



## **PLANNING COMMITTEE**

**MEETING** : Tuesday, 4th June 2019

**PRESENT** : Cllrs. Taylor (Chair), Lewis (Vice-Chair), D. Brown, J. Brown, Dee, Derbyshire, Hanman, Lugg, Toleman and Walford

### **Officers in Attendance**

Paul Skelton, Technical Planning Manager

Nick Jonathan, Solicitor, One Legal

Adam Smith, Principal Planning Officer

Joann Meneaud, Planning Officer

Mark Fisher, Planning Assistant

Tony Wisdom, Democratic Services and Elections Officer

**APOLOGIES** : Cllrs. Finnegan, Hansdot and Hawthorne

### **1. APPOINTMENT OF CHAIR AND VICE-CHAIR**

The appointments of Councillor Taylor as Chair and Councillor Lewis as Vice-Chair of the Committee made at Annual Council were confirmed.

### **2. DECLARATIONS OF INTEREST**

Councillor Taylor declared a personal interest in agenda item 6 (19/00245/FUL) as he was related to the applicant.

During the course of the debate on agenda item 7 (18/01187/FUL) Councillor Lewis became aware that he had a personal interest related to his employment and, upon taking advice from the Solicitor, took no further part in the debate and abstained from the vote on this application.

Councillor David Brown declared a personal interest as a Member of Gloucestershire County Council Planning Committee who would be determining the application at agenda item 8 (19/00500/DCC).

**PLANNING COMMITTEE**  
**04.06.19**

**3. MINUTES**

The minutes of the meeting held on 7<sup>th</sup> May 2019 were confirmed and signed by the Chair as a correct record.

**4. LATE MATERIAL**

Late material in respect of agenda items 7 and 9 had been circulated.

**5. 42 BEECHCROFT ROAD - 19/00245/FUL**

The Chair had declared a personal interest in this application and left the Chamber during the consideration of this application. The Vice-Chair took the Chair for this item.

The Planning Assistant presented the report which detailed an application for single storey front, side and rear extensions, front dormer extension and addition of rear dormer window. Demolition of existing garage and conservatory at 42, Beechcroft Road.

The Vice-Chair moved and Councillor Lugg seconded that the application be determined in accordance with the officer's recommendation.

**RESOLVED that planning permission be granted subject to the conditions in the report.**

**6. PARCEL 1, KINGSWAY BUSINESS PARK, NEWHAVEN ROAD, QUEDGELEY - 18/01187/FUL**

The Technical Planning Manager presented the report which detailed an application for mixed use development comprising health and fitness floorspace (Use Class D2) and non-food retail floorspace (Use Class A1), car parking, access arrangements, landscaping and associated works at Parcel 1, Framework Plan 5 FP5, Kingsway Business Park.

Members noted the late material which contained a correction to the car parking provision.

**Councillor Cook, as Ward Member addressed the Committee in support of the application.**

He noted that 87% of residents responding to the public consultation in 2018 were in favour of the development of the unattractive brownfield site.

He stated that the sites in Quedgeley District Centre totalled 2,400 sqm and, with the proposed garden centre, the applicants required a site of over 3,000 sqm.

He noted that the Peel Centre was less than half a mile from the existing B&M store in the City Centre.

**PLANNING COMMITTEE**  
**04.06.19**

He stated that the proposal would create over sixty jobs and none of the consultees had indicated that the proposal would result in any harm. He noted that should the application be refused the applicants would not pursue another site in Gloucester. He read a letter of support from a resident.

**Julia Atkinson of Quedgeley Community Trust addressed the Committee in opposition to the application.**

Ms Atkinson stated that the Trust operated a gym at Severnvale School for which the school received an income and use of the Trust's facilities during school hours. Proceeds from the operation, which employed one full-time and several part-time staff, were put back into the Community.

**Marcus Pillinger, operator of a Bodyquip gym, addressed the Committee in opposition to the application.**

Mr Pillinger objected to the proposal which he believed would force the closure of his business.

**Mark Buxton, agent for the applicant, addressed the Committee in support of the application.**

Mr Buxton advised the Committee that B&M and Pure Gym were contracted to occupy the development. He stated that the sequential test was the only issue and no harm would result from the development.

He stated that a range of alternative sites had been tested and none of the available sites had been suitable. The sites at the Peel Centre only had half the required floorspace and there was insufficient parking at Quedgeley District Centre. He understood that Energy Fitness had submitted an application for the former Next premises at Quedgeley District Centre.

He noted that case law suggested that the sequential test should be applied in a 'real world' situation.

He stated that the proposal would bring economic, social and environmental benefits while regenerating a brown field site.

The Technical Planning Manager advised that the covenant attached to Home Bargains at the Peel Centre only applied to existing buildings.

The Vice-Chair asked how much flexibility was available. The Technical Planning Manager replied that it was a matter of judgement and the Council's retail consultants had advised that the application should be refused on the basis that it had not been demonstrated that the sequential test had been passed. This is why officers recommended refusal. He reminded the Committee to consider the application on a 'fascia blind' basis and not to focus on the expected occupiers.

**PLANNING COMMITTEE**  
**04.06.19**

The Vice-Chair became aware that he had a personal interest in this application due to his employment and took no further part in the debate and abstained when the vote was taken.

The Chair stated that whilst he understood the reason for the recommendation, in his view the proposals would meet a local need and that the resulting community benefits tipped the balance in favour of granting permission. The Technical Planning Manager advised that should the Committee be minded to grant consent he would request delegated authority to impose a suite of conditions including the following:-

- Restrictions on the categories of goods to be sold and in some cases, the proportion of floorspace dedicated to them;
- Standard conditions on timing and approved plans;
- Restrict the D2 use class to the gym only;
- Drainage;
- Highways;
- Provision of electric vehicle charging points;
- Cycle parking;
- Construction method plan;
- Provision of fire hydrants;
- Travel plan;
- Materials;
- Boundary treatment;
- Ecology;
- Landscaping;
- Environmental matters;
- Construction management;
- Contaminated land.

The Chair moved, and Councillor Hanman seconded, that the Technical Planning Manager be authorised to grant planning permission subject to appropriate conditions.

**RESOLVED that that the Technical Planning Manager be authorised to grant planning permission subject to appropriate condition.**

The Vice-Chair, having declared a personal interest, abstained when the vote was taken

**7. OLD GAS WORKS, BRISTOL ROAD - 19/00500/DCC**

The Principal Planning Officer presented the report which detailed a consultation from Gloucestershire County Council on an application for change of use from National Grid operational site to vehicle breaking and storage place (sui generis use). Construction of building for vehicle breaking and storage. Proposed concrete hardstanding to yard with proprietary steel car rackings at the Old Gas Works, Bristol Road.

**PLANNING COMMITTEE**  
**04.06.19**

A Member asked how many people were employed in the nearby industrial units and she was advised that it was probably in the region of several hundreds.

The Vice-Chair stated that the steel racking on similar sites was usually four or five cars high. He expressed concerns regarding the soundproofing that the existing noise mitigation fence would provide and he stated that it was not clear whether the cars would be crushed and expressed concerns on spillage of contaminants.

The Principal Planning Officer understood that processing would take place inside the building but noted that the layout plan showed car racking across the external area that would need to be manoeuvred and he considered that more clarity was required regarding the processes involved.

The Chair moved, and the Vice-Chair seconded that the County Council be informed of the Committee's views in accordance with Officer's recommendation and that the Technical Planning Manager be authorised to respond to any further reconsultation from the County Council.

**RESOLVED that the County Council be informed of the Committee's views in accordance with Officer's recommendation and that the Technical Planning Manager be authorised to respond to any further reconsultation from the County Council.**

**8. LAND SOUTH OF WINNEYCROFT FARM, WINNYCROFT LANE/CORNCROFT LANE - 18/01141/REM**

The Principal Planning Officer presented the report which detailed an application for reserved matters for 420 dwellings, public open space including two pitches, allotments, community building, associated landscaping and noise bund, pursuant to planning permission 14/01063/OUT on land south of Winneycroft Farm, Winnycroft Lane/Corncroft Lane.

She drew Members' attention to the late material which contained a consultation response from the Ecology Adviser; an additional representation; amended conditions 7 and 8, together with additional conditions 9, 10 & 11.

Chris Dolling, Senior Planning and Design Manager for Barratt Homes addressed the committee in support of the proposals and stated that they had worked with Officers to deal with all the outstanding issues which were now considered to be resolved.

A Member asked if the facilities were considered to be adequate for the two pitches proposed. He was advised that it was expected that only one pitch would be in use at any one time and the facilities were also in accordance with the requirements of the Unilateral Undertaking.

Another Member was advised that there was provision for cyclists. Following questions, the Principal Planning Officer also explained the changes to the drainage system now being proposed and how these resulted in betterment downstream.

**PLANNING COMMITTEE**  
**04.06.19**

The Chair moved and the Vice-Chair seconded that the application be approved subject to the replacement and additional conditions in the late material.

**RESOLVED that the approved matters application be approved subject to the conditions in the report with conditions 7 and 8 replaced and additional conditions 9, 10 & 11 as follows:-**

**New Condition 7**

The spine road shall not be constructed beyond the junction adjacent to plot 12, until details of the design of the culvert over the Sudbrook, and details of the in channel restriction, have been submitted to and approved in writing by the Local Planning Authority and the works undertaken in accordance with the approved details.

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 sustainable objectives of policy INF 2 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**New Condition 8**

The proposed lighting shall be installed and operational within the community building car park prior to the community building being first brought into use.

Reason

In the interests of amenity and community safety in accordance with Policy SD4 and INF4, of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**New Condition 9**

The development shall be undertaken in accordance with the submitted plans and documents comprising:

*Plan details to be added*

And as may be required by conditions.

Reason

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

**New Condition 10**

The proposed fencing to be installed to the boundaries of the open spaces and the railings proposed to the trees within the open spaces as detailed on the approved plans shall be installed prior to the particular open space being first available for public use.

Reason

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment and protected trees in accordance with Policies SD4 and SD 9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

**PLANNING COMMITTEE**  
**04.06.19**

**New Condition 11**

The proposed tree protection fencing shall be installed prior to the commencement of the development and thereafter retained and maintained throughout the construction phase. The fencing can be removed on a phased basis once a particular phase has been completed.

**Reason**

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment and protected trees in accordance with Policies SD4 and SD 9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

**9. DELEGATED DECISIONS**

Consideration was given to a schedule of applications determined under delegated powers during the month of April 2019.

**RESOLVED that the schedule be noted.**

**10. DATE OF NEXT MEETING**

Tuesday, 2<sup>nd</sup> July 2019 at 6.00 pm.

**Time of commencement: 6.00 pm**

**Time of conclusion: 7.45 pm**

**Chair**