

**GLOUCESTER CITY COUNCIL**

**COMMITTEE** : **PLANNING**

**DATE** : **6<sup>TH</sup> JUNE 2017**

**ADDRESS/LOCATION** : **FORMER DEBENHAMS PLAYING FIELD,  
ESTCOURT ROAD/ESTCOURT CLOSE**

**APPLICATION NO. & WARD** : **17/00224/REM  
LONGLEVENS**

**EXPIRY DATE** : **24<sup>TH</sup> JUNE 2017**

**APPLICANT** : **UNIVERSITY OF GLOUCESTERSHIRE**

**PROPOSAL** : **Application for approval of reserved matters  
of appearance, landscaping, layout and  
scale for the provision of new student  
accommodation (up to 200 beds) and  
associated highways, parking and ancillary  
works, pursuant to outline planning  
permission ref. 15/01190/OUT**

**REPORT BY** : **ADAM SMITH**

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

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application site comprises the broadly triangular piece of land known as the former Debenhams playing field situated between the properties on the north side of Estcourt Road, Estcourt Close and the access track to the allotments. At its southern end the application site also includes part of the access track and part of the east-west public footpath that runs through the University campus. The application is for reserved matters approval pursuant to the University's outline planning permission ref. 15/01190/OUT. That outline permission also secured the means of access, so this application seeks approval of the remaining reserved matters of appearance, landscaping, layout and scale.
- 1.2 The proposal is for the student halls element of the permission. It comprises 200 student bedroom units in 3 staggered blocks across the site. Blocks 1 and 2 comprise of 3 storeys, 11.3 m in height, with the upper floor level at 7.2m. Block 3 comprises of 2 storeys, 8.3m in height, with the upper floor at 4.2m.

- 1.3 The layout of each block is arranged around a principle of a central stair/lift core, a group of adjoining bedrooms and a lounge/kitchen/dining room at the end. Laundry, plant and store rooms are provided at ground floor.
- 1.4 Vehicular access is provided off the end of Estcourt Close as shown in the outline masterplan with a gated arrangement at the junction. The existing access track to the field off Estcourt Road at the west of the site is proposed to be gated off at either end.
- 1.5 A path network is provided within the site, linking across the allotments track onto the east-west footpath at the southern end of the site, and linking onto Plock Court field through the perimeter hedge at the northern end, with both paths gated at the perimeter.
- 1.6 Additional soft landscaping is proposed around the site with a large part of the existing hedge/tree line along the allotments track to be retained.
- 1.7 The application is referred to the Planning Committee given the scale and local interest.

## **2.0 RELEVANT PLANNING HISTORY**

### *Existing 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. There were various applications granted through the 1990s and 2000s for the University buildings and sports facilities.

### *Debenhams Playing field*

P/689/64

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

### *Current University scheme*

15/01190/OUT

- 2.3 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 28<sup>th</sup> July 2016.

- 16/00945/REM
- 2.4 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 6<sup>th</sup> December 2016.
- 16/01012/REM
- 2.5 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 6<sup>th</sup> December 2016.
- 16/01048/FUL
- 2.6 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. Granted subject to varied conditions 17<sup>th</sup> February 2017.
- 16/01106/REM
- 2.7 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 subject to conditions 16<sup>th</sup> December 2016.
- 16/01241/REM
- 2.8 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. Approved subject to conditions 09.02.2017.
- 16/01242/FUL
- 2.9 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. Granted subject to varied conditions 24.03.2017.

### **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. 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.

*The NPPF includes relevant guidance on ...*

Promoting sustainable transport, including the statement that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe

Delivering a wide choice of high quality homes

Requiring good design

Promoting healthy communities

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

Conserving and enhancing the historic environment

Planning 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 of limited weight.

### 2002 Plan allocations

3.7 Private Playing Field SR.2

### 2002 Plan Policies

FRP.1a – Flood risk

FRP.6 – Surface water run-off

FRP.8 – Renewable energy

FRP.9 – Light pollution

FRP.10 – Noise

FRP.11 – Pollution

B.7 – Protected species

B.8 - Non identified sites

B.10 - Trees and hedgerows on development sites

B.11 - Tree preservation orders

LCA.1 - Development within landscape conservation areas

BE.1 – Scale, massing and height

BE.2 – Views and skyline

BE.4 – Criteria for the layout, circulation and landscape of new development

- BE.5 – Community safety
- BE.6 – Access for all
- BE.7 – Architectural design
- BE.8 – Energy efficient development
- BE.12 – Landscape schemes
- BE.14 – Native species
- BE.21 – Safeguarding of amenity
- TR.9 – Parking standards
- TR.11 – Provision of parking for people with disabilities
- TR.12 – Cycle parking standards
- TR.31 – Road safety
- TR.32 – Protection of cycle/pedestrian routes
- TR.33 – Providing for cyclists/pedestrians
- TR.34 – Cyclist safety
- SR.2 – Playing fields and recreational open space

*Emerging Plans*

- 3.9 On adoption, the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy and Gloucester City Plan 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

*Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Main Modifications Version, February 2017)*

- 3.10 The Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Borough Councils (JCS) which was submitted for examination on 20 November 2014. The Inspector published her Interim Findings in May 2016 and the JCS authorities have now approved Main Modifications to the plan for consultation. Consultation took place in February/March 2017 and further examination hearings are expected to take place June/July 2017.
- 3.11 The JCS has therefore reached a further advanced stage, but it is not yet formally part of the development plan for the area and the weight that can be attached to each of its policies will be subject to the criteria set out above, including the extent to which there are unresolved objections.
- 3.12 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 policy;

- SD4 – Sustainable design and construction
- SD5 – Design requirements
- SD7 - Landscape
- SD9 – Historic environment
- SD10 – Biodiversity and geodiversity
- SD15 – Health and environmental quality

INF1 – Transport network  
INF3 – Flood risk management  
INF4 – Green infrastructure

*Gloucester City Plan*

- 3.13 The Draft Gloucester City Plan and “call for sites” was subject to consultation January and February 2017. The Plan is at an early stage and therefore carries limited weight.
- 3.14 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – [www.gloucester.gov.uk/planning](http://www.gloucester.gov.uk/planning); and Department of Community and Local Government planning policies - [www.communities.gov.uk/planningandbuilding/planning/](http://www.communities.gov.uk/planningandbuilding/planning/).

#### **4.0 CONSULTATIONS**

- 4.1 The Highway Authority raises no objection but recommends a condition to secure full engineering details of the Estcourt Close access.
- 4.2 The Lead Local Flood Authority raises no objection subject to a condition to secure the detailed design and timetable of implementation for the drainage system.
- 4.3 The Police Architectural Liaison Officer wishes the following points to be considered in order to improve security and reduce fear of crime:
- The lack of dedicated car parking spaces will lead students to park on the verges around the site or in the surrounding roads which will restrict traffic flow and increase the crime risk of each vehicle.
  - Kerb detail or road side edging around the building should be designed to prevent vehicles getting too close to the buildings, this will be evident at the start and end of each year as students and parents will be tempted to drive as close to the doors as possible.
  - The planting scheme and hard landscaping around the buildings and at the gates needs to assist with surveillance and ensure the seasonal growth does not obstruct the street lighting or CCTV.
  - A monitored CCTV system would provide early intervention and assist the security staff prevent any incidents. These cameras should be positioned at a suitable height to prevent damage, abuse or tampering, consider the seasonal variation within the landscaping scheme and ensure identifiable images are obtained.
  - The boundary treatment around the site should replicate the designed details shown at each gate way; thereby creating a secure perimeter around this residential facility.
  - The gates and fencing should be designed to restrict climbing opportunities, especially around the hinges and locking mechanism.
  - The cycle storage shown around the development needs to offer security and reassurance to users, therefore each container bicycle structure must be certificated to LPS 1175 SR 1 or Sold Secure Silver.

- The amenity space shown in the grounds should only be used by individuals or groups associated with the university, offering these areas to outside groups would negate any security features installed at the gates and fence lines.

#### Conclusion

Gloucestershire Constabulary's Crime Prevention Design Advisors are more than happy to work with the Council and assist the developers with further advice to create a safe and secure development. Should the application be successful the design and technical specifications should encourage security, adhere to the Secured by Design guidance and meet the Approved Document Q: Security - Dwellings.

- 4.4 The Environment Agency has not submitted any comments at the present time but has indicated that they are likely to comment without raising any in-principle objection. Members will be updated at the Committee Meeting.
- 4.5 The Urban Design Officer has confirmed he has no comments.
- 4.6 The Landscape Architect has made several suggestions for improving the proposed soft landscaping planting specification, including strengthening the tree screen in the central area and altering the species of some of the proposals.
- 4.7 The Environmental Planning Manager raises no objection subject to the external lighting being assessed for its impact on bats.
- 4.8 The Tree Officer raises no objection to the proposals but seeks a condition to secure hand-dug methods for works around the protected trees.
- 4.9 The Drainage Engineer raises no objection to the proposed arrangements.
- 4.10 The Environmental Protection Officer has confirmed that the lighting proposals are acceptable. Further discussions were held regarding the noise implications of the proposed mechanical plant and the Officer has now confirmed that he raises no objection in this regard subject to a condition to secure an overall noise limit from the plant.
- 4.11 The City Archaeologist has no comments on the reserved matters application but draws attention to the requirements of outline condition 29 as to archaeological work.
- 4.12 The Streetcare Officer has not submitted any comments.

#### **5.0 PUBLICITY AND REPRESENTATIONS**

- 5.1 58 neighbouring properties were notified and press and site notices were published. A reconsultation was also undertaken and expired on 24<sup>th</sup> May 2017.



5.2 6 representations have been received objecting to the proposals (although there are some positive comments also). The issues raised may be summarised as follows:

Proximity of buildings to residential properties

No reference made to heights of building.

The only building has been put right up against the boundary edge of the existing houses when on the other two sides there is nothing

Blocking of light

Overshadowing

Overbearing

Environmental impact

Increase in noise

Impact on view

Invasion of privacy

200 students within 20 metres of gardens will impact on health and quality of life

Fear of disorder

Buildings should be positioned towards the rear left hand corner of the field away from existing housing

Planting proposals insufficient to reduce impact of buildings in general – light and noise pollution in particular

Original plans suggested full screening immediately behind the student residencies. Additional evergreen buffer planting is needed to reduce the impact

Increase in traffic and on-street parking

Using the Estcourt Close access for construction traffic is a new requirement not raised in the earlier application. The Close and the Estcourt Road service road are both unsuitable for use by construction traffic. This should be subject to a new application.

No mention has previously been made about gating off the existing access between nos. 121 and 123 Estcourt Road or the reasons for it being proposed, and no information what the access will be used for and how frequently.

Design of the Estcourt Close access has been changed significantly without prior consultation and is not in accordance with an earlier consent which should be amended. New design is not acceptable.

Devaluation of property

Precedent for future development

Implications of the substation

No mention of why gas meter box is necessary or why it cannot be sited in the service area, or where it would get service from and associated disruption. Similar for other utility service provision.

Not clear how and why boundary changes in south east corner to the east side of the public right of way over 3<sup>rd</sup> party/public land, also green border and new surfacing at south east corner is not part of site and not land purchased by University. Additional queries about plan annotations and amendments

Availability of documents and consultation periods

No statement on demolition for pavilion given environmental and wildlife concerns

Querying if scheme has solar panels, need for them and their impact on residents and ambience of area

Application should be rejected until all issues resolved, this is last opportunity to seek an acceptable resolution.

Happy for land to be used for recreational purposes

Pleased that proposals no longer have a road along the rear fence of Estcourt Road properties

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

**<http://planningdocs.gloucester.gov.uk/default.aspx?custref=17/00224/REM>**

## **6.0 OFFICER OPINION**

- 6.1 With the principle of development already permitted, it is considered that the main issues with regard to this reserved matters application are as follows. As will be seen, there are conditions on the outline planning permission that address many of the issues:

- Design and landscaping
- Traffic and transport
- Residential amenity
- Drainage and flood risk
- Ecology

### *Design and landscaping*

- 6.2 The proposed building layout differs from the indicative masterplan submitted with the outline planning application. This is not a problem per se as the outline masterplan was not secured and was provided only to give an example of how the development might be laid out.
- 6.3 The new arrangement sites the buildings on a staggered curve across the site and is a more attractive proposal in my view. The location and nature of the site, extending the educational complex, is such that there are no concerns in terms of the character of the area as a result of the proposed form of development. The blocks have their entrances on the east side where the main pathways approach the complex. The arrangement should provide for good natural surveillance of the pathways and also, to a lesser extent (given the retained hedge/tree line) improve surveillance of the allotments track beyond, which is of benefit. If and where the pathways extend beyond the field purchased by the University, they would, to my understanding, go onto Council land at the allotments track. This would require the Council's agreement.

- 6.4 The buildings would be faced with brick, with a metal cladding for the set back sections. This should work acceptably and a precise product along with the detailing can be approved under the materials condition on the outline permission.
- 6.5 The Estcourt Close access is proposed with a 1.8m high brick pier and vertical bar railing, with gates set 5m from the highway edge. It is proposed that the existing access track from Estcourt Road into the site at the western corner is gated off with 1.8m high railing-type gates at either end. It would appear that this may have been included as a response to requests from residents in the locality in order to prevent its use as cut-through and associated possible disturbance to neighbours. This proposal would serve to downgrade the permeability of the site in a north/westerly direction but the main flow of students is likely to be across the eastern areas to and from the Plock Court sports facilities and the main campus. This is notably the case for evening activity in light of the provision for taxis at the main campus that was agreed at the outline stage (to seek to avoid drop-offs by residential properties to the north/west).
- 6.6 The landscaping treatment to the west and south west is an open grassed area with tree planting that will allow both for recreation and accommodate a landscape screen that is not too close to residents. The outline permission requires a landscape buffer between the halls and neighbouring properties. I have taken the advice of our Landscape Architect on the landscape screen proposals. There are concerns about the appropriateness and arrangement of the planting specification proposed. These could be solved by some refinements of the proposal and the Landscape Architect's suggestions are currently under consideration by the applicant. These include strengthening the tree screen in the central area to enhance the buffer effect while minimising shading to the proposed and existing buildings, enhancing the entrance avenue to screen views from Estcourt Close and changing the species of those trees shown close to the proposed buildings to avoid excessive shade to the student bedrooms.
- 6.7 The landscape treatment to the east side is intended to create an ecological environment that works in harmony with the allotments. There would be some modest removal of existing vegetation to allow for the proposed paths but most of the hedge and tree line alongside the allotments access track would be retained.
- 6.8 The outline masterplan indicated that two protected trees were under threat at the southern corner of the site. Tree T163 is now confirmed as retained and the applicant has confirmed that tree T162 does not exist. Indeed the applicant has confirmed that they are not removing any of the existing trees on site and the Tree Officer is satisfied with this.
- 6.9 It is proposed that the fence line at the junction of the allotments track with the east/west public right of way be altered to create a visibility splay with the

protected tree retained to front. A condition is necessary to ensure hand-digging of the works here to conserve the protected tree.

- 6.10 Immediately at the east of the site there is land designated as Landscape Conservation Area in the 2002 Second Deposit Local Plan. I previously noted in my report on the outline planning application the limited weight to be afforded to this policy and the limited sensitivity of the parts of the site proposed to be developed, and this analysis still holds. In my view the proposals would not be objectionable in this respect.
- 6.11 Subject to refinements being made to the proposed planting proposals to achieve a suitable landscape buffer between existing and proposed properties and an attractive landscape setting, and subject to conditions, the proposals are considered to comply with the above cited policy context in terms of design and landscaping and no objection is raised in these respects

*Traffic and transport*

- 6.12 The means of access was agreed at outline stage. At this reserved matters stage the Authority is considering the layout and how this might impact on traffic/highways considerations. The highways arrangements broadly remain as indicated in the outline application with a restricted access off Estcourt Close, while the access off the allotments track is to be pedestrian only.
- 6.13 Ten car parking spaces for disabled persons are provided within the site. Access is provided from Estcourt Close to allow for disabled persons, emergency and maintenance vehicles. The facility will not require any staff other than visits by the facilities manager and this is proposed to be day to day visits from the existing main campus. Reserved matters approval has already been given for the access layout off Estcourt Close and the initial part of the access road. The current application scheme would in part supersede these previously-approved arrangements. The new arrangement appears to be unacceptable to objectors but it is not clear why. The Highway Authority raises no objection subject to securing approval of the precise engineering detail. The vehicular access would be managed by the University. It is envisaged that it would only be used during drop off and pick up at the beginning and end of the academic year, and otherwise for maintenance, emergency and delivery vehicles and blue badge holders. A condition of the outline permission requires measures to restrict vehicular access from the allotments track.
- 6.14 Another condition of the outline planning permission requires rooms to be let only on tenancies that restrict students from bringing or keeping a vehicle in the city. In addition there is a separate condition that requires a survey to be undertaken shortly after occupation of the halls to identify on street parking demand and a scheme of mitigation if blocked or congested streets or pavement parking are shown. Parking concerns were subject to detailed scrutiny previously and are therefore already addressed in my view. I do consider that a condition is necessary to secure timely implementation of the gate/railings barrier at the Estcourt Close junction to ensure that the management of the vehicular access to the site takes effect. The outline

permission requires 210 cycle spaces to be provided for the student halls phase and these are shown along the internal access road.

- 6.15 The public right of way to the east of the site would be enhanced at the entrance to the site – across the allotments track from the east-west path linking to the main campus. I continue to seek the upgrading of the allotments track as part of the wider proposals.
- 6.16 Construction access would be via Estcourt Close. The access track off Estcourt Road to the allotments is used by cyclists and pedestrians, is of restricted width and visibility, and is not suitable for construction access. An objector raises concerns about this but it is difficult to see what other option could ever have realistically been envisaged. As above, an outline condition seeks to restrict access from the allotments track and there is no other road access. While this may be perceived as an inconvenience for residents the construction phase would be of limited duration, is an inevitable consequence of development and is not objected to in terms of highway safety. The Highway Authority considers this the safest option for construction.
- 6.17 Subject to conditions the proposals are considered to comply with the above-cited policy context in terms of highways and no objection is raised in these terms.

*Residential amenity*

- 6.18 The nearest residential properties are those along Estcourt Road and at the near end of Estcourt Close.
- 6.19 As required by a condition of the outline permission, the nearest block to residential premises – Block 3 – is limited to 2 storeys. Occupants in Block 3 would be able to look out from the upper floor from around 6 metres up. At the separation distance of around 29 metres to the boundaries with properties with longer gardens and around 40 metres to those with shorter gardens the relationship is considered acceptable and would not lead to any harmful overlooking, overshadowing or overbearing effects.
- 6.20 The other two blocks are further away from residential premises. Block 2 is a curved building and angled towards the Estcourt Road property boundaries, between 51 and 75 metres away approximately. Block 1 is also curved and angled towards the neighbouring properties, around 90 metres from the Estcourt Road property boundaries and around 55 metres from the boundary with the nearest Estcourt Close property. In terms of overlooking, occupants would be able to look out of the windows at the upper floor in Blocks 1 and 2 from a height of around 9 metres. While Blocks 1 and 2 are both proposed at 3 storeys, they would similarly have no harmful effects on residential amenities at this separation. There is also tree planting proposed between the properties that will assist in screening the development. It is likely that a condition will be used to control land raising in the context of the proposed finished floor levels.

- 6.21 There are allotments to the north west of the site. Block 1 is proposed to be the closest building and would be around 32 metres from the boundary. It is unlikely that the building would have any significant detrimental effect on the use of the allotments.
- 6.22 A complex to house a compactor, substation and refuse store is proposed at the south western edge of the complex and within about 10 metres of the boundary with residential properties. The panels to conceal the equipment are 3.5m high. Given the separation and the height, they would not cause any harmful impact to the amenities of residents of the nearby properties in terms of their physical presence.
- 6.23 In addition to the compactor and substation there is plant associated with each building and the noise implications of these need to be considered. Following further discussions with the applicant's engineer, the Environmental Health Officer has confirmed that an appropriate noise limit is achievable for the proposals. This can be secured by condition.
- 6.24 A lighting plan has been provided showing a mixture of 5m columns along the internal roads and for pathway lighting, illuminated bollards for some of the other pathways, wall mounted architectural luminaires to the east/northeast elevations of the buildings, and surface mounted linear luminaires to the bicycle shelters and bin stores. The column-mounted lights on the road at the nearest locations are within approximately 25m of the boundaries and 40m of the properties on Estcourt Road, and within 10m of Estcourt Close properties where they would intersect with the existing highway lighting provision on the Close. The column lights at the access road are to be combined PIR (sensor)/photocell controlled, meaning the lanterns will come on during hours of darkness when a vehicle or person is sensed. The plan shows that the light spill is down to at least 1lux before it reaches any neighbouring properties. The column-mounted lights along the southern pathway and at the northern pathway entrance are to be photocell (reacting to ambient light) / timeswitch controlled, meaning they will illuminate during hours of darkness with curfew switch off timing (e.g. 11:30pm to 5am). The plan shows that they come to within about 4m of the boundaries / 33m of the properties on Estcourt Road, and the plan shows that the light spill is down to 0.5 lux before it reaches the properties. The low level illuminated bollards and external building lighting are photocell controlled and will always be on during hours of darkness. The Environmental Health Officer has confirmed that he is happy with the lighting plan.
- 6.25 In terms of noise and disturbance arising from the use itself, the matter was considered at the outline stage and a legal agreement secures mitigation measures by way of the establishment of a community liaison group, securing of a noise operational management plan, provision of an on-site student management team, provision of a taxi drop-off in the campus and provision for information to be provided to taxi firms. This matter has already been addressed therefore in agreeing to the principle of this use.

- 6.26 All 3 blocks are comprised of cluster modules of 4 to 8 student bedrooms and an associated communal lounge/kitchen/diner. Laundry/facilities management are provided at ground floor to the front of the buildings, giving social spaces at the accesses. The siting and arrangement of the buildings are such that the main communal areas face away from the residential properties. The ventilation strategy avoids the need for openable windows to reduce noise transfer from within buildings. The combination of railings/gates to the Estcourt Close access and the access track to the western corner off Estcourt Road suggests that the level of disturbance from students passing houses in the vicinity is likely to be limited as no access would be facilitated given the management of these barriers that is suggested.
- 6.27 It is of note that the buildings cannot be sited directly at the opposite side of the field to the residential properties given the presence of the flood zone.
- 6.28 It is concluded that the physical presence of the buildings, their occupancy, the impacts of the proposed mechanical plant and the lighting proposals would not cause significant harm to the amenities of local residents subject to conditions. Therefore subject to these conditions the proposals comply with the above cited policy context in terms of impacts on residential amenity and no objection is raised in these terms.

*Drainage and flood risk*

- 6.29 The built form is located outside the floodzone as required by the outline planning condition. Finished floor levels are proposed with at least 600mm freeboard above the 1 in 100 level plus climate change. I am seeking confirmation from the applicant whether this would require any significant land raising. My assessment of impacts on amenity could tolerate a modest degree of building raising to cater for required finished floor levels (and for site gradient) but as mentioned above there is merit in controlling this by condition.
- 6.30 A limited surface water discharge rate from the development was established in the outline assessment. Infiltration is not a practical means of disposal given underlying geology. The proposed drainage strategy is to discharge to the Wotton Brook as per the outline application. The report submitted with this reserved matters application sets out the feasibility of this including a maintenance plan that should be secured by condition.
- 6.31 The proposed drainage arrangements involve a basin/drainage pond in front/to the east of the middle building 'block 2'. Runoff from the buildings would be fed into the pond to provide a storage area with a flow control device restricting the outfall rate that would be channelled onwards to the Wotton Brook. Storage is also proposed under porous paving used for the access road. Foul water will discharge to the existing public sewer in Estcourt Road.
- 6.32 There is already a condition on the outline planning permission to secure precise details of the drainage system. However the proposed layout and system arrangements are accepted by the Lead Local Flood Authority and Drainage Engineer, who are satisfied that the proposals are acceptable as a

matter of principle. The detail needs to be addressed pursuant to the outline condition.

- 6.33 The proposals comply with the above policy context in terms of flood risk and drainage and no objection is raised in this respect.

#### *Ecology*

- 6.34 The applicants set out that the scheme seeks to enhance the ecological merit of the site with additional planting and the majority of the suggestions made by the ecologists are incorporated. They also set out that trees and hedgerows are to be protected in line with the arboricultural report.
- 6.35 The outline stage ecology report provided a tree assessment for potential bat roosts and identified several trees in the vicinity of this reserved matters application site. A condition was imposed to deal with any works to trees identified as a potential bat roost. As noted above, all trees are retained.
- 6.36 The existing cricket pavilion is to be demolished as accepted at the outline stage. There is a condition on the outline permission requiring a methodology for demolition that will need to be satisfied.
- 6.37 The scheme includes proposals to insert bat bricks and sparrow terrace bricks as well as bat boxes to trees. Given the bat population these should be secured by condition as ecological enhancement. The lighting strategy, while acceptable in terms of amenity, still needs to be considered under the outline condition in terms of impact on bats. The long-term impact of the development on local populations is not significant and habitat creation would have a beneficial impact to protected species.
- 6.38 The proposals would comply with the above cited policy context and no objection is raised in these terms.

#### *Sustainability*

- 6.39 There is already a condition on the outline permission to secure details of energy efficient measures for assessment. The application refers to maximising efficiency through passive building design, and the following 'active design' measures – heat interface units minimising heat losses from the domestic hot water system (instant hot water); high efficiency boilers; high efficiency lighting; presence detection lighting; programmed and photocell external lighting. In addition, the applicant's engineers recommend a photovoltaic system.
- 6.40 In the context of the Council's policy on renewable energy this is considered acceptable.

#### *Other issues raised in representations*

- 6.41 Most issues raised in comments have already been covered in the report. In terms of the remainder, property devaluation and views are not material considerations. I do not see any problems in planning terms in respect of the provision of a substation, gas meter or utility provision. The vertical shading



on the section plan mentioned by an objector indicates the rear garden fences of properties. The block plan amendment mentioned was to consistently show the plant compound. Finally, I do not perceive that granting reserved matters approval would set a precedent for future development. It is already permitted by the outline permission as a matter of principle and any further development on the site or nearby land would need to be subject to a separate planning application that would be determined on its merits.

## **7.0 CONCLUSION**

- 7.1 The applicant is hereby applying for the reserved matters of appearance, landscaping, layout and scale pursuant to an existing outline permission that agreed the principle of development and the means of access.
- 7.2 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.
- 7.3 Subject to refining the planting specification as set out in the report and further assessment of the implications of proposed floor levels for ground levels, the proposal is considered to be acceptable (subject to conditions) in terms of design and landscaping, highways, residential amenity, drainage and ecology and would comply with the above cited local and national policies.

## **8.0 RECOMMENDATIONS OF THE HEAD OF PLANNING**

- 8.1 That delegated authority is given to the Head of Planning (or such equivalent officer managing the Council's development control function as may be applicable at the time) to grant reserved matters approval subject to the following conditions (and any other conditions necessary to address outstanding matters) and subject to
1. receipt of a revised planting plan and specification showing refinements to the proposed planting proposals to achieve a suitable landscape buffer between existing and proposed properties and an attractive landscape setting and there being no new material planning considerations raised during reconsultation on the plan/specification that have not already been considered, and
  2. satisfactory resolution of the implications of proposed finished floor levels for ground levels and any associated design/amenity impacts.

### Condition

The development shall be undertaken in accordance with the plans referenced;

Site location plan ref. ADP-00-XX-DR-A-900 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Demolition plan ref. ADP-00-XX-DR-A-902 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block Plan ref. ADP-00-XX-DR-A-901 Rev. P2 received by the Local Planning Authority on 17<sup>th</sup> May 2017

### **Block 1**

Block 1 Proposed GA ground floor plan ref. ADP-B1-00-DR-A-1000 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 1 Proposed GA first floor plan ref. ADP-B1-01-DR-A-1001 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 1 Proposed GA second floor plan ref. ADP-B1-02-DR-A-1002 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 1 Proposed GA roof plan ref. ADP-B1-R1-DR-A-1003 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 1 Proposed GA elevations plan ref. ADP-B1-XX-DR-A-1200 received by the Local Planning Authority on 4<sup>th</sup> March 2017

### **Block 2**

Block 2 Proposed GA ground floor plan ref. ADP-B2-00-DR-A-1000 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 2 Proposed GA first floor plan ref. ADP-B2-01-DR-A-1001 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 2 Proposed GA second floor plan ref. ADP-B2-02-DR-A-1002 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 2 Proposed GA roof plan ref. ADP-B2-R1-DR-A-1003 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 2 Proposed GA elevations plan ref. ADP-B2-XX-DR-A-1200 received by the Local Planning Authority on 4<sup>th</sup> March 2017

### **Block 3**

Block 3 Proposed GA ground floor plan ref. ADP-B3-00-DR-A-1000 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 3 Proposed GA first floor plan ref. ADP-B3-01-DR-A-1001 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 3 Proposed GA roof plan ref. ADP-B3-R1-DR-A-1002 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Block 3 Proposed GA elevations plan ref. ADP-B3-XX-DR-A-1200 received by the Local Planning Authority on 4<sup>th</sup> March 2017

Landscape section AA: Estcourt Close vehicle gate plan and sections ref. ADP-00-XX-DR-L-1902 received by the Local Planning Authority on 4<sup>th</sup> April 2017

Landscape Section BB & CC: Pedestrian access gate via public right of way (south), pedestrian gate to north entrance ref. ADP-00-XX-DR-L-1903 received by the Local Planning Authority on 4<sup>th</sup> April 2017

Landscape Section DD: Estcourt Road gated off access route ref. ADP-00-XX-DR-L-1904 received by the Local Planning Authority on 4<sup>th</sup> April 2017

Landscape service unit plan and sections ref. ADP-00-XX-DR-L-1905 received by the Local Planning Authority on 4<sup>th</sup> April 2017

( \* new landscape plans to supersede Landscape GA ADP-00-XX-DR-L-1900 Rev. S1 P3 – received by the Local Planning Authority on 4<sup>th</sup> May 2017 and Soft landscape plan ref. ADP-00-XX-DR-L-1901 Rev. S1 P2 received by the Local Planning Authority on 4<sup>th</sup> April 2017)

except where otherwise required by conditions of this approval.

Reason

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

## **AMENITY**

Condition

The rating level of any noise generated by mechanical plant associated with the development shall not exceed the pre-existing background (LA90) noise level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

Reason

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

Condition

No windows in the development shall be openable (other than openings required in association with the ventilation louvre system).

Reason

In accordance with the submitted proposals to mitigate noise pollution 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 Joint Core Strategy Main Modifications 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

**Condition**

A condition to control land raising/secure the 600mm freeboard above the flood level, as appropriate.

**LANDSCAPE**

**Condition**

Any excavations within the root protection area of a tree subject to a tree protection order shall be undertaken by hand only and not machinery.

**Reason**

Works are proposed close to protected trees. This restriction is required to protect the integrity of the protected tree and minimise potential damage to the root system in accordance with Policies SD10 and INF 4 of the Joint Core Strategy Main Modifications 2017, Paragraphs 17, 109 and 118 of the NPPF and Policies B.8, B.10 and BE.4 of the 2002 City of Gloucester Second Deposit Local Plan.

**DRAINAGE**

**Condition**

The SuDS proposals agreed in this approval and pursuant to the condition of the associated outline planning permission shall be maintained for the lifetime of the development in accordance with the measures set out in the submitted Flood Risk update, Drainage Strategy and Water Quality Management Report by AKS Ward dated March 2017.

**Reason**

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Policies FRP.1a, FRP.6, FRP.11 of the City of Gloucester Second Deposit Local Plan 2002 Policy INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Main Modifications 2017 and Paragraph 103 of the NPPF.

**ECOLOGY**

**Condition**

No unit shall be occupied until the bat bricks, sparrow terrace bricks and bat boxes as identified in the application have been implemented in full.

Reason

To secure biodiversity mitigation and enhancement in accordance with Policies SD10 and INF 4 of the Joint Core Strategy Main Modifications 2017, Paragraphs 17, 109 and 118 of the NPPF and Policy B.8 of the 2002 City of Gloucester Second Deposit Local Plan.

**HIGHWAYS**

Condition

No unit comprised in this application shall be occupied until the boundary fence and gates have been installed in full at the Estcourt Close junction with the application site.

Reason

To ensure management of access to the site by motor vehicles in the interests of highway safety in accordance with Paragraph 32 of the National Planning Policy Framework.

Condition

Details of the access off Estcourt Close to include construction, drainage, kerbing, relocation of the lighting column and tactile paving either side of the access shall be submitted to and improved in writing by the Local Planning Authority and completed in all respects in accordance with those details approved prior to occupation.

Reason

To ensure safe and suitable access is provided for all users in accordance with Paragraph 32 of the National Planning Policy Framework.

Note

The aspiration for finished floor levels with 600mm freeboard above the flood level will be assessed in terms of any associated additional impact in terms of design or residential amenity.

Note

The submitted amended lighting specification is acceptable in terms of amenity but needs to be considered as to its impact on bats as per Condition 26 of the outline planning permission.

Decision: .....

Notes: .....

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Person to contact: Adam Smith  
(Tel: 396702)

**17/00224/REM**

**Debenhams Sports Ground  
Estcourt Road  
Gloucester**

**Planning Committee 06.06.2017**

