

LATE MATERIAL (APPLICATIONS FOR DETERMINATION)

PLANNING COMMITTEE: 4th APRIL 2017

ITEM 4 ALLSTONE SAND AND GRAVEL , MYERS ROAD – 16/00948/OUT

Three additional letters received stating the following:-

- 1) Overall this is a beneficial project, however as regular users of Myers Road and Horton Road predict there will be traffic problems, particularly at peak times. Myers Road and Horton Road junction a particular concern due to proximity to railway crossing, possibly needs a junction upgrade.
- 2) A good use of site providing the facilities, in particular the recycling can find another site, however lack of parking for students and poor access for them to amenities such as Morrisons on other side of railway, could lead to them having cars. Also concern at loss of parking for Irish club.
- 3) The Secretary of the Irish Club re-iterates their objection to the loss of the car parking.

ITEM 5 – LAND EAST OF HEMPSTED LANE –16/1055/FUL

Highway Authority comments

In my report I noted that I had asked the Highway Authority for any comments on the construction access.

The Highway Authority has now offered the following comments;

The proposed access to serve the residential development was recommended to be secured by planning condition and is acceptable to serve the proposed development and associated construction works required for the balancing pond. The proposed access will be surfaced and have 2.5m x 47m emerging visibility splays with an overall width 5.5m that will be able to accommodate construction traffic. There are no details in the supporting information regarding construction traffic, internal site layout etc but I consider that there is adequate room within the site to accommodate these needs and can be dealt with by a Construction Management Scheme planning condition.

The Highway Authority raises no objection subject to conditions to secure an appropriate vehicular access and to secure a Construction Method Statement.

I suggest that the officer recommendation is updated to include in the access condition the particular technical requirements that the Highway Authority specify. The Construction Method Statement condition is already included in the recommendation.

Landscape Architect comments

In my report I noted that the Landscape Architect raised no objection but requested that the planting proposals were amended.

The applicants have now updated the proposals and the Landscape Architect has confirmed acceptance. This allows the officer recommendation to be updated to

remove the condition that required a soft landscaping scheme and add the new landscaping plans to the approved plans condition.

New representation

A further representation has been received since publishing the Committee Report;

I note you state the following in you Committee report relating to the above which will go before the 4th April Planning Committee:

'6.21 I have discussed with colleagues about the cess pit serving Manor Farm House that is raised in a representation. If it is a cess pit then it will get emptied. If it were to significantly overflow and cause a pollution incident then it is expected that the impact on the new properties would be far more of a concern than the application proposal. Given its current presence, assumed maintenance of it, and the nature of the proposals, I cannot see that this would be a reason to withhold planning permission.'

I am concerned that the information being put before the Committee is incorrect in relation to the septic tank. In this instance it is not the type that is emptied but it slowly drains into the ground and purification takes place during this process. The septic tank is situated on Sylvanus Lysons land that is allocated for public open space. It would seem sensible if the design engineers were informed of this and it is taken into consideration. The septic tank is located within the application site for housing and open space. I hope you can give the Committee this information at the meeting. The best course of action might be to defer the application to ensure this matter is resolved.

It is a pity you did not get back to me earlier to discuss this matter but I know you must be pressed for time.

You also say that *'If it were to significantly overflow and cause a pollution incident then it is expected that the impact on the new properties would be far more of a concern than the application proposal.'*

As I believed this to be a detailed issue, rather than a matter of principle affecting the possible future development of the land East of Hempsted Lane, I did not raise the matter of the septic tank at the outline planning application stage. However, reading your report it may have more significance than I thought. I therefore assume you will take up the matter when the Committee consider the Outline Planning Application for housing on the site at the same Committee. Perhaps a meeting with you to discuss the matter would be helpful.

I have discussed this with the applicants. They are aware of the presence of a septic tank within the proposed open space. As far as they are aware it has never presented an issue and functions effectively. The design engineers are conscious of its presence and have ensured that neither the residential development nor the

drainage scheme will prejudice the continued use of the tank nor affect its ability to be accessed or maintained if required.

I have also discussed the matter further with the Drainage Officer. If the septic tank has been operating without issue up to now he sees no reason for particular concern. In the unlikely event that there was to be an issue, then it is more likely that the problem would be a trickling overflow, which would readily be detected and resolved. It would not be a large influx of sewage coming down the slope.

The septic tank exists currently and the field drains currently. The proposal seeks to formalise the drainage outfall from part of the field as developed. I am not aware of any reason from the additional correspondence and the discussions with the Drainage Officer why the development proposed would change the situation as regards the operation of the septic tank nor how the tank would adversely impact on the proposed development in a different way to how it would affect the current drainage regime. I do not see reasonable grounds to defer or refuse the application on this basis.

Amended recommendation of the Development Control Manager;

That planning permission is granted subject to the following conditions:

Condition

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition (updated)

The development shall be undertaken in accordance with the drawings (inasmuch as they relate to land within the application site) on the plans referenced;

FRA SK100 Rev. B Proposed Surface Water Attenuation Feature

FRA SK3 Rev. A – Illustrative Headwall Detail

received by the Local Planning Authority 23rd February 2017,

and

LS-01 Rev. D – Detailed Landscape Proposals Sheet 1 of 2

LS-02 Rev. B – Landscape sections

received by the Local Planning Authority 23rd March 2017,

except where otherwise required by conditions of this permission.

Reason

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

DESIGN/LANDSCAPING

Condition

Any associated above ground infrastructure (enclosures, fixtures, etc) shall be installed only in accordance with scaled drawings that have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of protecting the visual appearance of the area, in accordance with Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Main Modifications Version 2017, Paragraph 58 of the National Planning Policy Framework and Policies BE.4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

(Landscaping condition deleted)

Condition

~~Notwithstanding that indicated on the submitted plans, soft landscaping shall be implemented only in accordance with a landscape scheme that has been submitted to and approved in writing by the Local Planning Authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers. Drawings must include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed.~~

Reason

~~In order to protect the visual amenities of the area in accordance with Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Main Modifications Version 2017, Paragraphs 17 and 58 of the National Planning Policy Framework and Policies BE.4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).~~

ARCHAEOLOGY

Condition

No development or groundworks shall take place within the proposed development site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic environment work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme will provide for archaeological monitoring and recording (a 'watching brief') during ground works related to the development proposal, with the provision for appropriate archiving and public dissemination of the findings.

Reason

The proposed development site has potential to include significant elements of the historic environment. If present and revealed by development works, the Council requires that these elements will be recorded during development and their record

made publicly available, in accordance with paragraph 141 of the National Planning Policy Framework, Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Main Modifications Version 2017 and Policies BE.36, BE.37 & BE.38 of the Gloucester Local Plan (2002 Second Stage Deposit). This is necessary pre-commencement due to the potential impact from early phase works on significant assets.

DRAINAGE

Condition

Notwithstanding those details submitted with the application, the development hereby permitted shall not commence until precise details for the disposal of surface water (demonstrating sufficient capacity to accommodate specified surface water flows into it) have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented.

Reason

To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem in accordance with Policy INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Main Modifications Version 2017, the NPPF and Policies FRP.1a and FRP.6 of the City of Gloucester Second Deposit Local Plan 2002. This is required pre-commencement given the influence of early-stage below ground arrangements on the whole development.

AMENITY

Condition

Construction work and the delivery of materials shall be limited to the hours of 0800 hours to 1800 hours Monday to Friday, 0800hours to 1300hours on Saturdays and no construction work or deliveries shall take place on Sundays or Bank Holidays.

Reason

To safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Main Modifications Version 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

HIGHWAYS

Condition (updated)

The access for construction traffic shall be from Hempsted Lane via the development of the adjacent field to the west of the application site in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. This vehicular access shall be surfaced in a bound material with splayed sight lines provided from a point either side of the access 2.4 metres back from the carriageway edge to a point on the nearside carriageway edge 47 metres distant in each direction

with the area in advance of the splay lines so defined cleared of all obstructions to visibility and thereafter similarly maintained. There shall be no other access to the site for construction traffic.

Reason

To provide for a suitable construction traffic access in the interests of highway safety in accordance with paragraph 32 of the National Planning Policy Framework and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Main Modifications Version 2017.

Condition

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. specify measures to control the emission of dust and dirt during construction
- viii. specify a vehicle routing strategy including Banksmen and hours of operation with regard to peak hours of the adjacent road network

Reason

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with the National Planning Policy Framework and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Main Modifications Version 2017.

ITEM 6 – LAND EAST OF HEMPSTED LANE – 13/01032/OUT

Following further discussions with our legal advisors it is recommended that approval and implementation of any off-site drainage proposals is secured within the s106 agreement for this planning application for the residential development. The Authority cannot positively require an applicant to undertake such a proposal otherwise. The officer recommendation is updated to reflect this.

The late representation on the above application ref. 16/01055/FUL also appears to imply a possible impact of the septic tank on this residential proposal ref. 13/01032/OUT. From the representation and the applicant's subsequent comments the tank appears to be within the proposed public open space. Again one assumes an appropriate maintenance regime is in place and I do not see any reason to defer consideration because of this issue. No alterations to the recommendation are proposed in this regard.

Amended recommendation of the Development Control Manager:

That planning permission is granted subject to the conditions listed in the Committee Report to the 2nd December 2014 Planning Committee and completion of a legal agreement to secure the terms set out at paragraphs 6.134 – 6.142 of the Committee Report to the 2nd December 2014 Planning Committee as well as submission, approval by the Local Planning Authority, and implementation of drainage infrastructure prior to any dwellinghouse being occupied if it takes place off site and any necessary commuted sums for the maintenance of additional infrastructure and landscaping associated with this development that would be situated on Council land, and to also delegate the incorporation of such additional provisions in the proposed planning obligation that may be deemed necessary by the solicitor.

ITEM 7 – AREA 4A2 FRAMEWORK PLAN 4 KINGSWAY –16/1046/FUL

Discussion on the application has been ongoing since the Committee report was written. There have been some changes to the plans but many of the issues referred to in the committee report as being outstanding, are still outstanding.

Changes include;

One of the ground floor apartments will now be provided as a one bedroom mobility unit.

Plot 865 is now proposed as a two bedroom mobility unit – however we have not received the detailed floor plans for this.

Separation distances have been improved in many, but not all cases

The amended layout has addressed some of the concerns regarding the prominence and mass of parking, particularly in the areas of plots 874 – 877.

The applicant has not provided any further information relating to levels, drainage, or noise as referred to at section 7.1

Consultation Response from Highway Authority.

Upon reviewing the amended layout I have the following comments/ requests to make:

- Please can the shared service widths be demonstrated on the new plan;
- Forward visibility will have to be demonstrated in accordance with the target design speed (areas shaded in orange);
- Due to the demographics of the shared surface space in the locations shaded green we require some form of pinch point;
- Revised vehicle tracking for plans will also need to be provided;
- A Road Safety Audit will need to be carried out for the new layout; and
- Dependant on the outcome of the above the section of footway shaded yellow may have to be extended to meet the shared surface transitional ramp.

Please note that these comments are made upon a previously submitted plan and not upon the most recently submitted plan. Comments upon the most recent plan are still waited however it is understood that the comments made below by the Highway Authority have not been addressed in the amended plan.

There is no change to the recommendation of the Head of Planning