



## PLANNING COMMITTEE

**MEETING** : Tuesday, 3rd November 2020

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

### **Officers in Attendance**

Business Transformation Manager (Planning)

Highway Development Manager, Gloucestershire County Council

Principal Planning Officer (Housing Delivery)

Principal Planning Officer

Planning Officer

Arboriculturist

Solicitor, One Legal

Democratic and Electoral Services Officer

**APOLOGIES** : Cllrs. Walford

*Note: At the beginning of the meeting, the Chair read a statement on behalf of Councillor Melvin in reference to comments made in her speech at September's Planning Committee.*

### **23. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **24. MINUTES**

The minutes of the meeting held on the 6th October 2020 were confirmed by the Chair as a correct record.

### **25. LATE MATERIAL**

Late material had been circulated in respect of Agenda Item 5 – Land to the South of Rudloe Drive (20/00359/REM) and Agenda Item 6 – Land at Barnwood Link Road (20/00775/REM).

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**26. LAND TO THE SOUTH OF RUDLOE DRIVE, KINGSWAY, QUEDGELEY, GLOUCESTER - 20/00359/REM**

*Councillor Toleman was not present at the start of this item and therefore took no part in the discussion of it.*

The Principal Planning Officer presented the report detailing a reserved matters application for approval of access, appearance, landscaping, layout and scale following outline planning permission reference: (17/01199/OUT), for the erection of 80 dwellings and infrastructure, vehicular and pedestrian access to Rudloe Drive.

**The Democratic Officer read a statement on behalf of an agent of Barton Willmore in favour of the application.**

**Members Debate**

- The Vice-Chair stated that the application was well designed.

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

**RESOLVED that:** - Approval of the reserved matters of access, layout, scale, appearance and landscaping be delegated to the City Growth and Delivery Manager, subject to the confirmation of suitable management and maintenance arrangements for landscaping/trees outside of the residential curtilages and conditions outlined in the report and late material.

**27. LAND AT BARNWOOD LINK ROAD, GLOUCESTER - 20/00775/REM**

The Principal Planning Officer presented the report detailing an application for approval of reserved matters (for appearance, landscaping and layout) for the erection of a new Class B8 storage and distribution facility and associated parking (pursuant to outline planning permission ref: 18/00299/FUL).

The Principal Planning Officer noted that minor amendments needed to be made to the approved drawing numbers to ensure that they were consistent with the revised landscaping drawings, particularly those referred to in condition 5 and 6 of the report. This meant that the updated officer recommendation was for delegated authority to be granted to the Planning Manager for approval of the reserved matters application, subject to the amendment of conditions to reflect the most recent amended drawings.

**The Democratic Officer read a statement on behalf of an agent of Carney Sweeney in favour of the application.**

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The Highways Development Manager responded to members questions as follows:

- The signal control junction would have been designed with the assumption that there would be a degree of development in the area, including the development proposed on the application site.
- Gloucestershire Highways receive data from the signals team so they could undertake remedial works if that was required.
- There would be a cycleway throughout the construction of the development.

The Principal Planning Officer responded to members questions as follows:

- Condition 31 of the outline application stated that it was a requirement to maintain a safe site during development of the footpath diversion.
- The Secretary of State had agreed to the proposed footpath diversion.
- The Horsbere Brook would be unaffected by the development.

**Members Debate**

- The Chair stated that he approved of the design of the application.

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

**RESOLVED that:** - Delegated authority be granted to the Planning Manager to grant the reserved matters application, subject to conditions set out in the report, late material and amended conditions to refer to the updated drawings.

**28. 15 BARNWOOD AVENUE, GLOUCESTER, GL4 3DA - 20/00730/TPO**

The Arboriculturist presented the report detailing an application to fell a protected cedar tree.

**The property owner spoke in opposition to the officer's recommendation on the grounds that the tree was too large, represented a danger to life and that large branches had previously fallen.**

The Solicitor responded to members questions regarding liability if there was significant damage done to the tree as follows:

- It was the landowners responsibility to ensure that the tree was sufficiently safe. However, there were very limited circumstances where the Local Planning Authority may have to pay for compensation within 12 months of refusal of consent.

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- The question of liability was based on whether loss/damage was reasonably foreseeable at the time consent was refused. Given the applicant's Arboriculturists report does not recommend felling and simply recommends pruning combined with the outcome of the officer's site visit, officer's report and presentation it would seem unlikely that loss/damage would be reasonably foreseeable at this stage provided the recommended works are carried out by the landowner, but ultimately whether loss/damage is reasonably foreseeable is a matter for the Council's Arboriculturist.

The Arboriculturist agreed with the Solicitors comments and responded to members questions as follows:

- The applicant could appeal the decision to the Planning Inspectorate within 28 days of the decision if the committee refused the application to fell.
- If a branch suddenly became unsafe, there would be no need to make a formal application for removal.

**Members Debate**

- A member stated that she agreed with the officer's recommendation.
- The Vice-Chair said that he had sympathy with the property owner, as it was a large tree. However, he added that he agreed with the tree officer that it was a healthy tree and therefore, he would support the officer's recommendation.
- A member said that she echoed the Vice-Chair's comments.
- A member noted that he believed that it was a difficult decision and had sympathy with the property owner but was leaning towards supporting the officer's recommendation.

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

**RESOLVED THAT:** - The application to fell the tree is refused.

**29. THE LANNET, KING EDWARDS AVENUE, GLOUCESTER - 20/00678/FUL**

The Planning Officer presented the report detailing an application for the refurbishment of changing rooms, including replacing flat roof with pitched, external render and provision of 2 new openings to pitch side for access. provision of container storage to side of building.

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

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**RESOLVED that:** - Application is granted subject to conditions set out in the report.

**30. DELEGATED DECISIONS**

The schedule of applications determined under delegated powers during the month of September 2020.

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

**31. DATE OF NEXT MEETING**

Tuesday 1<sup>st</sup> December, 2020.

***Note:** The agenda item incorrectly stated that the date of next meeting was Tuesday 3<sup>rd</sup> November 2020.*

**Time of commencement: 6.00 pm**  
**Time of conclusion: 7.35 pm**

**Chair**