



# Gloucester City Council

## Planning Committee

**Meeting: Tuesday, 6th September 2022 at 6.00 pm in North Warehouse,  
The Docks, Gloucester, GL1 2EP**

<b>Membership:</b>	Cllrs. Taylor (Chair), Morgan (Vice-Chair), Bhaimia, D. Brown, J. Brown, Conder, Dee, Finnegan, Melvin, Sawyer, Toleman and Tracey
<b>Contact:</b>	Democratic and Electoral Services 01452 396126 <a href="mailto:democratic.services@gloucester.gov.uk">democratic.services@gloucester.gov.uk</a>

### AGENDA

**4. LATE MATERIAL (Pages 5 - 8)**

Please note that any late material in respect of the applications detailed below will be published as a supplement on the Council's website in the late afternoon of the day before the meeting. Additional late material will be uploaded as a supplement on the Council's website on the day of the meeting, should further relevant representations be received thereafter.

**Jon McGinty**  
Managing Director

**Date of Publication: Tuesday, 6 September 2022**

## NOTES

### Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area.  For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and (b) either – i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with

whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

### **Access to Information**

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For enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, [democratic.services@gloucester.gov.uk](mailto:democratic.services@gloucester.gov.uk).

If you, or someone you know cannot understand English and need help with this information, or if you would like a large print, Braille, or audio version of this information please call 01452 396396.

### **Recording of meetings**

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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### **HUMAN RIGHTS**

In compiling the recommendations on the following reports we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any affected properties. In particular, regard has been had to Article 8 of the ECHR (Right to respect for private and family life, home and correspondence); Article 1 of the First Protocol (Right to the use and enjoyment of property) and the requirement to ensure that any interference with the right in this Article is both in accordance with the law and proportionate. A balance needs to be drawn between the right to develop land in accordance with planning permission and the rights under Article 8 and also Article 1 of the First Protocol of adjacent occupiers. On assessing the issues raised by the applications no particular matters, other than those referred to in the reports, warrant any different action to that recommended.

### **EQUALITY ACT 2010**

In considering this matter, full consideration has been given to the need to comply with the Public Sector Equality Duty under the Equality Act 2010 and in particular to the obligation to not only take steps to stop discrimination, but also to the promotion of equality, including the promotion of equality of opportunity and the promotion of good relations. An equality impact assessment has been carried out and it is considered that the Council has fully complied with the legal requirements.

22/00113/FUL 121 Elmleaze, Gloucester Late Material

Revised Consultation Responses – Gloucestershire County Council Highways Authority

**A revised consultation response has been received from the Highways Authority which provides further justification for the highway response of no objection:**

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions.

The application site is located at the end of a cul-de-sac which is a class 4 publicly maintainable highway. Please see below image.



This application seeks to provide a new vehicular access via a dropped kerb crossing. The proposed vehicular access as shown on submitted plan drawing number 02 revision B -270622 demonstrates an access width of 4.9m wide this would support two-way working and accords to local guidance for a shared vehicular access arrangement. Furthermore, the proposed layout in terms of on-site parking and turning facilities demonstrates adequate parking facilities for both the existing and proposed dwelling with additional space within the site curtilage for a visitor parking space. This also accords to local guidance. GCC's default position regarding the 'X' distance should be 2.4m set back from the centre of the access, however there are on occasions where a 2m 'X' distance can be applied as stated within Manual For Streets paragraph 7.7.7 which states, A minimum figure of 2 m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered. A 2m 'X' distance in this instance would be considered acceptable and meet the criteria for accepting the 2m 'X' distance.

The required 'Y' distance for a design speed of 15mph as set out within Manual For Streets would require 15m emerging visibility splays (Y-Distance). Please see below table.

Table 7.1 Derived SSDs for streets (figures rounded).

Speed	Kilometres per hour	16	20	24	25	30	32	40	45	48	50	60
	Miles per hour	10	12	15	16	19	20	25	28	30	31	37
SSD (metres)		9	12	15	16	20	22	31	36	40	43	56
SSD adjusted for bonnet length. See 7.6.4		11	14	17	18	23	25	33	39	43	45	59
Additional features will be needed to achieve low speeds												

From a desk top assessment and using a 2m 'X' distance, I can confirm that in excess of 15m can be achieved to the left, all within the control of the highway, therefore if the neighbouring property were to erect a boundary fence this would not obstruct emerging visibility. Lastly in regards to driver/pedestrian visibility the applicant proposes to retain the existing boundary hedge as shown on drawing 02 revision B-270622 which demonstrates the existing boundary to be retained and to be kept less than 0.6m in height this would ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway. This is considered acceptable. The above response is justification for the highway no objection, revised conditions below.

**Conditions 1**

The development hereby permitted shall not be first occupied until the proposed development has been fitted with an electric vehicle charging point. The charging point shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging point shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point shall be of the same specification or a higher specification in terms of charging performance

**Reason**

To promote sustainable travel and healthy communities with paragraph 112 of the National Planning Policy Framework.

**Condition 2**

Notwithstanding the submitted details, the vehicular access hereby permitted shall be not be brought into first use until the vehicular access and vehicle crossover has been installed at the carriageway edge and constructed across the footway fronting the site broadly in accordance with the approved drawing 02 revision B -270622 and with the area of driveway surfaced in a bound permeable material, and shall be maintained thereafter

**Reason**

To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict pedestrians, cyclists and vehicles in accordance with paragraph 110 and 112 of the National Planning Policy Framework.

**Condition 3**

The development hereby permitted shall not be brought into first use until the frontage boundaries have been retained in accordance with the submitted approved Block plan drawing 02 revision B - 270622 and the height of the boundary vegetation shall not exceed a height of 600mm in height and thereafter maintained so as to provide clear visibility

**Reason**

To avoid an unacceptable impact on highway safety by ensuring that adequate pedestrian visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 110 and 112 the National Planning Policy Framework.

**Condition 4**

The development hereby approved shall not be brought into first use until the parking and turning facilities for the proposed and existing dwelling has been provided as shown on drawing number 02 revision B -270622.

**Reason**

To ensure conformity with submitted details.

**Informative 1.** The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or [highways@gloucestershire.gov.uk](mailto:highways@gloucestershire.gov.uk) before commencing any works on the highway. Full Details can be found at [www.gloucestershire.gov.uk](http://www.gloucestershire.gov.uk) .

**THE REVISED COMMENTS FROM THE HIGHWAYS AUTHORITY DO NOT CHANGE THE OVERALL OFFICER CONCLUSIONS AS TO THE ACCEPTABILITY OF THE PROPOSAL. THE SUGGESTED AMENDED CONDITIONS BY THE HIGHWAYS AUTHORITY ARE ACCEPTED**

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