



## PLANNING COMMITTEE

**MEETING** : Tuesday, 5th October 2021

**PRESENT** : Cllrs. Taylor (Chair), Lewis (Vice-Chair), Ackroyd, D. Brown, J. Brown, Conder, Dee and Toleman

### **Officers in Attendance**

Head of Place

Planning Development Manager

Highway Development Management Team Leader, Gloucestershire County Council

Principal Planning Officer

Senior Lawyer, One Legal

Democratic & Electoral Services Officer

**APOLOGIES** : Cllrs. A.Chambers (Ackroyd attended as a substitute), Bhaimia, Finnegan and Melvin

### **33. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **34. MINUTES**

The minutes of the meeting held on the 7<sup>th</sup> September 2021 were confirmed and signed by the Chair as a correct record.

### **35. LATE MATERIAL**

Late Material had been circulated in respect of agenda item 5 – Kingsway Local Centre (18/00852/FUL).

### **36. KINGSWAY LOCAL CENTRE, THATCHAM AVENUE, KINGSWAY QUEDGELEY GLOUCESTER - 18/00852/FUL**

*This application had been deferred at the August 2021 meeting of the Planning Committee.*

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The Principal Planning Officer provided an update on the application for the erection of a new building to provide 22 self-contained units of supported living accommodation and associated works, including car and cycle parking and landscaping.

The Principal Planning Officer summarised the contents of the late material which included an additional representation for a resident regarding the noise impact assessment, a 47 Page Statement that was submitted by a local resident, and a Statement from Gloucestershire County Council Integrated Disabilities Commissioning Hub and Older Peoples Commissioning Hub.

The Principal Planning Officer stated that it should be noted that persons using the accommodation would be individuals with medium to low level care and support needs.

The Principal Planning Officer also noted that regarding the request by the Planning Committee for the applicant to provide an updated Noise Impact Assessment, the Council had consulted the applicant and they had declined to do so. She stated that the noise advisers consulted on the application (WRS), would not be in a position to support the Council in requesting a further detailed study. WRS have further reviewed the original noise report and are satisfied that it is fit for purpose and that background noise levels would have to significantly increase to result in an unacceptable noise level for the new residents both inside the building and within the garden area. WRS also note the lack of complaints from existing local residents relating to noisy activity within the Local Centre

The Principal Planning Officer also advised that the applicant had not provided an updated parking survey as previously requested by Planning Committee. The applicant had provided a further Transport Note, updated parking layout and had stated that the parking provided for the development represented over provision given that most residents would not own a car and space for about 7 staff vehicles would be required.

She further added that owing to the discovery of Newts on the site and after consultation with the Ecology Adviser, the update officer recommendation as outlined in the late material was for deferral to enable further assessment in relation to the presence of newts on the site and its surroundings.

**Councillor Kubaszczyk, a local ward member for Kingsway, addressed the committee in opposition to the application.**

He objected to the application on the following grounds:

- The location of the site was inappropriate for the residents, particularly as it was located in an area that had one of the highest levels of anti-social behaviour in Kingsway;
- There had been an incident on the 25<sup>th</sup> September 2021, whereby a group of 15-20 youths intimidated staff at a nearby Sur Ryder. These sort of incidents

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would have a detrimental impact on the mental and physical wellbeing residents of the proposed build;

- Littering concerns in the local area;
- The request by the Planning Committee at the August 2021 meeting for an updated noise impact assessment to be undertaken had not been complied with by the applicant;
- The original noise impact assessment had been undertaken at an inappropriate time, owing to the amount of restrictions in place at the time;
- The proposed 1.8-metre fence would not protect the privacy of the residents, as stated by the Councillor Cook at the August meeting of the Committee;
- The loud noise in the surrounding area would have a detrimental impact on the quality of life of the residents;
- The application was objected to by the local community.

**The Head of Development for Advance Housing addressed the Committee in support of the application.**

- Advance Housing had been providing high quality specialist supported housing since 1974;
- In the Regulator of Social Housing's latest Assessment of Advance, they awarded Advance with the highest rating in Governance of G1 and the highest rating in Financial Viability of V1;
- Prospective tenants would be referred by Gloucestershire's social care department, so would be aware of the coming and goings of the area;
- The application would provide high quality, self-contained accommodation for those with enduring mental health conditions;
- Shared housing was no longer efficient for those who would reside at the property;
- The proposed location would be near amenities and public transport;
- There would be staff on site for 24 hours a day;
- Each tenant would have a robust risk management plan and a person-centred recovery/support plan;
- The outdoor space would be maintained to a high standard;
- There were currently over 120 persons with mental health difficulties in Gloucestershire who needed to move from unsuitable housing;
- If good quality accommodation could not be provided, then persons requiring it would remain in an unsuitable location for many years.

The Principal Planning Officer responded to members' questions concerning the levels of anti-social behaviour in the area, whether the carers would use the parking spaces provided, whether the residents would go out on their own or would be accompanied by staff, the level of Coronavirus restrictions there were when the Noise Impact Assessment was undertaken, whether the residents would all be from Gloucestershire, whether it was usual to undertake an ecological survey when Newts were discovered on a site, and the level of need that the proposed residents would have as follows:

- She was unaware whether the area had the highest levels of anti-social behaviour in Gloucester or not. However, there were issues with anti-social behaviour in all areas of Gloucester.

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- She did not believe that the City Council were the responsible authority for litter in the area.
- The convenience of the car parking provided for carers would mean that they would in all probability use it. It would be unreasonable to stipulate a condition to enforce carers to use the dedicated car park.
- The level of restrictions at the time when the noise impact assessment was undertaken was outlined in paragraph 4.1 of the report. The survey was taken on the 23<sup>rd</sup> and 24<sup>th</sup> April. This was after the removal of numerous restrictions on the 12<sup>th</sup> April. However, there was still no mixing allowed between two households, and restaurants and pubs could only offer outdoor service.
- Residents would be able to go out on their own. There were concerns previously raised by members that they would be high risk residents. However, as the additional representation from Gloucestershire County Council Integrated Disabilities Commissioning Hub and Older Peoples Commissioning Hub stated, the residents would have medium to low level care and support needs.
- The ecological concerns regarding Newts on the site, was a material consideration that needed to be looked at before Planning consent could be granted. Currently, there was not sufficient information to state whether there was a significant number of Newts on site. In a previous application for Clearwater School, measures were put in place to protect, re-locate and provide new habitats for nets. An ecological appraisal would allow for full consideration of the application.

The Senior Lawyer responded to a question by a member regarding the timing of the impact of the Noise Impact Assessment as follows:

- The officers report states that the Councils own noise consultants concluded that noise levels in the local community would have to increase by a perceivable magnitude of double or greater which in their view was extremely remote and they would not support the Council in another detailed study

**Members' Debate**

The Vice-Chair stated that he still believed that the Noise Impact Assessment had been conducted at an inappropriate time. He stated that he understood where the noise advisers (WRS) were coming from in their assessment but believed a noise assessment when there were no restrictions would have shown a far higher level of noise in the locality.

The Chair moved, and the Vice-Chair seconded the officer's recommendation, as amended in the late material to defer consideration of the application to enable further assessment in relation to the presence of newts on the site and its surroundings.

**RESOLVED that:** - the application is deferred to enable further assessment in relation to the presence of newts on the site and its surroundings.

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**37. DELEGATED DECISIONS**

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

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

**38. DATE OF NEXT MEETING**

Tuesday 2nd November, 2021.

**Time of commencement: 6.00 pm**

**Time of conclusion: 6.36 pm**

**Chair**