

LATE MATERIAL (APPLICATIONS FOR DETERMINATION)

PLANNING COMMITTEE: 1ST NOVEMBER 2016

ITEM 5 – PLOCK COURT / FORMER BISHOPS COLLEGE PLAYING FIELDS - 16/00945/REM

Additional representation

The second consultation period referred to in the original Officer recommendation has now finished. One additional representation has been received since submission of the Committee Report and is copied in below. This does not raise any new issues.

Outstanding consultation response

Unfortunately the Highway Authority has still not yet commented although I expect them to. The provision in the Officer recommendation to deal with this must therefore remain.

Amended plan

A plan has been submitted that is more accurate as to the relationship of the pavilion to the surrounding levels, and can be added to the approved plans condition, if granted.

Amended recommendation of the Head of Planning

That subject to there being no objections from the Highway Authority that cannot be resolved by conditions, reserved matters approval is given subject to the conditions in the Committee Report, the following amended condition and any further conditions necessary as a result of the outstanding consultee response:

Condition

The development shall be undertaken in accordance with the plans referenced

Proposed site plan UOG-GDA-V1-ZZ-DR-A-05_20-9002 Rev. P08 received by the Local Planning Authority on 10th October 2016.

Sports hall GA elevations UOG-GDA-V1-ZZ-DR-A-05_20-0003 Rev. P01 received by the Local Planning Authority on 2nd August 2016.

Sports hall Proposed GA Plan UOG-GDA-V1-00-DR-A-05_20-0001 Rev. P04 received by the Local Planning Authority on 2nd August 2016.

Sports hall Proposed roof plan UOG-GDA-V1-R1-DR-A-05_20-0001 Rev. P04 received by the Local Planning Authority on 2nd August 2016.

Sports hall GA Sections UOG-GDA-V1-ZZ-DR-A-05_20-0004 Rev. P01 received by the Local Planning Authority on 2nd August 2016.

Cricket pavilion – GA Plan UOG-GDA-V2-00-DR-A-05_20-0001 Rev. P01 received by the Local Planning Authority on 2nd August 2016.

Cricket pavilion – GA Elevations UOG-GDA-V3-ZZ-DR-A-05_20-0003 Rev. P04 received by the Local Planning Authority on 31st October 2016.

Cricket pavilion – GA Sections UOG-GDA-V2-ZZ-DR-A-05_20-0003 Rev. P01 received by the Local Planning Authority on 2nd August 2016.

Landscape context - 150/101 Rev. C received by the Local Planning Authority on 10th October 2016.

Landscape GA 150/102 Rev. D received by the Local Planning Authority on 10th October 2016.

Sports centre plant schedule Rev. C received by the Local Planning Authority on 10th October 2016.

* (Any additional plans agreed by the Highway Authority)

except where otherwise required by conditions of this approval.

Reason

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

* ANY ADDITIONAL HIGHWAYS CONDITIONS

Text of the additional representation

Further to your letter dated 11 October I wish to lodge the following objection to the above to run along my original objection.

I have tried several times to access the application online to no avail and send this e mail to ensure I beat the deadline of 14 days from 11 October 2106.

I object to the amended layout as a neighbour and also a pedestrian user of Plock Court playing fields for the following health and safety reasons.

1. The amended plan confirms my health and safety concerns that the existing access way cannot safely accommodate the passage of two large cars as it is seeking to slightly widen the road in parts, and use road marking to give way to oncoming traffic. However there are still parts of the existing road that cannot be widened, as bound by a boundary hedge to one side and trees to the other. A large lorry or coach needs the full width of this narrow road to access and egress Oxstalls Sports Park. By asking vehicles to give way to oncoming traffic, will be even more dangerous, as it will cause tailbacks of queuing traffic which will simply cause more congestion and obstruction, as cars have nowhere to go . Cars already routinely mount and drive along pavements to avoid the ensuing congestion and this will worsen as frustrated drivers will not be prepared to queue and wait. More queuing equates to more pollution and residents of Plock Court whose gardens back onto the existing access way are being offered no buffer from the more volume and frequency of traffic, particularly heavy goods and service lorries, mini buses and coaches.

2. As the existing access way is a private road on land owned by Gloucester Council it does not have to adhere to the exacting standards of a conventional highway. The fact that it is referred to as the existing access way shows it is not a proper road, as it has no name. The Highway code states that motorists should give cyclists at least the same space as vehicles when overtaking. As it is impossible for two large vehicles to pass safely let alone give space to a cyclist. Many cyclists use the existing access road as they cross Plock Court playing field from Longford lane to access Tewkesbury Road and visa versa. In my previous objection I outlined a near miss, involving a car and two cyclists, which I reported to stewards marshalling an event at The Oxstalls Sports Park. Enlarging the existing facilities to include more weatherproof pitches, an additional sports hall and a spectator stand and parking for an

additional 150 cars will increase the risk of a serious or fatal accident, when I already witness many near misses.

3. The lighting is poor on the existing access way and many of the lights are broken and do not get replaced.

3. More national events, as proposed by the University means more coaches or mini buses, for which this existing access way is not suitable. Taxis are hazardous as they drive to events, drop off or pick up and then drive against the incoming or outgoing traffic causing congestion and obstruction dangerous to other vehicles. Major National events will impact on residents at Plock Court, Fairmile Gardens and Gambier Parry Gardens, as just one football match with spectators breach the accepted noise limits and multiple simultaneous sports over the duration of a day, with many spectators, will exceed the acceptable noise regulations. This is a particular problem for homes that back onto the playing fields as all parts of the field are used for major events, and as the noise regulations state these residents have quiet area to avoid the noise intrusion as they hear the noise in the front and back of their homes also their gardens. .

4. The new plan will not alleviate but add to traffic parking in Plock Court outside residents homes, because users to avoid having to negotiate this dangerous existing access way and have to queue to go to and leave the Tennis Centre. and although not illegal, inconsiderate drivers park on pavements causes obstruction to residents trying to egress and access their properties, and pedestrians are being blindly forced into the road, between parked cars into the path of vehicles is dangerous. Parked cars means there is no room for manoeuvre for other traffic in this narrow cul de sac and drivers are forced to turn on residents drive, which as previously stated, is again is an accident in the making waiting to happen.

3. On the existing access way there is always lots of debris from leaves to branches to flood water in the kerbs, as drains are not adequately maintained and cannot cope with a even a localised heavy shower, as the existing water table for this area is high and the water has no where to drain to.

4. The road floods every time it rains. Permitted developments of 3000+ homes on surrounding land that floods, and the vast University of Gloucester plans to develop at Plock Court will exasperate the problem. Flood assessments must have been acquired when The Oxstalls campus and the extension to the Winfield hospital were submitted for approval and yet still flooded. The Council has a duty of care and to increase the risk of flooding to residential properties is in breach of residents Human Rights Act. Plock Court field used to flood in just one corner near the northern road bypass and the wetlands area was properly irrigated and used by local schools and clubs for sports purposes. It is now synonymous with flooding because planning has been granted to developments on neighbouring land that has a previous history of flooding and the building of the tip and southern bypass. It is time that the council, developers and planners looked at the wider issues of what developments cause for the wider community. Is this the reason why it is now called Oxstalls sports park which is very confusing as the access is not through Oxstalls.

4. I have spoken to several duty managers at The Oxstalls sports centre about speeding and litter to be told that 'Boy racer', 'Jeremy Kyle', 'White van man' mentality means that existing signage is not adhered to and additional signage will be ignored. The fact that Oxstalls Sports park pays cleaner to litter pick the artificial pitches proves that as the staff say users have no regard to the law in respect of litter and speed. As previously stated this narrow poorly lit road with several blind bends with vehicles showing no regard speed restrictions is an accident waiting to happen.

5. The revised plan does not address that the junction from the existing access way into Plock Court road is not wide for two large vehicles to pass and a coach or large delivery lorry takes the whole width to turn as they are turning into a narrow cul de sac. Again vehicles cause congestion by blocking this junction, rather than queue, meaning residents are denied access and egress to their properties. A 999 emergency vehicle would not be able to access residents homes. Does a vulnerable elderly or disabled person or a young baby or infant have to die or suffer life changing injuries to prove this point.

6. The revised plan does not address that Plock Court to Tewkesbury Road junction is not wide enough to allow traffic to turn left or right and cars turning left routinely mount and drive along the pavement to turn left, which is highly dangerous to pedestrians, young children and dogs blindly turning the corner.

7. The revised plan does not address that if cars do queue they tail back and block the entrance through the barrier stopping traffic from entering into the access way and consequently causes a tailback from Tewkesbury road to the Tennis centre. This is dangerous for cars coming of the Tewkesbury Road as if it leaves no room for another car to join the tailback of cars, especially when cars speed along the Tewkesbury road as there is insufficient policing.

As previously stated the existing access way is already dangerous and an accident is waiting to happen, and this will happen if this bottleneck of a route has to deal with all the extra traffic resulting from the university of Gloucestershires plans, coupled with the general increase of traffic along the Tewkesbury road from the 3000+ houses to be built locally as well as at The Civil Service Club and the former Oxstalls school site. As with the findings of the enquiry into The Shoreham Air show disaster 'does a tragedy have to occur to bring about proper regulations.'

How will this reflect on The creditability of the university and the City, planners and councillors when they have been informed of what I witness on a daily basis, as a resident and user of Plock Court playing fields, of which such incidents have been witnessed and recorded by PCSO's and the Police. It is shameful that University staff tell us to speak to councillors, and councillors tell us to raise concerns with the University. To be told that this development is good for the economy and the city is not acceptable when health and safety issues are being ignored.

As previously stated I have photographic evidence of many incidents putting the public using these public amenity areas at risk

Again I reiterate that the Health and Safety Executive and lawyers will view dimly that health and safety issues have not been properly addressed and that A university is prepared to acknowledge the health and safety implications of noise and air pollution and the risk of flooding has on the quality of local residents health and wellbeing.

I propose that either:

A. a road is made from the northern bypass, by the garage, to the development is considered or

B. A road from the northern bypass, by the garage to the adjoin field is considered and a car park is made in that field, and people walk over the bridge along a path to the development or

C. The existing track that runs from Escourt Road alongside the existing allotments to Plock Court is considered. This track is already wider in parts than the above mentioned existing

access way. If the scrub land is cleared it will definitely be wider and straighter. The car park could be situated in the corner of Plock Court which would have the allotments behind the Oxstalls campus and parallel to The Escourt close allotments. As all of the new proposed developments are in this half of the field it makes more sense to have the car park this end of the playing field. A footpath, already proposed will link the development. By converting the existing track this will save building an extension to the existing access way which will cover practically 3/4s of the playing field. The track is not a safe and suitable access for students to use when it is dark and by adapting the traffic this will give a better linkage to both the Oxstalls campus and the new campus on Debenhams sports ground.

The car park could be used dually by students, uni staff and visitors during the day, addressing the concerns of Oxstalls residents regarding street parking. It could be used at night and weekends by the general public when they tend to use the sporting facilities. Putting the entrance and car park this end of the Plock Court playing field will mean that it could be better accessed by students and residents of Cheltenham and Gloucester as the bus routes 94/10 are more frequent and quicker than the hourly bus routes along the Tewkesbury Road.

Pedestrians and cyclists could be directed to using the entrance through The new campus on the Debenhams ground or the new pathway through the new housing development at Oxstalls school, keeping cars, pedestrians and cyclists apart. The pavement along Escourt road has a grass verge and could easily be used as a cyclist lane.

The present car park at the Tennis centre could be converted for multi functional hard court sport i.e. netball, basketball, skate park etc. etc. Entrance through Plock Court would be just for the dog walkers car park and the barrier would be closed at dusk to prevent anti social behaviour resulting in litter and ensuing rats and people not feeling safe using that entrance.

The only problem with suggestion C is that the access way from the track onto Escourt Road is too narrow. Therefore traffic lights could be installed or instead of turning right from the existing track the road extends straight onto the university land and a new entrance is made, wide enough to allow access and left and right lane exit onto Escourt road. This area of land is not currently used by the University and is simply part of their grounds surrounding the Oxstalls campus. Escourt road is a dual carriageway with side roads that are two lanes wide, so can easily accommodate the access and egress of traffic onto it. This would alleviate the proposed new road spoiling the peaceful enjoyment of Plock Court playing fields, where consideration as to be made to dogs and young children freely using the playing field, and provide a road and parking away from residents homes. The pattern of events means there is either no traffic or too much traffic trying to travel in two directions at one time and the noise and air pollution is detrimental to both residents and users of the playing field, when vehicles are queuing to access and egress the facilities. The amended plan asking vehicles to give way will cause more queuing and pollution.

Just to clarify in my proposal C that the track runs parallel to the allotments and the Debenhams sports ground.

ITEM 6 – PLOCK COURT / FORMER BISHOPS COLLEGE PLAYING FIELDS - 16/01012/REM

Additional information / consultation responses

The Council's appointed lighting consultant has reviewed the technical information provided by the applicants.

A number of sensitive receptors have been identified based on those residential properties that are closest and most likely to experience adverse effects. These include some proposed residential properties on the Bishops College site. The modelled results meet the requirements of the relevant guidance other than in one instance where the levels are slightly high. This is for light intrusion into windows and is in relation to one of the houses shown on a draft layout of the proposed residential scheme on the college grounds. The modelled level is 10.9 lux in the corner of the house, where the guidance is 10.0 lux. The consultant considers that this is not significant. There is unlikely to be a significant window here. The receptor location is based on an indicative housing layout and there are numerous potential mitigations including adjustment of window location or planting on the boundary. Furthermore I am advised that the value of 10.9 lux would deteriorate with time and also the difference between 9.9 (within the guidance) and 10.9 lux (as modelled) would not normally be detected by the human eye. The values for every other sensitive receptor meet the requirements. Overall the consultant concludes that the lighting design demonstrates best practice and provides an acceptable solution for obtrusive light.

Conditions are considered necessary to specify the floodlight post in the list of approved plans, to require a post-installation test, and to require a lighting maintenance and management plan.

The Highway Authority has unfortunately still not yet responded. The provision in the Officer recommendation to deal with their comments therefore must remain.

Revised recommendations of the Head of Planning

That subject to there being no objections from the Highway Authority that cannot be resolved by conditions, reserved matters approval is given subject to the conditions in the Committee Report, the additional/amended conditions listed below and any further conditions necessary as a result of the outstanding consultee response;

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)

Drg. No. CC6081 15m flanged Amaru² mid hinged column received by the Local Planning Authority 12th August 2016

except where otherwise required by conditions of this approval.

Reason

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

Condition

Prior to first use of the floodlights for a sports match or training session a post-installation test of the floodlights shall be undertaken with light level measurements taken by a competent independent lighting engineer to verify that obtrusive light meets the requirements of the Institution of Lighting Professionals (ILP) Guidance, and a report of that test shall be provided in writing to the Local Planning Authority. The test shall be undertaken for the full set of floodlights if installed concurrently, or if the floodlights for the two pitches are installed in phases for each phase of installation with each subsequent test assessing the total effect of all floodlights installed to that date. If that report shows that the light level measurements do not meet the requirements of the ILP Guidance over and above that agreed by the Local Planning Authority at the reserved matters approval stage, then mitigation and/or correction measures shall be submitted to and agreed to in writing by the Local Planning Authority and subsequently implemented in full and maintained. The floodlights shall not be used for a sports match or training session until either the Local Planning Authority has agreed in writing that the post-installation test is acceptable (in full or in phases), or the approved mitigation and/or correction measures have been installed in full.

Reason

To protect the residential amenities of residents of properties in the locality in accordance with policies FRP.9, FRP.11 and SR.3 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17 and 120 of the NPPF.

Condition

Prior to first use of the floodlights for a sports match or training session a lighting maintenance and management plan shall be submitted to and approved in writing by the Local Planning Authority. The floodlighting shall be operated in accordance with the approved lighting maintenance and management plan at all times.

Reason

To protect the residential amenities of residents of properties in the locality by ensuring the continued good maintenance of the equipment and its use only when required, in accordance with policies FRP.9, FRP.11 and SR.3 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17 and 120 of the NPPF.

* ANY ADDITIONAL HIGHWAYS CONDITIONS

ITEM 7 – 95 GRANGE ROAD - 16/00153/FUL

Legal Advice

We have now received advice from One Legal in relation to the Japanese Knotweed. They consider that it would be appropriate to attach a condition requiring a method statement, to be submitted before development commences, for the removal/eradication of the Japanese Knotweed from the site and that the agreed works are thereafter undertaken.

Additional Representations

Mr Handcock

My wife and myself strongly object to the planning proposal of a new imposing property very close to our property at 95 Grange Road

The plans show that the proposed building is right up to our boundary fence, which will greatly reduce the light in a big way to our house and garden. Also the plans of the building which we have all considered shows that the proposed plans would be squeezed into a very small tight area for both the occupants of 95 and 95a if the proposed plans go ahead. It will very greatly reduce the lighting and open aspect of the surrounding properties. In addition the plans show a window in the gable of the proposed building, obviously whoever drew up the plans never realised how intrusive it would be to us looking straight in to my kitchen.[Photos inc]

The boundary fence which belongs to myself and Mr Steve Corner 93a and Mr L Williams 93b which runs up our drive between 93 and 95 will be so closed to the proposed plans we are very concerned what will happen to it with the plans so close. I have been informed that the [1996 Party Wall Act]

clearly states that written forms describing the proposed development should be sent to the owners of the party wall {in this instance the fence}, neither of us have heard anything in writing, verbally from the owner whatsoever. nothing to date what so ever.[party land deeds inc].

The parking issue is a very strong objection from myself neighbours front and back which I'm sure they have objected to in letters to you. Access and leaving our drive will be more hazardous and dangerous for ourselves as 93 93a and 93b access and leave this drive. To imply and show on the plans parking for 3 cars is simply ridiculous. If yourself and the Highways Dept were to visit the actual site I'm sure you would agree with us. It looks good on the plans.

The encroaching Japanese Knotweed that I have been aware of for a long time in the garden of 95 has been seen growing in our drive both by myself and neighbours at 93a and 93b they are aware of this but we have not heard from the owner of 95 once again, what the outcome of it will be. We are quite concerned and want to know if the correct procedure will be carried out to eradicate this troublesome weed

And finally I would like to comment on the issues you received from Mr Mat Wilson and Miss Emma Levy saying that they don't have an issue with the parking and proposed plans, of course they don't

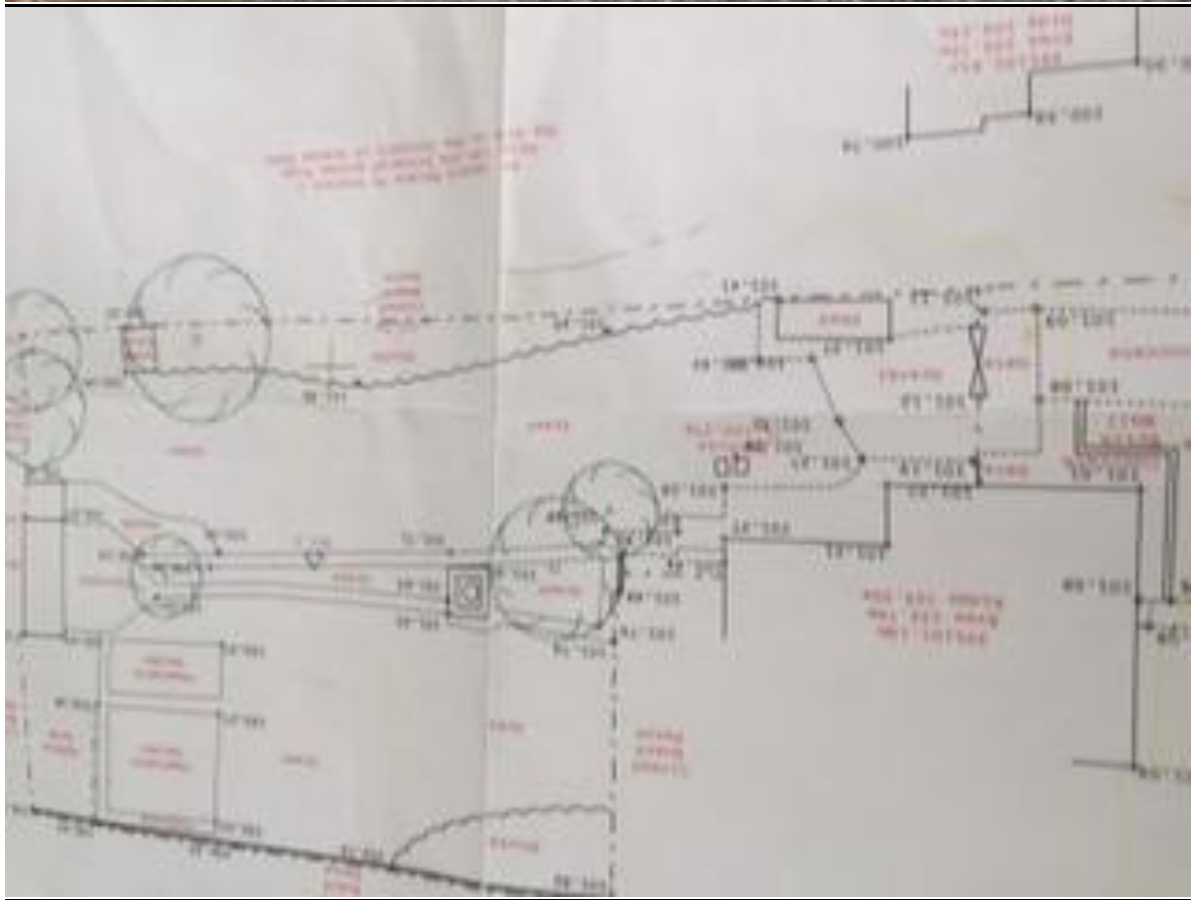
they have only recently just moved into the property and are renting no 95.

You can see the parking outside no 95 grange road also how close the car is to the access of there drive for myself and 93a and 93b.

How can the proposed plans and the Highways dept say there is ample parking for 3 more cars I would like them to tell me if possible. 95 are blocking our access in or out already.

Highways department say there is ample parking for 3 more cars I would like them to tell me if possible.







Mr K Mason

"Site is way too small for what is proposed to be a new 3 bedroom property, even knocking down the side porch / bathroom of No 95 wouldn't make the site big enough for the new build. In fact knocking down the porch / bathroom to No 95 indicates that No 95 itself will have further development in the future to not only put a bathroom back in it but more than likely further extension.

The Japanese knotweed issue has yet to be rectified fully and adequately.

The flaky, virtually pointless comments by the Highways agency indicates that they have no concept of how busy and congested this section of road gets during the day, or how much more worse it will become should the site get approval.

Myself and most of the neighbours have had 'near miss' incidents when getting off driveways on to or off of Grange rd so how creating two separate driveways for 3 cars to park will improve things is beyond my understanding of sensible. "

I do not see any significant, material changes to the plans other than a velux window at rear and the 'porch' being removed. These changes do not alter my view that the site is not of sufficient size to accommodate the proposed property with vehicle parking and turning space. I therefore object to the proposal and ask you take into account my previous comments made on 29 March 2016 (copied below in italics).

I do accept that the applicant has now acknowledged the Japanese Knotweed problem and states plans are in place to address this.

L Williams

Should permission be granted I would ask that suitably robust and enforceable conditions be in place to ensure a build quality and finish of the highest standard (in keeping with surrounding properties). Also that such conditions are imposed to ensure resolution of all concerns raised by myself and other local residents in relation to:

- impact on light, privacy / intrusiveness on neighbours
- impact on road safety and congestion – restricting visibility and space for other road users
- impingement on party wall / boundary & services damage
- potential amenity impact and property damage during site preparation, material delivery and construction phases.

L Mckissick

The objections are now on the website but the comments are still unreadable.

Please add to the objections a suggestion to the planning department and to Highways after reading how they see no issue with the parking for this new build and Grange Road.

The suggestion is that the site is measured, only then will any common sense prevail. The site is too small for the proposed development and there is not enough space for the parking for 3 cars. Stop just using the plans sent in. Get out there and measure it properly!

Amended Recommendation

To Grant planning permission with conditions to be delegated to the Head of Planning but to include

1. Commence development within 3 years.
2. Development in accordance with the approved plans.
3. Hours of construction and delivery
4. No additional windows within the elevations at first floor level or roof slope.
5. Obscure glazing to the side first floor windows as detailed on the plans..
6. Method statement (and implementation) for dealing with the Japanese Knotweed.
7. Sample of building materials.
8. Removal of porch at 95 before occupation of the new dwelling.

9. The building hereby permitted shall not be occupied until the vehicular parking facilities have been provided in accordance with the submitted plan drawing no. 02Rev A,], and those facilities shall be maintained available for those purposes thereafter.

Reason:- To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

10. The vehicular access hereby permitted shall not be brought into use until the area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.
(As may be amended)

Reason:- To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.