

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	6 th November 2018
Address/Location:	49 Sherborne Street Gloucester GL1 3DL
Application No:	18/00487/FUL
Ward:	Kingsholm & Wotton
Expiry Date:	23.08.2018
Applicant:	Kelly Thomas
Proposal:	Demolition of 23 flats/ 1 office and construction of 9 no. one bedroom flats and 22no. two bedroom flats with associated access, parking and landscaping.
Report by:	Nigel Gould
Appendices:	Site Location Plan Proposed Site Plan Proposed Elevations

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site is currently occupied by Sherborne House consisting of 23 flats and 1 office. Sherborne House is a three storey flat roof brick property of three linked blocks. The property has a north to south orientation and is located at the rear of the plot with a large car park to the fore, on the west side of Sherborne Street.
- 1.2 To the north of the site are properties of a similar age and design but with truncated mono-pitched roofs, sited off Sherborne Street. Adjacent to this and sited off Union Street is a row of three storey properties, again of a similar age and design but with an elevated walkway/balcony on the north elevation onto Union Street. Adjacent to the opposite side of Union Street are the school fields of Kingsholm C of E Primary School, with the school buildings to the rear. Wrapping around the west and south elevations are three storey flat roof apartment blocks, with similar properties to the south and the large Clapham Court high rise block adjacent to the west. On the opposite side of Sherborne Street are the rear gardens of the residential dwellings off Oxford Street, being two storey pitched roof, red brick Victorian terrace.
- 1.3 The site lies approximately 1km north of the city centre and 0.5km southeast of Kingsholm Stadium. The railway station is approximately a 10 minute walk away with a variety of services within a 5 minute walk. There are Conservation Areas to the north, south, east and west – Kingsholm, Denmark Road, Worcester Station, and London Road – however the site is not adjacent to or in close proximity to any of these.
- 1.4 Permission is sought to demolish Sherborne House and reconfigure the site with three detached blocks comprising of 31 flats in total – 9no. one bedroomed flats & 22no. two bedroom flats. Block A would be sited fronting Sherborne Street and parallel with the eastern edge of the site boundary. An undercroft with gated access would provide vehicular access to a central courtyard parking area. Block B would have the same orientation but would be sited on the western edge of the site, enclosing the central courtyard and enclosing the central green to Columbia Close to the rear. Block C would be sited to the north of the site at right angles to block B and C, and would continue the linear development of the existing properties on Union Street.

1.5 Block A would have a height to eaves of 8.00m and ridge of 10.38m, with a height of 6.43m from ground level to the top of the balcony wall. The block would have a footprint of 11.87m x 28.46m. Block B would have a height to eaves of 8.00m and ridge of 10.38m, with a height of 6.43m from ground level to the top of the balcony wall. The block would have a footprint of 11.85m x 28.46m. Block C would have a height to eaves of 8.00m and ridge of 10.38m, with a height of 6.28m from ground level to the top of the balcony wall. The block would have a footprint of 9.04m x 25.23m.

1.6 All three units would have the same design pallet as follows:

- Walls – light red/buff brick. Off white coloured cladding. Black timber effect cladding.
- Windows & doors – Grey uPVC
- Roof – Grey concrete tile.

As a design theme the bottom two floors of each block would be brick with black contrasting panels in the windows, with the same detailing on the third floor but with white cladding rather than red brick.

2.0 RELEVANT PLANNING HISTORY

The site has no relevant planning history.

3.0 RELEVANT PLANNING POLICY.

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

3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 Development Plan

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS include:

SP1 - The need for new development
SP2 – Distribution of new development
SD3 – Sustainable design and construction
SD4 – Design requirements
SD6 – Landscape
SD10 – Residential development
SD11 – Housing mix and standards
SD12 – Affordable Housing
SD14 – Health and environmental quality
INF1 –Transport network
INF2 – Flood risk management
INF7 – Developer contributions

3.4 City of Gloucester Local Plan (Adopted 14 September 1983)

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 213 of the NPPF states that due weight should be given to relevant policies in existing plans *'according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.'* The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

3.5 **Emerging Development Plan Gloucester City Plan**

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

3.6 **Other Planning Policy Documents Gloucester Local Plan, Second Stage Deposit 2002**

Regard is also 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. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight:

3.7 All policies can be viewed at the relevant website address:- national policies:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
Gloucester City policies:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>

4.0 **CONSULTATIONS**

4.1 **Highway Authority**

No objections subject to conditions relating to access, parking, Construction Method Statement and cycle storage. The key comments are:

- The site is located in a sustainable location reducing reliance on private vehicle use within walking and cycling distance from local amenities and the city centre as well as frequent bus and rail services throughout the city and beyond. There have been no recorded collisions related to the site access or in the immediate vicinity of the site within the past 5 years according to collision records to illustrate a related highway safety issue.
- The site includes 17 parking spaces accessed via an undercroft new vehicle access off Sherborne Street which is considered sufficient. The existing highway has traffic regulation orders to prevent unsafe parking close to the nearby junctions with restricted on-street parking.

An appropriate level of cycle parking can be sought via condition. A suitable bin store just adjacent to the footway would be acceptable and accessible for collection.

- In order to aid pedestrian connectivity to London Road for the potential increase in additional pedestrians from the additional dwellings a condition is sought for a tactile drop kerb crossing over the junction of Columbia Court with Sherborne Street

4.2 **Conservation Officer**

Whilst the replacement of the existing building is welcomed, raises concerns about the aesthetic contribution that the scheme would make to this part of the city and sees it as a lost opportunity to enhance the space between conservation areas.

4.3 **Arboricultural Officer**

No objections subject to conditions relating to implementation of the submitted tree report and submission of tree planting plans.

4.4 **Ecology Adviser**

No objections subject to the addition of conditions relating to implementation of the ecology report and submission of details of Biodiversity Mitigation and Enhancements.

4.5 **City Archaeologist**

(No objections subject to the addition of a condition relating to a programme of archaeological work to be submitted and approved.

The site is located on the edge of medieval and Roman settlement in Gloucester. Activity dating from both periods has been found 120m to the west on the north side of Alvin Street, and 130m to the south (at 1 Alvin Street). It's currently very difficult to know if these remains extend into the area of the site. The site was later an engineering works before being cleared for its current use presumably sometime in the 1990s. There is some potential for archaeological remains of Roman and later date to survive within undisturbed parts of the site. There is concern that the proposed development may damage or destroy any archaeological remains that may be present.

4.6 **Drainage Adviser**

I concur with the comments submitted by the LLFA. From a water quality perspective, the water quality objectives set out in the publication CIRIA C753 should be met. Please note that traditional gullies/slot drains and interceptors alone will not meet the objectives.

4.7 **City Centre Improvement Officer (Environmental Protection)**

Comments not received.

4.8 **Housing Strategy and Enabling Officer**

Welcomes the provision of affordable housing which should be secured by a s106 obligation.

4.9 **Urban Design Adviser**

The site is located within an existing estate of flats and houses, the existing development is of poor quality and the regeneration of this area is encouraged. The site is surrounded by existing development with existing flats and houses on all boundaries.

Block C comes forward of the building line on Union Street, I would have concerns about the impact of this on the appearance of the street scene. This block is also very close to the rear gardens on Sherborne Street and although there are no windows in this elevation I would have concerns about the overbearing impact that this could have on the amenity of these properties.

Block A is also extremely close to the existing block to the south. The relationship with this building is unacceptable and the impact on the existing building and the amenity of the residents is unacceptable.

The appearance of the buildings is generally acceptable although the cladding on the second floor is unattractive and I would question the appropriateness of using cladding at all, an alternative would be render or a timber cladding.

As it stands I have concerns about the layout of the proposed blocks. With amendments to the

layout this application would be acceptable.

4.10 **Local Lead Flood Authority**

No objections subject to the addition of conditions.

The proposed site location is in flood zone 1 but very near to flood zone 2 and river Twyer which is culverted. According to paragraph 4.0 of the submitted drainage strategy report "No ground investigation or soakaway testing has been undertaken yet. Prior to the detailed design soakaway testing will be undertaken to confirm the potential for infiltration drainage to be utilised at this stage of application stage.

The applicant has supplied an indicative plan for that development which demonstrates the general principle of the development is acceptable in terms of surface water flood risk and management. However, further information is required at a detail design stage to ensure the surface water drainage system is informed by infiltration tests and ground water levels. LLFA agree that site is at low risk of surface water flooding as LLFA has no records of surface water flooding in the vicinity of the development's location.

4.11 **Gloucester Civic Trust Planning Appraisal Panel**

Acceptable.

4.12 **Gloucestershire County Council S106 Officer**

No education or library contributions required.

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 Neighbouring properties were notified and press and site notices were published.

5.2 Two letters of objection have been received from nearby residents that raise the following issues:

1. The proposal does not comply with the Planning Practice Guidance.
2. The bus service data within the statement is incorrect.
3. The transport statement does not consider the travel characteristics of the proposed development.
4. The development displaces a car park.
5. Sherborne House was previously a sheltered housing development, with low car ownership.
6. Sherborne House is currently vacant but the parking block associated with this is normally full. Where will these cars be able to park if the development is built?
7. Disagree with the car ownership data.
8. The development is not sustainable.
9. Is the development to be gated?
10. The development is out of proportion with the existing dwellings.
11. Loss of parking spaces.
12. Loss of privacy.
13. The nearest bus stop is on London Road.

5.3 The full content of all correspondence on this application can be viewed on:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 **OFFICER OPINION**

6.1 **Legislative background**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows:

- Principle
- Design, layout and landscaping
- Affordable Housing
- Traffic and transport
- Residential amenity
- Drainage and flood risk
- Open Space, Recreation, Education and Community Facilities
- Economic considerations
- Planning obligations

6.5 **Principle**

The NPPF requires local planning authorities to demonstrate a 5 Year Housing Land Supply against the relevant housing requirement, with an appropriate buffer. Policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. The JCS addresses housing supply and demand under Policies SP1 (The Need for New Development) and SP2 (Distribution of New Development) as well as within Part 7 (Monitoring and Review).

6.6 The Council can currently demonstrate a five year supply of deliverable housing sites with a 20% buffer and this positive housing land supply position means that the housing policies in the Joint Core Strategy can be given full weight.

6.7 Policy SD10 of the JCS allows for infilling within the existing built up areas of the City Gloucester. In terms of the broad principles of development, the site is within the built up area of the City, is in a sustainable location for residential use and would contribute to housing supply. As such the proposal would meet the thrust of Policy SP1 to focus investment and regeneration within the built up area of the city, the principle of development is considered acceptable in accordance with JCS Policy SD10. There are no key policy constraints that would affect this, in principle support. However, proposals that are acceptable in principle are still subject to all other policy tests.

6.8 As the site is located within the built up area of the city, the principle of development is considered to be acceptable in accordance with JCS Policy SD10, subject to assessment against other planning considerations in the remaining sections of this report.

6.9 **Design, Layout and Landscaping**

Part 12 of the NPPF attaches great importance on good design and seeks to promote development which is appropriate in terms of overall scale, massing, height, landscaping, layout, materials and access in relation to neighbouring buildings and the local area more generally. It

further states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions...' Policy SD3 requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design, Policy SD6 requires development to protect or enhance landscape character while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network.

- 6.10 The existing property – Sherborne House – although of the same style and age as the surrounding residential apartments, has a different footprint, layout and external appearance. The internal layout is sub-optimal as is the external appearance. The demolition of Sherborne House would allow a better designed more efficient use of the space.
- 6.11 Pre-application advice was provided on the proposals in July 2017. The principle of development was welcomed and some guidance given on lifting the design quality of the scheme. The development as proposed responds to the design and layout of the surrounding development but with a modern clean interpretation. The contrasting brick and white cladding and the recessed balcony at the third floor being two key aspects. The location of Block A to the front of the site, adjacent to the highway extends the building line from the existing properties to the north and brings a positive influence to the street scene. Block B encloses the proposed internal courtyard and in turn closes off the green to the rear (west). Block C closes off the proposed courtyard to the north and extends the present building line along Union Street.
- 6.12 It is considered that the agent has responded positively to the pre-application response and the design suggestions on the current application from the City Council. Whilst the comments of the Urban Design Adviser and Conservation Officer are noted, it is considered that the scheme is well related and integrated within the wider site and has an acceptable design, layout and landscaping.
- 6.13 Therefore, having had regard to Policies SD3, SD4 and SD10 of the JCS and the appropriate sections of the NPPF it is considered that the proposal would be acceptable in respect to its impact on the character and form of the area.

Affordable Housing

- 6.14 The NPPF states that where local authorities have identified the need for affordable housing, policies should be set for meeting this need on site, unless off site provision or a financial contribution can be robustly justified. Policy SD12 of the JCS provides that a minimum of 20% affordable housing will be sought on sites of 11 or more dwellings in the Gloucester City administrative area. Bullet point 10 of the Policy provides that the viability of the site may enable additional levels of affordable housing to be provided.
- 6.15 Gloucester City Homes are the applicants for this development who will retain ownership of the completed flats. All of the flats are proposed as affordable housing units with the owner/applicant acting as the affordable housing provider. The applicants have agreed to enter into a s106 Agreement for the purpose of securing the affordable housing in perpetuity. As such the proposal complies with the requirements of Policy SD 12 and the proposal is acceptable in this respect.
- 6.16 ***Traffic and transport***
Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network.
- 6.17 The Local Highway Authority has assessed the scheme in full. They consider the site to be in a

sustainable location which reduces the reliance on private vehicle use. They have also reviewed the supporting Transport Assessment and agree with the assessment of the comparison between existing and proposed trip generation. The comments from the Local Highway Authority are noted (see section 4 above), and the conditions they request recommended below. As such, there are no highway safety implications as a consequence of the proposed development in accordance with JCS Policy INF1 and Part 9 of the NPPF.

6.18 **Residential amenity**

Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 127 (f) of the NPPF seeks to achieve well designed places "...with a high standard of amenity for existing and future users". This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

6.19 The proposal involves the demolition of an existing three storey flat roof property with a large footprint – Sherborne House – and its replacement with three detached blocks of flats. Due to the siting of Block C it is not considered that it would impact on the amenity of existing residents on Union Street or Sherborne Street. It is not considered that Block B would impact on the amenity of residents of Union Street but it has the potential to impact on the amenity of apartment block to the south – 1 to 30 Sherborne Street. Similarly it is not considered that Block A would impact on the amenity of residents of Sherborne Street to the north – numbers 55 to 64 - but it has the potential to impact on the amenity of apartment block to the south – 1 to 30 Sherborne Street. For these reasons a Sunlight and Daylight Impact Assessment was commissioned. The report assesses the impact for residents of the proposed development as well as the impact of the proposed development on existing residents and has been specifically designed to follow the best practice guidance as set out in the BRE publication 'Site Layout Planning for Daylight and Sunlight'

6.20 For future occupants of the proposed development the report concludes that: *"the Sherborne House Development has met, and in some cases exceeded recommendations for both Sunlight and Daylight for a greater proportion of areas than those that do not pass. No further changes to Design are required at this stage in either layouts or glazed areas."*

6.21 As part of the methodology for assessing the impact of the development on the amenity of existing residents, the commissioned consultants assessed 5 key windows nearest the site on the adjacent row of flats to the south - 1 to 30 Sherborne Street. The Assessment was separated into two core sections: The Sunlight & Daylight Impact of the proposed development; and the potential change in Sunlight & Daylight Impact on the proposed development from surrounding buildings. Five areas of glazing in neighbouring properties were chosen as 'worst-case', as these appear to be close enough to the proposed development to see a potential reduction to the amount of available natural daylight. Two separate calculations were completed for the selected windows to show both the existing results and the difference as a result of the proposed development. The calculations are shown in table 9 below which is an extract from the submitted Sunlight and Daylight Impact Assessment and relate to a Virtual Sky Component (VSC).

	Existing (Unobstructed Nodes)	Proposed (Unobstructed Nodes)	Difference
Window 1	100%	92%	8%
Window 2	99%	93%	6%
Window 3	94%	93%	1%
Window 4	98%	93%	5%
Window 5	94%	79%	15%

Table 9: VSC before and after comparison for existing dwellings.

- 6.22 If the proposed VSC is less than 27% and there is more than a 20% reduction in sunlight between the existing and proposed calculation, the building work could be considered as causing a serious effect on the levels of accessible natural light. The table shows that the VSC would exceed 27% and that the difference between the two readings is less than 20%. As such it is not considered that the proposed development would cause a loss of light to existing residents.
- 6.23 It is important to note that the above assessment was based on the proposed site plan, drawing number: 5696/P/10 Rev A. Further to discussions with the Council the site plan has been amended with the latest proposed site plan being drawing number: 5696/P/10 Rev B. The key changes are that the footprint of blocks B and A have been reduced and moved approximately 1.78m away from existing properties to the south in comparison to Rev A. The existing development has a staggered profile on the southern elevation, with the proposed development having a flat profile that would be between 4.20m and 6.20m away from the footprint of the existing building.
- 6.24 Whilst it is clear that there would be a change of outlook experienced by some neighbouring residents, for the reasons given above it is considered that the impacts on the living conditions of existing and future residents would be acceptable.
- 6.25 ***Drainage and flood risk***
The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.
- 6.26 The site is located within Flood Zone 1 and therefore comprises land assessed as less than 0.1% (1 in 1000) chance of flooding occurring each year. The submitted drainage strategy confirms that the existing foul connection has capacity for the proposed development. The strategy also states that ground infiltration tests for surface runoff have not been done, although there is an appended letter to the strategy which confirms a fall-back position in this regard. The comments from the LLFA and the drainage officer are noted and there are no objections subject to appropriate planning conditions which are currently being drafted. **An update will be provided at Committee.** For the reasons given, and subject to appropriate conditions, it is considered that the proposal accords with the requirements of Policy INF2 of the JCS and the relevant

sections of the NPPS and is acceptable in this regard.

6.27 ***Open Space, Recreation, Education and Community Facilities***

The NPPF provides that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities Policies INF3, INF4 and INF6 of the JCS require new residential developments to provide for any additional infrastructure and community facilities required to serve the proposed development. Policies OS.2, OS.3, and OS.7 of the 2002 Plan set out the council's requirements for open space.

6.28 Given that the scheme is for the redevelopment of existing residential units it is not considered that, given the small net increase in units, the proposal would justify contributions to open space, recreation or community facilities.

6.29 The County Council S106 Officer has been consulted and has indicated that the proposal gives rise to additional needs in respect of education and libraries. Discussions are ongoing in respect of the actual sums sought and **an update will be provided at Committee.**

6.30 For these reasons it is considered that the proposal accords with the criteria of Policies INF3, INF4 and INF6 of the JCS and is acceptable in this regard.

6.31 ***Economic considerations***

The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment and job growth. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth through the planning system', this adds some weight to the case for granting permission.

6.32 ***Planning Obligations***

Planning legislation and the NPPF provide that 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 reasonably related in scale and kind to the development.

6.33 This is reflected in Policy INF6 of the JCS which provides that where the need for additional infrastructure and services is expected, the local planning authority will seek to secure appropriate infrastructure which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. Similarly, a Section 106 agreement is the mechanism for providing affordable housing in compliance with Policy SD12. The requirements for S106 contributions arising from the proposal are set out below.

6.34 As set out above the proposal for affordable housing is for the provision of 100% of the residential units for affordable rented units, to be provided by an approved registered provider. Discussions are ongoing in respect of possible education and library contributions.

6.35 ***Conclusion***

This application has been considered in the context of the policies and guidance referred to above.. The proposed development would secure the provision of 31 affordable rented homes in a sustainable location and would result in an improved design which would have an acceptable impact on the character and appearance of the area and the living conditions of existing and proposed residents. Subject to conditions the proposal would have an acceptable impact on highways safety. In light of the above, the proposal is acceptable and accordingly it is

recommended that planning permission be granted.

7.0 **RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER**

7.1 That the GRANT of permission is delegated to the Technical Planning Manager subject to the completion of a Section 106 agreement to provide the following:

- 100% affordable rented units.

and subject to the following conditions and the amendment to and/or addition of conditions as necessary:

Condition 1

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

Reason

Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers except where these may be modified by any other conditions attached to this permission:

5696-P-01 Site Location Plan
5696-P-02 Block Plan
5696-P-05 Existing Site Plan
5696-P-06 Demolition Plan
5696-P-10B Proposed Site Layout
5696-P-11A Proposed Landscaping Plan
5696-P-20A Prop Floor Plans Plots 1-10
5696-P-21A Prop Floor Plans Plots 11-22
5696-P-22A Prop Floor Plans Plots 23-31
5696-P-70C Proposed Elevations Plots 1-10
5696-P-71C Proposed Elevations Plots 11-22
5696-P-72B Proposed Elevations Plots 23-31
5696-P-75 Indicative Street Scene
5696-P-76 Indicative Sections
5696-P-4000 Design and Access Statement
17093.D100 Drainage Strategy
1300 Preliminary Ecological Appraisal
1808REP01 Transport Statement
BS5837 BJUFC Tree Report Protection Plan
Affordable Housing Statement
Energy Statement QDSHGL1
Sunlight and daylight Impact Assessment

Reason

To ensure that the development is carried out in accordance with the approved plans.

Condition 3

No development shall take place above ground level until details or samples of materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the materials harmonise with the surroundings in accordance with policy SD4 of the Core Strategy.

Condition 4

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows, other than those expressly authorised by this permission, shall be constructed in the gable end elevations of Blocks A, B and C.

Reason

In order to protect the residential amenity of adjacent properties in accordance with policy SD4 of the Core Strategy.

Condition 5

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason

To protect the amenity of local residents in accordance with policy SD4 of the Core Strategy.

Condition 6

No works shall commence on site on the development hereby permitted until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework paragraph 35 and Core Strategy INF1.

Condition 7

The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan 1808DWG02, and those facilities shall be maintained available for those purposes thereafter.

Reason

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework paragraph 35 and Core Strategy INF1.

Condition 8

No development shall take place, including any works of demolition, 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

Reason

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

Condition 9

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan 1808DWG02 and those facilities shall be maintained for the duration of the development.

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 paragraph 35 and Core Strategy INF1.

Condition 10

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 5m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework paragraph 35 and Core Strategy INF1.

Condition 11

Prior to occupation the existing vehicle crossover shall be reinstated as full height kerb and footway and a tactile footway crossover shall be provided across the junction of Columbia Close with Sherborne Street.

Reason

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework paragraph 35 and Core Strategy INF1.

Condition 12

Notwithstanding the details in the Tree Constraints, Impact Assessment & Tree Protection Method Statement prepared by BJ Unwin Consultancy (dated 29 March 2018) details of planting for the replacement trees, including species, sizes and pit planting specifications shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the development hereby approved.

Reason

To ensure the satisfactory appearance of the development in accordance with the requirements of Policies SD4 & SD6 of the Core Strategy.

Condition 13

Development shall be carried out in accordance with sections 1.3 and 1.4 of the Preliminary Ecological Appraisal with Preliminary Roost Assessment, dated 17/04/2018, published 09/05/2018, prepared by Focus Ecology Ltd.

Reason

To safeguard biodiversity as set out by the Habitats Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and in accordance with Policies SD4, SD6 & SD9 of the Core Strategy.

Condition 14

No work above DPC level on the development hereby permitted shall take place until a scheme for biodiversity mitigation and enhancement measures, such as new planting, incorporation of permanent bat roosting feature(s) and or nesting opportunities for birds has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in general accordance with the recommendations at section 1 of the Preliminary Ecological Appraisal with Preliminary Roost Assessment, dated 17/04/2018, published 09/05/2018, prepared by Focus Ecology Ltd. . The scheme shall include, but not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
- ii. Materials and construction to ensure long lifespan of the feature/measure
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- iv. When the features or measures will be installed within the construction, occupation, or use phased of the development permitted.

The development shall be carried out and thereafter be retained and maintained in strict accordance with the approved scheme.

Reason

To secure biodiversity mitigation and enhancement in accordance with Policies SD4, SD6 & SD9 of the Core Strategy.

Condition 15

No development or demolition below slab level shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Note 1

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 2

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 – explanatory booklet.

Note 3

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Note 4

The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

Note 5

The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality; however pollution control is the responsibility of the Environment Agency.

Person to Contact: Nigel Gould (396967)

Planning Application: | 18/00487/FUL

Address: | 49 Sherborne Street
Gloucester GL1 3DL

Committee Date: |