



## **PLANNING COMMITTEE**

**MEETING** : Tuesday, 6th December 2016

**PRESENT** : Cllrs. Taylor (Chair), Lewis (Vice-Chair), Lugg, Hanman, Morgan, D. Brown, Dee, Hansdot, Toleman, J. Brown, Fearn and Finnegan

### **Officers in Attendance**

Mella McMahon Development Control Manager

Nick Jonathan, Solicitor, One Legal

Adam Smith, Principal Planning Officer, Major Developments

Caroline Townley, Principal Planning Officer

Tony Wisdom, Democratic Services Officer

**APOLOGIES** : Cllr. Walford

### **78. DECLARATIONS OF INTEREST**

Councillor Toleman declared a personal interest in agenda item 7, Llanthony Wharf as a trustee of the Llanthony Secunda Priory Trust.

### **79. MINUTES**

The minutes of the meeting held on 1 November 2016 were confirmed and signed by the Chair as a correct record.

### **80. LATE MATERIAL**

There was no late material in respect of the agenda items.

### **81. APPLICATION TO POLLARD A PROTECTED BEECH TREE AT 29, TEWKESBURY ROAD**

The Chair advised that this application had been deferred at the applicant's request.

### **82. UNIT 1, MAGNET RETAIL PARK, EASTERN AVENUE - 16/00996/FUL & 16/01011/FUL**

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The Principal Planning Officer presented her report which detailed two applications at Unit 1, Magnet retail Park, Eastern Avenue.

**16/00996/FUL** - Variation of condition 9 on planning permission 98/00353/FUL to allow for the sale of toys, children's sports goods and equipment, bicycles and associated equipment, play equipment, baby equipment and products, electronic games and equipment and other products associated with toys and children's entertainment.

**16/01011/FUL** - Extension of existing mezzanine for the installation of 214.3 square metres of floor space at mezzanine level.

The Vice-Chair was advised that the application was not personal to the applicant but was specific in the nature of goods to be sold. He believed that the application was an indication of how well the City was doing and he was happy to support the extension of the mezzanine floorspace.

Another Member agreed with the Vice-Chair but questioned the period of five years stated in proposed Condition 1. He was advised that the current standard period for such conditions was now three years. Members indicated that they would support the amendment of Condition 1 in both applications to refer to a period of three years.

**RESOLVED that**

**a) 16/00996/FUL**

**Planning permission be granted subject to the conditions in the report with condition 1 being amended to refer to a period of three years.**

**b) 16/01011/FUL**

**Planning permission be granted subject to the conditions in the report with condition 1 being amended to refer to a period of three years.**

**83. LLANTHONY WHARF, ST ANN WAY (GLOUCESTER QUAYS) - 16/00643/FUL**

Councillor Toleman had declared a personal interest in agenda item 7, Llanthony Wharf as a trustee of the Llanthony Secunda Priory Trust and took no part in the voting on this application.

The Principal Planning Officer presented his report which detailed an application for the erection of assisted living extra care accommodation (55 units) (use class C2) and 28 retirement apartments (category II type) (use class C3), access, car parking and landscaping at Llanthony Wharf, St Ann Way (Gloucester Quays).

He reported that the Canal and River Trust had indicated that the sum of £93,000 would cover the cost of surfacing an area of towpath of 168 x 2.5 metres which in

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his opinion would be sufficient to reach the area facing the College site which had been surfaced to a high standard and would create consistency along the towpath.

He also clarified that the Officer recommendation included securing a clause in the S.106 agreement for the developer to make a meaningful start on the development within a limited period, otherwise the viability of the scheme to support policy compliant contributions would be reviewed.

The viability appraisal had indicated that the sum of £124,000 would be affordable and the forty percent affordable housing requirement would not be achievable in this case.

**Lisa Matthewson, agent for the applicant, addressed the Committee in support of the application.**

Ms Matthewson stated that the application had been developed in conjunction with Council Officers. The site was subject to many constraints which had probably prevented previous development.

She stated that application, complied with local and national policies, would provide much needed housing for the elderly and would bring economic benefits, provide employment and would provide £124,000 for towpath improvements and other benefits.

The Vice-Chair welcomed the application which he believed was in keeping and he particularly liked the proposed slope to the Priory. He believed that the majority of S.106 funding should be applied to the towpath and the remainder applied to affordable housing. He believed the scheme to be well thought out and would bring people to the City Centre and the Quays.

The Chair supported the improvements to the towpath which see the completion of another part of the Quays.

Another Member believed that any balance should be allocated for affordable housing and he questioned the provision of parking. He asked that it be looked at again and noted that there was no provision for dedicated disabled parking.

The Principal Planning Officer stated that the applicant had experience of developing many other sites and their analysis had been supported by the Highway Authority. He believed that the applicant may be willing to designate some spaces for disabled use.

The Chair suggested that the Officer discussed designation of disabled spaces with the applicant, but was not convinced about reviewing the number of spaces.

Another Member asked that particular attention be given to dealing with the sharp crossings in the railway turnouts that presented a hazard to pedestrians and cyclists.

A Member questioned pedestrian access to the towpath from the development and suggested that benches be installed.

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The Chair suggested that the benches could be an appropriate use for the Ward Members' allocation.

The Principal Planning Officer advised that pedestrian access to the land to the north of the canalside block had been provided for but a complete link out to the towpath was reliant on crossing land in the ownership of Peel Holdings.

The Vice-Chair suggested routing a path around the common area and was advised that such a route would be very close to a ground floor residential unit.

The Solicitor requested that the Officer's recommendation be amended by deleting the words "and to delegate to the solicitor" in the final sentence as the Council no longer directly employed a solicitor as legal services were provided by One Legal.

**RESOLVED** that planning permission be granted subject to the receipt of plans showing allocation of a suitable number of parking bays for disabled persons, the conditions in the report (With Condition 1 to be amended to reflect a timescale for commencement to relate properly to the 'meaningful commencement of development clause set out in the Section 106 legal agreement) and the satisfactory completion of a section 106 legal agreement (to a total cost of £124,209) of a composition to be agreed following consultation with the Chair and Vice-Chair and to include funds for the implementation of improvement works to the surface of the towpath in the vicinity of the application site including the retention of railway tracks and any balance of funds to be secured for affordable housing projects and the incorporation of such additional provisions in the planning obligation that may be deemed necessary by the Solicitor..

**84. DELEGATED DECISIONS**

Consideration was given to a schedule of applications determined under delegated powers during the month of October 2016.

A Member asked if works had started on application 16/00361/CONDIT. The Development Control Manager undertook to inform the Member of the current position.

The Chair requested that members having any queries regarding the delegated Decisions raised them by e-mail in the first instance as it was likely that the Case Officer would not be in attendance at Committee meetings.

**RESOLVED that the schedule be noted.**

**85. DATE OF NEXT MEETING**

Tuesday, 10, January 2017 at 6.00pm.

**Time of commencement: 6.30 pm**

**Time of conclusion: 7.30 pm**

**Chair**

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