



PLANNING COMMITTEE

MEETING : Tuesday, 6th July 2021

PRESENT : Cllrs. Taylor (Chair), Lewis (Vice-Chair), Bhaimia, D. Brown, J. Brown, A. Chambers, Conder, Dee, Finnegan, Melvin and Toleman and Tracey

Officers in Attendance

Head of Place

Planning Development Manager

Highway Development Management Team Leader, Gloucestershire County Council

Senior Planner

Senior Lawyer, One Legal

Democratic & Electoral Services Officer

APOLOGIES : Cllr. Walford (Tracey attended as a substitute)

10. DECLARATIONS OF INTEREST

There were no declarations of interest.

11. MINUTES

The minutes of the meeting held on the 8th June 2021 were confirmed and signed by the Chair as a correct record.

12. LATE MATERIAL

Late material had been circulated in respect of agenda item 5 – Land North of Rudloe Drive (21/00490/OUT), item 6 – Land North of Rudloe Drive (20/00368/OUT) and item 7, Kingsway Local Centre (18/00852/FUL).

13. LAND NORTH OF RUDLOE DRIVE, QUEDGELEY, GLOUCESTER - 21/00490/OUT

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The Planning Development Manager presented the report detailing an outline application for Residential development (up to 150 dwellings), associated infrastructure, ancillary facilities, open space, and landscaping.

The Highway Development Management Team Leader responded to members' questions regarding access points, the potential increase to traffic in the area, and the traffic survey conducted as follows:

- Gloucestershire Highways had assessed the application in depth. The modelling work showed that there would be some impact on traffic in the area but that there would not be a 'significant' impact. Therefore, the impact would not warrant refusal.
- There was not a requirement to introduce traffic lights as part of the scheme.
- The evidence showing that there would not be a significant impact on traffic in the area was robust.
- The original base modelling for the traffic survey was based on 2017 figures. The model used applied growth rates to the traffic to assess future year scenarios.
- Highways authorities could only judge an application on the local context.

The Planning Development Manager responded to members' questions, regarding why Gloucestershire County Council no longer required educational contributions, comments made in the report by the Urban Design Adviser, access points, the proposed contribution for formal sports facilities, the potential felling of trees, the potential effect on the local centre and the use of the land as follows:

- A similar scheme in Tewkesbury, where Gloucestershire County Council requested education contributions, went to the Planning inspectorate, and the Planning Inspector found that Gloucestershire County Council's requirement for educational contributions was unsound.
- The application before the Committee was at the outline stage. They could not introduce a condition for an additional access point at this stage.
- There were currently three access points off Rudloe Drive.
- The applicant would have to submit a reserved matters application, should outline planning permission be granted.
- If the contribution of £75,000 for formal sports facilities was viewed as being insufficient, Quedgeley Parish Council could seek a higher contribution.
- The local centre would be protected.
- The scheme provided enough evidence that up to 150 dwellings could be delivered in the amount of space provided.
- The Urban Design Officer had only received an illustrative masterplan at this stage.
- The Open Space would be funded by the residents of the future dwellings.
- The application was for up to 150 dwellings. If at the reserved matters stage the number of dwellings was considered too dense for the location, then this would be reviewed.
- The reserved matters application would need to include a detailed layout.
- Concerns around the potential felling of trees and the tree officer's comments could be revisited at the reserved matters stage.
- A condition to require that the land be used for employment purposes could not be put on the application.

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- The landscaping would be taken care of by a Management Company.
- There would be 4-5 bedroomed houses included in the scheme.

Members' Debate

Councillor J.Brown stated that she believed that a site visit would have been beneficial and added that she believed that they would be valuable for future applications, particularly large scale ones.

Councillor Tracey stated that she was concerned that there were no traffic lights proposed as part of the application.

The Chair stated that members had raised some good points regarding access points on the site but that, as the application was at the indicative stage, they could not propose a condition for additional access points.

Councillor Chambers noted that he had concerns that there could be a detrimental impact on the local centre and a significant increase in traffic if there was an increase of up to 150 dwellings in the area.

Councillor Chambers, Melvin and Tracey raised apprehensions that some protected trees could potentially be felled, as outlined in paragraph 4.5 of the report but that they would revisit this point at the reserved matters stage.

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

RESOLVED that:- outline planning permission is granted subject to the completed S106 agreement and the conditions outlined in the report.

14. LAND NORTH OF RUDLOE DRIVE, QUEDGELEY, GLOUCESTER - 20/00368/OUT

The Planning Development Manager noted that this application was identical to the previous application considered by the Committee (Land North of Rudloe Drive – 21/00490/OUT). He noted that this application had been deferred at the previous Planning Committee. He stated that the application was the subject of a non-determination appeal to be determined by the Planning Inspectorate by way of public inquiry. He stated that the original application as outlined in the report would have recommended refusal, but as outlined in the late material, a S106 had been agreed in draft so the updated recommendation was to grant permission, subject to conditions.

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

RESOLVED that: - subject to the completion of a Section 106 agreement to provide the following:

- Affordable housing (20%)

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- A youth pitch, LEAP and associated open space

That planning permission is granted subject to the conditions outlined in the late material.

15. KINGSWAY LOCAL CENTRE, THATCHAM AVENUE, QUEDGELEY, GLOUCESTER - 18/00852/FUL

The application was deferred as outlined in the late material.

16. 5 NORTHGATE STREET, GLOUCESTER, GL1 2AH - 21/00481/FUL

The Senior Planner presented the report detailing an application for a change of use from vacant bank (Use Class E) to an Adult Gaming Centre (Sui Generis).

A Senior Planner for Pegasus Group, addressed the Committee in opposition to the application, on behalf of an objector.

He objected to the application on the following grounds:

- Principle of the change of use.
- Loss of Class E unit.
- A marketing assessment had not been conducted.
- There were already six adult gaming centres in the area. A further one would not increase the viability of the City Centre as stated in the report.
- The Noise Impact assessment had been too narrow.
- There would be a negative noise impact on the surrounding streets.

An Associate Director at Planning Potential Ltd addressed the Committee in favour of the application, on behalf of the applicant.

The Associate Director stated that the application should be granted on the following grounds:

- There had only been one objector.
- The concerns regarding litter were presided on the belief that there would be paper betting slips when there would not be.
- The Adult Gaming Centre would be highly regulated.
- The signage was considered to be acceptable.
- The Adult Gaming Centre would provide low stakes gambling and would never have betting terminals.
- No alcohol would be served on site.
- The applicant had significantly reduced the opening times, following consultation.
- There was no policy which stated that the applicant needed to undertake a marketing assessment.
- The unit had a long-established history of non-retail use.

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The Senior Planner responded to members' questions concerning the opening hours of the proposed Adult Gaming Centre, congregation, noise, the nature of the gambling that would take place at the Adult Gaming Centre, and the location of the proposed site as follows:

- There would be complimentary teas and Coffees served on site.
- The Adult Gaming Centre would have staff on site and would provide 6-7 new jobs.
- The initial application proposed being open for 24 hours a day. However, after a complaint was raised by an anonymous objector, this was reduced.
- The proposed opening hours were now 8am until midnight on Sunday to Thursdays and 8am to 1am Friday and Saturday.
- The machines on site would be low-stakes gambling machines.
- There was a gym in close proximity that was open for 24 hours, so the opening hours were typical for the area.

The Planning Development Manager responded to members' questions regarding the change of use of the property as follows:

- Policy SD2 was only concerned with the loss of A1 retail properties. The site had not previously been used for retail purposes. Therefore, the granting of the application would not contradict Policy SD2.
- Gloucester City Council did not currently have a policy that would restrict the loss of a Class E unit.
- The Class E classification was introduced in September 2020. It amalgamated several different categories of property, including Class A1 (shops), A2 (financial and professional services), A3 (restaurants and cafés) and B1 (business). It was introduced to provide greater flexibility.
- The proposed site would be Sui Generis.

Members' Debate

Councillor Conder stated that she did not believe that the amended proposed opening hours were significantly lower than the previous application for 24 hours a day.

Councillor Tracey stated that she had concerns that the granting of the application would lead to smokers congregating outside of the Adult Gambling Centre. She also raised concerns about its proximity to a nearby public house.

Councillor Chambers said that he believed that there were too many Gambling premises active in the area. He said that there were 29 Gambling Licensing Premises in Gloucester. He stated that he believed that the granting of the application would contradict policy SD2. He said that he would not be supporting the application.

Councillor Melvin stated that she was uncomfortable with the location of the proposed site as it would be central in the City Centre. She stated that the unit had only stopped being used for its previous purpose in September 2020 and that there was nothing to suggest, that another business would not purchase it. She said that

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there would be a negative aesthetic impact on surrounding shops. She stated that all gambling premises in the area had an issue with people congregating outside and smoking and that granting the application would add to this. She also raised apprehensions about the proposed signage and stated that she would not be voting in line with the officer's recommendations.

The Vice-Chair stated that he did not see a planning reason as to why it should not be granted but that he understood the concerns raised by other members.

Councillor Finnegan stated that she would be voting against the officer's recommendation.

Councillor Chambers stated that from a planning perspective, the proposed site would be located near to St Michaels Tower which was a Grade II listed building. He pointed to the Conservations Officer's comments listed in paragraph 6.24 and 6.25 of the report. He stated that the change of use would encourage anti-social behaviour and would have a negative impact on the Conservation Area. He noted that the impact on the nearby Grade II listed building and the concerns raised by the Conservation Officer regarding the negative impact on the Conservation Area were the planning reasons as to why he would not be supporting the officer's recommendation.

Councillor Conder stated that she agreed with the comments made by Councillor Melvin.

Councillor Chambers moved, and Councillor Tracey seconded a motion to refuse the application based on the impact the proposed site would have on a Grade II listed building and the negative impact it would have on the Conservation Area, as noted by the Conservation Officer within the report.

RESOLVED that: - planning permission be refused owing to the detrimental impact the granting of the application would have on a Grade II listed building and the negative impact the granting of the application would have on the Conservation Area.

17. DELEGATED DECISIONS

The schedule of applications determined under delegated powers during the month of May 2021 was noted.

RESOLVED that:- the schedule be noted.

18. DATE OF NEXT MEETING

Tuesday, 3rd August, 2021.

Time of commencement: 6.00 pm

Time of conclusion: 7.47 pm

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Chair