



PLANNING COMMITTEE

MEETING : Tuesday, 7th November 2023

PRESENT : Cllrs. Taylor (Chair), Morgan (Vice-Chair), D. Brown, J. Brown, Campbell, Conder, Dee, Gravells MBE, Sawyer, Toleman and Tracey

Officers in Attendance

Planning Development Manager

Principal Planning Officer (x2)

Planning Officer

Highways Manager, Gloucestershire County Council

Locum Planning Lawyer, One Legal

Democratic and Electoral Services Officer

APOLOGIES : Cllr. Chambers-Dubus

37. DECLARATIONS OF INTEREST

There were no declarations of interest.

38. MINUTES

The minutes of the meeting held on Tuesday 3rd October, 2023 were confirmed and signed as a correct record.

39. LATE MATERIAL

Late material has been circulated regarding agenda item 6 – White City Community Hub (22/00833/FUL) and 7 – 2 Oxford Street (23/00037/FUL & 23/00038/LBC). Additional late material was circulated in relation to agenda item 5 – Station Hotel (23/00070/FUL).

40. STATION HOTEL, BRUTON WAY, GLOUCESTER, GL1 1DG - 23/00070/FUL

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The Principal Planning Officer presented the report detailing an application for a change of use of first and second floors from Hotel (C1 use) to a 17 bed House of Multiple Occupation (HMO) (sui generis use).

She referred to the supplementary late material, which incorporated additional comments from the Housing Team and Gloucestershire County Highways. The Highways team had indicated that a S106 agreement was no longer necessary as part of the application.

An agent representing the applicant addressed the Committee in favour of the application.

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

- There were currently more than 200 households living in temporary accommodation in Gloucester, granting the application would help to combat this.
- The applicant had had thorough conversations with the Housing Strategy Team and other relevant officers and had made alterations when required.
- The application would provide 17 rooms, and 4 communal kitchen areas/ dining areas.
- There would be no alteration to the exterior of the property.
- A bat box and Vivaro Pro Woodstone Swift nest box would be provided.
- The application site was in a highly sustainable location.
- The application complied with policy A2 (Houses in Multiple Occupation) of the adopted City Plan.
- Granting the application would put back into active use the upper floor of the disused hotel, would provide 17 bedrooms and was in an excellent location.

The Principal Planning Officer responded to Members' questions concerning whether amenity space would be provided, concerns around whether the HMO would be used for emergency temporary accommodation or could be used by residents on a longer term basis, clarification about the classification of sui generis, concerns about who would be the housing provider, whether there would be children at the accommodation, whether there would be animals living at the property, whether providing bike storage was a required condition, clarification regarding whether the build would be for temporary or longterm use, whether the public house was still operating as usual, whether the application was still subject to a S106 agreement and what the applicant's potential course of action if the application was refused as follows:

- In regard to amenity space, there was no outdoor amenity space being provided as part of the application. The north side of the site included a small hard standing yard area but this would be set aside for bin and cycle storage
- The application was for a change of use. Officers had had discussions with the applicant and Housing Providers, but whether or not the accommodation would be used for emergency/temporary accommodation or was used on a longer-term basis by tenants, fell outside the scope of the application.

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- The term sui-generis was one used for properties that did not fall into any specific category.
- The financial history of the applicant company who would provide the housing was not a material planning consideration in determining the application
- Children would probably be housed at some of the dwellings.
- The application was intended to address the approval or denial of a House in Multiple Occupation (HMO). Determining the identity of the occupiers, however, fell beyond the purview of the application.
The provision of bike storage was a requirement for residential developments
- The HMO would be accessed from an existing doorway along the west elevation of the building which currently led to the stairs serving the hotel. The pub would continue to be accessed via the main front entrance to the south of the building. No access would be available to the pub via the HMO entrance.
- The application sought approval for an unrestricted House in Multiple Occupation (HMO), thereby leaving the decision regarding whether it would be utilised for short-term or long-term housing at the discretion of the provider.
- The building would not be staffed.
- The Public House was still operating as usual.
- The owner of the Station Hotel was not a material planning consideration.
- The application was no longer subject to a S106 agreement, this was reflected in the additional late material.
- The applicant could reapply, should permission not be granted.

The Locum Planning Lawyer responded to Members' questions concerning whether the application would come back to Committee in the event of a deferral as follows:

- If the application was deferred, it would come back to Committee.

The Planning Development Manager responded to Members' questions concerning apprehension around the potential housing provider, whether the properties would be used for temporary accommodation or be used on a longer-term basis and whether it was predicted that the number of units needed for temporary accommodation would change as follows:

- Who the applicant/housing provider was, was not a material planning consideration. The applicant had indicated that they may use the builds for temporary accommodation, but it could be deemed unreasonable to try and condition this as the application was about the principle of a change of use. The background of the company was not a material planning consideration.
- The demand for emergency accommodation was forecasted to rise, owing to the economic climate. Even if the applicant decided not to use the property for temporary and emergency accommodation, the properties would still be at the entry level for getting on the housing market as HMO's were low cost.

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Members' Debate

The Chair articulated he wanted tighter planning guidance on the provision of HMO's. However, he said that he believed the application was policy compliant. He said that he would have preferred that the site was used for emergency and temporary accommodation but that the Committee could only judge an application on material planning grounds.

The Vice-Chair noted that he would have been in favour of the application had it been solely for emergency temporary accommodation. He said that he was now less enthusiastic about the application. He said that he was inclined to suggest either refusal or possibly deferring the application so that clarification could be sought as to whether the applicant proposed to house temporary or more long-term tenants.

Councillor Conder expressed her belief that the rooms proposed were not particularly spacious and that they were only suitable for short-term emergency accommodation. She said that the application originally sought to only house people from Gloucester, then it was spread wider. She also raised objections about the proximity of the proposed dwellings to a busy main road. She said that she was unsure as to how she would vote.

Councillor Dee noted that she was disappointed that the building could no longer function as a Hotel.

Councillor Tracey expressed concerns regarding the application, particularly with respect to the insufficient provision of green space for the prospective residents of the dwellings and its proximity to a busy road.

Councillor Gravells acknowledged the challenges in determining his voting stance and drew attention to the quantity of affordable housing within the City. He mentioned that he would likely have voted in favour had the application been situated elsewhere. He expressed a leaning towards supporting the Vice-Chair's potential suggestion of proposing deferral.

Councillor Sawyer articulated her belief that the application site was inappropriately located.

The Chair highlighted that there would need to be a valid planning reason for suggesting refusal of the application.

The Locum Planning Lawyer noted that it would be difficult to defer for the reasons suggested by the Committee (clarification on whether the dwellings would be used for emergency or long-term housing). The application before the Committee was on the principle of converting the Hotel into an unrestricted HMO and members should consider the application before them.

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The Planning Development Manager noted that he agreed with the points raised by the Locum Planning Lawyer. He stated that the applicant had applied for open market dwellings.

Councillor Tracey expressed her disagreement with the proposal for deferral, citing that she believed it was not the appropriate course of action. She conveyed concerns about the well-being of prospective occupants of the dwellings, primarily due to the inadequate amenity space and the close proximity of the dwellings to a busy highway network. She emphasized that this could lead to noise pollution and pose a danger, especially for young children residing in the area.

Councillor Sawyer questioned whether the lack of sustainability was a valid planning reason for refusal.

The Planning Development Manager noted that any suggestion for refusal would have to have sufficient planning grounds to do so.

The Vice-Chair noted that he did not wish to seek deferral as he did not believe that his reasons for suggesting deferral were of material planning importance. However, he stated that he would consider voting for refusal on the grounds that it was an inappropriate location, given the lack of amenity space and its proximity to the highway network.

Councillor Dee raised concerns that young families would be housed above a Public House.

Councillor Tracey believed that there were issues regarding health and wellbeing of the residents.

The Vice-Chair moved, and Councillor Sawyer seconded a motion to refuse the application on the grounds that the application site was inappropriately located owing to its proximity to the highway network and on the fact that it did not provide adequate amenity space.

RESOLVED that the application was refused on the grounds that the application site was inappropriately located owing to its proximity to the highway network and on the grounds that the application would provide inadequate amenity space for the residents of the dwellings.

41. WHITE CITY COMMUNITY HUB, NORTHFIELD ROAD - 22/00833/FUL

The Principal Planning Officer presented the report detailing an application for the proposed demolition of existing venture playground building and construction of new community and recreation centre with associated external works, multi-use games area, new play area, car park and associated vehicular access, and formation of vehicular access at Dickens Close (amended scheme pursuant to ref. 21/00298/FUL)

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The Principal Planning Officer pointed to the late material which noted that bat mitigation measures had now been submitted by the applicant and would be reviewed by officers. He noted that the Officer recommendation had been updated in the late material to reflect this.

He also highlighted that the applicant had now agreed to change their proposed opening hours to 8am-9pm daily, when it was previously proposed to be 7am – 10pm Monday to Saturday and 8am – 9m Sundays plus a limited number of later evening openings. He stated that therefore, the committee, if they were minded to, could update condition 11 of the Officer report to reflect this change of time. He added that the application no longer sought to host any events outside of these times so condition 12 of the Officer report had become largely superfluous and could also be deleted if the Committee agreed.

The Principal Planning Officer responded to Members' questions concerning what hours were originally granted for the opening of the site, questions about the play equipment that would be on site, whether there was a running track, questions and concerns raised about the number of parking spaces, whether there would be a lift, whether there would be a café, clarity on the type of netting that would be used in the multi-use games area, queries about whether there were specific policies pertaining to number of renewable units on the roofs of buildings and whether or not the potential noise of the Zip-Wire had been considered as follows:

- The times of operation that were proposed originally in the application before the Committee were generally the same than the prior approved application. The difference was that the applicant had originally sought 6 instances per year of events out of hours in the previously approved application. This had been changed to 11 in the current application but now, the applicant no longer wished to conduct any out of hours events.
- The drawing on the site plan was of a playground Pirate Ship. A condition was recommended that would require the provision of details for approval of more play equipment.
- The plan did not show an outline of a running track.
- There would be 40 parking spaces, it would probably be private land, so any person/s who parked there without permission would be subject to prosecution, similar to parking infractions on any other private land.
- There would be a lift.
- There would be a café bar.
- Clarity could be sought from the applicant as to the type of netting would be over the multi-use games area (MUGA) by way of additional wording to a condition on the planning permission. Members were happy to leave the approval under Condition to Officers on the basis that a netting was acceptable, but not a solid cover.
- The number of parking spaces was proposed by the applicant. Officers had then consulted Gloucestershire Highways who deemed the 40 parking spaces to be acceptable.
- Regarding the installation of photo voltaic panels or solar panels, generally Officers encourage applicants to install as many as is reasonable. He added that the applicant had shown aspiration in regard to sustainability. Officers could encourage the addition of solar panels but did not force applicants to do so to a policy-based amount.

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- The Noise that would be produced by the Zip-Wire had not been investigated in depth. However, the Public Open Space Officer had liaised with the applicant about options for siting the play equipment in sensible locations and arrangements. .

The Highways Manager responded to Members' questions concerning why 40 parking spaces was deemed acceptable as follows:

- The applicant had submitted a transport assessment. It showed that in busy times, usually there would be demand for up to 25 spaces and 40 spaces to provide a buffer for special events was considered reasonable as an overall amount.

The Chair moved, the Vice-Chair seconded the Officer's recommendation as amended in the late material, with the inclusion of additional wording to a condition to seek clarity about the type of material that would be used for the netting for the Multi-Use Games Area (MUGA), the updating of draft condition 11 of the report to reflect the new proposed opening hours and the deletion of draft condition 12

RESOLVED that the application was granted, subject to the conditions outlined in the Officer report, as amended in the late material, with the inclusion of additional wording to a condition to seek clarity about the type of material that would be used for the netting for the Multi-Use Games Area (MUGA), the updating of draft condition 11 of the report to reflect the new proposed opening hours and the deletion of draft condition 12.

42. 2 OXFORD STREET GLOUCESTER GL1 3EQ - 23/00037/FUL & 23/00038/LBC

The Planning Officer presented the report detailing an application for a listed Building Consent for external and internal alterations to facilitate part Change of Use from Bookmakers (sui generis) into a five-bedroom house in multiple occupancy (C4).

The Planning Officer responded to Members' questions concerning bin storage, and the location of the courtyard as follows.

- The courtyard would be located at the back of the site.
- The proposed bin and bicycle storage had been moved from the dwelling basement and was instead proposed to be located within the rear courtyard.

Members' Debate

The Vice-Chair noted that he was happy that the application after the applicant had sought to move the proposed Bin and Cycle Storage to the courtyard.

Councillor Sawyer highlighted her dissatisfaction with retaining the shop frontage as the building was originally a house.

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Councillor Conder noted that she was more content with the application now it was proposed to have a courtyard. She stated that the area had issues with litter but that the application in front of the committee was a useful way of starting to deal with this issue.

The Chair stated that he believed granting the application would tidy up the area.

The Chair moved, and the Vice-Chair seconded the officer's recommendation to grant the application (23/00037/FUL) subject to conditions outlined in the report as amended in the late material.

RESOLVED that the application (23/00037/FUL) was granted subject to the conditions outlined in the report as updated in the late material.

The Chair moved and the Vice-Chair seconded the officer's recommendation to grant (23/00038/LBC) subject to the conditions outlined in the officer report.

RESOLVED that the application (23/00038/LBC) was granted.

43. DELEGATED DECISIONS

RESOLVED that the delegated decisions of September 2023 were noted.

44. DATE OF NEXT MEETING

Tuesday, 5th December 2023.

Time of commencement: 6.00 pm

Time of conclusion: 8.10 pm

Chair