserve acceptable noise limits for existing and future neighbouring residents on the basis of a 'worst case' scenario of matches taking place on both pitches and a large attendance. Although the grandstands are not part of this reserved matters application they have outline permission and could be applied for in future. I consider it sensible to provide mitigation for this eventuality if it can be demonstrated to be acceptable in other planning terms. The pitch layout has been amended since the assessment made at the outline stage, and the noise report has been updated to suit.
- 6.17 A specification has been confirmed for the 2.6m high acoustic fence that has been agreed by the Environmental Protection Officer. The Officer has also agreed its extent - the applicant has confirmed that the noise fence is not required to the western perimeter due to the orientation to the proposed residential scheme on the college site and the distance to the existing houses. It is required for a stretch up the eastern boundary next to the allotments to reduce the risk of flanking impact to the residential scheme proposed to the south. The southern boundary is currently to the college grounds and is likely to be to residential properties if that scheme goes ahead. It would not lead to an unacceptable living environment for future residents. The implementation and maintenance of the noise fence are required by Condition 20 of the outline permission but I recommend that the extent and specification now agreed in detail are specified in conditions of this approval.
- 6.18 In relation to the other amenity issues raised by the objector, again the principle of development has been agreed and the reserved matters scheme demonstrates the detail to preserve the amenities of residents. Other conditions are in place on the outline permission to protect amenity such as hours of construction and construction management, and the times of use of the floodlights and pitches.
- 6.19 If the floodlight impact is accepted as being satisfactory, as is proposed by the applicants, then the proposals comply with the above cited policy context in respect of residential amenity, subject to certain conditions.
- 6.20 Finally, in respect of the flooding issues raised by the objector, these were considered at the outline stage and the principle of development has been agreed. The LLFA and Drainage Officer are content with the layout and will need to approve the detailed drainage scheme under condition. The LLFA conditions are not necessary as they are addressed by the outline permission.

7.0 CONCLUSION

- 7.1 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.
- 7.2 The scheme complies with the outline permission, and subject to several further conditions to secure specific details, is considered acceptable in terms of design and noise impacts, and raises no new concerns that are not already assessed and addressed by conditions of the outline permission other than potentially the outstanding matters of highways and floodlighting impacts, in relation to which the principle of development is agreed. If the Highway Authority and lighting consultant ultimately raise no objection, subject to any necessary conditions, the proposal would comply with the above cited policy context.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

- 8.1 That subject to there being no objections from the Highway Authority or the Council's lighting consultant that cannot be resolved by conditions, reserved matters approval is given subject to the following conditions and any further conditions necessary as a result of those outstanding responses;

Condition

The development shall be undertaken in accordance with the plans referenced

04 Rev. 04 – Proposed AGPs Plan (*incorrect revision noted on the plan title)

05 Rev. 03 – Proposed elevations

(received by the Local Planning Authority 11th October 2016)

09 Rev. 00 – Proposed formation levels

10 Rev. 00 – Proposed finished levels

(received by the Local Planning Authority 12th August 2016)

(Specification of floodlight details as necessary)

except where otherwise required by conditions of this approval.

Reason

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

Condition

This approval relates solely to the pitches, floodlights, noise fence and associated infrastructure and not to the land shown hatched on plan ref. 04 Rev. 04 Proposed AGPs Plan.

Reason

To clarify the terms of this approval.

Condition

The acoustic fence shall be constructed to the extent shown on the approved plans and shall be the 'Jacksons 12K Acoustic EnviroFence' unless an alternative specification is submitted to and agreed in writing by the Local Planning Authority.

Reason

To safeguard the amenities of existing and future residents of the area in accordance with Policies FRP.10 FRP.11 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD15 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014 and Paragraphs 17, 109, 120 and 123 of the National Planning Policy Framework.

Condition

No building shall be occupied until a SuDS maintenance plan for all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SuDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions and shall operate for the lifetime of the development.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Policies FRP.1a, FRP.6, FRP.11 of the City of Gloucester Second Deposit Local Plan 2002 Policy INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014 and Paragraph 103 of the NPPF.

Any conditions necessary in respect of highways issues.

Decision:

Notes:

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Person to contact: Adam Smith
(Tel: 396702)

16/01012/REM

University Of Gloucestershire
Oxstalls Lane
Gloucester
GL2 9HW
Planning Committee 01.11.2016

