

GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **7TH FEBRUARY 2017**

ADDRESS/LOCATION : **UNIVERSITY OF GLOUCESTERSHIRE,
OXSTALLS LANE**

APPLICATION NO. & WARD : **16/01242/FUL
LONGLEVENS**

EXPIRY DATE : **16TH JANUARY 2017**

APPLICANT : **UNIVERSITY OF GLOUCESTERSHIRE**

PROPOSAL : **Variation of Conditions 54, 57 and 59 of
permission ref. 15/01190/OUT to allow for
the phased provision of car parking and the
phased / amended provision of cycle
parking relating to the phased
implementation of the University business
school**

REPORT BY : **ADAM SMITH**

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

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site encompasses the existing University Campus, the 'Debenhams' playing field at the rear of Estcourt Road and Estcourt Close and the allotment site between, the north east part of the former Bishops College playing fields, the Oxstalls tennis centre, and part of Plock Court playing fields at their southern edge. In practice the focus of this application is the main campus where the business school and its associated parking provision are proposed.
- 1.2 Outline planning permission ref. 15/01190/OUT was granted in 2016. It included conditions relating to the business school to deal with the provision of parking (Condition 54), improvements to the existing 30 overspill spaces (Condition 57) and provision of cycle parking (Condition 59);
- 1.3 The University is now progressing with the business school element of the permission. It is now proposed that it is built out in phases, with an application having been submitted for reserved matters approval for Phase 1 of the business school comprising 5350m² of floorspace. The outline permission

allows for 10,000m. The balance would be delivered as Phase 2, for which a reserved matters application may be submitted in future.

- 1.4 The proposal is to amend these three conditions to reflect the phased implementation of the business school with a corresponding requirement for parking provision, and reduce the level of cycle parking provision, as follows;

Existing Condition 54

The business school building hereby permitted shall not be occupied until space has been laid out within the site for an additional 258 cars (including disabled spaces) to be parked within that phase, and for all vehicles, including emergency and maintenance, to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter.

Reason

To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway 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 Paragraphs 32 and 35 of the National Planning Policy Framework.

The applicant proposes to amend the wording to the following;

Phase I of D2 Land Use/business school building hereby permitted shall not be occupied until space has been laid out within the site for a minimum of an additional 154 cars (including disabled spaces) to be parked within that phase, and for all vehicles, including emergency and maintenance, to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter.

Phase II of D2 Land Use/business school building hereby permitted shall not be occupied until space has been laid out within the site for a total of 288 additional cars (including disabled spaces and spaces provided as part of Phase I) to be parked within that phase, and for all vehicles, including emergency and maintenance, to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter.

Existing Condition 57

Prior to occupation of the Business School hereby permitted the improvements to 30 overspill parking spaces shall be completed and maintained as such thereafter.

Reason

To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway 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 Paragraphs 32 and 35 of the National Planning Policy Framework.

The applicant proposes to amend the wording to the following;

Prior to the occupation of Phase II of the D2 Land Use/Business School hereby permitted, improvements to the existing overspill parking area (to achieve a total of 288 no. spaces in conjunction with Condition 54) shall be completed and maintained as such thereafter.

Existing Condition 59

The development hereby permitted for the Business School shall not be occupied until secure and covered cycle storage facilities for a minimum of an additional 318 bicycles within that phase has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

The applicant proposes to amend the wording to the following;

Phase I of the hereby permitted for the D2 Land use/Business School shall not be occupied until secure and covered cycle storage facilities for a minimum of an additional 78 no. bicycles within that phase has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Phase II of the hereby permitted for the D2 Land use/Business School shall not be occupied until secure and covered cycle storage facilities for a minimum of an additional 68 no. bicycles within that phase has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

- 1.5 The application is referred to the Planning Committee as the extent of the application site includes Council land and representations have been received.

2.0 RELEVANT PLANNING HISTORY

University campus

- 2.1 I understand that a college was first built on the site in around 1955 and expanded in the 1960s and 1980s. Recent planning history comprises the following:

92/01833/OUT

- 2.2 Outline application for the erection of a retail store, petrol filling station, construction of car park with associated landscaping. Refused 16.02.1994 and dismissed at appeal.

- 98/00451/FUL
- 2.3 Demolition of existing buildings, erection of learning centre, sports, science building, provision of car parking, artificial turf pitch & ancillary landscaping. Granted subject to conditions and a s106 to secure an inter-campus bus service and restrict the access to the Oxstalls Lane junction 19.04.1999.
- 00/00467/OUT
- 2.4 Erection of replacement student residences comprising of 5 no. three storey blocks – for a total of 40 bedrooms (Outline application although approval of access and siting sought at this stage). Granted subject to conditions 08.08.2000.
- 00/00766/FUL
- 2.5 Formation of floodlit all weather sports pitch (8 no. 12m high floodlights). Granted subject to conditions 05.07.2001.
- 01/00244/FUL
- 2.6 Erection of replacement student residences comprising 2 no. 2 storey blocks and 5 no. 4 storey blocks and a single storey common room / offices (revised proposal). Granted subject to conditions 03.07.2001.
- 05/00964/FUL
- 2.7 Erection of three storey extension with a two storey link to existing academic building with landscaping and ancillary works. Granted subject to conditions and 106 to provide funds for parking survey and parking zone 17.03.2006.
- 06/00007/FUL
- 2.8 Erection of a two storey extension Sports Science building. Alterations to internal access road and compensatory landscaping. Granted subject to conditions 01.03.2006.
- 14/00882/FUL
- 2.9 Construction of new performing arts centre with link to existing building and provision of replacement car parking spaces. Granted subject to conditions 27.10.14.
- 15/01162/FUL
- 2.10 Installation of mobile floodlights to grass area north of All Weather Pitch. Granted subject to conditions 29.10.15.
- Oxstalls tennis centre*
- 97/00023/OUT
- 2.11 Outline application for construction of tennis centre and replacement changing facilities. (County Council scheme). Granted subject to conditions 21.08.97.
- 99/00174/DCC
- 2.12 Reserved matters for construction of tennis centre and replacement of existing changing facilities. Approved subject to conditions 09.06.99.

- 11/00400/DDD
- 2.13 Erection of 9 no. 10m high lighting columns to outdoor tennis courts. Granted subject to conditions 11.05.11.

Bishops College

- 2.14 It appears from the history as though the school dates from the mid/late 1960s. There have been several proposals to extend and alter the complex.

03/EDP/901/79

- 2.15 Construction of an 'all weather' recreation (football training) area incorporating floodlights and boundary fencing. Granted subject to conditions 15.09.79.

1924305/MLA

- 2.16 Installation of 8 no. floodlighting columns (15m high). Granted subject to conditions 10.08.93.

95/00138/CPO

- 2.17 Erection of sports hall. Granted subject to conditions 4th May 1995.

95/00222/CPO

- 2.18 Extensions to school to provide additional teaching and office accommodation. Granted subject to conditions 18th July 1995.

08/00143/FUL

- 2.19 Erection of a 15 metre high wind turbine with 3 x 2.28m blades. Granted subject to conditions 25th March 2008.

16/00631/OUT

- 2.20 Outline application (with all matters reserved other than means of access) for redevelopment of part of the Former Bishop's College site for residential use creating up to 90 new homes and provision of open space. Pending consideration – endorsed by Planning Committee, awaiting s106 agreement.

Debenhams Playing field

P/689/64

- 2.21 Outline application for use of land for the erection of 10 houses. Refused 16.12.64.

Current University scheme

15/01190/OUT

- 2.22 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 planning permission subject to conditions and a legal agreement 28th July 2016.

16/00945/REM

- 2.23 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). Granted subject to conditions 6th December 2016.

16/01012/REM

- 2.24 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). Granted subject to conditions 6th December 2016.

16/01048/FUL

- 2.25 Variation of condition 42 of permission ref. 15/01190/OUT to alter the timescale for the dismantling of the existing University artificial grass pitch and construction of the proposed new artificial grass pitches at Plock Court/former Bishops College. Pending consideration.

16/01106/REM

- 2.26 Reserved Matters Planning Application (for approval of appearance, landscaping, layout and scale) relating to the provision of the first 5 metres of access road from Estcourt Close, into Debenhams Field, to serve the proposed student accommodation, with associated fencing and temporary gate, and other associated works, pursuant to outline planning permission ref. 15/01190/OUT. Approved 16th December 2016.

16/01241/REM

- 2.27 Application for approval of the reserved matters of appearance, landscaping, layout and scale for the Business School & Growth Hub building, pursuant to outline permission ref 15/01190/OUT, at the University of Gloucestershire, Oxstalls Campus. Pending consideration.

3.0 PLANNING POLICIES

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

Central Government Guidance - National Planning Policy Framework

- 3.2 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 whether the residual cumulative impacts of development are severe.

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 reasonable 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.

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

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 Development Plan

3.3 Section 38 of the Planning and Compulsory Purchase Act 2004 has established that - "The development plan is

(a) The regional spatial strategy for the region in which the area is situated, and

(b) The development plan documents (taken as a whole) which have been adopted or approved in relation to that area.

If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy that is contained in the last document to be adopted, approved or published (as the case may be). If 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."

Local Plan

3.4 The statutory development plan for Gloucester remains the City of Gloucester Local Plan (Adopted 1983 and partially saved until the Local Development Framework is adopted). Under the terms of the NPPF, weight can be given to these policies according to their degree of consistency with the NPPF.

- 3.5 Subsequent to the 1983 plan there has also been the City of Gloucester (Pre-1991 Boundary Extension) Interim Adoption Copy October 1996), and City of Gloucester First Stage Deposit Local Plan (June 2001).
- 3.6 Regard must also be 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.
- 3.7 2002 Plan Policies
- B.7 – Protected species
 - B.8 – Non-identified sites
 - B.10 – Trees and hedgerows on development sites
 - LCA.1 – Development within landscape conservation areas
 - FRP.1a – Development and flood risk
 - FRP.3 – Obstacles in the flood plain
 - FRP.5 – Maintenance of water courses
 - FRP.6 – Surface water runoff
 - 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 of the layout, circulation and landscape of new development
 - BE.5 – Community safety
 - BE.6 – Access for all
 - BE.7 – Architectural design
 - BE.12 – Landscape schemes
 - BE.21 – Safeguarding of amenity
 - BE.31 – Preserving sites of archaeological interest
 - BE.32 – Archaeological assessment
 - BE.33 – Archaeological field evaluation
 - BE.34 – Presumption in favour of preserving archaeology
 - BE.36 – Preservation in situ
 - BE.37 – Recording and preserving archaeology
 - TR.1 – Travel plans and planning applications
 - TR.2 – Travel plans – planning obligations
 - TR.9 – Parking standards
 - TR.10 – Parking provision below the maximum level
 - 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
 - TR.34 – Cyclist safety
 - TR.38 – Public footpaths
 - OS.1 – Protection of public open space

- SR.2 – Playing fields and recreational open space
- SR.3 – Intensive use facilities and floodlighting
- SR.4 – Indoor sports facilities
- SR.5 – Designing for shared use
- A.2 – Protection of allotments

Emerging Plans

- 3.8 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.

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

- 3.9 The following policies in the JCS are of relevance and the plan is subject to representations through the consultation which affects the weight that can be attributed to the policies:

- SD1 – Presumption in favour of sustainable development
- SD5 – Design requirements
- SD9 – Historic environment
- SD15 – Health and environmental quality
- INF1 – Access to the transport network
- INF2 – Safety and efficiency of the transport network

The City Plan is at a very early stage and therefore carries limited weight.

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 The Highway Authority makes the following comments;

I refer to the above application that seeks to vary conditions 54, 57 and 59 of planning permission 15/01190/OUT. Conditions 54 and 57 relate to the provision of vehicle parking spaces relating to the Business School with Condition 59 relating to the provision of cycle parking.

Pre-application discussions have been undertaken by the applicant with both the Local Planning Authority and Local Highway Authority in relation to this application. The original outline conditions referred to above relate to the Business School/Growth Hub (10,000sqm) which is now proposed to be a phased development. As the development of the Business School is proposed to be phased the original conditions requiring the full amount of parking to be provided prior to occupation would be considered unreasonable as only a proportion of the development will be initially coming forward. The proposed phasing/delivery of the permitted business school does not result in the reduction of vehicle parking spaces permitted under the original outline consent but does allow for a proportional amount relative to the proposed phases.

The submitted phasing plan shows Phase 1 and Phase 2 of the proposed development which will be referred to in the amended conditions to ensure that adequate parking is available for each phase. The calculation of the required number of parking spaces has been based on pro rata provision of car parking spaces relevant to the Gross Internal Area (GIA) of the building. A total of 288 parking spaces were required under Conditions 54 (258 spaces) and 57 (improvements to the existing 30 spaces within overspill area) for 10,000sqm GIA.

The GIA of Phase 1 consists of 5,350msq which equates to 154 parking spaces and it is proposed to vary condition 54 to refer to the revised proportionate number of parking spaces with the remainder of the approved number of spaces being provided for Phase 2. Condition 57 required the existing overspill parking area to be improved to make it more useable than at present and these will be required for Phase 2. The proposed variations to conditions 54 and 57 contained in the supporting letter are acceptable in principle although will require slight amendment to reflect the submitted reserved matters layout. It is noted that due to the submitted car park layout under the Reserved Matters application 16/01241/REM for Phase 1 that in fact 181 parking spaces are shown although 30 of the existing spaces are removed due to the provision of the pedestrian link and access to the new Business School this still provides 181 spaces which is slightly less (3 spaces) above the 184 spaces required (Planning Officer note – the amended plans now provide the full 184). I have therefore amended the suggested conditions in the covering letter by the applicant to refer to a minimum number for each phase to ensure that there is no net loss of existing spaces and adequate provision for the new use. For ease of reference I have outlined below the car parking gain/loss.*

Submitted Reserved Matters Layout (Application 16/01241/REM) results in the loss of existing 30 spaces due to the new pedestrian route and access to the business school.

Phase 1 of the Business School provides 181 spaces (required pro rata 154 spaces)

Taking into consideration the loss of the existing spaces (30) and provision of 181 spaces for the new Business school this results in 184 spaces being required. I do not consider that the loss of 3 parking spaces under Phase 1 of the development to be significant to justify a recommendation of refusal on highway safety grounds. This takes into consideration the parking surveys carried out in the local study area under the original outline consent. It should be noted that the 3 spaces will be provided under Phase 2 and not be lost on the overall site.

The total requirement for parking spaces for the outline consent is as follows:

258 Business School

30 - improvement to existing overspill area

30 - as a result of the loss of the existing parking due to the pedestrian footway and access

This equates to a total requirement of 318 spaces. The applicant has also submitted 3 indicative plans that do not form part of either the variation of conditions application or reserved matters that demonstrate that the additional parking spaces can be provided within the site. I consider that the loss of the existing 30 parking spaces will be need to be secured as part of the variations of conditions application and the recommended conditions are based on the reserved matters application (16/01241/REM) being implemented to avoid the planning conditions becoming unwieldy.

The applicant has also undertaken discussions with the Local Highway Authority regarding the recommended number of cycle parking spaces proposed under the original outline consent and the proposed variation does seek to reduce the overall number along with phasing similar to the vehicle parking spaces. The recommended number of cycle parking spaces were based on the assumed space utilisation figures at the outline stage. The applicant has reviewed the number of proposed cycle parking spaces based on BREEAM guidance for cycle parking provision which has been agreed in principle through pre-application discussions. It should be noted that there is currently no adopted cycle parking guidance for Gloucester City Local Planning Authority. The BREEAM Guidance for cycle parking provision (http://www.breeam.com/BREEAMUK2014SchemeDocument/content/07_transport/tra03.htm) provides advice on the required number of cycle parking spaces based on the number of occupants of the building. I am satisfied that the BREEAM Guidance is sufficient evidence and justification to support the reduction in proposed cycle parking spaces. Based on the number of proposed occupants of the building (1372 Students and Staff) this will equate to a ratio of 1 in 17.5. This equates to 78 cycle parking spaces for Phase 1

with 68 cycle parking spaces for Phase 2. It is noted that 80 cycle parking spaces are in fact proposed for Phase 1 of the development along with lockers. I am satisfied that proposed variation of conditions referred to in the applicants supporting letter are acceptable in principle and have recommended revised conditions in consultation with the Local Planning Authority below.

No Highway objection is raised subject to revised conditions below:

Condition 54

Phase 1 of the business school building (as shown on Phasing Plan ref. UoG ASL 00 00 DR A SK0050 received by the Local Planning Authority on 20th December 2016) shall not be occupied until space has been laid out within the site for a minimum of an additional 181 cars (including disabled spaces) to be parked within that phase, and for all vehicles, including emergency and maintenance, to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter.

Phase 2 of the business school building (as shown on Phasing Plan ref. UoG ASL 00 00 DR A SK0050 received by the Local Planning Authority on 20th December 2016) shall not be occupied until space has been laid out within the site for a total of 318 additional cars (including the improved overspill car park on the existing campus, disabled spaces and spaces provided as part of Phase 1) to be parked within that phase, and for all vehicles, including emergency and maintenance, to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter.

Reason

To reduce potential highway impact by ensuring that vehicles do not have to reverse from the public highway and to ensure safe, suitable and secure means of access for all people that minimises conflict between traffic, cyclists and pedestrians is provided in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework.

Condition 57

Prior to occupation of Phase 2 of the business school building (as shown on Phasing Plan ref. UoG ASL 00 00 DR A SK0050 received by the Local Planning Authority on 20th December 2016) the improvements to the existing overspill parking area (at least 30 spaces) at the south of the campus (to achieve a total of 318 no. spaces in conjunction with Condition 54) shall be completed and maintained as such thereafter.

Reason

To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway 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 Paragraphs 32 and 35 of the National Planning Policy Framework.

Condition 59

The development hereby permitted for Phase 1 (defined on plan no. UOG_ASL_00_00_DR_A_SK0050) of the D2 Land Use/Business School shall not be occupied until secure and covered cycle storage facilities for a minimum of 78 bicycles has been made available in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

The development hereby permitted for Phase 2 (defined on plan no. UOG_ASL_00_00_DR_A_SK0050) of the D2 Land Use/Business School shall not be occupied until secure and covered cycle storage facilities for a minimum of 68 bicycles has been made available in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 298 neighbouring properties were notified and press and site notices were published.

5.2 4 representations have been received and may be summarised as follows;

- Object to the proposal in total because there is no mention of altering the Oxstalls Lane / Cheltenham Road junction. Junction needs to be made safe;
- Matter of cars entering/leaving the college needs to be addressed before any planning is passed. It will be made worse with proposals of lights, insufficient parking spaces and more students parking off campus in residential streets;
- Object on grounds of ever increasing traffic and street parking in surrounding streets by students and staff of the University. Makes it difficult and hazardous for residents, bin collection and street cleaning and it will worsen with a growing student population.
- At what phase will the controlled parking zones be implemented to control random street parking?
- If sufficient free student parking is made available then the street parking problem goes away.
- Light, noise, parking, overbearing, privacy and environmental reasons;
- Building is proposed right up to the boundary of existing houses at Estcourt Road; objection is to position of buildings at 3 storeys high with 200 students 20m from back garden;
- Noise pollution – from students affecting health and quality of life; conflicts with planning practice guidance policy 123 and 58, noise policy for England;
- Fear of disorder from University accommodation;

- Impact of student halls building on light to and view from property in Estcourt Road;
- Student halls should be positioned away from existing housing;

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=16/01241/REM>

6.0 OFFICER OPINION

6.1 It is considered that the main issues with regard to this application are highways matters and specifically parking provision. I am not aware of any other issues that have arisen since the outline permission to take a different view on other planning considerations.

Highways matters

6.2 The principle of development has already been agreed subject to certain conditions. The issues of impact on the surrounding highway network and parking in the vicinity of the site have already been resolved. Levels of car and cycle parking have been secured by conditions of the outline planning permission.

6.3 The current versions of Conditions 54, 57 and 59 assume a single implementation of the business school. At present they therefore effectively prevent occupation of the business school until the full level of car and cycle parking is provided.

6.4 As the University is now intending to deliver the scheme in phases, they are seeking a pro-rata provision of parking relative to the phased provision of floorspace. In my view there is no reason to object to a phased implementation of parking provision commensurate with the implementation of the buildings. This would be no different to if the buildings came forward as two separate applications, and it would be unreasonable in my view to resist the principle because the Authority would be requiring an unnecessary overprovision for Phase 1.

Car parking provision

6.5 The proposed reworded Condition 54 would require the provision of a minimum of 154 car parking spaces for the first phase. It would then require provision of the full 288 spaces prior to occupation of Phase 2.

6.6 The pending reserved matters application for Phase 1 of the business school provides for 184 spaces in the associated car park north of the public footpath (increased from the 181 noted in the Highway Authority comments reported above). The reserved matters proposals also result in the loss of 30 existing car parking spaces in facilitating the links through from the existing campus car park to the business school car park. Given the pressure on car parking

and the principles agreed in the outline planning permission these require re-provision in the new arrangements.

- 6.7 Phase 1 could theoretically be the only phase of the business school that is developed. Therefore I consider it needs to incorporate the required number of new spaces plus re-provision of the reduction that arises from the detailed layout. Otherwise if that re-provision were left to Phase 2 and that were delayed or were never to proceed, there would be an ongoing or permanent deficit in parking from the required level.
- 6.8 Equally, should Phase 2 come forward, it needs to maintain the overall level of car parking required including the re-provision of spaces arising from those lost in the detailed layouts.
- 6.9 Stating a specific number of spaces to factor in the loss of existing spaces pre-supposes implementation of the pending reserved matters layout with 30 spaces lost, i.e. it wouldn't cater for a scheme that led to a loss of say 25, or 35 spaces. To maintain both flexibility and a requirement to re-provide any loss, I suggest the proposed conditions are amended to add the text "plus any car parking spaces required to be provided to compensate for the loss of existing car parking spaces (as indicated on the reserved matters layout/s being implemented)". That way it would require whatever the shortfall resulted in – for example with the current reserved matters layout it would require 154 spaces plus the 30 shortfall in the reserved matters layout for the first phase and 288 plus the 30 shortfall for Phase 2.
- 6.10 With these changes I consider that the varied condition would meet the applicant's requirements, the reasons for the condition, and the tests for valid conditions.
- 6.11 Condition 57 sought the provision of the improvements to the 30 overspill spaces at the southern part of the campus. This provision is used to accommodate overspill demand at busy times and is laid out on a grassed area reinforced with a plastic mesh grid. The proposal is to upgrade this through the installation of a more robust grasscrete type construction to make it more useable in all weather conditions. A reworded Condition 57 would draw this provision into the second phase of car parking provision and require its provision prior to occupation of Phase 2. It is suggested that the proposed condition is tweaked to reflect the provisions set out above for Condition 54.
- 6.12 Again with these changes I consider that the varied condition would meet the requirements of the applicants, the reasons for the condition, and the tests for valid conditions.

Cycle parking provision

- 6.13 In terms of the change to the cycle parking, Condition 59 currently requires the provision of 318 cycle spaces. Again a phased provision of this is considered reasonable.
- 6.14 In terms of the numbers of cycle parking spaces, the outline planning application proposal generated a high number of spaces based on the

applicant's calculation of assumed space utilisation figures and this was secured by condition. This application also seeks to reduce the total number from 318 to 146 (78 for Phase 1 and 68 for Phase 2).

- 6.15 The space utilisation brief for the building has been refined and checked against the prevailing BREEAM guidance for cycle parking provision. Based on the overall occupation figure of 1372 students and staff, the Highway Authority has agreed that a ratio of 1 for 17.5 for Phase 1 would be acceptable. This would lead to a requirement for 78 spaces. For Phase 2, the utilisation brief has yet to be developed however the applicant proposes a pro rata provision based on floorspace on the same principles. This would lead to a requirement for 68 spaces based on the residual amount of floorspace. Again this is accepted by the Highway Authority.
- 6.16 I have suggested a small further change to state the overall total number required, for clarity. The varied condition would continue to meet the reasons for the condition, and the tests for valid conditions.
- 6.17 In terms of other highways matters raised in representations, the new Cheltenham Road/Oxstalls Lane junction is mentioned. The outline planning permission requires the adapted junction to be implemented before occupation of the business school. There are no proposals to alter this in the current application and the University will still need to comply. The matter has already been dealt with.
- 6.18 Issues are also raised about Estcourt Road properties and the student halls proposal. I think this may be as a result of confusion about the content and purpose of this application. In any respect the issues are not directly related to the conditions that are under consideration for variation in this application. No new material considerations are apparent to take a different view on these elements, which were considered at the outline stage. The University may wish to pursue the student halls scheme in future as a further reserved matters application; at that stage neighbours would be notified and these issues can be considered in detail.
- 6.19 The other matters raised relate to parking issues in the locality and rehearse issues already assessed at the outline stage. The principles of the development, the numbers of parking spaces required and other mitigation measures secured by outline conditions have already been agreed. This includes the context to the mooted controlled parking zone that is mentioned in representations. This issue was much discussed at the time of the outline planning application. It is relevant in the context of Condition 61, which requires surveys to be undertaken to establish on street parking demand. If these demonstrate that displaced parking demand generated by the development leads to blocked or congested streets or pavement parking then a scheme to mitigate this impact is required. The controlled parking zone might be an option here. Again, the matter has already been dealt with. There is no proposal here to change the requirements and the University will still need to comply. As assessed above, the proposals are considered to maintain a reasonable and justified position on parking provision.

- 6.20 On other procedural matters, I consider that Conditions 3 and 4 also need to be amended to set out a date for reserved matters submission and development commencement, as rolling forward the existing wording might imply a later date by describing a further 5 years in the conditions.
- 6.21 Finally, on a point of clarity, the Officer recommendation includes provision to incorporate into this decision the wording of any other varied conditions that may be approved prior to the granting of this permission – to ensure an accurate set of updated conditions rolling forward.

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 conditions as proposed to be further varied by Officers would still serve the purpose they were intended for, would achieve the apparent aspirations of the applicant, and comply with the above cited policy context for highway safety and parking taking into consideration the merits of this particular proposal. No material considerations indicate that the proposals should be resisted or that the conclusions on the original outline application should otherwise be deviated from.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

- 8.1 That planning permission is granted subject to all of the conditions imposed on outline planning permission ref. 15/01190/OUT but with the varied conditions listed below included, plus any other varied conditions included if any of the other pending s73 (variation of conditions) applications related to permission ref. 15/01190/OUT are granted prior to issuing of this planning permission ref. 16/01242/FUL, and subject to completion of a deed of variation to secure the terms of the s106 agreement associated with outline permission ref. 15/01190/OUT to the permission for the current application ref. 16/01242/FUL and the incorporation of such additional provisions in the proposed planning obligation that may be deemed necessary by the solicitor.

Varied Condition 3

Application for approval of the reserved matters shall be made to the Local Planning Authority before 28th July 2021.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Varied Condition 4

The development hereby permitted shall begin either before 28th July 2021, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Varied Condition 54

Phase 1 of the business school building (as shown on Phasing Plan ref. UoG ASL 00 00 DR A SK0050 received by the Local Planning Authority on 20th December 2016) shall not be occupied until space has been laid out within the site for a minimum of an additional 154 cars (including disabled spaces) to be parked within the business school phase plus any car parking spaces required to be provided to compensate for the loss of existing car parking spaces (as indicated on the reserved matters layout/s being implemented), and for all vehicles, including emergency and maintenance, to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter.

Phase 2 of the business school building (as shown on Phasing Plan ref. UoG ASL 00 00 DR A SK0050 received by the Local Planning Authority on 20th December 2016) shall not be occupied until space has been laid out within the site for a total of 288 additional cars to be parked within the business school phases plus any car parking spaces required to be provided to compensate for the loss of existing car parking spaces (as indicated on the reserved matters layout/s being implemented) (288 including the improved overspill car park on the existing campus, disabled spaces and spaces provided as part of Phase 1 of the business school), and for all vehicles, including emergency and maintenance, to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter.

Reason

To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway 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 Paragraphs 32 and 35 of the National Planning Policy Framework and to re-provide any existing car parking spaces lost as a result of the detailed layouts.

Varied Condition 57

Prior to occupation of Phase 2 of the business school building (as shown on Phasing Plan ref. UoG ASL 00 00 DR A SK0050 received by the Local Planning Authority on 20th December 2016) the improvements to the existing overspill parking area (30 spaces) at the south of the campus (to achieve a total of 288 no. spaces associated with Phases 1 and 2 of the business school in conjunction with Condition 54, plus any car parking spaces required to be

provided to compensate for the loss of existing car parking spaces (as indicated on the reserved matters layout/s being implemented) shall be completed and maintained as such thereafter.

Reason

To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway 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 Paragraphs 32 and 35 of the National Planning Policy Framework.

Varied Condition 59

The development hereby permitted for Phase 1 (defined on plan no. UOG_ASL_00_00_DR_A_SK0050) of the Business School shall not be occupied until secure and covered cycle storage facilities for a minimum of 78 bicycles have been made available in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

The development hereby permitted for Phase 2 (defined on plan no. UOG_ASL_00_00_DR_A_SK0050) of the Business School shall not be occupied until secure and covered cycle storage facilities for a minimum of 68 bicycles (to make a total of 146 for Phases 1 and 2 of the business school combined) have been made available in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework.

* Plus any other varied conditions if any of the other pending s73 applications related to permission ref. 15/01190/OUT are granted prior to issuing of this planning permission.

Decision:

Notes:

.....

.....

Person to contact: Adam Smith
(Tel: 396702)

16/01242/FUL

**University Of Gloucestershire
Oxstalls Lane
Gloucester
GL2 9HW**

Planning Committee 07.02.2017

