



# Gloucester City Council

## Planning Committee

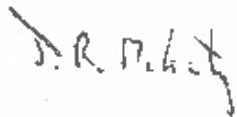
**Meeting: Tuesday, 2nd August 2022 at 6.00 pm in North Warehouse, The Docks, Gloucester, GL1 2EP**

<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

<b>1.</b>	<b>APOLOGIES</b>  To receive any apologies for absence.
<b>2.</b>	<b>MINUTES</b> (Pages 7 - 14)  To approve as a correct record the minutes of the meeting held on July 5th, 2022.
<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>  To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.
<b>4.</b>	<b>LATE MATERIAL</b>  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.
<b>5.</b>	<b>FORMER CONTRACT CHEMICALS SITE, BRISTOL ROAD, GLOUCESTER - 22/00293/FUL</b> (Pages 15 - 40)  <b>Application for determination:</b>  Erection of 43 dwellings, comprising 13 houses and 30 flats, together with associated parking and landscaping
<b>6.</b>	<b>11 NORTHGATE STREET, GLOUCESTER - 22/00384/FUL</b> (Pages 41 - 52)  <b>Application for determination:</b>  Proposed change of use from Class E to sui generis (betting office) with internal and external

	alterations.
<b>7.</b>	<b>LONGLEVENS RUGBY CLUB, LONGLEVENS, GLOUCESTER - 22/00248/FUL</b> (Pages 53 - 72)  <b>Application for determination:</b>  Proposed extension and alteration to clubhouse to include new gym, larger ground floor lounge bar, addition of balcony and bar area on the first floor. Extension to existing store and extended car parking area.
<b>8.</b>	<b>DELEGATED DECISIONS</b> (Pages 73 - 74)  To consider a schedule of applications determined under delegated powers during the month of June 2022.
<b>9.</b>	<b>DATE OF NEXT MEETING</b>  Tuesday September 6th, 2022 at Civic Suite, North Warehouse.



**Jon McGinty**  
**Managing Director**

**Date of Publication: Monday, 25 July 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.

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- Do not stop to collect personal belongings;
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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.

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## PLANNING COMMITTEE

**MEETING** : Tuesday, 5<sup>th</sup> July 2022.

**PRESENT** : Cllrs. Taylor (Chair), Morgan (Vice-Chair) Bhaimia, Conder J. Brown, Dee, Melvin, Sawyer, Toleman, Tracey and Wilson

**Officers in Attendance**

Planning Development Manager

Principal Planning Officer (x2)

Highways Officer, Gloucestershire County Council

Locum Planning Solicitor, One Legal

Democratic and Electoral Services Officer

**Also in Attendance**

Lead Planning Appeals Representative, Hempsted Residents Association

**APOLOGIES** : Cllrs. D.Brown (Councillor Wilson attended as substitute), Finnegan

### 9. MINUTES

**RESOLVED that:** - the minutes of the meeting held on Tuesday 7 June 2022 were approved and signed as a correct record by the Chair.

### 10 DECLARATIONS OF INTEREST

Councillor Melvin declared a prejudicial interest in agenda item 6 (Land at Hill Farm - 20/00315/OUT) owing to having expressed outright opposition to the application prior to the committee meeting. She took no part in members' discussion on the item nor did she vote on it.

Councillors Morgan and Toleman declared a non-prejudicial interest in agenda item 6 (Land at Hill Farm - 20/00315/OUT) owing to being residents of Hempsted.

### 11 LATE MATERIAL

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Late material had been circulated in respect of agenda Item 5 (Former Interbrew Site - 22/00014/FUL) and agenda item 6 (Land at Hill Farm - 20/00315/OUT)

**12. FORMER INTERBREW SITE, EASTERN AVENUE, GLOUCESTER - 22/00014/FUL**

The Principal Planning Officer presented the report detailing an application for development of a site to create fourteen industrial units having Planning Use Class E(g) (iii), B2 & B8 uses with ancillary offices, plus trade counter uses for Units 9 to 14, carparking, service areas and soft landscaping along with highways works to Chancel Close.

The Principal Planning Officer responded to Members' questions concerning the number of electric vehicle charging points there would be, solar panel installation, the height of the buildings and which operators would use the site as follows:

- The developer proposed to meet a 10% renewables contribution from solar panels. He had proposed a condition to require further detail on the appearance of any solar panels on the roofs.
- There was a commitment by the applicant to include a substantial number of electric vehicle charging points.
- The applicant was not required to divulge which operators would use the site and the Officer was unaware of any at the time.
- The largest building at the back of the site would be around 17 metres tall, which would not be detrimental to the character of the area. The buildings at the front of the site would be significantly smaller. Comparisons to the height of other large buildings in the area were provided.

The Highways Officer responded to Members' questions concerning parking provisions and whether there was a consideration to create a slip road into the site as follows:

- 197 parking spaces would be provided. Of these, 28% would have electric vehicle charging points.
- A slip road would not be created. The current arrangement significantly reduced the speed of vehicles entering the site, helping to protect pedestrian and cycle safety.

**Members' Debate**

Councillor Tracey noted that the application may slow traffic but that overall, she saw no planning reasons for refusal.

Councillor Melvin stated that she was pleased with the application. She said that its central location meant that jobs would be provided within walking distance of local properties and that she supported the recommendation of the officer.



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Councillor J. Brown stated that she was pleased to see that there was a condition imposed that required there to be seagull mitigation measures put in place before any development.

The Chair said that he believed that it was a sensible application.

The Chair moved, and the Vice-Chair seconded the officer's recommendation as amended in the late material:

**RESOLVED that:** - planning permission is granted subject to the completion of a legal agreement to secure a financial contribution for Travel Plan monitoring as at paragraph 6.73 of the report and the conditions outlined in the report and amended in the late material.

**13. LAND AT HILL FARM, HEMPSTED, GLOUCESTER - 20/00315/OUT**

The Principal Planning Officer presented the report detailing an outline planning application for the erection of up to 215 dwellings (amended from 245) with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access.

The Principal Planning Officer outlined the various matters including those that were acceptable, those that would require further consideration at the reserved matters stage and the reasons why the application was recommended for refusal as set out in the report.

The Principal Planning Officer further summarised the content of the late material, which stated that there was a potential for contamination. She stated, however, that she was content that the issue of contamination could be dealt with via conditions and therefore her original recommendation for refusal for the reasons set out in the report remained unchanged.

**The Planning Lead Appeals planning representative for the Hempsted Residents Association addressed the committee in opposition of the application.**

He objected to the application on the following grounds:

- The Hempsted Residents Association wanted to protect the village identity and their boundaries.
- The Planning Officer listed 8 detailed reasons for refusal within the Council report.
- At the original outline application stage, over 100 objections were submitted. There were zero representations in favour.
- Hempsted already struggled with overdevelopment, a further 215 dwellings would greatly add to this.

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- The single access point was not appropriate. It was far too narrow.
- Gloucestershire Highways had originally stated that the application was inappropriate and would have a significantly negative impact.
- The volume of traffic, particularly during school run hours would place children at risk.
- Many residents would turn into the village to avoid school traffic in peak times.
- The granting of the application and the drastic increase in vehicle movements and the unsuitable access point would put disabled and elderly persons at risk.
- The applicant was proposing to develop in a Cordon Sanitaire, something that contradicted Council Policy and would mean that any residents who occupied the dwelling would suffer with odour pollution.
- There had been 45 complaints about odour in the area within the past 2 months.
- The proposed open space was allocated within a flooding area. A potential extra 215 dwellings would worsen this.
- The current sewage system within Hempsted had a limit and already had issues, including foul sewage overflowing into gardens.
- There were a variety of protected species on the site.
- The principle of residential development would go against a number of national policies as well as the Council's Local City Plan. Development of a Cordon Sanitaire would also go against policy.

**Councillor Melvin addressed the committee in opposition to the application.**

She objected to the application on the following grounds:

- The City Council had not designated the site as an area of development as part of the Joint Core Strategy.
- The site sat in the Cordon Sanitaire which was meant to be protected from development.
- The area suffered from odour issues.
- Hempsted had already been overdeveloped. The addition of up to 215 dwellings would further add to this.
- There were more appropriate locations for development in the locality, some of which would be brownfield as opposed to the undeveloped farmland that grew crops the applicant was proposing to build on.
- The application contradicted policy SP1, SP2 and SP10 of the Joint Core Strategy.
- The Character of the south of the Village of Hempsted would be materially changed in a negative way should the application receive consent.
- The application site was the only farm in the village that currently grew crops. There used to be twelve farms in Hempsted that did so.
- It was a wholly inappropriate location, and the development would irreparably damage the look of the village.

The Principal Planning Officer responded to Members' questions concerning apprehensions raised about the sewage system, whether a condition could be required to ensure that any development had to connect directly to nearby sewage

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works, concerns about whether the public had had an opportunity to raise objections as previous objections had been lost owing to a cyber incident, whether the City Plan formed the evidential base for refusal based on development in the Cordon Sanitaire, what the updated policy was in relation to the Cordon Sanitaire, concerns about odour within the area, what further investigations into odour on the site had been proposed by the applicant and what would the nature of these investigations be, how many times Severn Trent had been called out to Hempsted to deal with issues of flooding, concerns about why the farmland on the site had the land classification of 3b (Moderate Quality Agricultural Land), questions about the agricultural landscape of the site, what facilities would be provided for children, whether conditions could be placed on the application if the Planning Inspector decided to grant permission, whether there would be educational contributions to local schools from the applicant and who would maintain the landscaping if the application was granted as follows:

- In regard to foul sewage, the Council was required to consult with Severn Trent. They commented on both surface and foul water drainage proposals. It was up to Severn Trent to state whether the proposed sewage disposal and water drainage proposals were acceptable. They had not objected to the submission subject to further details being provided by the applicant required by condition.
- It would be unreasonable for the Council to impose an additional condition relating to sewage disposal if this had not been suggested by Severn Trent.
- Severn Trent could be contacted and asked if they wished to provide further comments on the issue raised by Members regarding sewage.
- For this application, correspondence stated that the likely connection for sewage disposable would be between the proposed access on Hempsted Lane and the junction Secunda Way to the nearest foul sewer. If the application progressed further, Severn Trent Water would look at sewage disposal in greater detail.
- The applicant had saved numerous objections from the original outline application (approximately 100). When the non-determination appeal from the applicant came in, 270 households were notified by post. The Planning Inspector confirmed that there were 240 objections (although some of which would be duplicates). However, residents were properly informed and comments on the application had gone directly to the Planning Inspector and would be considered at the non-determination appeal.
- The undeveloped farmland was not a designated landscape area, and there were no particular features, from a planning policy perspective, that would mean that it would be protected from development. Should the application receive consent from the Planning Inspector, it would certainly change the character of the area. However, with the amount of open space and planting it was considered “not significant” in planning terms. She understood that the agricultural landscape was special to many residents of Hempsted and Gloucester but that the advice of the landscape advisors was that there was not a planning reason for refusal on those grounds.
- Regarding odour on the site and the documents provided by the applicant in regard to this matter, the Council’s advisers, Phlorum, had said that part of the applicant’s assessment and report on odour in the Cordon Sanitaire had made a number of assumptions, used library data and that there was some disagreement in relation to upgrade works at the Plant.

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- Further odour assessments would be undertaken within the next few weeks and reports would be submitted to the Council. However, the Committee could only judge the application on the information that was before them.
- An explanation was provided between the existing and proposed policy wording in the City Plan in relation to the Cordon Sanitaire. The application was being assessed against the proposed new policy wording and it was considered that the application did not comply with the requirements of that policy.
- The undeveloped farmland had the land classification of 3B. Its classification did not mean that the land had no value, but it did not fall within the “highest value” area as set out in the National Planning Policy Framework (NPPF). She could not say exactly when the undeveloped farmland had been graded but she stated that it was clear that the farmland did grow wheat. She stated that she could seek further information as to when the land was graded and that it would have been graded by DEFRA or some similar Government body.
- The NPPF stipulated that undeveloped farmland in the highest value classifications would be more likely to be protected.
- Educational contributions were a Gloucestershire County Council matter. Gloucestershire County Council had asked for contributions to educational facilities from other recently permitted developments within Hempsted. There were 3-4 primary schools that fell within the planning area. However, the applicant had not proposed any educational contributions to local schools. Educational contributions for primary provision were not requested by Gloucestershire County Council for this application.
- The Council had a duty to work with the applicant throughout the process, including during the non-determination appeal process to try and resolve outstanding issues and areas of concern.
- Extremely limited details about play provisions had been provided by the applicant and formed one of the reasons for refusal.
- If planning permission was granted by the Inspector, there would be a condition that stipulated that any new landscaping or ecological features would have to be effectively managed and maintained. Often a developer will set up a resident's management company to pay for maintenance.
- She did not have the data as to how often Severn Trent had been called out to deal with foul sewage in the area. It was possible that Severn Trent may have access to that data.
- The recommendation remained for refusal. However, as part of the appeal process, a comprehensive list of conditions would be drawn up and there would be a discussion between the Council, the applicant and the inspector as to what conditions would be necessary.

The Locum Planning Solicitor responded to Members' questions concerning the weight policies contained in the updated City Plan had, as it had not been adopted yet, conditions regarding sewage and how conditions would be imposed during the non-determination appeal process as follows:

- The closer to adoption the updated City Plan was, the more weight could be given to it. The City Plan could be given moderate to significant weight as it was close to adoption.

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- Matters relating to sewage were dealt with by Severn Trent. Members of the public and Councillors could contact Severn Trent to raise concerns if there were issues regarding sewage. There were certain drainage conditions which would feature in any Planning Permission. Severn Trent could request additional conditions at the Public Inquiry or object to the application at a later stage if they deemed it appropriate.
- Most conditions regarding ecology, open space and play provisions were dealt with via a S106 agreement. The Agreement would usually, prior to the reserved matters stage, require a scheme to be agreed that would have to be approved by the Council for LAPS/LEAPS etc, open space, planting, maintenance and protection of ecological etc.
- A developer was entitled to put forward a “Unilateral Undertaking” regarding planning obligations and addressing the grounds for refusal, to see if the developer could overcome them. This Unilateral Undertaking was an offer by a Developer to do certain things which can be enforced by the Council. Usually, a Developer would agree the wording/obligations with the Council, but not always. If the Council felt that the developer had not adequately dealt with the reasons for refusal, the local authority could state that they believed that their Unilateral Undertaking was unsatisfactory, which would form part of their case at the non-determination appeal. The Inspector would then decide if they felt it was adequate.

The Highways Officer responded to Members’ questions concerning why Gloucestershire Highways no longer objected to the application, why a road safety audit had not yet been conducted, concerns about the narrowness of the single access point, traffic in the area and whether provisions had been provided for children as follows:

- When any application was assessed, Gloucestershire Highways had a duty to look at any additional impacts the approval of a scheme would have. They could not refuse an application based on existing Highways issues on the site.
- Trip Generation Data showed that peak traffic would increase but this was not considered significant enough for refusal.
- A road safety audit could not be conducted at the outline stage. One would be conducted further on in the process, should the outline application receive consent by the Planning Inspector.
- They were not asking for the road to be widened at this stage. Should a road safety audit show that the access point was too narrow then this could be considered at a later stage.
- There were provisions for children to protect safety.
- There were pedestrian facilities proposed that would increase permeability of the site.

**Members’ Debate**

Councillor Wilson said that he did not think the application could be approved on planning grounds. He stated that he believed that the first reason for refusal outlined in the report, which was that it would not constitute sustainable development as required by national and local planning guidance, and that it was on land which was

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not allocated within the development plan, could not be overcome. He added that he believed development in a Cordon Sanitaire was inappropriate. He said that he would support the officer's recommendation for refusal.

Councillor Conder stated that the Cordon Sanitaire existed for a reason and that odour could not be boxed up. She stated that the Council wished to provide long term housing and not homes that would suffer from odour issues. She further stated that she would be concerned about the precedent that granting an application within a Cordon Sanitaire would set locally and nationally.

The Chair noted that the first reason for refusal outlined in the report would not change and that he could not support development in the cordon sanitaire. He said he was content to support the officer's recommendation for refusal for the reasons outlined in the report.

The Chair moved, and the Vice-Chair seconded the officer's recommendation:

**RESOLVED** that: - had a non-determination appeal not been submitted, the application would have been recommended for refusal on the grounds outlined in the report.

#### **14. DELEGATED DECISIONS**

The schedule of applications determined under delegated powers during the month of May 2022 was noted.

**RESOLVED that:** - the schedule be noted.

#### **15. DATE OF NEXT MEETING**

Tuesday 2 August 2022.

**Time of commencement: 6:00pm**

**Time of conclusion: 8:01pm**

**Chair**

# Agenda Item 5

## GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Address/Location:	Former Contract Chemicals Site Bristol Road Gloucester GL2 5BX
Application No:	22/00293/FUL
Ward:	Podsmead
Expiry Date:	9.8.2022
Proposal:	Erection of 43 dwellings, comprising 13 houses and 30 flats, together with associated parking and landscaping.
Report by:	David Millinship
Appendices	Site Location Plan

### 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The proposed development site is located approximately 2km south of the city centre of Gloucester. It is to the south of Newark Road and spans from Bristol road to the west to Tuffley Crescent to the east. It is relatively level in gradient. To the north east and south east, the site abuts modern residential development that has relatively recently been constructed. To the south west the site then abuts land belong to SHB Hire Ltd, a commercial operator, with a specialist aluminium /alloys production plant, Avon Metals Limited then located some 170m further south west. To the north west the site abuts Bristol Road, which is elevated at this point. Directly to the north there is an existing watercourse and SuDs feature, which is within the applicant's ownership.
- 1.2 The site which is approximately 0.65ha in size, forms an irregular shaped area of land. It previously formed part of the Contract Chemical works site which has been demolished. The area has since undergone clearance and remedial work and is currently being temporarily used as part of the wider development's construction site.
- 1.3 Access to the proposal site would be via the residential estate roads that are currently being completed, giving wider access to Bristol Road and Tuffley Crescent.
- 1.4 Outline planning permission was granted in 2013 (reference: 07/00474/OUT) for a Mixed use development comprising residential, employment (B1 and showroom) uses, public open space and remediation of the land with only access for determination at this stage. This covered the current application site (Former Contract Chemicals site) and was referred to as Site B.
- 1.5 At the same time another outline application was submitted, reference: 07/00472/OUT for a similar development on the neighbouring former Wellman Graham and St Gobain factory sites. It also was for a mixed-use development including residential, employment land, public open space and remediation, however it included a community building. Only access was for determination at this stage and this was shown on to Bristol Road and Tuffley Crescent. This site was referred to as site A and the application was approved in 2010.
- 1.6 A number of planning applications followed these outline permissions seeking both to vary the section 106 agreements and conditions to alter the financial contributions and the timescale for reserved matters submission. Since these outline permissions a single developer had purchased Sites A and B and sought to deliver the development comprehensively. Planning application reference 14/00861/FUL was submitted and approved in 2015. The alterations were for changes to the access and for employment land

previously shown in both Sites A and B to now all be relocated to the southwestern corner of Site B. This area indicated for employment land now provides the site for this current planning application.

- 1.7 The reserved matters application reference 15/ 00287/REM in relation to the outline application 07/00474/OUT amended by 14/00861/FUL provided no reserved matters details for this part of the site. The time scale for doing so has now expired, so the application site no longer benefits from any planning permission.
- 1.8 With regard to planning application reference: 19/01094/FUL, the proposal in its original form showed a scheme of 14 houses and thirty flats. The thirty flats were shown within four separate three storey blocks and included both two and one bedroomed flats, while the houses are shown as two storey semi- detached or terraced properties and would have three bedrooms. The two blocks nearest to Bristol Road contain 2-bedroom units with 9 units in the southwestern block (Block J) and 6 units in the more north easterly block (Block H) . Moving southwards into the site the next block (Block G) would have contained 3 x 1 bedroom units and 6 x 2-bedroom units while the most southerly block (Block F) was shown with 3 x 1-bedroom units and 3 x 2-bedroom units.
- 1.9 In terms of parking spaces all the flats were shown with one allocated space, while the houses would have had two spaces. Six visitor spaces were then also shown and cycle parking in the form of single storey additions to the Blocks G, H, and J. The cycle parking for Block F was shown in a separate single storey structure. Access to the development was shown via an estate road currently being built as part of the larger scheme to access on to Bristol Road and Tuffley Crescent.
- 1.10 After officers raised concerns regarding positioning of buildings, amount of amenity space for the flats, excessive amount of unbroken parking areas and positioning of parking spaces then amendments to the proposed scheme were made.
- 1.11 The revisions showed a scheme with 13 houses and thirty flats. The four houses in the northeastern corner of the site have been replaced by a block of flats, while the original block of flats, Block F set further into the site has been replaced by three terraced houses. All four proposed blocks of three storey flats would be located in the northern section of the site towards Bristol Road. Viewing clockwise from the northwestern corner of the site, Block K contains 6 x 2-bedroom flats, then next Block J contains 9 x 2-bedroom flats, while Block G fronting the estate road contains 6 x 2-bedroom flats and 3 x 1-bedroom flats. Finally Block H would contain 6 x 2 bedroomed flats.
- 1.12 The houses in the revised proposal are shown all set out in rows to the south of the site. Nine would be provided in three terraces of 3 dwellings and four dwellings would be provided in two sets of semi-detached dwellings. Car and cycle parking is shown at the same ratio as previously for flats and dwellings, although visitor car parking has been reduced to three spaces.
- 1.13 This current application has been submitted due to the fact that the details of application reference 19/01094/FUL are stuck on the Council's server and unobtainable. The only difference between the two applications is that the 3-bedroom house types (on 12 plots- 1 to 10, 12 and 13) has been replaced by a new house type HT966 (3 bed 4-person house).

## 2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
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07/00472/OUT	Mixed use development comprising residential (231 units), employment (B1 and showroom) and D1 (community building) uses together with 1.1ha of public open space, new vehicular access onto Bristol Road and Tuffley Crescent and remediation of the land in accordance with the accompanying illustrative masterplan (Appearance, Scale, Layout and Landscaping are retained as Reserved matters). [ Site A ]	GOP	17.09,2010
07/00474/OUT	Mixed use development comprising residential (upto 109 units), employment (B1 and showroom) uses, 0.56ha of public open space and remediation of the land in accordance with the accompanying illustrative masterplan (Appearance, Scale, Layout and Landscaping are retained as Reserved matters). [ Site B ]	GOP	13.06.2013
14/00861/FUL	Variation of Condition nos. 4, 19, 23 and 29 of planning permission no. 07/00474/OUT (as a result of Sites A & B being brought forward as a comprehensive development). [ Site B ]	G3Y	23.02.2015
15/00286/REM	Reserved matters scheme for 172 residential dwellings with associated open space and landscaping (Site A).	AR	04.12.2015
15/00287/REM	Reserved matters scheme of 86 residential dwellings with associated open space and landscaping. (Site B)	AR	04.12.2015
12/01029/FUL	Variation to conditions 2, 3 and 4 of permission ref. 07/00472/OUT, changing the periods for submission of Reserved Matters from 5 to 3 years and for Commencement of Development thereafter from 3 to 1 year, and to substitute the originally submitted illustrative masterplan with a land use parameters plan.	GOP	23.01.2013
12/01032/MOD	Variation of Section 106 Legal Agreement under planning permission 07/00472/OUT to vary the financial contributions associated with the development.	SEC106	23.01.2013
14/00952/NMA	Non material amendment to outline planning permission ref: 07/00474/OUT, to revise the description of development to read: Mixed use development comprising residential (up to 109 units), employment B1(Business) and D1 (non-residential institution) uses, 0.56ha of public open space and remediation of the land in accordance with the accompanying illustrative master plan (Appearance, Scale, Layout and Landscaping are retained as Reserved matters). [ Site B ].	NOS96	07.10.2014

20/00796/FUL	Variation of Condition1 - Approved Drawings on permission reference: 15/00287/REM for the proposed resiting of Block E with minor amendments to ground floor layout, external appearance, introduction of windows and alterations to parking /landscape area	AR	05.07.2021
19/01094/FUL	Erection of 43 dwellings, comprising 13 houses and 30 flats, together with associated parking and landscaping.	Not determined	

### 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 (NPPG)

#### 3.3 Development Plan

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

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;  
 SD9 – Biodiversity and geodiversity;  
 SD10 – Residential development;  
 SD11 – Housing mix and standards;  
 SD12 – Affordable housing;  
 SD14 – Health and environmental quality;  
 INF1 –Transport network;  
 INF2 – Flood risk management;  
 INF3 – Green Infrastructure;  
 INF4 – Social and community Infrastructure;  
 INF6–Infrastructure delivery;  
 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 215 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 (GCP)

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 Pre-Submission version

of the Gloucester City Plan (City Plan) was approved for publication and submission at the Council meeting held on 26 September 2019. On the basis of the stage of preparation that the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded limited to moderate weight in accordance with paragraph 48 of the NPPF, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

Relevant policies from the emerging Gloucester City Plan include:

- A1 – Effective and efficient use of land and buildings;
- A2 – Affordable housing;
- A6 – Accessible and adaptable homes;
- C1 – Active design and accessibility;
- E2 – Biodiversity and geodiversity;
- E5 – Green infrastructure: Building with nature;
- E6 – Flooding, sustainable drainage, and wastewater;
- E8 – Development affecting Cotswold Beechwoods Special Area of Conservation;
- F1 – Materials and finishes;
- F2 – Landscape and planting;
- F3 – Community safety;
- F4 – Gulls;
- F6 – Nationally described space standards;
- G1 – Sustainable transport;
- G2 – Charging infrastructure for electric vehicles.

### 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: :

- OS.2 – Public Open Space Standard for New Residential Development
- OS.3 – New housing and open space
- OS.7 – New areas of Public open space
- A.1 – New housing and allotments

- 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 – Previous scheme 19/01094/FUL**

No objection to the revised plans, subject to conditions on any planning permission for the submission of details for satisfactorily laying out the estate road, a construction management plan and an extension of the existing travel plan to include this development.

#### 4.2 **Natural England – Previous scheme 19/01094/FUL**

The application site is within the zone of influence of sites afforded protection under the Conservation of Habitats and Species Regulations 2017. These sites being Cotswolds Beechwoods Special Area of Conservation (SAC), Cotswolds Commons and Beechwoods

Site of Special Scientific Interest (SSSI) and Nature Reserve, and Severn Estuary Special Protection Area (SPA.)

4.3 The Local Planning Authority as a competent authority under the provisions of the Habitat Regulations should have regard for any potential impacts on these sites.

**4.4 Landscape Adviser – Previous scheme 19/01094/FUL**

The amended layout is an improvement to the previously submitted scheme. Better amenity space is shown around the blocks of flats, the proposed car parking layout is shown using less space and a couple more trees are proposed. There should however be more planting shown on the western and south eastern borders.

**4.5 Ecology Adviser**

A walk over of Alney Island Local Nature Reserve and alternative local public open spaces such as the Gloucester-Sharpness canal and Robinswood Hill Country Park was carried out. Following this review it was concluded that likely significant effects upon the Cotswolds Beechwoods Special Area of Conservation (SAC) , Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI) and Nature Reserve, and Severn Estuary Special Protection Area (SPA) are unlikely to occur as a result of the proposed development or in combination with other developments.

4.6 It is recommended that any approval does include conditions for the submission of a Ecology Management Plan ,a Home Owners Pack identifying the alternative public open spaces to take pressure off the SPA, for the scattered shrub to be removed outside bird nesting season and for precautionary measures for badgers. Natural England should also be consulted on the contents and conclusions of the report.

**4.7 Contaminated Land Adviser – Previous scheme 19/01094/FUL**

It is recognised that the proposal is part of the wider Former Contract Chemicals development site that has been cleared of infrastructure and been subject to a level of remediation. However, conditions on any approval would be required to cover protection from ground gases and checks on the potential import of soil.

**4.8 Drainage Adviser – Previous scheme 19/01094/FUL**

The Local Lead Planning Authority confirm that they have no objection to the proposal. They state that water control through the two proposed basins means that plots 1 – 5 would not have an impact on surface water discharging under Bristol Road and further downstream of here. They note that there is control on surface water for the rest of the site and that water would be stored within permeable paving, which would also provide some water quality management benefits.

4.9 It is recommended though that a SuDs Management and Maintenance Plan be a condition of any approval.

**4.10 Environmental Protection Consultant – Worcestershire Regulatory Services (WRS)**

**Air Quality – WRS**

4.11 Given the distance from the roadside and the level of indicative concentrations of nitrogen dioxide at the nearest monitoring locations, the air quality here is considered to be acceptable for the proposed development. It is recommended that standard air quality mitigation measures such as electrical vehicle charging points, secure cycle parking etc should form conditions on any approval to alleviate pollution creep in the area and to encourage the uptake of sustainable modes of transport.

**Noise – WRS**

- 4.12 WRS considers that the submitted noise assessment to be representative of the noise climate at the proposed development site.
- 4.13 However, WRS have concerns that in granting planning permission for this residential development, the future development / evolution of the Avon Metals site may be restricted and / or the amenity of future residents may be compromised.
- 4.14 WRS acknowledges that the site has not been specifically allocated for residential development and had previously commented that intervening B1 / Retail Use between Avon Metals and the proposed development site would have been preferable.
- 4.15 In terms of the of the proposed glazing and ventilation strategy, if the planning application is granted, the applicant should provide a plot by plot specification and their acoustic consultants should confirm that the chosen product(s) will meet or exceed the noise reduction levels detailed within the submitted noise assessment.

#### **Economic Growth and Strategic Planning – Previous scheme 19/01094/FUL**

- 4.16 The proposal is for 43 dwellings of which 40 are qualifying dwellings for education. This number of dwellings would be expected to generate an additional demand for 6.80 secondary (11-16) places. The Gloucester Secondary Planning Area is forecast to be full. Gloucestershire County Council is therefore requesting a secondary (11-16) contribution of £131,321.60 towards the provision of these places
- 4.17 The nearest library to the application site, and the library most likely to be used by residents of the new development, is Quedgeley library. The new development will generate a need for additional resources at this library, and this is costed on the basis of £196.00 per dwelling. A financial contribution of £8,428 is therefore required to make this application acceptable in planning terms

#### **Housing Strategy and Enabling Officer – Previous scheme 19/01094/FUL**

- 4.18 There is a substantial need for housing and in particular affordable housing in the City and County as a whole. The accompanying information for this proposal states that the proposal will not be delivering any affordable housing due to viability issues and this needs to be tested thoroughly via an independent viability assessor. If no affordable housing is delivered, then further strain is put on the existing housing stock.
- 4.19 The proposal should also ensure that the dwellings all accord with the Nationally Designated Space Standards while the emerging City Plan, Policy A6, also requires 50% category M4 (2) standard accommodation.

#### **Urban Design Adviser – Previous scheme 19/01094/FUL**

- 4.20 No objection to the revised proposal, but materials need to be conditioned on any approval.

#### **Open Space and Playing Pitch Adviser – Revised Proposal**

- 4.21 As no open space is proposed on site, then an off-site calculation generates the following, for improvements to existing open spaces nearby

£147,000 for Formal Sport Provision  
 £54,000 for Formal Play Provision  
 £19,000 for General POS Improvements  
 £220,000 in Total

- 4.22 These off site contributions should be spent on improving the facilities at the existing public open spaces :-  
 Formal Sport - The Oval , Tuffley Park, Gloucester Athletic Club,

Formal Play – The two new play sites on Contracts Chemicals /St Gobain site , Milton Avenue play area , Scott Avenue play area , the Lannett play area ,  
General Improvements – At any of the above sites

### **Archaeologist**

- 4.23 Due to the previous site remediation works, archaeological remains are unlikely to have survived. Therefore, no comments to make.

### **Severn Trent Water**

- 4.24 No objection subject to a condition on any permission for submission of details of foul and surface water drainage.

### **County Council – Minerals and Waste**

- 4.25 No objection, subject to conditions on any approval requiring the submission of a detailed site waste management plan and for details of the recycling of waste generated during occupation.

## **5.0 PUBLICITY AND REPRESENTATIONS**

- 5.1 Neighbouring properties were notified and press and site notices were published.
- 5.2 One objection to the proposal was received (maintained following each revision of the scheme). Summarised as follows:
- The proposal is fundamentally unacceptable as the proposed land use (residential) is wholly incompatible with its near industrial neighbours' (Avon Metals) operations;
  - It has also been suggested that the methodology and proposed mitigation measures of the submitted noise survey have not properly taken into account the noise from the adjacent industrial sites.

- 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, with an appropriate buffer, against the relevant housing requirement. 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)

The NPPF sets out that there will be a presumption in favour of Sustainable Development. For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- I. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The NPPF (2021) clarifies that: 'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer..).'

At the time of writing, the Council is not able to demonstrate a 5 year housing land supply.

- 6.6 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.
- 6.7 As the site is located within the built up area of the city, the principle of residential 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.
- 6.8 A concern has been raised that the proposal would involve the loss of employment land. The Local Planning Authority are of the opinion however that the land currently has 'nil' use. The reasons being that the former Contract Chemical industrial development on the site is now long gone and there is no current industrial operation on this area of land, which only forms a small part of the original industrial site. The site also does not benefit from any commercial allocation within any extant plan, while the reserved matter application reference 15/00287/REM did not include the details for the commercial element proposed for this site under the outline application reference : 07/00747/OUT amended by application reference: 14/00861/FUL The time limit for the submission of this element of the reserved matters has now expired, so the site does not benefit from any planning permission.

## 6.9 Design, Layout and Landscaping

The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. Policy SD4 sets out requirements for high quality design, 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. These design aspirations are also reflected in the emerging City Plan.

- 6.10 In terms of design the proposal is seen to recognise that this development would be part of the larger residential development that is currently being built out on these old former industrial sites. The two storey dwellings and three storey blocks of flats would be similar to those already constructed in terms of scale and appearance. These being well proportioned units of quite simple design with relatively steep pitched roofs , then utilising features such as gables and bay windows where the building is in a prominent position such as a corner plot or to add interest and break up the larger elevations on the blocks of flats. Juliette balconies are further shown as a feature on the flats.
- 6.11 Council officers had concerns with the original design in that the proposed blocks of flats did not relate well to each other in terms of potential overlooking, that the amenity space was poorly laid out and that ‘unbroken’ substantial areas of hardstanding were shown provided for car parking.
- 6.12 A revision was subsequently made to the scheme. The revised proposal is considered to be a better layout with the four blocks of flats set around a loosely formed ‘courtyard’ , enabling them to relate better to each other in terms of potential overlooking between occupiers and allowing them to be provided with a greater amount of usable amenity space. The scaling of the development is also seen to work better with the three storey blocks located towards Bristol road and the two storey house set behind within the larger general residential estate area. Previously the more north easterly of the two frontage blocks, Block H, did not relate well to either the Bristol road street scene or the surrounding residential development. It’s re orientation as shown in the revised layout enables it to have one elevation clearly viewing north up Bristol Road and a second elevation that in conjunction with the front elevation of Block K ensures a stronger more continuous built frontage to Bristol Road. The larger blocks work well here as they would enable a Bristol Road street presence, even as the road rises at this point.
- 6.13 Whilst the car parking provision still includes areas with quite a number of spaces directly alongside each other ,overall the layouts are shown set out more efficiently, particularly the parking spaces for the flats, with just one court yard layout rather than two areas with subsequent access and manoeuvring space as previously shown
- 6.14 In terms of landscaping, the Council’s landscaping consultant states that the amended layout is an improvement to the previously submitted scheme with better amenity space shown around the blocks of flats and more trees proposed. She does state that there should however be more planting shown on the western and south eastern borders, which would be secured via condition on any approval.
- 6.15 In conclusion the proposal is considered to comply with policies SD4 and SD10 of the JCS as well as the NPPF (2021) in terms of general design, layout and landscaping.
- 6.16 **Affordable Housing**  
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. The supporting text at paragraph 4.13.6 explains that the policy reflects the viability of differing value areas that exist across the JCS, hence the requirement for a 40% contribution within Cheltenham and Tewkesbury but only a 20% contribution within Gloucester. However, bullet 10 of the Policy provides that the viability of the site may enable additional levels of affordable housing to be provided.



- 6.17 Bullet point 9 of the Policy states that ‘If a development cannot deliver the full affordable housing requirement, a viability assessment conforming to an agreed methodology, in accordance with Policy INF7 will be required ... ‘
- 6.18 In this case the applicant has submitted a viability appraisal to seek to demonstrate that there is insufficient viability in the scheme to provide affordable housing. This appraisal has been assessed by an independent party appointed by the Local Planning Authority to ensure proper scrutiny.
- 6.19 The Independent assessors concluded that the Residual Land Value of a 100% open market housing scheme, excluding s106 contributions, would be £149, 649, while the Benchmark land value was £122,490. Thereby leading to a surplus of £27,000 for affordable housing and s106 contributions.
- 6.20 As affordable housing is the priority concern to the Local Planning Authority, then any approval would be subject to a legal agreement for the provision of this £27,000 towards off site affordable housing provision.
- 6.21 **Traffic and transport**  
The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network
- 6.22 The proposed development is within a sustainable location just a couple of kilometres from the city centre of Gloucester. The nearest roadway, Bristol Road, has pavements on both sides of it and runs directly into the city centre. Bristol Road also has a dedicated cycle way running along it into the city centre as well as frequent buses into the centre. The nearest bus stops are on the junction of Newark road, approximately 60m north., and Tuffley Avenue, circa 140m north. The routes serving these stops provide frequent services to Gloucester city centre in the north and Quedgeley to the south.
- 6.23 The Transport Assessment (TA) that supported the Outline Planning Application reference: 07/00474/OUT, for the wider development remains the most up to date TA for this Bristol Road development site. It was based on calculations for 340 dwellings and B1/B2 use . To date 258 dwellings have been built out on the rest of the site, and with the proposed 43 dwellings, there would be 301 units. This is 39 less residential units than the TA was based on and no industrial floor space is now proposed. The Highway Authority are satisfied that transport movements too and from the site can be adequately accommodated , although request that any approval is conditioned so that the Travel Plan that covers the rest of the site is extended to include the proposal site.
- 6.24 The Highway Authority are also satisfied with the level of car and cycle parking provided for the development. In conclusion they have no objection, subject to conditions on any planning permission for the submission of details for satisfactorily laying out the estate road, a construction management plan and the already mentioned extension of the existing travel plan to include this development.
- 6.25 **Residential amenity**  
Paragraph 130 of the NPPF (2021) 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. 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.

- 6.26 The proposal in its revised form now shows good distance relationships between the proposed blocks of flats with a minimum distance of 22,5 m between main windowed elevations of facing blocks. There is even 18,5 m shown as a minimum between the front elevations of Block G and the existing Block B across the street, where distances can normally be expected to be lower. There is a bank of windows shown in the north eastern end elevation of Block K, however the second floor window in the adjacent end elevation of Block J would be angled away to prevent overlooking. Distances between the main windowed elevations of the two storey houses would then be a minimum distance of 20 metres apart.
- 6.27 In terms of amenity space, the dwellings are all shown with rear gardens around 10m in length, while the occupiers of the blocks of flats would all now benefit from decent unbleached amenity space as per the revised scheme. There were concerns that some ground floor flats in the blocks nearest Bristol Road might incur loss of light due to the proximity of the banking, however the applicant has submitted sections to show there would be sufficient distance from bank to window. In the most sensitive position in the northern most section of the west facing elevation of Block J, the proposed flat here would benefit from windows in the north east elevation.
- 6.28 It is also confirmed that the air quality is satisfactory in the area and that all the properties would meet Nationally Designated Space Standards. With regards to the concerns of potential overlooking and loss of sunlight from the garden of a neighbouring residential. it should be noted that Block G would be some 18 - 20 m from the gardens of the nearest existing dwellings, which officers consider an acceptable distance to ensure loss of sunlight and overlooking would not be material concerns.
- 6.29 Noise is a potential issue due to the location of the site, with the A Class main road of Bristol Road skirting the north-western site boundary and a commercial site (thought to be within B8 use) skirting the south-western site boundary. The applicant has submitted a Noise Survey that confirms the main source of noise is Bristol Road with less noise expected to be caused by the adjacent commercial land uses.
- 6.30 A scheme of mitigation has been outlined with the building facades directly adjacent to Bristol Road and the industrial units to the south west featuring enhanced glazing along with alternative ventilation which matches the performance of this glazing. Properties in all other areas will feature standard double glazing with all areas of the development site featuring alternative ventilation in order to meet both ventilation and internal ambient noise criteria. In accordance with the guidance provided in BS 4142, noise associated with industrial operations to the south have been assessed and mitigation measures outlined to reduce the effects of any noticeable or intrusive noise sources within proposed dwellings and as such there are not expected to be any 'significant adverse impacts' relating to noise. A condition can ensure the development is constructed in accordance with the proposed mitigation measures to ensure the development complies with the aims of JCS policies SD4 and SD14 and GCP policy A1.
- 6.31 I have noted a third-party objection raising concerns over the potential for the new housing to result in adverse impacts on the viability of continued industrial operations at adjacent sites (particularly at the Avon Metals site – approximately 175 m to the south-west of the application site). The objection has stated that the proposal is '*fundamentally unacceptable as the proposed land use (residential) is wholly incompatible with its near industrial neighbours' (Avon Metals) operations; noise impacts have not been properly assessed and would be unacceptable*'. It is stated that the proposal conflicts with the aims of NPPF paragraph 182 (as of July 2021 para.187) and, as a result, JCS policies SD14 and emerging GCP policy A1.

6.32 Paragraph 187 of the NPPF states the following:

*Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*

- 6.33 The 'agent of change' amendment to the NPPF (introduced in 2018) was brought about predominantly due to the implications of several cases where adverse impacts on existing licenced premises had arisen from new residential uses being permitted within adjacent buildings. This resulted in increased licencing restrictions, that in some cases meant the entertainment venues were no longer viable in their historic locations. This issue became particularly relevant in England following the Governments introduction of permitted development rights allowing the change of use of various types of commercial premises into residential use without the need for full planning permission to be sought.
- 6.34 The NPPF specifically points towards community and entertainment venues as these will often have social and cultural value that can be lost (in addition to economic/employment value) if inappropriate land uses are permitted in their locality. They are also the types of noise generating premises that are often located in denser city centre locations where development in very close proximity to a site is more likely to occur. The NPPF does not specifically reference industrial sites, but there is a reasonable expectation that some consideration of the possible impact of a residential development on any type of commercial land use should be undertaken. The key considerations being whether a use could give rise to 'significant adverse effects' and, if so, whether mitigation can be provided against these effects.
- 6.35 In this particular case, the objection has been made in relation to the use of the Avon Metals site that is located approximately 175 m to the south-west of the application site. Operations at this site are mainly centred around manufacturing, processing and trading of non-ferrous and ferrous metals. The site includes buildings and open yard areas. It is not clear whether the site may (or may not) be in 24hr operation. It is reasonable to expect that the waste processing and manufacturing uses certainly generate noise of a level and character that has the potential to be audible at the application site but, the risk that the operations would give rise to 'significant adverse effects' on the future occupiers of the application site appears to be relatively low. The main source of noise affecting the application site has been identified as Bristol Road, that is a very busy main transport route into (and out of) the city centre. Noise from Bristol Road would occur over 24hrs.
- 6.36 The Avon Metals site is located a significant distance from application the site with a substantial existing storage building (that would act as an acoustic screen) and B8 storage yard occupying the intervening land. The wider commercial estate also features a number of industrial site uses (B8 and B2 uses) in much closer proximity to existing housing. The council's Env. Protection advisor has confirmed that no historic nuisance complaints from nearby residential properties have been made about any of the existing industrial businesses. As such, it is considered the potential for 'significant adverse effects' to occur is reasonably considered to be low.
- 6.37 It is possible that uses could change or intensify at the various neighbouring commercial sites

in the future but, impacts from such changes are not possible to quantify and any material changes to uses in the commercial estate would possibly require planning permission, some form of site licence and/or an Environmental Permit. Indeed, several of the existing businesses (including Avon Metals) already operate under site licences and Environmental Permits and there is little evidence to expect that the proposed residential development would influence changes to these permits/licences that would be tantamount to 'unreasonable restrictions'. Should the Avon Metals site seek to expand into adjacent land any operations would be expected to comply with planning policies and environmental protection legislation in force at that time (and whatever mitigation may be necessary). There is no current compelling reason to consider that future development at the existing Avon Metals site (or possible expansion into the adjacent site) would be prevented as a result of this application proposal.

6.38 In any case, mitigation has been proposed within the submitted noise survey (in line with BS 4142) which can be secured by planning condition. The third-party objection has raised concern that the proposed mitigation would not be fit-for-purpose, but the use of enhanced glazing along with mechanical ventilation is an established technical solution to mitigate against noise and there has been no compelling evidence put forward by the third-party to suggest otherwise. Full technical details of the plot-by-plot mitigation measures can be secured by condition and it is therefore considered that suitable planning control can be secured in terms of noise.

6.39 On balance, it is not considered there is sufficient evidence to demonstrate that the proposed residential development would act as an 'agent of change' with any great potential for 'unreasonable restrictions' to be placed on the uses of neighbouring commercial sites.

6.40 Subject to the recommended conditions the proposal is considered to comply with the aims of JCS policies SD4 and SD14, GCP policy A1 and the NPPF.

#### **6.41 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.

6.42 The site is in Flood Zone 1 and the Local Lead Flood Authority have no objection to the proposal, subject to a condition on any approval for a SuDs Management and Maintenance Plan.

#### **6.43 Ecology**

The NPPF requires development to minimise impacts on and provide net gains for biodiversity. Policy SD9 of the JCS similarly requires the protection and enhancement of biodiversity in the area. The emerging City Plan requires the conservation of biodiversity and providing net gains, and also a policy specifically restricting development that would be likely to lead directly or indirectly to an adverse effect on the integrity of the Cotswold Beechwoods Special Area of Conservation and the effects cannot be mitigated.

6.44 The Council's ecological consultant concluded that likely significant effects upon the Cotswolds Beechwoods Special Area of Conservation (SAC) , Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI) and Nature Reserve, and Severn Estuary Special Protection Area (SPA) would not occur as a result of the proposed development or in combination with other developments

- 6.45 They recommend that any approval includes conditions for the submission of a Ecology Management Plan, a Home Owners Pack identifying the alternative public open spaces to take pressure off the SPA, for the scattered shrubs to be removed outside bird nesting season and for precautionary measures for badgers.

#### **6.46 Contaminated land**

- 6.47 The NPPF seeks to ensure that sites are suitable for the proposed use in respect of risks from contamination. Policy SD14 of the JCS requires that developments do not result in exposure to unacceptable risk from existing or potential sources of pollution, and incorporate investigation and remediation of any contamination.

The Council's contaminated land consultant notes that the wider Former Contract Chemicals development site that has been subject to some remediation and has no objection subject to conditions on any approval to cover protection from ground gases and checks on the potential import of soil, as well as the standard contaminated land conditions (phased risk assessment, remediation, verification etc.).

#### **6.48 Waste minimisation**

The County Council Waste Core Strategy requires a waste minimisation statement. Policy SD3 of the JCS requires major developments to be accompanied by a waste minimisation statement and expects development to incorporate the principles of waste minimisation.

- 6.49 The Council's Waste and Recycling team have raised no objection, subject to conditions on any approval requiring the submission of a detailed site waste management plan and for details of the recycling of waste generated during occupation.

#### **6.50 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.

- 6.51 Part 2 of Policy INF7 – Developer Contributions' states however that 'where there is a concern relating to the viability of the development , an independent viability assessment needs to be provided, funded by the developer and in proportion with the scale, nature and/or context of the proposal. As indicated in paragraphs 6.12 to 6.14 of this report in relation to affordable housing, a viability assessment has been undertaken and the conclusion was that there is only £27,000 available for affordable housing and s106 contributions. The Council's priority is affordable housing and any approval of this application would be subject to a legal agreement to provide the £27,000 towards off site affordable housing. There is therefore no further value in the scheme for contributions towards open space, recreation, education or library facilities, and contributions would not be sought.

#### **6.52 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.

#### **6.53 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 reasonable related in scale and kind to the development.

6.54 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 have been set out above.

#### 6.55 **Affordable housing**

As set out above, the proposal for affordable housing is £27,000 financial contribution towards off-site provision to be secured by s.106 agreement.

### 6.28 **Conclusion**

6.29 This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area. The development would positively contribute towards the provision of new housing within the city and provide some benefits in terms of employment and the economy.

6.30 The proposal is acceptable and accordingly it is recommended that planning permission is resolved to be granted, pending completion of a Section 106 agreement.

## 7.0 **RECOMMENDATION**

7.1 That planning permission is resolved to be **GRANTED** (subject to the following conditions), pending completion of the required Section 106 agreement.

### 7.2 **Condition 1**

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

#### **Reason**

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

#### **Condition 2**

Except where these may be modified by any other conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the following approved drawing numbers/documents:

- 17137-GLOU-5-102 Rev.C – Refuse Vehicle Tracking;
- 17137-GLOU-5-200 Rev.F – Drainage Strategy;
- 17137-GLOU-5-SK001 – Surface Water Outfalls General Arrangement;
- BSCS-H-01-pe Rev.A – Refuse and Cycle Stores Flat Block H;
- BSCS-K-01-pe Rev.A – Refuse and Cycle Stores Flat Block K;
- FB-G-e1 Rev.C – Flat Block G Elevations Sheet 1 of 2;
- FB-G-e2 Rev.C – Flat Block G Elevations Sheet 2 of 2;
- FB-G-p1 Rev.C – Flat Block G Floor Plans Sheet 1 of 3;

- FB-G-p2 Rev.C – Flat Block G Floor Plans Sheet 2 of 3;
- FB-G-p3 Rev.C – Flat Block G Floor Plans Sheet 3 of 3;
- FB-H-e1 Rev.C – Flat Block H Elevations Sheet 1 of 2;
- FB-H-e2 Rev.C – Flat Block H Elevations Sheet 2 of 2;
- FB-H-p1 Rev.C – Flat Block H Floor Plans Sheet 1 of 2;
- FB-H-p2 Rev.C – Flat Block H Floor Plans Sheet 2 of 2;
- FB-J-e1 Rev.C – Flat Block J Elevations Sheet 1 of 2;
- FB-J-e2 Rev.C – Flat Block J Elevations Sheet 2 of 2;
- FB-J-p1 Rev.C – Flat Block J Floor Plans Sheet 1 of 3;
- FB-J-p2 Rev.C – Flat Block J Floor Plans Sheet 2 of 3;
- FB-J-p3 Rev.C – Flat Block J Floor Plans Sheet 3 of 3;
- FB-K-e1 Rev.C – Flat Block K Elevations Sheet 1 of 2;
- FB-K-e2 Rev.C – Flat Block K Elevations Sheet 2 of 2;
- FB-K-p1 Rev.C – Flat Block K Floor Plans Sheet 1 of 2;
- FB-K-p2 Rev.C – Flat Block K Floor Plans Sheet 2 of 2;
- HT.966.e Rev.A – House Type 966 Elevations;
- HT.966.p Rev.A – House Type 966 Floor Plans;
- DBML.01 Rev.D – Site Layout – Dwelling Boundary Materials Plan;
- LP.01 Rev.A – Location Plan;
- POS.01 Rev.B – Public Open Space Layout;
- SL.01 Rev.F – Site Layout;
- SS.01 Rev.C – Site Sections;
- P11-13.p.1 Rev. B – Plots 11-13 Floor Plan Sheet 1;
- P11-13.p.2 Rev. B – Plots 11-13 Floor Plan Sheet 2;
- P11-13.e.1 Rev. B – Plots 11-13 Elevations Sheet 1;
- P11-13.e.2 Rev. B – Plots 11-13 Elevations Sheet 2;
- P1-3\_8-10.e Rev.C – Plots 1-3 and 8-10 Elevations;
- P1-3\_8-10.p Rev.C – Plots 1-3 and 8-10 Floor Plans;
- SHED.01.pe Rev.A – Shed Floor Plan and Elevations.

### **Reason**

For the avoidance of doubt and in the interests of proper planning.

### **Prior to commencement conditions**

#### **Condition 3**

No development shall take place until an Ecology Management Plan (EMP) to include and confirm the following has been submitted to and approved in writing by the Local Planning Authority :

- Lighting required during construction work turned off at night so to not disturb badgers foraging;
- Trenches covered at the end of the working day;
- Any pipes covered or capped to prevent badgers gaining access;
- Any excavations (e.g. trenches or deep pits) within the construction site that need to be left open overnight provided with an escape ramp; and
- Confirmation that, if badgers or signs of sett excavation are encountered on site at any time during construction, the project ecologists to be contacted in the first instance;
- Details of bird and bat box installations;
- Details of Wildflower grassland;
- Details of Wetland planting;

The EMP shall cover the first ten years of management following the commencement of construction and enabling works. Enhancement measures shall be included for existing

natural habitats and created habitats. All Ecological enhancements outlined in the EMP shall be implemented as recommended in the EMP and the number and location of ecological features to be installed shall be specified.

#### **Reason**

To enhance the ecological biodiversity of the site in accordance with the aims of policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policies A1, E2 and E5 of the Gloucester City Plan.

#### **Condition 4**

Prior to the commencement of the development hereby approved, a Construction (and demolition) Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, the written details of the CEMP shall include:

- a. Site access/egress;
- b. Staff/contractor facilities and travel arrangements;
- c. Dust mitigation;
- d. Noise and vibration mitigation;
- e. Mitigation of the impacts of lighting proposed for the construction phase;
- f. Measures for controlling leaks and spillages, managing silt and pollutants;
- g. Plans for the disposal and recycling of waste;

Thereafter, the construction phase of the development shall take place only in accordance with the details/recommendations of the approved CEMP.

#### **Reason**

To protect existing and proposed properties from the impacts of short term exposure to noise, vibration, light and dust nuisance in accordance with the aims of policies INF1 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

#### **Condition 5**

No development shall take place until there has been submitted to and approved by the Local Planning Authority in writing, a comprehensive scheme of hard and soft landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

#### **Reason**

In the interests of visual amenity, to ensure the development benefits from the inclusion of natural and to ensure some biodiversity net gains in accordance with the aims of policies SD4, SD6 and SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policies A1, E4 and E5 of the Gloucester City Plan.

#### **Condition 6**

No development shall start until a detailed design, maintenance and management strategy and timetable of implementation for the surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be based upon the principles as set out in the Flood Risk Assessment & Drainage Strategy Document Rev E prepared by Woods Hardwick Infrastructure LLP and must demonstrate the technical feasibility and viability of the proposed drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The scheme for the



surface water drainage shall be implemented in accordance with the approved details and timetable and shall be fully operational before the development is first put in to use/occupied.

### **Reason**

To ensure the development is provided with a satisfactory means of drainage and thereby reducing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality in accordance with the aims of policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy E6 of the Gloucester City Plan.

### **Condition 7**

a) Gas protection measures complying with Characteristic Situation 2 as set out in BS8485:2015 and CIRIA C665 as a minimum requirement must be incorporated within the foundations of the proposed structure(s). Following installation of these measures, and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Or

b) A risk assessment should be undertaken to establish whether the proposed

development is likely to be affected by landfill or ground gas or vapours. The risk assessment must be provided to and approved in writing by the Local Planning Authority, prior to the commencement of development. The assessment shall be carried out in accordance with current UK guidance and best practice.

c) Where the approved risk assessment (required by condition (b) above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority.

Following approval, the remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

d) Following implementation and completion of the approved remediation scheme (required by condition (c) above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

### **Reason**

To ensure that the risk to buildings and their occupants from potential landfill or ground gases are adequately addressed in accordance with the aims of policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

### **Construction Phase and Prior to Occupation**

### **Condition 8**

No work above floor plate level shall be carried out until samples of the external materials proposed to be used 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 materials are in keeping with the surrounding area and to provide for high quality design in accordance with the aims of policies SD3, SD4 and SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policies A1 and F1 of the Gloucester City Plan.

**Condition 9**

No work above floor plate level shall be carried out until details of the glazing and ventilation measures and their sound reduction specifications for each proposed dwellings, to achieve 30 dB LAeq(1 hr), and 45 dB L<sub>Amax</sub>(15 min) in bedrooms at night (23:00 – 07:00) and 35 dB LAeq(1 hr) in living rooms during the day ( 07:00 – 23:00), have been submitted to and approved in writing by the Local Planning Authority . The works shall then all be carried out in accordance with these approved details and retained as such for the duration of the development.

**Reason**

To provide a good residential environment for future occupiers of the development in accordance with the aims of policies SD4, SD10 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policies A1 and F1 of the Gloucester City Plan.

**Condition 10**

Full details of any soil or soil forming materials brought on to the site for use in garden areas, soft landscaping, filling and level raising must be provided. Where the donor site is unknown or is brownfield the material must be tested for contamination and suitability for use on site. Full donor site details, proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk

assessment) must be submitted to and approved in writing by the Local Planning Authority prior to import on to the site.

The approved testing must then be carried out and validatory evidence (such as laboratory certificates) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought on to site.

**Reason**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims of policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

**Condition 11**

No work above floor plate level shall be carried out until, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved management plan.

**Reason**

To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and secure ongoing biodiversity net gains in accordance with

the aims of policies SD4, SD6 and SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policies A1, E4 and E5 of the Gloucester City Plan.

#### **Condition 12**

No work above floor plate level shall be carried out until a schedule of landscape maintenance for a period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule

#### **Reason**

To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and secure ongoing biodiversity net gains in accordance with the aims of policies SD4, SD6 and SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policies A1, E4 and E5 of the Gloucester City Plan.

#### **Condition 13**

Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the approved site plan with any gates situated at least 5 metres back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of driveway within at least 5 metres of the carriageway edge of the public road surfaced in bound material, and shall be maintained in that state thereafter.

#### **Reason**

In the interest of highway and pedestrian safety, and to ensure vehicles are able to pull clear of the adopted highway and avoid becoming an obstruction to oncoming traffic in accordance with the aims of policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and the NPPF.

#### **Condition 14**

The approved car parking and turning areas shall be constructed and marked out ready for use before occupation of the dwellings to which they relate. They shall then be retained solely for this use for the duration of the development. Details of electric vehicle charging facilities for each dwelling shall also be submitted to and approved in writing by the Local Planning Authority, and put in place for use before occupation of the dwelling for which the charging point has been provided, and then retained for the lifetime of the development.

Details of electric vehicle charging facility for the apartments shall be submitted to and approved in writing by the Local Planning Authority, and put in place for use before occupation of the dwelling for which the charging point has been provided, and then retained for the lifetime of the development.

#### **Reason**

In the interest of sustainable development, to ensure adequate parking provision on site, to accord with the NPPF and the aims of policies SD4 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policies A1, G1 and G2 of the Gloucester City Plan.

#### **Condition 15**

The dwellinghouses hereby approved (plots 1 through to plot 13) shall not be occupied or brought into use until secure cycle parking provision has been installed for each plot in accordance with full written details that shall first be submitted to and approved in writing by

the local planning authority. Thereafter, the development shall be completed and maintained in accordance with the approved details.

#### **Reason**

To ensure the development benefits from sufficient cycle parking provision and to encourage the use of sustainable modes of transport in accordance with the aims of policies SD4 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policies A1, G1 and G4 of the Gloucester City Plan.

#### **Condition 16**

The development hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority, setting out;

- objectives and targets for promoting sustainable travel,
- appointment and funding of a travel plan coordinator,
- details of an annual monitoring and review process, for the first two years of the development,
- means of funding of the travel plan, and;
- an implementation timetable including the responsible body for each action.

The approved Travel Plan shall be implemented and thereafter operated in accordance with the details and timetable therein.

#### **Reason**

The development will generate a significant amount of movement and to ensure that the appropriate opportunities to promote sustainable transport modes are taken up in accordance with paragraphs 108 and 111 of the National Planning Policy Framework, the aims of policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policies A1, G1, G3 and G4 of the Gloucester City Plan.

#### **Condition 17**

The cycle and refuse storage arrangements for the blocks of flats hereby approved shall be constructed and made available for use prior to occupation of the specific block of flats to which they relate in accordance with the approved details. They shall then be maintained in accordance with the approved details for the lifetime of the development.

#### **Reason**

In the interest of sustainable development in accordance with the aims of policies SD3 and SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

#### **Condition 18**

No building hereby permitted shall be occupied until details of the design, implementation, maintenance and management of foul water drainage works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, and the drainage maintained/managed, in accordance with the approved details.

#### **Reason**

To ensure development would not result in unacceptable risk of pollution or harm to the environment in accordance with the aims of policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

**Condition 19**

No dwelling hereby permitted shall be occupied or brought into use until the boundary fences/walls have been constructed in accordance with full details that shall first be submitted to and approved in writing by the local planning authority. The scheme shall then be maintained in accordance with the approved details for the lifetime of the development.

**Reason**

To ensure adequate privacy for future occupiers of the development and in the interests of visual amenity in accordance with the aims of policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

**Compliance conditions****Condition 19**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. The applicant is advised to immediately seek the advice of an independent geo-environmental consultant experienced in contaminated land risk assessment, including intrusive investigations and remediation.

No further works should be undertaken in the areas of suspected contamination, other than that work required to be carried out as part of an approved remediation scheme, unless otherwise agreed by the Local Planning Authority, until requirements 1 to 4 below have been complied with:

1. Detailed site investigation and risk assessment must be undertaken by competent

persons in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and a written report of the findings produced. The risk assessment must be designed to assess the nature and extent of suspected contamination and approved by the Local Planning Authority prior to any further development taking place.

2. Where identified as necessary, a detailed remediation scheme to bring the site to a

condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. The approved remediation scheme must be carried out in accordance with its terms

prior to the re-commencement of any site works in the areas of suspected contamination, other than that work required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

4. Following completion of measures identified in the approved remediation scheme a

verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings on site.

**Reason**

To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims of policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

**Condition 20**

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

**Reason**

To protect the noise climate and amenity of local residents in accordance with the aims of policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

**Condition 21**

The development shall be carried out in accordance with approved Waste Minimisation and Management Plan by Woods Hardwick Planning Ltd and dated 20th November 2019.

**Reason**

To ensure the effective implementation of waste minimisation.

**INFORMATIVE NOTES****Building Regulations**

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.

**NPPF**

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.

**Nesting Birds**

Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected

**Highway to be adopted**

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk). You will be required to pay fees to cover

the Councils cost's in undertaking the following actions:

- I. Drafting the Agreement
- II. Set up costs
- III. Approving the highway details
- IV. Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

#### **Impact on the highway network during construction**

The development hereby approved, and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at [Network&TrafficManagement@gloucestershire.gov.uk](mailto:Network&TrafficManagement@gloucestershire.gov.uk) before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed

**Person to Contact: David Millinship**



22/00293/FUL

Former Contract Chemicals  
Site, Bristol Road Gloucester  
GL2 5BX

2.8.2022



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## GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	02.08.2022
Address/Location:	11 Northgate Street, Westgate
Application No:	22/00384/FUL
Ward:	Westgate
Expiry Date:	05.08.2022
Applicant:	Boyle Sports (UK) Limited
Proposal:	Proposed change of use from Class E to sui generis (betting office) with internal and external alterations.
Report by:	Rhiannon Murphy
Appendices:	1. Location Plan

### 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 11 Northgate Street is a terraced grade II listed building which fronts onto Northgate Street and adjoins TK Maxx and a vacant unit. The site is located within the City Centre Conservation Area. The building was constructed in the 16<sup>th</sup> Century as a two- storey merchants house. An extra storey was added in the 18<sup>th</sup> Century, and the external appearance overhauled. In the late 20<sup>th</sup> Century alterations were made in the form of a ground floor shop front. The most recent use of the building was as a retail unit occupied by Buzz Shop but has remained vacant since 2017.
- 1.2 The site is located within the primary shopping area and forms part of the primary shopping frontage as identified on the Gloucester City Council Joint Core Strategy Adopted Map (2017)
- 1.3 The surrounding area includes a mix of uses; largely retail on the ground floor but with some cafes and public houses.
- 1.4 This planning application seeks the proposed change of use of the building from Class E (commercial, business and service) to Sui Generis (betting office) including external and internal alterations to the building.
- 1.5 External alterations to the building comprise:
- Removal of redundant external roller shutter, casings and guides
  - Maintenance and repair of existing shopfront, pilasters, stallrisers, door and fascia;
  - Paintwork (blue to match RAL 5002 matt)
  - 2 no. satellite dishes each located on a separate gable to the rear of the property;
  - 3 no. freestanding and roof mounted A/X Condenser units;
  - Signage (to be dealt with through separate advertisement consent)

Internal alterations comprise:

- Creation of betting floor/ counter area
- Unisex WC
- Stud wall partitions for the counter area/ toilet; and
- Fireline ceiling and steelwork beams
- Staff and Store Areas to be separated by full height studwork
- Staff toilet
- Installation of wash basin

- 1.6 The proposed betting office would be open 7 days a week between the hours of 8am and 10pm and is expected to require the employment of 3 full time and 3 part time members of staff. The site does not benefit from any parking spaces.

## 2.0 RELEVANT PLANNING HISTORY

Unable to access planning history at the time of writing.

## 3.0 Policies and Guidance

- 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  
SD2 – Retail and City/ Town Centres  
SD3 – Sustainable design and construction  
SD4 – Design requirements  
SD8 – Historic Environment  
SD14 – Health and environmental quality  
INF1 –Transport network  
INF2 – Flood risk management

### 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 215 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 Pre-Submission version of the Gloucester City Plan (City Plan) was approved for publication and submission at the Council meeting held on 26 September 2019. On the basis of the stage of preparation that the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded limited to moderate weight in accordance with paragraph 48 of the NPPF, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

Relevant policies from the emerging Gloucester City Plan include:

D1 – Historic Environment

D3 – Recording and advancing understanding of heritage assets

D4 – Shopfronts, shutters and signs

E6 - Flooding, sustainable drainage, and wastewater

F1 – Materials and finishes

### 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. None of the development management policies are relevant to the consideration of this application.

### 3.7 **Supplementary Planning Guidance/ Documents**

- Shopfronts, Shutters and Signage – Design Guidelines for Gloucester

### 4.0 **CONSULTATIONS**

#### 4.1 **Highway Authority**

No objection subject to a condition requiring the provision of cycle storage.

#### 4.2 **Contaminated Land and Environmental Health**

No comment in relation to ground condition issues.

We do not anticipate any noise/ nuisance associated with the proposal. If permission is granted, the development may result in short term disruption to neighbouring properties. During the construction phase, we would advise the applicant implements measures to reduce emissions of noise/ dust. Guidance on which is available at <https://www.worcsregservices.gov.uk/media/raejo4k2/wrs-contractor-guidance-2nd-edition-v-1-0.pdf>

### 4.3 Civic Trust

No objection to the proposed change of use.

Welcome the removal of the security shutters to the frontage but some of the internal work and signs will require further negotiation with the conservation officer.

### 4.4 Conservation

#### **Internal alterations**

The internal alterations proposed are relatively modest. This includes installation of a counter and an accessible WC at ground floor and at first floor, space will be divided, and a staff area created. These proposals will not impact on the historic fabric of the building and are not considered to be contentious.

It is also proposed that elements of the ground floor are 'fire lined'. Further details in regards to this were requested and received to which the Conservation Officer raised no objection.

#### **Air conditioning units and satellite dishes**

Three air conditioning units, and two satellite dishes are proposed; positioned on a flat roof at the rear of the property. Whilst these modern elements to a listed building are not ideal, the positioning of these elements, which are removeable, on a flat roof which has limited visibility from the public domain, limits the harm. When considering this limited harm and weighing it against the public benefit of bringing this vacant building back into use, it is considered that in this case the public benefit outweighs the harm. This element of the proposal is considered to be acceptable.

#### **Shopfront and signage**

The renovation of the ground floor shopfront, and the removal of the roller shutter are welcome proposals, however there are some concerns.

The main colour of the shopfront is Ultramarine Blue (RAL 5002) – this is considered to be acceptable in principle, though a confirmation of a matt finish needs to be provided.

Further to these comments being raised, the agent provided amended plans and details. The amended plans confirm that the proposed shopfront would be painted Blue RAL 5002 (matt finish) which is considered by the Conservation Officer to be acceptable. The acceptability of the proposed signage will be dealt with separately through the advertisement consent application.

## 5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 Neighbouring properties were notified and a site notice was published. 2 letters of objection have been received raising the following concerns:

#### Objection 1

- Concern raised that there are already a number of betting shops within the city centre. With the government trying to limit/ prevent gambling it would be irresponsible for Gloucester City Council to allow another betting shop.

## Objection 2

- Most recent use of the site was retail (Class E). Site is within Primary Shopping Area and Primary Shopping Frontage. The proposal would result in the loss of a retail unit in a prominent location within the City Centre in a primary frontage. Therefore, the site should only be considered appropriate for the use as a retail unit with no justification to the contrary visible online. No marketing evidence has been provided.
- The proposal is located within a Conservation Area and the proposed external alterations would have an undue impact upon the Conservation Area. The proposed alterations are not of good design or complementary to the character of the conservation area.

## 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 and layout
- Impact on historic environment
- Traffic and transport
- Residential amenity
- Drainage and flood risk
- Economic considerations

### 6.5 **Principle**

Paragraph 81 of the NPPF states that '*planning policies and decisions should create the conditions in which business can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development*'.

- 6.6 Paragraph 86 of the NPPF states '*planning policies should support the role that town centres play at the heart of their local communities, by taking a positive approach to their growth, management and adaptation*'.

6.7 Policy SD2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) refers to retail and city/ town centres and states;

*‘Within the primary shopping frontage, the change of use of A1 (retail) premises will not be permitted, unless it can be demonstrated that the unit is not suitable for continued A1 use, the proposed use will maintain or enhance the vitality and viability of the area and it would not have a significant adverse impact on the amenity of adjacent residents or business’.*

6.8 The application site is located within the primary shopping area and forms part of the Primary Shopping Frontage as identified by the Joint Core Strategy policies map. The most recent use of the site was as a shop occupied by Buzz Shop, this use ceased trading from the unit in 2017, and has remained vacant since.

6.9 Concerns have been raised from two interested parties in terms of the proposed use of the site as a betting office. One objector has raised concern over the proposal due to the lack of marketing information provided. The application has however been supported with marketing details. The submitted marketing details and principle of the proposed change of use has been considered below.

6.10 In support of the planning application marketing information has been provided which provides details of the marketing which has taken place at the property since 2017.

The letter details that marketing of the site was ongoing from August 2017 and included:

- The production of a 3 page online brochure which has been published on multiple marketing sites
- A prominent marketing board on site in a prominent location facing Northgate Street
- Regular mailouts to active occupiers and property advisors

The application confirms that ARC retail has not received any proposals for the building other than BoyleSports.

6.11 Whilst the change of use of the unit away from Class E (retail) is regrettable, the building has been vacant since 2017 and marketing of the buildings has taken place for an extended amount of time but with no interest (apart from Boyle Sport).

6.12 The proposal would bring a vacant historic building back into use which would have some benefit. The proposed use is considered to maintain the vitality and viability of the area and it is concluded later within the report that the proposal is not expected to have an adverse impact on the amenity of adjacent residents or business.

6.13 Taking the above into consideration, the principle of the proposed change of use is considered to be acceptable in accordance with the NPPF and policy SD2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

**6.14 Design, Layout and impact on historic environment**

The NPPF states that new developments should be of high quality design. Chapter 16 of the National Planning Policy Framework (2018) sets out the importance of protecting and enhancing the historic environment, and conserving heritage assets in a manner appropriate to their significance. In particular, paragraph 192 states that in determining planning applications, local authorities should take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is reflected in policy SD8 the Joint Core Strategy.

Policy SD4 sets out requirements for high quality design.

- 6.15 Policy F1 of the emerging Gloucester City Plan refers to materials and finishes and states development proposals should achieve high quality architectural detailing, external materials and finishes that are locally distinctive and developments should make a positive contribution to the character and appearance of the locality and respect the wider landscape. Policy D1 of the emerging Gloucester City Plan refers to the historic environment and states that development proposals must conserve the character, appearance and significance of designated and non- designated heritage assets and their settings. Policy D3 states that where development reveals, alters or damages a heritage asset, the City Council will require developers to record and advance the understanding of the significance of that asset prior to, and during development. Policy D4 refers to shopfronts, shutters and signs and states that there will be a presumption in favour of retaining good quality traditional shopfronts where they make a positive contribution to the character of the area and the City Council will support proposals that retain or reinstate traditional timber shopfront architectural detailing.
- 6.16 The proposal seeks various internal and external alterations to the building. Further to Conservation Comments being made in regards to the proposal a number of alterations were made to address concerns.
- 6.17 The proposed internal alterations are relatively modest and would not impact on the historic fabric of the building. Details have been received regarding the 'fire lined' ground floor at the request of the Conservation Officer who has confirmed that they were content with the details received.
- 6.18 The proposed air conditioning units and satellite dishes would be located on a flat roof at the rear of the property. These would be removable and located on a flat roof which has limited visibility from the public domain. As such, harm caused as a result of this is limited and the public interest of getting the building back into use outweighs the level of harm in this instance.
- 6.19 The renovation of the shopfront and the removal of the roller shutters are welcomed. The proposed shopfront would be painted Blue Ral 5002 (matt) which is considered to be acceptable. A number of concerns were raised with regards to the proposed advertisements at the front of the building. This will however be dealt with as part of the applicants advertisement application and so this element of the proposal does not form part of the consideration of this planning application.
- 6.20 The proposed amendments to the building are considered to be acceptable and no objection has been raised from the conservation officer. The proposal is considered to be in

accordance with the previously outlined policies of the NPPF, JCS and the emerging Gloucester City Plan.

#### Traffic and Transport

- 6.21 Paragraph 109 of the NPPF provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts upon the road network would be severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network.
- 6.22 The highways authority have been notified of the proposal and have concluded that the proposed change of use would not be considered materially different from the existing land use and would generate similar pedestrian movements in terms of expected footfall. The site is well located within the city centre with excellent other sustainable transport options
- 6.23 Highways confirmed that there would be no unacceptable impact on Highway Safety or a severe impact on congestion and raised no objection subject to including a condition requiring the provision of cycle storage.

Whilst the request for a condition regarding cycle storage has been noted, the application site contains no outside space where this could be provided and the agent has offered no where within the building to be allocated for cycle storage. The agents have confirmed there are existing cycle storage options along the street in the nearby area including Northgate and Westgate Street. This has been noted. Given the sustainable location in which the site is located and the options for cycle storage in the nearby area, the lack of cycle provision for this development is not considered unacceptable.

- 6.24 The proposal is therefore considered to be acceptable on highways grounds in accordance with the NPPF and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

#### Residential amenity

Paragraph 17 of the NPPF sets out that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 6.25 Policy SD4 of the JCS relates to Design Requirements and, in terms of amenity and space, specifies that new development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution. Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

#### 6.26 Impact on occupiers of nearby buildings

The proposed betting shop would be open 7 days a week from 8am – 10pm. Surrounding uses in the area are mixed and include commercial units on the ground floor (retail, cafes and public houses) and some flats on upper floors. Whilst the retail units would generally be open until approximately 5.30 the New Inn pub across the road is open until 11pm.

- 6.27 The Councils Environmental Health Advisors have been notified of the proposal and have raised no objection to the application in terms of noise/ nuisance associated with the proposal. The proposed use and opening hours are not considered to result in unacceptable levels of noise and can be considered acceptable in this respect.



6.28 The proposed alterations to the external and internal parts of the building are not expected to result in any harm to neighbouring properties. The proposal is therefore considered to be acceptable in terms of amenity in accordance with the NPPF and policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

6.29 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.

6.30 Policy E6 of the emerging Gloucester City Plan refers to flooding, sustainable drainage, and wastewater and states development shall be safe from flooding and shall not lead to an increase in flood risk elsewhere. In accordance with the National Planning Policy Framework, flood risk betterment shall be sought through the development process.

6.31 The application site is not located within a flood zone and is not at high risk of flooding.

6.32 The proposal would not include any external alterations or extensions to the building and so there are no concerns in regards to flooding or drainage. The drainage officer has been notified of the proposal. However, no comments have been received. It is judged that the application is acceptable in terms of flood risk and drainage in accordance with the NPPF and policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

6.33 Economic considerations

The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. 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 limited weight to the case for granting permission.

6.34 **Conclusion**

This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of principle, design, heritage, highways, drainage and impact on amenity and the proposal is considered to be acceptable. Accordingly it is recommended that planning permission is granted.

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

7.1 **That APPROVAL is granted subject to the following conditions:**

**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, Design and Access Statement, Planning and Heritage Statement, standard specification – fire protection and sound insulation document, floor and ceilings introduction document, and drawings:

- Location Plan BS/NGS/09
- Site Plan BS/NGS/10
- Proposed floor plans BS/NGS/05
- AC condensers and satellite dish proposal BS/NGS/08
- Proposed shopfront alterations BS/NGS/06 Rev B
- Shopfront elevation and sections BS/NGS/14 Rev A

except where these may be modified by any other conditions attached to this permission.

## **Reason**

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

## **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**

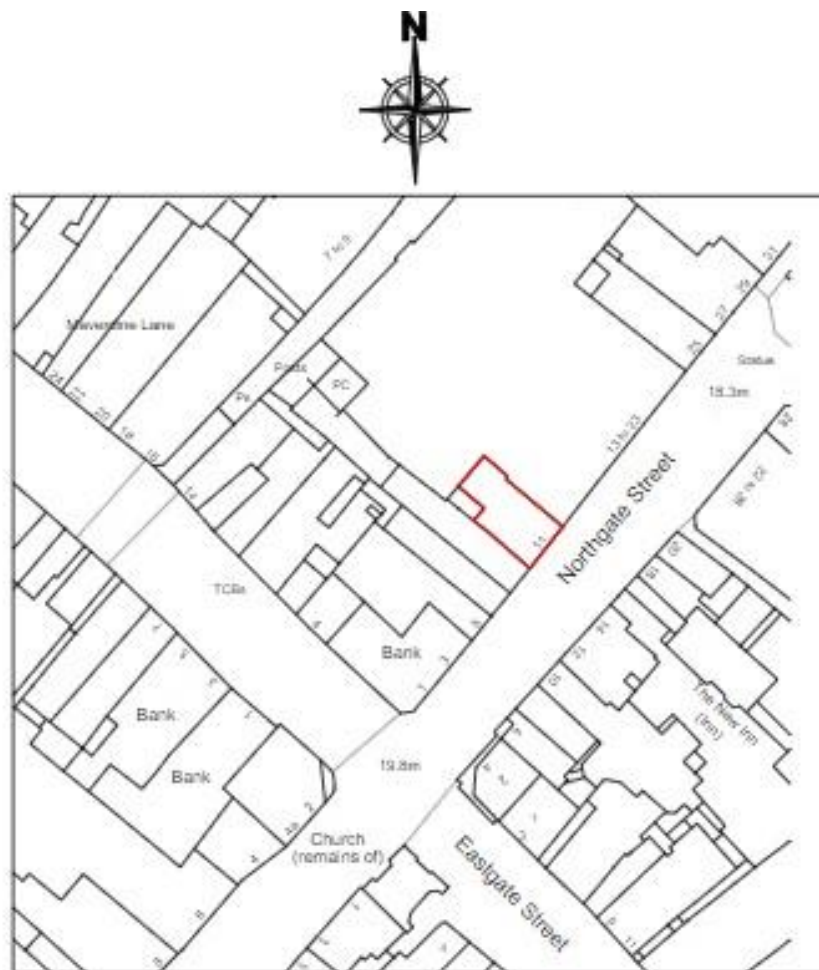
It should be noted that listed building consent and Advertisement consent is also required for the works proposed and they must not be undertaken unless that consent has also been granted.

**Person to Contact:** Rhiannon Murphy (01452 396361)

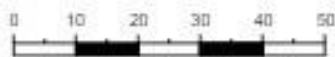
Planning Application: | 22/00384/FUL

Address: | 11 Northgate Street

Committee Date: | 02.08.2022



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## Location Plan 1:1250

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## GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	02.08.2022
Address/Location:	Longlevens Rugby Club, Longlevens, Gloucester
Application No:	22/00248/FUL
Ward:	Longlevens
Expiry Date:	08.06.2022
Applicant:	Longlevens Rugby Football Club
Proposal:	Proposed extension and alteration to clubhouse to include new gym, larger ground floor lounge bar, addition of balcony and bar area on the first floor. Extension to existing store and extended car parking area.
Report by:	Rhiannon Murphy
Appendices:	1. Site Location Plan 2. Proposed Site Plan

### 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 Longlevens Rugby Club is located within the Longlevens ward of Gloucester north of Longford Lane and comprises buildings associated with the club, an existing car parking area, playing fields and a recreational play area. The site is well screened to the south by a row of mature trees and hedging.
- 1.2 Immediately next to the site to the east is the Longlevens Football club building.
- 1.3 Other surrounding development includes residential properties to the south, east and north and Milestone School to the west.
- 1.4 This planning application seeks a number of alterations and extensions. The existing access to the site from Longford Lane would be removed and replaced with a new access further west. In order to facilitate this, plans would include the loss of two trees and the planting of two replacement trees to the south east of the site.
- 1.5 The proposal would involve the alteration and extension of the existing car parking area to provide parking for up to 69 vehicles (total increase of 40 spaces). The car parking area would extend west into an area of existing green space.
- 1.6 The proposal includes a number of extensions and alterations to the existing clubhouse building. The building would be extended to the east and south to allow for the construction of a new gym including treatment room and storage. This extension is single storey with a flat roof and would be constructed from facing brickwork walls, flat roof composite membrane and double glazed UPVC windows and doors.

The application includes the construction of a single storey flat roof extension to the north and west side of the building with balcony above which would allow for an extended lounge bar area on the ground floor and balcony on the first floor. Just north of the building beyond the single storey extension, a patio area would be created. The proposal would include the introduction of a part two storey extension on the west side elevation to contain the new staircase and an entrance canopy would be constructed.

- 1.7 The proposal would also involve an extension to the existing store building. The store building is located towards the south boundaries of the site. The existing footprint of this building is approximately 4.7m x 4.7m and the proposed extension to the side of the building would measure 7m x 4.6m. The agent has confirmed that the materials used for this extension would match that of the existing garage and has confirmed that the building would be used for the storage of training equipment and pitch related items which are used on the playing fields.

## 2.0 RELEVANT PLANNING HISTORY

Unable to access site history at the time of writing.

## 3.0 Policies and Guidance

- 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  
SD1 – Employment – Except Retail Development  
SD3 – Sustainable design and construction  
SD4 – Design requirements  
SD14 – Health and environmental quality  
INF1 –Transport network  
INF2 – Flood risk management  
INF3 – Green Infrastructure  
INF4 – Social and community Infrastructure

### 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 215 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 hearing sessions for the examination of the pre-submission version of the Gloucester City Plan (City Plan) have concluded and the examining Inspector's post hearing letter has been received. The letter provides the inspector's view on modifications required to make the plan sound. Policies which are not listed as requiring main modifications may now attract more weight in the consideration of applications, with those policies which require main modifications attracting less weight depending on the extent of the changes required. The Plan remains an emerging plan and the weight that may be attributed to individual policies will still be subject to the extent to which there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given) and the degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).

Relevant policies from the emerging Gloucester City Plan include:

C1 – Active design and accessibility

C3 – Public open space, playing fields and sports facilities

E6 – Flooding, sustainable drainage, and wastewater

F1 – Materials and finishes

G1 – Sustainable transport

### 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. None of the development management policies are relevant to the consideration of this application.

### 3.7 **Supplementary Planning Guidance/ Documents**

#### **Gloucester Playing Pitch Strategy**

The Gloucester Playing Pitch Strategy provides a framework for the maintenance and improvement of existing outdoor pitches and ancillary facilities between the periods of 2015- 2025. The PPS covers the following pitches and outdoor pitches:

- Football pitches
- Cricket pitches
- Rugby union pitches
- Rugby league pitches
- Artificial grass pitches
- Other grass pitch sports including American football and lacrosse

- Bowling greens
- Tennis Courts

## 4.0 CONSULTATIONS

### 4.1 Highway Authority

A TRICS analysis has demonstrated that the proposal would generate 9 vehicle movements a day with 3 additional movements between the hours of 7-8pm at peak hours. The proposed increase in vehicle movements would not be regarded as severe or have an impact on the highway network in terms of road peak hours (8am-9am)- (5pm-6pm), this is how highway impact is assessed.

The proposed access and layout is considered acceptable from a highway planning perspective by way of providing suitable emerging visibility splays.

The access width has not been demonstrated on the submitted plan, due to the commercial element 4.1m width would not be considered appropriate in this instance. There is a shortfall in regards to accessible spaces and EV charging facilities being provided.

Lastly details would be required to demonstrate cycle facilities that are secure and covered.

However, all of these matters can be secured by way of a suitable worded planning conditions.

No unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

### 4.2 Sport England

Sport England and the Rugby Club were involved in pre application discussions with the applicant. A previous scheme had a number of issues. However, we are pleased to report that the submitted scheme addresses all our issues.

The loss of the playing field is for car parking, however it has been kept close to the boundary and the loss has been kept to a minimum which is something Sport England can support. It should be noted that the width of the car park is not the width of a pitch and the main pitch will remain unaffected.

Pleased to see the applicants have shown the position of a future stand which can be accommodated without negative impact on the main pitch or other playing pitches on the site.

Creating additional car parking off- street will lead to a better relationship between the club and local residents.

The new gym which is on the existing car park will be of benefit to club along with the various internal improvements.

Having assessed the application, Sport England is satisfied that the proposed development



meets exception 2 of our playing fields policy, in that:

‘the proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use’.

Sport England does not wish to raise an objection to this application.

#### 4.3 **Tree Officer**

An Arboricultural Assessment and Method Statement dated 8<sup>th</sup> April 2022 has been submitted in support of this application outlining the following.

- Tree protection measures for all retained trees to BS5837:2012 standards are proposed. This is considered acceptable
- Works and hardstanding within the RPZ on 3 no. trees are proposed. An Arboricultural Method Statement within Section 5 of this report has been included which is considered acceptable.

Notwithstanding the above; there is a row of mature Poplars on the southern edge of the site that make a positive contribution to the area. To facilitate the proposed new access point two Poplars (as per the WTC report) would need to be removed. T16 (a hybrid black poplar classified as B2 in the submitted report) and T17 categorised as (a hybrid black poplar classified as C2 in the submitted report).

The loss of said poplars would be regrettable, but should sufficient replacements be provided then it is considered that a formal objection would not be justified or reasonably defended at appeal.

With regards to replacements: AGS Dev Con drawing – Proposed Site Plan – Dwg. No. 707/006 Rev G – depicts that 1 tree is to be removed and it to be replaced with 1 new tree. The WTC report depicts those 2 trees are to be removed, should this be the case then 2 new trees would be required.

No objection raised subject to condition.

The discrepancy between plans was raised with the agent who clarified that the proposal would result in the removal of two trees and two new trees would be planted. The site plan was subsequently amended to demonstrate this and a condition will be added to any permission in regards to proposed tree planting.

#### 4.4 **Drainage**

The site is located in flood zone 1 and as such a flood risk assessment is not necessary.

As the proposal sees a substantial amount of greenfield converted to hardstanding along with sizeable extensions a formal drainage strategy will be required to show that the additional run-off from the site and new areas will not increase flood risk locally or that elsewhere.

The drainage strategy needs to follow SUDS principles and present an outline layout plan showing:

1. All the proposed new roof/ driveway. Paving areas marked with sizes m2, and,

2. The proposed drainage layout including, where used: the location and size of the flow control; the location and size of the surface water attenuation facility; the location and size of any soakaways

Where soakaways are proposed, the results of a BRE infiltration test and the soakaway sizing calculations must be provided.

Any run-off from the new area entering the existing surface water sewer present along Longford lane will need to be controlled to greenfield (Qbar) rates with storage provided for the 100yr +40% climate change design rainfall for their critical duration. Likewise any proposed soakaway will need to show that it is capable of percolating the 100yr +CC rainfall and half drain-down in less than 24hrs

Overall I have no objection in principle to the development however the size requires that drainage strategy is agreed up front to ensure that flooding is managed. Until this is agreed I will have to defer my decision.

The comments from the Drainage Officer were raised with the planning agent who provided an overview to demonstrate that the proposal would result in betterment in terms of permeable surfaces. The drainage officer was notified of this and requested further details. It is considered reasonable however that these further details are dealt with via a suitably worded condition.

#### 4.5 **Severn Trent Water**

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

#### 4.6 **Policy**

No comments received.

#### 4.7 **WRS (noise and contaminated land matters)**

##### **Noise**

No adverse comment to make in terms of noise issues

#### 4.8 **Contaminated Land**

No adverse comments to make in relation to ground condition issues.

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

5.1 Neighbouring properties were notified and a site notice was published. 3 letter of objection have been received.

#### 5.2 **Football Club Concerns**

- The proposed plans would impinge and potentially completely stop us from being able to use the football clubhouse changing rooms
- Proposal would extend already large patio area directly out and across the front of our changing rooms/ hall area
- Football club are in the early stages of applying for a very small single storey

extension to the back of the club to allow the extension of the changing rooms. If granted in current form, the proposal would stop the club being able to extend the changing rooms and bring them into line with what is required

- Plans not discussed with the football club before hand

### 5.3 Neighbour representations

- The proposed new car park would take away valuable green space used both for locals to walk and the Rugby Club training. If training moves to another part of the field, that will be another part of the field out of use
- If the car park goes in does the rugby pitch move further into the sports field (taking up more space?) where will the new training area be? Where the mini football have their soccer pitches at present?
- The rugby club are trying to get railings around their pitch – if they do this more open space will be restricted
- The rugby club erected railings illegally back in 2002 and had to take them down after protests in 2003
- I see from the plans the Rugby Club are proposing a future stand – move the pitch a bit further over?
- The extension line of the front wall of the rugby club appears to be approximately one metre from the changing room door of the football club. There are four changing rooms the other side of that door. More space should be considered if not discussed with the football club
- Rugby Club should have an open forum to discuss plans which all can attend before decisions are made

## 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
- Traffic and transport
- Residential amenity
- Drainage and flood risk

- Contaminated land
- Economic considerations

## 6.5 Principle

### Expansion of existing business

Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which business can invest, expand and adapt. The NPPF considers employment in a wider sense than traditional industrial, office and warehousing. For example, uses such as retail, hotels, tourism and leisure and health facilities can all be large employment providers. The site would be considered as an employment provider and policy SD1 of the JCS is of some relevance.

- 6.6 Policy SD1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) states that *'employment- related development will be supported where it allows the growth and expansion of existing business subject to all other policies of the plan'*. Given that the proposal would allow for the expansion of the existing leisure facility the development would be in accordance with this policy.

### Out of town centre location

Paragraph 86 of the NPPF requires the submission of a sequential test to planning applications for main town centre uses in out of centre locations. This is reflected within policy SD2 of the JCS which states that *'proposals for retail and other main town centre uses that are not located in a designated centre, will be robustly assessed against requirements of the sequential test and impact test as set out in the NPPF and National Planning Practice Guidance, or locally defined impact assessment threshold as appropriate'*. Annex 2 of the NPPF (the Glossary) includes health and fitness centres as a main town centre use.

- 6.8 The proposal seeks the construction of a gym and extended bar area which both come under main town centre uses according to the NPPF. The agent has confirmed that the proposed improvements would be open to club members only and the gym would be a replacement of the existing first floor facilities.

- 6.9 In support of the planning application, the agent has provided a statement which confirms that the proposal is under the threshold that would require a Town Centre Impact Statement. The report confirms that the site adjoins and is lined physically and functionally to the Rugby Pitches which are allocated as playing fields and public open space. The report confirms that the facilities cannot be located elsewhere within the urban area and no other sites are available that would meet the applicants needs.

- 6.10 Whilst it is acknowledged that the proposal is for a main town centre use, the proposal is for an extension to an existing sports facility and club. The extension is clearly related to the primary use of the wider facility and so it would be unreasonable to expect the elements of the proposal to be disaggregated from the existing site. In all there are therefore no objections raised regarding the proposal.

- 6.11 In relation to the impact test, the proposal is well below the automatic threshold of 2,500 sqm for an impact test. Regardless, a proposal of this size and in this location would not lead to a significant adverse impact on the city centre or any other designated centre.

6.12 Partial loss of recreation ground

Paragraph 97 of the NPPF seeks to protect open space, sports and recreational building and land. This is supported by the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy which states 'proposals to build on existing sports and recreational buildings or land should be considered in accordance with the criteria of the NPPF and policy C3 of the emerging Gloucester City Plan which states:

6.13 'Existing public open space, playing fields and built sports facilities will be protected from development to alternative uses, in whole or in part, unless it can be demonstrated that:

1. There is an excess of provision in the local area, there is no current or future demand for such provision and that there would be no overall shortfall; or
2. The open space, playing field or facility can be replaced by alternative provision of the equivalent or better quality and quantity in an accessible and appropriate location to the community where the loss would occur; or
3. The proposal is ancillary development that would enhance existing facilities and not reduce or prejudice its ongoing use; or
4. The proposal affects land that is not suitable, or incapable, of forming an effective part of the open space, playing field or facility and its loss would not prejudice the ongoing use of the remainder of the site for that purpose

6.14 The proposal would result in the partial loss of recreation ground to allow for the creation of a new car parking area. However, the proposed car parking area has been kept close to the boundary to keep the loss of recreational ground to a minimum and the main pitch just to the north of the car park would remain unaffected.

6.15 The proposal would enhance the existing site through providing a new gym for the benefit of the club and sufficient parking for the site. Sport England have been notified of the proposal and have raised no objection to the application.

6.16 Taking all of the above into consideration, it is considered that the partial loss of recreational ground at the site can be considered acceptable. The proposal meets exception 3 of policy C3 of the emerging Gloucester City Plan in that 'the proposal is ancillary development that would enhance existing facilities and not reduce or prejudice its ongoing use'.

6.17 **Design, Layout and Landscaping**

The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. 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.

6.18 Policy F1 of the emerging Gloucester City Plan refers to materials and finishes and states development proposals should achieve high quality architectural detailing, external materials and finishes that are locally distinctive and developments should make a positive contribution to the character and appearance of the locality and respect the wider landscape. Policy E4 refers to trees, woodlands and hedgerows and states that development proposals should seek to ensure there are no significant adverse impacts on existing trees and every opportunity is taken for appropriate new planting on site and policy E5 refers to Green

Infrastructure and requires development to contribute towards the provision, protection and enhancement of Gloucester's Green Infrastructure Network.

#### 6.19 Extension to rugby club building

Alterations and extensions are proposed to the existing Rugby Club building. The proposal includes the construction of a single storey flat roof extension which would extend to the side (east) and south of the building. This extension would extend beyond the south elevation of the existing building by some 7.5 metres and would be constructed from materials to match the existing building.

6.20 Whilst residential properties to the east of the site follow a consistent building line, the Rugby Club site is already at odds with this and so the proposed extension in this location is not considered to be harmful.

6.21 The design of this extension is not considered to be particularly high quality, however, the proposal wouldn't appear out of keeping within the Rugby and Football Club Site – especially in context with the adjacent Football Club building (a single storey flat roof building with little architectural merit). The use of appropriate matching materials would assist in ensuring that the proposed extension would be in keeping with the existing building.

6.22 This proposed extension given its positioning would be visible from Longford Lane to the south but would be positioned back from the road by some 4.8 metres. The extension would be partially screened by the trees and hedging along the boundaries of the site.

6.23 To reduce the impact of the proposed extension on the street scene, the agent was asked to amend the proposed south elevations to include a window to break up the blank elevation. The agent however confirmed that they did not wish to change their plans as the proposed layout would provide security and allow full use of the internal walls for equipment. The existing design has therefore been considered and is considered in all acceptable, subject to sufficient screening being included along the boundary of the site.

6.24 Further extensions and alterations to the Rugby Club building include the proposed construction of a single storey flat roof extension with balcony above which would be constructed on the north elevation of the building and wrap around to cover the west side of the building. The proposal would also include a partly two storey element on the west side elevation of the building which would contain the stairs and an entrance canopy would be constructed. The proposed extension and alterations to the north and west side of the building area considered to be acceptable in terms of design and scale and would not unduly harm the character and appearance of the existing building. The extension given its positioning, whilst partially visible from Longford Lane, would not be overly visually prominent and is not expected to result in unacceptable harm to the character and appearance of the street scene.

#### 6.25 Extension to store

The proposal also seeks the extension of the existing storage building, close to the south boundaries of the site. Whilst a relatively large extension to this currently modest building, the design and use of matching materials would assist in ensuring that the extension does not harm the character and appearance of the existing site.

- 6.26 The building is located close to the south boundaries of the site, adjacent to Longford Lane. Whilst partially visible from the street scene, the existing trees along the southern aspects of the site as well as existing boundary hedging would help to screen the development from Longford Lane. The height of this building would remain as existing and would not have an unacceptable impact on the street scene.

#### Trees and landscaping

- 6.27 Policy INF3 of the JCS relates to Green Infrastructure and states that '*development proposals should consider and contribute positively towards green infrastructure*' and states 'existing green infrastructure will be protected in a manner that reflects the contribution to ecosystem services. Development proposals that will have an impact on woodlands, hedges and trees will need to include a justification for why this impact cannot be avoided and should incorporate measures acceptable to the local planning authority to mitigate loss'.
- 6.28 There is a row of mature Poplar trees at the southern edge of the site which currently makes a positive contribution to the area. To facilitate the new access point, two of these trees are proposed to be removed and the planting of two new trees is proposed further east along the southern boundaries of the site. Whilst the loss of these trees is regrettable, sufficient replacement planting at the site can be considered acceptable. The Council's tree officer has been notified of the proposal and has raised no objection to the application subject to the inclusion of conditions requiring the planting of replacement trees and the implementation of tree protection measures.
- 6.29 Details of planting at the location of the proposed access have been requested to include a re-instated boundary hedge and the proposed site plan has been amended to show this. It is concluded that the proposal can be considered acceptable in terms of trees and planting in accordance with the NPPF and policy INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).
- 6.30 **Traffic and transport**  
Paragraph 109 of the NPPF provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts upon the road network would be severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network.
- 6.31 Trip generation  
The Highways Authority have confirmed the proposed development would generate 9 new vehicle movements a day with 3 additional movements between the hours of 7-8pm (the development peak hours). Highways have confirmed the proposed increase in vehicle movements would not be regarded as severe or have an impact on the highway network in terms of road peak hours (8am-9am) – (5pm-6pm).
- 6.32 Access and layout  
The proposed site plan shows the creation of a new access. The proposed access and layout is considered acceptable from a highway planning perspective and would provide a suitable emerging visibility splay. The Highways Authority noted a shortfall in accessible spaces and EV charging facilities being provided and also requested cycle facilities that are secure and covered. Whilst these details are outstanding, the Highways Authority confirmed they could be dealt with through suitably worded planning conditions.

- 6.33 It is therefore concluded that the proposal would not result in an unacceptable impact on Highway Safety or a severe impact on congestion and the proposal can therefore be considered acceptable in accordance with the NPPF and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).
- 6.34 Residential amenity  
Paragraph 127 (f) of the NPPF provides that planning should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.  
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.
- 6.35 The closest residential properties are located to the south of the site across the road from Longford Lane and to the east of the site. The Councils Environmental Health advisors have been notified of the proposal and raised no concern in terms of noise. The proposed extensions and alterations to the building are located at a sufficient distance from residential properties so as to avoid any overbearing or overshadowing impacts. The proposal would result in the introduction of a first floor balcony. However, this would be located some 50m to the nearest residential dwelling to the east and as such overlooking is not of a concern.
- 6.36 Taking all of the above into consideration, it is concluded that the proposal would not have a harmful impact on residential amenity and can therefore be considered acceptable in this respect in accordance with the NPPF and policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).
- 6.37 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.
- 6.38 Policy E6 of the emerging Gloucester City Plan refers to flooding, sustainable drainage, and wastewater and states development shall be safe from flooding and shall not lead to an increase in flood risk elsewhere. In accordance with the National Planning Policy Framework, flood risk betterment shall be sought through the development process.
- 6.39 The site is located in flood zone 1. The proposal would result in a large amount of greenfield being converted to hardstanding due to the creation of the new car parking area and the extensions to the existing buildings.
- 6.40 The Councils drainage officer has been notified of the proposal. Additional information has been requested to show that the additional run-off from the site and the new areas would not increase flood risk locally or elsewhere. No objection was raised in principle however, drainage have requested that the drainage strategy be agreed up front to ensure that flooding is managed appropriately.



- 6.41 Further to these comments being raised, the agent has confirmed the following:
- Proposed extensions at the Clubhouse are located on land which is either concrete or impervious. As such there is no additional impact on either flood risk or surface water management to these areas
  - An extension to the existing store is proposed of 30m<sup>2</sup>. However, the modest increase is offset by the replacement of the existing car park with a porous free draining surface
  - The extended element of the car park will be porous and free draining
  - The new patio area will be free draining and is located in an area which is currently occupied by a marque with no formal drainage provision
  - The replacement of the existing impervious materials with a porous free draining alternatives provides a reduction in impervious hard surfacing from 1413m<sup>2</sup> to 387m<sup>2</sup> ie a betterment of circa 73% . As such the proposal reduces any demand on the existing surface water drainage system whilst also reducing the likelihood of localised flooding generally.
- 6.42 The response received from the planning agent suggests that an appropriate drainage strategy at the site would be achievable and plans would provide a betterment in terms of impervious hard surfacing. The details of this can be dealt with through an appropriately worded condition.
- 6.43 **Economic considerations**  
The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. 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 limited weight to the case for granting permission.
- 6.44 **Concern raised by the Football Club and interested residents**
- The adjacent football club have raised concern that the proposed plans would impact access to their changing rooms. As part of the assessment of this application, discussion has taken place with both the Rugby Club and Football Club and a site visit has been made.
- 6.45 The only entrance to the football club changing rooms is located on the west side elevation of the Football Club building. The proposed extension would be located 1 metre from the side elevation of this building. The football club have highlighted that the width of the door measures 760mm and opens right to left and when the door is open there would be very little space to access the playing fields between the two buildings. The Football Club have raised concerns that the proposed plans would mean that players would have to be re routed to go around the front of the building past the car park to be able to access the playing fields.
- 6.46 These concerns have been noted and were raised with the agent, who chose not to alter their plans. However, they did offer that the door swing could be altered from left to right which would allow access to the playing fields to remain between two buildings. Whilst this was not considered a reasonable condition, the Football Club and Rugby Club were encouraged to discuss this proposal between them.
- 6.47 In terms of the existing acceptability of the proposal, the location of the proposed extension does create a somewhat uncomfortable relationship between the two buildings and would make access to the Football Club changing rooms inconvenient.

- 6.48 However, the proposal would not completely restrict access as this could be achieved either through altering the door swing or re routing players around the front of the building where they could walk along the pedestrian allocated pathway. The concerns raised by the Rugby Club in regards to access to the changing rooms is therefore not considered a reason for refusal
- 6.49 The Football Club have also raised concern that they are in the early stages of planning to extend their own club and the proposal would prevent them from doing so. Whilst this concern is noted, the Football Club have not yet submitted any such planning application and it has only been possible to consider this current application on its own merits. Future possible plans to extend the Football Club have therefore been unable to have any bearing on this application.
- 6.50 An objection received from a neighbouring property queried whether the Rugby Pitch would need to be relocated as part of the proposal. The proposed car parking area would not encroach onto the area of the existing Rugby Pitch and would not be affected by the proposal. Comments were also made regarding proposed railings around the Football Pitch and a Future Stand. Neither forms part of this planning application and has not been considered as part of the proposal.
- 6.51 **Conclusion**  
This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and the proposal is acceptable in terms of principle, design, amenity and drainage and accordingly it is recommended that planning permission is granted.

## 7.0 RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER

**That APPROVAL is granted subject to the following conditions:**

### **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:

- Location and block plan 707/001 REV A
- Proposed site plan 7077/006 Rev L
- Proposed Elevations Sheet 1 707/009 REV B
- Proposed Elevations Sheet 2 707/010 REV B
- Proposed Ground Floor Plan 707/007 REV E
- Proposed first floor plan 707/006 REV G
- Proposed gym plan/ elevation 707/020 REV C

**Reason**

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

**Condition 3**

The development hereby permitted shall not commence until details of permeable pavement design and a construction and maintenance schedule for all SUDS elements (soakaway and permeable pavement) have been submitted to and approved in by the Local Planning Authority. Approved details shall be maintained for the life of the development.

**Reason**

To ensure the development is provided with a satisfactory means of drainage and thereby reducing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

**Condition 4**

The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.5 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

**Reason**

In the interests of highway safety.

**Condition 5**

The development hereby approved shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

**Reason**

To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

**Condition 6**

Prior to first use of the development hereby permitted the vehicular access shall be laid out and constructed broadly in accordance with the submitted plan drawing no. 707/006 Rev L but with a minimum entrance width of 5.0m with the area of access road within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

**Reason**

To reduce potential highway impact by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraph 110 and 112 of the National Planning Policy Framework.

**Condition 7**

The vehicular access hereby permitted shall not be brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed in accordance with details as shown on drawing number 707/006 Rev L.

**Reason**

In the interests of highway safety.

**Condition 8**

Notwithstanding the submitted details, the development hereby approved shall not be brought into use until 7 electric vehicle charging spaces have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

**Reason**

To encourage sustainable travel and healthy communities.

**Condition 9**

Notwithstanding the submitted details, the development hereby approved shall not be brought into use until at least 5 accessible car parking spaces have been provided in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for disabled users as approved.

**Reason**

To provide safe and suitable access for all users.

**Condition 10**

Notwithstanding the submitted details, the development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of no.10 bicycles has been made available in accordance with details to be submitted to and approved in writing by the LPA.

**Reason**

To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 110 of the National Planning Policy Framework.

**Condition 11**

Replacement Poplars for those felled shall be planted along the southern boundary of the site adjacent to the existing grouping (exact location to be agreed with the Local Authorities Tree Officer at the time of planting). Replacement trees shall be advanced nursery stock, semi mature size (20/25cm+ girth).

Planting of the replacement Poplars shall be carried out in the first planting season following the occupation of any building or the completion of the development, whichever is the sooner. Any trees or hedgerows, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. If any trees or hedgerows fail more than once, they shall continue to be replaced on an annual basis until the end of the 5-year period.

**Reason**

To ensure adequate provision for trees/hedgerows, in the interests of visual amenity and the character and appearance of the area. In accordance with the NPPF, Policy INF3 of the JCS and Policy E4 of the Gloucester City Plan.

**Condition 12**

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details specified in the WTC Arboricultural Assessment and Method Statement dated 8<sup>th</sup> April 2022; before any development including demolition, site clearance, materials delivery or erection of site buildings, starts on the site. The approved tree protection measures shall remain

in place until the completion of development or unless otherwise agreed in writing with the local planning authority. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within any area fenced, unless agreed in writing with the local planning authority.

#### **Reason**

To ensure adequate protection measures for existing trees/hedgerows to be retained, in the interests of visual amenity and the character and appearance of the area. In accordance with the NPPF, Policy INF3 of the JCS and Policy E4 of the Gloucester City Plan.

#### **Condition 13**

Where excavations or surface treatments are proposed within the root protection areas (RPA) of retained trees and hedgerows, works shall be carried out strictly in accordance with the Method Statement as contained within the WTC Arboricultural Assessment and Method Statement dated 8<sup>th</sup> April 2022. The RPA is defined in BS5837:2012.

#### **Reason**

To prevent damage to or loss of trees. In accordance with the NPPF, Policy INF3 of the JCS and Policy E4 of the Gloucester City Plan.

#### **Condition 14**

No removal of trees/scrub/hedgerows shall be carried out on site between 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

#### **Reason**

To ensure that the nature conservation interest of the site is protected. In accordance with the NPPF, Policy INF3 of the JCS and Policy E4 of the Gloucester City Plan.

#### **Condition 15**

The materials to be used in the construction of the external surfaces of the proposed extension to the buildings shall match those used in the existing buildings.

#### **Reason**

To ensure that the materials are in keeping with the existing building.

#### **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**

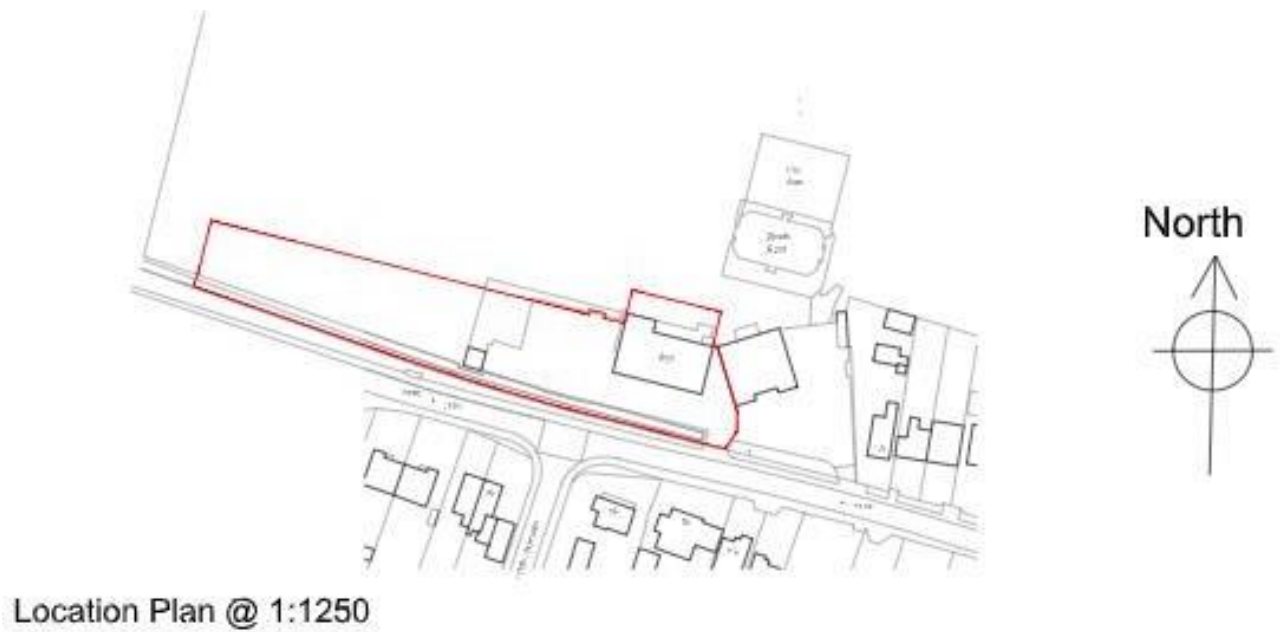
The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required 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) .

**Person to Contact:** Rhiannon Murphy (01452 396361)



Planning Application: | 22/00248/FUL  
Address: | Longlevens Rugby Club  
Committee Date: | 02.08.2022

## Appendix 1: Site Location Plan



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Pitch

Play Area

Sports Court

New Disabled Sports Fielding (No exposed space)

Possible Stand Location (c. 40m x 60m) (Note: not part of the application, stand indicates most sports England requirement)

Meeting Tree to be replaced

Proposed Car Park Layout 75 No Spaces

Proposed extension to existing store

Shed, 16.9m

New Access

Existing bin location and refuse collection point

Close Existing Access

Ambulance parking space (telling)

Entrance Canopy

Bin side Patio Area

Wall mounted Bicycle Storage (achable)

New Freestanding to existing closed access to replace hedge removal from new access

17.1m

LONGFORD LANE

OYSTERS WAY

2 COURT

Zoom



Reference	Status	Site address	Proposal	Decision date
21/01204/FUL	Grant	SMH Fleet Solutions, Naas Lane	A new internal Class 4 / 7 MOT facility, containing 1x no. MOT testing bay with brake tester and MOT viewing area.	10/06/22
22/00003/FUL	Grant	82 Kingsholm Road, Gloucester, GL1 3BB	Erection of greenhouse and shed within the curtilage of a grade II listed dwelling	21/06/22
22/00007/FUL	Grant	5 Coltman Close, Gloucester, GL1 3QJ	Single storey rear extension (in addition to two storey side extension and single storey front lean-to extension which have previously been approved but not yet built - ref 21/00950/FUL)	17/06/22
22/00051/FUL	Grant	50 Salisbury Road	Conversion of 3 bedroom dwelling to 6 bedroom HMO	10/06/22
22/00107/FUL	Grant	278 Cheltenham Road, Gloucester, GL2 0JN	Two storey rear extension	28/06/22
22/00115/FUL	Grant	71 North Upton Lane, Gloucester, GL4 3KW	Front, side and rear extension	17/06/22
22/00123/FUL	Grant	19 Peregrine Close	Garage conversion (Retrospective)	08/06/22
22/00128/LBC	Grant	Bawsement Flat, 4 Wellington Parade	Listed Building Consent for proposed alterations to the building to allow the conversion of a bedsit into a one bedroom flat.	20/06/22
22/00155/CONDIT	Closed	The Forum, Market Parade	Partial discharge of conditions 23 (construction environmental management plan, for Phase 2); 32 (waste minimisation for construction and demolition period, for Phases 2 and 3); 35 (construction management - highways, for Phase 2); and 37 (alternative temporary taxi provision, for Phases 2 and 3)	16/06/22
22/00159/law	Grant	6 Gosswood Corner	Single storey side extension	23/06/22
22/00171/CONDIT	ALL DIS	106 Stroud Road	Discharge of condition 4 (cycle storage) of planning permission 21/00327/FUL which related to the change of use from a childrens day nursery to residential property.	16/06/22
22/00184/FUL	Grant	164 Lavington Drive	Front Porch Extension	17/06/22
22/00198/LAW	Grant	20A Carisbrooke Road	Single storey extension to rear of property	28/06/22
22/00209/FUL	Grant	29 Westgate Street	Change of use of part ground floor and upper floors from retail use to a large House in Multiple Occupation (use class sui-generis), upwards extension to create an additional storey and roof terrace, demolition of small rear part of ground floor roof and external alterations including replacement of the shopfront. (Amended scheme following approval of planning application 21/01185/FUL)	10/06/22
22/00232/CONDIT	Closed	Plot 1 Kings Square Development	Discharge of condition 69 (method of construction), and partial discharge of conditions 70 (soft landscaping), 88 (biodiversity enhancement) and 92 (highways construction management plan) for Plot 1, of permission ref. 18/01454/FUL	09/06/22
22/00244/NMA	Grant	Grosvenor House, Station Road	Non material minor amendment to plans approved under permission ref. 20/01286/FUL to alter Plot 4 siting, add car park substation to Plot 2, amend plot 2 hotel windows, add Plot 4 5th and 6th floor doors, amend Plot 2 vents and car parking provision, amend Plots 2 and 4 ground floor facades, and update landscaping.	01/06/22
22/00284/FUL	Grant	227 The Avenue	Creation of external eating and drinking area in the existing car parking area and associated alterations.	17/06/22
22/00285/FUL	Grant	8 Wigmore Close	Partial demolition of rear conservatory, single storey rear extension and single storey front porch	07/06/22
22/00290/FUL	Grant	81 Park End Road	Proposed change of use from dwelling (use class C3) to 7 bed HMO	28/06/22
22/00301/CNSLT	Closed	Canoe Store Nr. Ulanthony Warehouse	Erection of a Canoe Store	09/06/22
22/00310/LAW	Withdrawn	67 Barnwood Avenue	Single storey rear extension and loft conversion	09/06/22
22/00344/LAW	Grant	12 Whaddon Way	Single storey rear extension	17/06/22
22/00355/REM	Grant	Land adjoining Naas Lane	Reserved matters application for approval of Appearance, Landscaping, Layout and Scale for the erection of 97 dwellings provision of Green Infrastructure including surface water attenuation and play space and other related infrastructure including foul water pumping station (pursuant to outline planning permission ref. 18/01228/OUT). Resubmission of application ref. 21/00317/REM.	15/06/22
22/00258/FUL	Grant	12 Firwood Drive	Single storey rear extension and double storey side extensions	28/06/22
22/00269/FUL	Grant	206 Church Drive	Demolition of conservatory and erection of single storey rear extension	28/06/22
22/00370/TPO	Grant	23 Dancers Hill	Remove deadwood and crown reduction of pine trees protected by TPO	24/06/22
22/00383/LAW	Grant	12 Sandalwood Drive	First floor rear dormer and two rooflights	28/06/22
22/00391/FUL	Grant	Mcdonalds	Alterations to elevation to include 2 extensions (total 2.4m2) and a new access door. Replacement drive thru booths, small extension to remote corral and associated works to the site	07/06/22
22/00298/LAW	Grant	Permail, 170 Bristol Road	Lawful development certificate for the installation of external plant under Schedule 2, Part 7, Class I of the General Permitted Development (England) Order 2015 (as amended)	07/06/22
22/00402/FUL	Grant	GTEC Building Waterwells Drive	Installation of ground source heat pump	24/06/22
22/00408/FUL	Grant	69 Beechcroft Road	Single storey side and rear extension, loft conversion and erection of porch	09/06/22
22/00409/FUL	Grant	National Waterways Museum The Docks	Installation of 6 No. 'Sheffield Cycle Stands'	28/06/22
22/00412/FUL	Grant	36 Colebridge Avenue	Single storey extension at side and rear	29/06/22
22/00415/TCM	Grant	Land off Greenhill Drive	Proposed upgrade to existing telecommunications equipment and associated ancillary development	15/06/22
22/00424/FUL	Grant	50 Spoonbill Close	Demolish conservatory and construct single storey extension	28/06/22
22/00429/FUL	Refused	4 Bilberry Close	Two storey side extension	29/06/22
22/00436/FUL	Grant	31 The Oval	Ground and part first floor rear extension	28/06/22
22/00439/FUL	Grant	20 Severn Oaks	Porch at front of property	28/06/22
22/00442/CONDIT	Closed	Plot 1 Kings Square Development	Part discharge of condition 47 (contamination) of permission ref. 18/01454/FUL for Plot 1 of the Kings Quarter development	13/06/22
22/00445/ADV	Grant	English Martyrs RC Church 247 Tuffley Lane	Erection of freestanding, double sided, non illuminated sign	07/06/22
22/00452/FUL	Grant	6 Norman Ball Way	Erection of 2-storey rear and side extensions with garage conversion and enclosed porch	28/06/22
22/00463/FUL	Grant	44 Elmbridge Road	Single storey rear extension	28/06/22
22/00464/FUL	Grant	23 Little Elmbridge	Single storey side extension	28/06/22
22/00471/FUL	Grant	5 Griffon Close	Single storey rear extension	28/06/22
22/00473/FUL	Grant	71 Windermere Road	Rear single storey extension	28/06/22
22/00476/ADV	Grant	Proposed Tesco Kings Quarter	Proposal to install 6 x fascia signs, 1 x projecting sign and 4 x graphic vinyl	07/06/22
22/00482/PRIOR	Grant	Great Western Railway Yard Great Western Road	Proposed demolition of disused buildings within the Great Western Rail Yard.	14/06/22
22/00527	Closed	30-44 Northgate Street	Proposed design changes following approval of permission LPA ref. 21/01323/FUL	14/06/22
22/00531/CONDIT	DIS	Gloucester Quays	Discharge of condition 30 of permission 18/00685/FUL	24/06/22
22/00540/ADV	Grant	The Real Greek	Erection of 3 x internally illuminated fascia signs and 3 x internally illuminated projecting signs	08/06/22
22/00564/CONDIT	ALLDIS	36 St Marys Square	Discharge of condition 3 of permission 21/00874/FUL (details of railings)	24/06/22
22/00580/TCM	NO OBJ	Telecommunications Site at Mercia Road & St Oswald Road	Removal and installation of monopole masts with antennas, cabinet and all ancillary development	30/06/22

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