



PLANNING COMMITTEE

MEETING : Tuesday, 3rd September 2024

PRESENT : Cllrs. Conder (Chair), Castle (Vice-Chair), A. Chambers, Bhaimia, S. Chambers, Harries, James, Jones, Lewis, Tracey and Wiederhold

Officers in Attendance

Planning Development Manager

Principal Planning Officer

Planning Officer

Locum Planning Lawyer, One Legal

Highways Officer (x2), Gloucestershire County Council

Democratic and Electoral Services Officer

Also in Attendance

Public Speaker (x2)

APOLOGIES : Cllrs. Marshall

8. DECLARATIONS OF INTEREST

Councillor Conder declared a prejudicial interest in agenda item 6 (9 Denmark Road - 24/00141/FUL) due to the close proximity of her property to the application site. She withdrew from the chamber during the discussion and voting on the item.

Councillor A.Chambers declared a non-prejudicial interest owing to being an elected County Council Member for the areas of Coney Hill and Matson, Robinswood and White City.

Councillor Castle declared a non-prejudicial interest in agenda item 7 (Longlevens Rugby Club) as the local ward member for Longlevens.

9. MINUTES

RESOLVED that the minutes of the previous meeting held on Tuesday, 4th June were confirmed and signed as a correct record by the Chair.

PLANNING COMMITTEE
03.09.24

10. LATE MATERIAL

Late Material had been circulated in relation to agenda item 5 (Former Holly House - 23/00954/FUL).

11. FORMER HOLLY HOUSE, WEST LODGE DRIVE, GLOUCESTER - 23/00954/FUL

Officer Report

The Principal Planning Officer presented the report detailing an application for the erection of 35 affordable dwellings, upgrade of existing access and other associated works.

The Principal Planning Officer advised that the submitted Site Section Plan (Section A-A) incorrectly identified the closest neighbouring property as number 15 Tern Close. It should have read 16 Tern Close. Reference to no. 15 Tern Close in paragraph 6.39 in the report should also be amended to no. 16 Tern Close.

Public Speeches

A representative of Bromford addressed the Committee in favour of the application.

She stated that the application should be granted on the following grounds:

- Gloucester had over 4,700 people on its waiting list; granting the application would reduce this.
- Bromford Housing was already working cooperatively with the City Council to help combat the housing shortage.
- Application sites, including the Holly House site, would be part of the 629 new homes in the City of Gloucester that Bromford planned to deliver. This equated to £153 million of investment over the next six years.
- Bromford had a neighbourhood coaching model that put residents at the heart of the community.
- The applicant would maintain the site in the long term and recruit local people during the construction process, where possible.
- The 35 proposed dwellings on a disused brownfield site would provide much-needed properties for families and a range of other people.
- Bromford was selected by the NHS as the preferred developer.
- The homes were a mix of two, three, and four bedrooms.
- The two bungalows were of the M4(3) category, meaning they were wheelchair accessible.
- Each property would be socially rented, which was the most affordable type of rent.
- Each dwelling would have its own garden.
- Properties would be energy efficient.
- Bromford had carefully considered how to protect trees on site.
- The proposed site would be supplemented with 39 new trees.

PLANNING COMMITTEE
03.09.24

- Bromford had a strong understanding of the local area, as it was adjacent to another Bromford site.
- The application had the support of the local ward member (Cllr Millard).

Members' Questions

The Principal Planning Officer responded to members' questions concerning whether the properties would remain as social housing, in the event that the developer changed, whether any play areas had been identified in the locality and whether it should be included in the application, whether the driveways had any grass on them, whether the greenery to the front of the dwellings were to be maintained by residents, how long would the developer maintain the landscape for, whether each dwelling had parking, why the biodiversity net gain would be off site, whether the developer could be encouraged to work with Gloucestershire Wildlife Trust to make the most effective use of the landscape, whether adequate funding would be provided for planting and maintaining, the proposed (tanked) permeable paving for some vehicular areas, whether the tanked water could be used for communal watering, Japanese Knotweed on nearby properties and whether local residents would have a stake in where trees would be planted as follows:

- The legal agreement would stipulate that the properties would be used as Social Rent Dwellings.
- The applicant was not proposing to pay for sport or public open space contributions, owing to the viability assessment. The officers' judgement was that the provision of 35 affordable dwellings outweighed this. There would be an area of open space at the entrance to the site.
- Some of the trees would be street trees. These would be maintained by Gloucestershire Highways. Regarding the maintenance of the open space, Bromford would be responsible for those areas.
- Bromford had stated that they would maintain the landscape in perpetuity unless a different arrangement (e.g. a management company) was made.
- There was parking for each plot. The number of parking spaces proposed exceeded the minimum requirement, with each plot having either 2 or 3 parking spaces.
- The applicant had maximised on-site planting and had engaged in a robust dialogue with the ecologist. There was a need to provide some off-site planting to ensure a net gain in biodiversity.
- Given the dimensions of the site, if properties fronted the river, this would result in properties backing onto the main access road. The proposed layout was considered to be the most logical and appropriate in terms of the overall design. There would be a wildlife corridor along the riverbank, and planting would be maximised for wildlife benefit.
- There was a construction and ecological management plan, with the ecological management plan focusing on the long term.
- The proposed permeable paving (tanked) for some vehicular areas was related to maintaining water quality.
- The run-off rates would be mitigated.
- She was not aware if it would be possible to use water collected from the (tanked) permeable paving areas to water landscaped areas.

PLANNING COMMITTEE
03.09.24

- The applicant could only deal with matters relating to the site. Discussions could take place with the developer regarding any knotweed off-site, but they cannot require the developer to address off-site issues.
- A detailed landscape scheme had been provided and reviewed by the landscape officer.
- The off-site biodiversity gain would be at a site in Tewkesbury.

The Planning Development Manager responded to members' questions regarding concerns raised about biodiversity net gain being off-site in Tewkesbury as follows:

- A broker agreement had been arranged for a site in Tewkesbury in cases where an applicant could not provide biodiversity net gain on site. They were working on setting up a site in Gloucester for the future. In response to an additional question about whether the local primary school could have been contacted and asked if they wished to be used for biodiversity net gain, the Planning Manager responded that they needed to secure fully brokered sites.

The Highways Officers responded to members' questions concerning the speed table and whether larger vehicles could pass through the site as follows:

- The speed table at the entrance was on West Lodge Drive. The proposed speed table was approximately 50-70m from the nearest dwelling.
- Highways had confirmed that a refuse vehicle could pass through the street. When it came to the Section 38 process, there would be an option to review the technical details of the kerb specification.

Members' Debate

Councillor Tracey stated that she liked the development and would support the officer's recommendation.

Councillor A. Chambers questioned whether fire engines would be able to pass through the site. The Highways Officer confirmed that this had been tested and they could.

Councillor A. Chambers stated that there had been issues with fly-tipping, anti-social behaviour, and the maintenance of greenery in the area, and that approving the scheme would help combat these. He believed that it was a good scheme overall.

Councillor Wiederhold noted that the late material stated there would be more education spaces required, and that the application was not offering contributions towards education. He questioned whether officers were satisfied that school places in the area would be sufficient. In response, the Principal Planning Officer explained that any additional school places would need to be funded by the County Council, as the applicant had undergone a viability assessment, and the scheme would not be viable if they were required to make education contributions.

PLANNING COMMITTEE
03.09.24

Councillor Jones commented that it would have been good to secure contributions towards libraries as part of the scheme. He was pleased to see that the application included solar panels and EV charging points. However, he questioned what Energy Performance Certificates (EPCs) the dwellings would have and how well insulated they would be. In response, the Principal Planning Officer noted that she was unaware of the specific EPC ratings or certification but referred to paragraph 6.81 of the officer's report, which set out the proposals to reduce energy demand.

Councillor S. Chambers stated that she believed it was a good application but raised concerns about the biodiversity net gains being off-site in Tewkesbury. She suggested that this should be looked at in the future. She added that it was positive the application would provide much-needed affordable dwellings, and although she would have liked to see more double-bedroom homes, the application was overall a positive one.

The Chair proposed, and the Vice-Chair seconded, a motion to accept the officer's recommendation.

The Principal Planning Officer provided a further update in terms of the request from the Highway Authority for £5,000 towards consultation and costs involved in the application process for the Traffic Regulation Order (TRO) required to install a raised table speed cushion fronting the access to West Lodge Drive. Although the report includes this in the agreed Heads of Term for the S106 Agreement, the Highway Officer was seeking clarification as to whether this money could instead be secured as part of the TRO/highway approvals. The Principal Planning Officer requested this matter be delegated to the Head of Place and only included in the S106 if necessary.

The Decision

RESOLVED that the grant of planning permission is delegated to the Head of Place, subject to the conditions set out in the officer report as amended in the late material and the completion of a Section 106 agreement to provide the Heads of Terms set out in paragraph 6.111 of the officer report with the option that the £5,000 contribution towards the application process for the TRO be removed if it can be secured via the separate TRO/highway agreement

12. 9 DENMARK ROAD, GLOUCESTER, GL1 3HZ - 24/00141/FUL

Officer Report

The Planning Manager presented the report detailing an application for the conversion of a care home into 18no residential units comprising 15 x 2 bed & 3 x 1 bed.

Public Speeches

A Planning Agent addressed the Committee in favour of the application.

He stated that the application should be granted on the following grounds:

PLANNING COMMITTEE
03.09.24

- The prior concern raised by the Local Ward Member regarding the proposed external stair tower had been addressed, and the proposal would omit it entirely.
- The Conservation Officer no longer raised any objections to the scheme and believed that the application would not harm the character and appearance of the Denmark Road Conservation Area.
- There would be a mix of dwellings.
- Outdoor amenity space was being provided for 12 of the 18 dwellings, and balconies were being provided for 5 of the dwellings.

Members' Questions

The Planning Development Manager responded to members' questions concerning the Non-Designated Heritage Asset (NDHA), concerns about why affordable housing was not being provided, apprehensions about the Conservation Officer's comments, whether there had been a viability assessment that led to the conclusion that it qualified for Vacant Building Credit (as it had been occupied up until 2023), whether the working hours during the construction phase were standard, more details about the proposed gravel mesh, and whether the property had been on the market as follows:

- The report referred to the non-designated heritage asset a couple of times. It was referenced in paragraph 6.13 of the officer's report.
- The building itself was not a non-designated heritage asset, so limited weight should be attached to that as a material planning consideration.
- The Case Officer concluded that the building qualified for Vacant Building Credit, and this conclusion was agreed upon by the Housing Strategy Team.
- The Conservation Officer was now satisfied. The Officer was not a statutory consultee. The Conservation Officer had concerns with the roof but raised no overall objection.
- The Case Officer had thoroughly reviewed the scheme and concluded that it qualified for Vacant Building Credit, with agreement from the Housing Strategy Team. Vacant Building Credit was introduced to prevent brownfield and vacant buildings from remaining unoccupied, and that was a key consideration.
- The proposed construction hours were standard; however, members could propose a later start time if they deemed it reasonable to impose a condition.
- His understanding was that there would be a grid system with gravel contained within each section of the mesh, preventing the migration of the material and the movement of surface water.
- He was unsure whether the property had been on the market. However, there was an assessment included in the Planning Statement.

Members' Debate

PLANNING COMMITTEE
03.09.24

Councillor Harries stated that he was content to support the application but would propose an amendment to condition 12 to change the Saturday construction times from 7:30am–1pm to 9am–2pm.

The Planning Development Manager noted that he did not believe this would be an unreasonable request, if members wished to condition a change in construction hours on Saturday.

Councillor Lewis stated that he believed it might be more appropriate to change the working hours to 7am–1pm for Saturdays.

Councillor A. Chambers said that his biggest issue with the application was the omission of affordable housing. However, he stated that, on balance, he would support the application as housing was needed in the City of Gloucester.

Councillor S. Chambers expressed disappointment that no affordable housing would be provided and sought further clarity on whether the dwelling qualified for Vacant Building Credit.

The Locum Planning Lawyer noted that Vacant Building Credit was a government policy to encourage the development of existing vacant buildings and could not be overridden. She further noted that some local authorities had their own guidance with stricter requirements for qualifying for Vacant Building Credit, but Gloucester did not currently have such guidance.

Councillor S. Chambers noted that the property had not been unoccupied for long and questioned whether there was a method to verify if it qualified for Vacant Building Credit. She asked if a viability assessment could be requested from the applicant. In response, the Planning Development Manager stated that providing a viability assessment was at the applicant's discretion.

Councillor S. Chambers expressed concern that other schemes required affordable housing, while the one before the Committee did not.

Councillor Lewis stated that he understood the concerns raised by members but believed that the officer's judgement—that the site qualified for Vacant Building Credit—was sound, and he would support the application on balance.

Councillor Harries proposed amending condition 12 of the officer's report to stipulate that work would take place between 8am and 1pm. This was seconded by Councillor A. Chambers. The vote carried.

The Vice-Chair proposed, and Councillor Lewis seconded, the officer's recommendation to approve the application with an amendment to condition 12.

The Decision

RESOLVED that planning decision is **GRANTED** subject to the conditions outlined in the officer report with an amendment to condition 12 to stipulate that no works would carry outside of the hours of 8am – 1pm on Saturdays.

PLANNING COMMITTEE
03.09.24

13. LONGLEVENS RUGBY FOOTBALL CLUB, LONGFORD LANE, GLOUCESTER, GL2 9EU - 23/00905/FUL

Officer Report

The Planning Officer presented the report detailing an application for the erection of six floodlighting columns and floodlights for the main pitch and training areas at Longlevens Rugby.

Members' Questions

The Planning Officer responded to members' questions regarding the direction of the light from the floodlights, whether noise had been considered, the timing of floodlight operation, and whether a condition could be included requiring the Rugby Club to install solar panels as follows:

- The floodlights would likely be directed downwards, and steps had been taken to ensure there was no light spillage towards nearby properties.
- Environmental Health had been consulted and raised no objections.
- The test for whether a condition could be imposed was whether it was required to make the scheme acceptable. He did not believe that requiring solar panels would be necessary to make the scheme acceptable.
- The floodlights would operate only between the hours of 15:00 and 21:00, Tuesday to Saturday.

Members' Debate

Cllr S Chambers highlighted experiences in her ward where floodlights had been installed and noted that it had been a positive experience, and that floodlights were targeted so that there was little light spill. She stated that it would be positive that children would have better access to getting active, if the application received consent and that she supported it.

Councillor Lewis stated that he had no issues with the application and that he would support it.

Councillor A. Chambers stated that he believed that it was a good application and that he would support the officer recommendation.

The Chair moved and Councillor S.Chambers seconded the proposal to accept the officer recommendation as laid out in the report.

The Decision

PLANNING COMMITTEE
03.09.24

RESOLVED that planning decision is **GRANTED** subject to the conditions outlined in the officer report.

14. DELEGATED DECISIONS

RESOLVED that the delegated decisions of June, July and August 2024 were noted.

15. DATE OF NEXT MEETING

Tuesday, 1st October 2024.

Time of commencement: 6.00 pm

Time of conclusion: 8.35 pm

Chair