

# GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	7 <sup>th</sup> September 2021
Address/Location:	White City Adventure Playground Northfield Road Gloucester
Application No:	21/00298/FUL
Ward:	Matson & Robinswood
Expiry Date:	20.10.2021
Applicant:	The White City Community and Recreation CIO
Proposal:	Construction of Community and Recreation Centre, Adventure Playground building with associated external works, new play area, car park and associated vehicular access, and formation of vehicular access at Dickens Close
Report by:	Adam Smith
Appendices:	Site location plan   Site layout plan

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site comprises land off Northfield Road, involving the existing play area and buildings, and part of the existing grass field to the north east. To the north and north west of the site are allotments and the railway line, beyond which are residential properties. To the south west are residential properties. To the south east across Northfield Road are residential properties. To the north east is the remainder of the grass field, and residential properties beyond this.
- 1.2 The proposal is for a new community centre and a range of associated facilities. The main building would be sited broadly in the middle of the site. A new access road would be formed from the corner of Northfield Road into the field to serve a car park to the north east of the proposed main building. A new play area would be constructed at the south western part of the site. A second building would be sited at the western edge of the site backing onto the railway line. A basketball court is proposed behind the main building to the west side.
- 1.3 The main community centre building would accommodate a two storey height hall, two secondary halls, kitchen, changing, and toilet facilities, and various other rooms. It would be part single, part two storeys, with part flat roof and part pitched roof. The site is on a gradient, and the maximum height would be approximately 9.7m. The main facing materials would be timber cladding to the walls with a blue brickwork base, and a standing seam roof. The roof would have photo voltaic panels.
- 1.4 The smaller second 'Venture' building would accommodate several rooms including kitchen and toilet facilities, and staff accommodation in the upper floor. I understand it is intended for usage in association with activities at the play area. It would have a monopitch roof in a similar style, comprising 1 and 2 storeys of accommodation, a maximum height of 7.1m down to 2.6m (these being for the overhanging roof parts). Again the pitched roof would have photo voltaic panels.
- 1.5 New boundary treatments are proposed; to the south a new brick wall to match the adjacent

one and a new 1.8m close boarded fence; to the east 750mm galvanised steel railings and gates in front of the play area; 2.2m galvanised steel railings and gates to the south west corner and the access there; to the western railway boundary the retention of the existing 2.35m security fence; and retention of the chain link fence to the allotment boundary. A new gated access point is proposed through to Dickens Close, in part to provide a vehicular egress point from the allotments. The path that runs along the south west of the site to link this to Northfield Road is now to be retained.

1.6 The play area would be situated at the south west part of the site and is described in more detail in the residential amenity section below. New tree planting is proposed around the car park and play area. External seating is proposed to the front along Northfield Road. External lighting is proposed to the building and the surrounding paths and car park.

1.7 The intention is that the centre would be used for a range of services and activities including;

- Drop in centre
- Health clinics
- Advice sessions
- Surgeries with Councillors, police, housing landlords, etc
- Education classes
- Sports
- Arts and cultural activities
- Childcare
- Café
- Office space and IT facilities
- Hire options for training, conferences and meetings

Opening hours are proposed as Monday to Saturday 7am to 10pm; Sundays and bank holidays 8am to 9pm. Notably, above and beyond this, opening is sought to 11pm to allow for weddings and parties from time to time.

1.8 The application is referred to the Committee because it involves Council land and is subject to objections.

## 2.0 **RELEVANT PLANNING HISTORY**

None.

## 3.0 **RELEVANT PLANNING POLICY**

3.1 The following planning guidance and policies are relevant to the consideration of this application:

### 3.2 **National guidance**

National Planning Policy Framework (NPPF) and Planning Practice Guidance

### 3.3 **Development Plan**

**Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)**

Relevant policies from the JCS include:

- SP1 – The need for new development
- SP2 – Distribution of new development
- SD3 – Sustainable design and construction
- SD4 – Design requirements
- SD8 – Historic Environment

SD9 – Biodiversity and geodiversity  
SD14 – Health and environmental quality  
INF1 – Transport network  
INF2 – Flood risk management  
INF3 – Green Infrastructure  
INF4 – Social and community Infrastructure

### 3.4 **City of Gloucester Local Plan (Adopted 14 September 1983)**

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 219 of the NPPF states that ‘...*due weight should be given to (existing policies) according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).*’ The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

### 3.5 **Emerging Development Plan Gloucester City Plan**

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Pre-Submission version of the Gloucester City Plan (City Plan) was approved for publication and submission at the Council meeting held on 26 September 2019, and the Examination hearings have taken place. On the basis of the stage of preparation that the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded at least limited to moderate weight in accordance with paragraph 48 of the NPPF, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

Relevant policies include:

A1 – Effective and efficient use of land and buildings  
C1 – Active design and accessibility  
C3 – Public open space, playing fields and sports facilities  
C5 – Air quality  
D1 – Historic environment  
E2 – Biodiversity and geodiversity  
E4 – Trees, woodlands and hedgerows  
E5 – Green infrastructure: Building with nature  
E6 – Flooding, sustainable drainage, and wastewater  
F1 – Materials and finishes  
F2 – Landscape and planting  
F3 – Community safety  
G1 – Sustainable transport  
G2 – Charging infrastructure for electric vehicles  
G4 – Walking  
Allocation Policy SA20 – White City Community facility

### 3.6 **Other Planning Policy Documents Gloucester Local Plan, Second Stage Deposit 2002**

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight:

SR2 – Playing fields and recreational open space

### 3.7 **Supplementary Planning Guidance/Documents**

SuDS Design Guide 2013

Interim Adoption Designing Safer Places SPD 2008

Waste Minimisation in Development Projects 2006

All policies can be viewed at the relevant website address:- national policies:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Gloucester City policies:

<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>

## 4.0 **CONSULTATIONS**

- 4.1 The **Highway Authority** raises no objection subject to conditions to secure electric vehicle charging, a construction management plan, provision of the parking and of the means of access prior to occupation, provision of the cycle storage, provision of motorcycle parking, provision of a give way marking on the access road, and controlling use of the Dickens Close access.
- 4.2 The **Planning Policy Team** notes that the site is a proposed allocation in the City Plan and there is in principle support for the application. No objection is raised in terms of potential conflict with the Blackbridge scheme.
- 4.3 **Sport England** raises no objection subject to a condition to secure toughened glass to the sports hall.
- 4.4 **The Tree Officer** raises no object to the loss of trees with suitable mitigation. No objection is raised to the revised tree planting plans and maintenance schedule, subject to securing them by condition, and also securing tree protection measures.
- 4.5 The **Contaminated Land Consultant** has provided an updated response based on the receipt of the Phase 2 report. This recommends a reduced version of the contaminated land condition and a further condition in relation to importation of soils.
- 4.6 The **Drainage consultant** raises no objection based on the updated information submitted, subject to a condition to secure full details of the drainage strategy, with an adjustment on rainfall for climate change to 40%.
- 4.7 **The Environmental Health consultant** raises no objection but recommends conditions be considered to secure a Construction Environmental Management Plan, to control noise from fixed plant, the building specification to secure the noise mitigation properties, and possibly hours of opening and the lighting plan.
- 4.8 The **Lead Local Flood Authority** originally noted that no drainage information had been submitted. A drainage strategy and layout have now been provided and the LLFA has no objection although they note that some amenity, biodiversity and education benefits have been missed by adopting the proposed below ground solution.
- 4.9 The **Urban Design Adviser** raises no objection.
- 4.10 The **City Archaeologist** raises no objection.

- 4.11 **Severn Trent Water** raises no objection subject to conditions to secure details of surface and foul drainage.
- 4.12 **The County Council Minerals and Waste Team** required further information on waste minimisation, and now make no objection in terms of potential minerals sterilisation.
- 4.13 **Network Rail** raises no objection in principle but initially raised several points about protecting their assets; boundary treatments, works near the boundary and lighting. They have subsequently confirmed that the details as updated are acceptable.

## 5.0 **PUBLICITY AND REPRESENTATIONS**

- 5.1 99 neighbouring properties were notified and press and site notices were published.
- 5.2 5 representations have been received. The issues raised may be summarised as follows:

Building siting perfectly suited to the area.  
Physical impact of building and uses proposed will be beneficial to the community.  
Buildings would lower noise from the railway line to residents.  
Buildings would improve view.  
Would not lead to loss of privacy.  
Design is sympathetic and compliments buildings and character of the area.  
No negative effect on traffic, probably positive.  
Could lead to more public transport to the area.  
Building would be environmentally friendly.  
More trees and more manageable areas.

Access to the new building will be restricted as the road into the area is a no through road.  
Traffic impact and highway safety.  
Impact on parking.  
Existing issue with parking during events at the park. Road becomes single lane due to parking.  
Proposed car park will not be sufficient. Especially during events.  
The Highway Authority's recommended condition on restricting the allotment/Dickens Close access to entry/exit only should also be applied to the Northfield Road vehicular access especially as it is a relatively narrow no-through road.  
Impacts from plant and machinery accessing the site.  
Unsympathetic design affecting appearance of the building/character of the street.  
Loss of the open green space and football pitch.  
Scale of scheme represents bringing the town into a residential area.  
Consider privacy impacts from height of building, and play apparatus, to avoid over looking.  
Consider building as far away from Northfield Road as possible, railings either side of the road and a no ball games sign to prevent ball games in the street.  
Noise impact from events, traffic and footfall. Loud music events should be in the building behind closed doors and ideally sound-proofed.  
Anti-social behaviour. New facilities could act as an additional attraction. Disturbance after centre closes. Secure the site to prevent anti social behaviour.  
Provision of an outdoor static rubbish bin would be good.  
Light pollution.  
Not the right place for a community centre.

- 5.3 The full content of all correspondence on this application can be viewed on:  
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

## 6.0 OFFICER OPINION

### 6.1 *Legislative background*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regard to this application are as follows. In relation to the historic environment no heritage assets are considered to be affected, the City Archaeologist raises no objection, and this matter is not considered further.

- Principle (including the loss of part of the field)
- Design, layout and landscaping
- Traffic and transport
- Residential amenity / environmental health
- Drainage and flood risk
- Land contamination
- Ecology
- Sustainability
- Waste minimisation
- Minerals
- Economic considerations

### 6.5 **Principle**

The NPPF requires decisions to give substantial weight to the value of using suitable brownfield land within settlements for identified needs. Decisions should support development that makes efficient use of land. To provide the social, recreational and cultural facilities and services the community needs, decisions should plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments; should support strategies to improve health social and cultural well being for all sections of the community; guard against the unnecessary loss of valued facilities and services, and ensure that established facilities and services are able to develop and modernise, and are retained for the benefit of the community. The NPPF requires decisions to aim to achieve healthy, inclusive and safe places which promote social interaction, and enable and support healthy lifestyles.

- 6.6 The NPPF sets out the importance of access to high quality open spaces and opportunities for sport and physical activity. It sets out that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 6.7 JCS Policy SP2 seeks to focus development in the JCS area at Gloucester and Cheltenham. Policy INF4 deals with social and community infrastructure and sets out that proposals to develop land or buildings currently or previously in use as a community facility need to demonstrate, including evidence of engagement with relevant local community groups and partner organisations, why the facility is no longer required and, as appropriate, how, when and where suitable local replacement facilities will be provided. It furthermore sets out, in relation to new community infrastructure that these should be centrally located to the population it serves and be easily accessible on foot and bicycle, and to have the potential to be well served by public transport. Flexible, multifunctional facilities are encouraged.
- 6.8 City Plan Policy C3 protects existing public open spaces, playing fields and built sports facilities from redevelopment for alternative uses in whole or part unless it can be demonstrated that any of the criteria are met, which relate to; excess of provision and no current or planned future demand for it; replacement by equivalent or better quality alternative provision in an appropriate location to the community; ancillary development that would enhance existing facilities and not prejudice ongoing use; or it affects land not suitable or incapable of forming an effective part of the open space and would not prejudice ongoing use of the remainder. It also notes that proposals to provide new built sports facilities will be supported where they deliver the aims and recommendations of the Open Space, Playing Pitch and Built Sports Facilities Strategies.
- 6.9 The Second Deposit Local Plan 2002 Policy SR2 opposes development proposals which involve the loss of playing fields, formal and informal recreational open space and their ancillary facilities unless it can be demonstrated that any of the criteria are met, which relate to: the redevelopment of a small part will secure the retention and improvements of the sports and recreation facilities; alternative provision of equivalent or better standard is made available, a clear long term excess of sports pitch and public open space can be shown to exist; or the proposed development is for an indoor sports facility, which would provide sufficient community benefit to outweigh the loss.

#### 6.10 **Community considerations**

There is no policy test of 'need' for the development proposed, however the City Plan allocation acknowledges an identified need for a community facility in this area, and the applicant has submitted a report setting out their perception of local need, including;

- Deprived community, factors likely to be magnified by Covid 19;
- Pro-active community seeking better outcomes for themselves;
- Lack of major investment in recent years;
- Project would benefit all ward residents;
- The Venture is the only community asset in White City; no other recreational or social support services locally;
- No community space to meet or enjoy activities;
- Pressure on existing facilities such as schools and retirement housing to accommodate events and activities;
- Lack of spaces to accommodate health clinics and mobile services that used to exist locally;
- Lack of sports facilities;
- Lack of access to support, information and advice;
- Lack of affordable childcare;
- Strong local support for the project;

6.11 The locality is scored poorly in various indices of deprivation and the application sets out the loss of various community assets over time but also the success and popularity of the existing venture playground. It reports a significant need for additional sports and recreation facilities, and contact points for information, support and advice. The need for the facility is already acknowledged in a Draft development plan document and addressing the above needs would be a significant public benefit arising from the development. The proposals would be likely to have significant benefits to the community in providing a range of enhanced opportunities for play, education, socialising and exercise. This weighs in favour of granting permission.

#### 6.12 **Location of the community facility**

Policy INF4 of the JCS requires community infrastructure to be centrally located to the population it serves and be easily accessible on foot and bicycle, with the potential to be well served by public transport and the application demonstrates that this would be the case. The proposal would provide for the flexible, multi functional community infrastructure encouraged by Policy INF4.

6.13 The site is partially previously-developed land and partially a grass field. The site is in part allocated in the City Plan (SA20). This allocation relates to broadly the southern half of the proposed site and is for a community facility. The policy notes the identified need for a new community facility in the area to replace that lost on the St Aldates Church site. The policy requires the proposal to deliver for the needs of the community and complement the Blackbridge Sports and Community hub (allocation SA06). The policy is not adopted as the Inspector's report following the City Plan Examination is awaited. The detailed requirements of the allocation policy SA20 are referred to in subsequent sections. There is therefore in-principle support for a facility on the site which can be given moderate weight. However the application proposals extend beyond this allocation boundary and need to be considered in the context of the loss of the field that would be caused, which is not considered in the allocation policy, and is addressed in the following section.

6.14 ***Partial loss of field***

The development would in part be constructed on the site of the existing play area and community building. This would be broadly the site of the proposed new buildings and play area. The car park however would extend into the existing grass field to the north. Sport England is a key consultee in this context.

6.15 This field is not recorded in the Council's Playing Pitch Strategy as a formal sports pitch and is recorded in the Council's Open Space Strategy as an amenity space of low site quality and biodiversity value but high community value. There are very few similar spaces nearby. The Strategy recommends that the site should be prioritised for improvement and investment, to update existing facilities or provide new features. The Council's Built Indoor Facilities Strategy needs assessment refers to the application project specifically as a future development. It notes the likely benefits of expanding accessibility of sports provision to the local community who may otherwise not be able to access it. The Built Facilities Strategy also recommends the identification of ongoing investment requirements to protect and improve existing sports facilities, especially in the south of the city, ensure daytime access to indoor sports, notes a shortfall of sports hall provision, and supports development that may assist in increasing sport and physical activity in the wider community.

6.16 The City Plan allocation policy requires the proposal to facilitate better use of the existing open space. This was written based on an allocation not extending onto the field. In so far as the proposal would provide supporting facilities (changing rooms, refreshment facilities) and potentially attracting more usage, it could facilitate better use of the remaining part, however clearly it would substantially reduce the amount of space remaining.

6.17 The scheme provides the opportunity for a variety of indoor sports provision in the halls, as well as changing rooms. The submitted Statement of Usage notes that the use of the main hall would be primarily for sports/recreation in particular 5 a side football likely for 60% of the usage (which would go some way to replicating the 'kick-about' function of the grass field as well as more formalised games) along with badminton and other sports such as indoor bowls and boot camps.

6.18 An Open Space Assessment has been submitted with the application. This sets out that the play area would be re-provided on site at a reduced scale (existing play area open space 0.44ha, proposed 0.3ha) but argues that this is mitigated by the potential to expand this area in future and that this also allows for the loss of some of the open space to a car park to be mitigated against. It states that loss of some of the open space due to the car park is compensated for by the presence of soft landscaping and planting of trees. It acknowledges the presence of a football pitch on the field but states that it is not currently in use and that this demonstrates that there are other open spaces available and notes that this open space will not be impacted by the proposed development. It concludes that with the re-provision of a play area, and utilisation of the site for a Community Centre, there would be a valuable increase in community facilities offered to the public.

6.19 Officers do not agree with the analysis in the submitted open space assessment. Nevertheless, it has been agreed with Sport England that given the need for built sports facilities in the area and the proposals' inclusion of the indoor hall for 5 a side football, badminton etc, that the loss of part of the field is acceptable.

- 6.20 Sport England's comments acknowledge the loss of the field but they consider the proposal complies with their exception criteria whereby the proposal would be of sufficient benefit to sports development as to outweigh the detriment caused by the loss of playing field. They note that having a community-accessible 3-court sports hall is to be welcomed as most sports halls are on school sites which have limited out of school hours access. While the field is not recognised as a formal pitch, they do note that it would still be possible to lay out two under 7s or 8s pitches on the remainder of the site. Sport England also recommended some design changes including to strengthen the glazing in the sports hall to withstand equipment impact, and they would object to the application without a condition to secure that. They also recommended that walls and fixtures in the hall are fitted flush to avoid injury, which the applicant has addressed.
- 6.21 In this context it is considered that the proposal meets the various exceptions set out in the above policies by delivering sports and recreational benefits to outweigh the harm caused by the partial loss of the field.
- 6.22 In terms of the relative loss of play area (0.44 to 0.3ha according to the application), the submission indicates a more extensive provision of play equipment than currently, while it would also be expected from the design and proposed use that the new community centre would provide an increase in children's sport and play opportunities in an alternative manner. In this context it is considered that the significant community benefits likely to accrue from the scheme would outweigh the reduction in the physical extent of the play area. Nevertheless, in order to seek to maintain continuity of provision it is recommended that a condition be imposed to secure the re-provision of the play area as early as possible to ensure that there is not a wholesale loss of play area facilities for the community, and as close to ongoing continuity of provision as possible. The applicant has a draft programme for implementation, whereby the new venture building would be constructed while maintaining the existing play area, then remove the existing play area and construct part of the new play area where at a safe distance from the new community building site and open that, prior to completion of the remaining new play area and community building.
- 6.23 In terms of the City Plan policy test of co-ordinating the proposal with the Blackbridge scheme, the applicant's community need statement sets out that they are in close contact with the Blackbridge project to maximise benefits and avoid duplication. Overall it is not considered that the application scheme and Blackbridge will compete; the application scheme proposes indoor facilities whereas Blackbridge has a greater focus on outdoor sport; the usage of the indoor spaces proposed already appear to have usage interest established and regeneration in the Podsmead area may lead to increased interest for Blackbridge; both schemes respond to a local need and there is likely to be less enthusiasm from local people to travel outside of the local area.
- 6.24 Overall, the proposal is considered acceptable in relation to the various loss and re provision of local facilities, would be within the built up area of the City on a partially brownfield site in a sustainable location, and as a community facility would be well related to the community it would serve. The proposal complies with the above policy context.
- 6.25 ***Design, layout and landscaping***  
The NPPF states that good design is a key aspect of sustainable development, and sets out criteria for decision making including ensuring that developments will function well and add to the overall quality of the area, are visually attractive, sympathetic to local character and history while not preventing or discouraging appropriate innovation or change, establish/maintain a strong sense of place, optimise the potential of the site to accommodate an appropriate amount and mix of development, and create safe, inclusive accessible places.

- 6.26 JCS Policy SD4 sets out requirements for high quality design, including responding positively to and respecting the character of the site and surroundings, and being of a scale and materials appropriate to the site and setting. Design should establish a strong sense of place and have appropriate regard to the historic environment. Policy INF3 requires development to positively contribute to green infrastructure, also setting out that proposals that would impact on trees will need to include a justification for why this cannot be avoided and should incorporate mitigation for the loss.
- 6.27 Policy A1 of the pre-submission City Plan requires overall improvements to the built and natural environment, preserving the character of the area and appearance of the streetscene, and appropriate bin storage. Policy C1 requires development to meet the highest possible standards of accessible and inclusive design. Policy E4 requires biodiversity net gain on site (or a suitable alternative) if there is unavoidable significant adverse impact on trees, woodland or hedgerows, and tree protection measures during development. Policy F1 requires high quality architectural detailing, external materials and finishes that are locally distinctive, and developments to make a positive contribution to the character and appearance of the locality. Innovative modern materials will be encouraged where they strongly compliment local distinctiveness. Policy F2 requires hard surfacing, boundary treatments and planting to be appropriate to the location, and incorporate existing natural features where possible, and ensure adequate space for trees to mature. Policy F3 requires development to be designed to ensure that community safety is a fundamental principle. The City Plan allocation policy SA20 requires buildings to respond to the residential setting and character of the area and be domestic in scale.
- 6.28 The proposed siting of the main building would help create built street frontage, which is a positive step from earlier iterations of the scheme. It would also create more activity in the locality and improve natural surveillance of the area in terms of designing out crime. Furthermore, lighting is proposed to the circulation areas.
- 6.29 The surroundings comprise of single and two storey residential properties. Given that the usage of the building dictates its form to a large degree (e.g. internal head height needed to accommodate indoor sports such as badminton) it is not realistic to achieve a directly comparable form to the residential buildings in the locality. The proposed main building is two storeys, and although the maximum roof height is likely to be higher than the residential buildings in the vicinity, given the siting, separation, and the sloped roof declining out to the street frontage, this is unlikely to be so strikingly different as to cause significant harm to the streetscene and character of the area and this is supported by the submitted elevations and sections.
- 6.30 A timber cladding is proposed as the main facing material. Most of the properties in the locality have a red/orange brick, with some render detailing. The timber cladding would not therefor be a direct match however it would not be obtrusive and with the use of a good quality timber could help blend the building into its immediate backdrop of the playing field, allotments and tree line along the railway.
- 6.31 In terms of access to the buildings, the application confirms that the scheme is fully compliant with Part M of the Building Regulations. Overall, the building would be noticeably different to its surrounding buildings in footprint and form, however it is set away from these properties, with a declining roof slope towards the road, and the overall design and scale would not make it appear significantly overbearing within the streetscene.

6.32 *Landscaping and access*

The trees proposed for removal are not of significant value and the Tree Officer is content that these can be removed, subject to suitable new planting as mitigation. The planting proposals have been amended to the satisfaction of the Tree Officer and these should be secured by condition, and would be to the benefit of the local environment and would help to soften the appearance of the development.

6.33 The path at the south west edge of the site is not a Public Right of Way, and is now proposed to be retained in the scheme. This would aid pedestrian connectivity within the area. It's retention would also serve to give some more relief between the residential boundaries and the play area.

6.34 Overall, subject to conditions the proposal would comply with the above policy context.

6.35 ***Traffic and transport***

The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network and sets out that permission will be granted only where the impact of development is not considered to be severe. Policy G1 of the emerging City Plan notes that the Council will work closely with the County Council and other organisations on local transport matters. Policy G4 supports development that protects and enhances convenient, safe and pleasant walking environments, and improvement of walking routes to sustainable transport hubs. Proposals that disrupt walking desire lines, reduce the pedestrian legibility or reduce pedestrian connectivity will not generally be supported. Policy A1 requires adequate off-street parking, access, and covered and secure cycle storage.

6.36 A Transport Assessment has been submitted and considered by the Highway Authority. Northfield Road connects to the A38 Finlay Road to the south which provides a key north south link and access to trunk roads. Access and egress with Finlay Road at the closest point via Selwyn Road is available northbound only. Further south there is a northbound and southbound access off Finlay Road via Elmira Road. Given the surrounding pedestrian and cyclist accessibility and proposed usage of the building, walking and cycling are viable alternative means of accessing the site. Three bus stops are in the vicinity to the south served by the frequent service route 7 linking to the city centre. It is considered to be a sustainable location and not reliant on car travel.

6.37 40 parking spaces are proposed, 4 for disabled users. A car parking accumulation assessment was undertaken using TRICS, and shows a maximum of 23, so it is likely to operate within capacity. 16 enclosed cycle spaces are proposed. The Highway Authority agrees that sufficient parking is proposed, and seeks provision of motorcycle spaces, which could be secured by condition.

6.38 The Highway Authority has agreed that the applicant's TRICS analysis is robust. The analysis, based on the net change in traffic between the existing and proposed facilities, shows an increase in two-way movements during peak hours as follows:  
AM peak – 16 vehicles  
PM peak – 23 vehicles.

6.39 The Highway Authority seeks electric vehicle charging provision. Furthermore, a 'give way' marking is sought for vehicles exiting the site to give way to vehicles on Northfield Road. These and the other items requested could be secured by condition.

- 6.40 While raising no objection in principle, Network Rail set out their requirements for protecting their operational land. The retention of the existing 2.35m security fence deals with their requirement for a fence along the boundary. The attenuation crates and the foul service run behind the Venture building have been relocated out of Network Rail's required separation zone. In terms of impact of the proposed lighting on rail infrastructure, there are trees along the boundary which could provide screening, however they would die back in winter even if retained. The applicant has therefore provided a lighting study of the glare likely to the railway line, and this shows that it would be just below the 'noticeable' rating but not 'disturbing', and furthermore this is without any shielding from fences or foliage considered. In addition the lights proposed are downlighters to this access. All other Network Rail requirements listed in their first comments are met, and they have now confirmed that the updated details are acceptable. They request a condition to secure details of excavations near the common boundary.
- 6.41 The allotments boundary includes a vehicle-sized gate at the south west corner of the allotments. The applicants have advised that the current arrangement is that a landrover and trailer makes a delivery to the allotments from the east end off Bibury Road and currently turns in the unused area at the rear of the current play area. The application scheme would prevent this from occurring. The plan is now that the vehicle would exit the allotments and drive across the site behind the venture building to exit through the new proposed opening to Dickens Close. The Highway Authority has now considered this arrangement and raises no objection subject to a condition to secure details of restricting use of the accesses to an entry/exit only arrangement. The applicant has advised that the Dickens Close gates would be controlled for the protection of the children using the play area. As there is no current access here, this heightened management of the access does not worsen the existing permeability of the site. The restriction of the Northfield Road access to a similar 'entry/exit-only' arrangement as sought in one representation would not work as this is the only means of entry and exit to the car park, as opposed to a through-route as with the allotments access. Furthermore the Highway Authority has not recommended that such a measure is necessary to protect highway safety.
- 6.42 In conclusion, subject to conditions, the proposal would not cause an unacceptable impact on highway safety or a severe impact on congestion, and would comply with the above policy context.
- 6.43 ***Residential amenity / environmental health***  
The NPPF seeks to ensure that developments provide a high standard of amenity for existing and future users. The NPPF sets out that decisions should ensure development is appropriate for its location taking into account effects of pollution on health and living conditions, and should mitigate and reduce to a minimum adverse impacts from noise, and avoid noise giving rise to significant adverse impacts on health and quality of life. It also requires planning decisions to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants.
- 6.44 Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Policy SD14 also requires development to cause no unacceptable levels of pollution with respect to national and EU limit values. Policy C5 of the emerging City Plan requires major developments to demonstrate compliance with EU limit values and achieve national objectives for air pollutants. It also seeks to avoid building configurations that inhibit pollution dispersal, minimise public exposure to pollution sources, use green infrastructure to absorb pollutants, provide infrastructure that promotes transport modes with low air quality impacts, and control dust and emissions from construction operation and demolition.

- 6.45 The City Plan allocation policy SA20 sets out site specific requirements and opportunities including giving careful consideration to the impact on the adjacent bungalows, and that development should be set away and set down from these properties. Also to consider the site access position, hours of operation and scale of development to preserve amenity, noting particularly the properties opposite the site.
- 6.46 Impacts of the buildings:  
The nearest neighbouring residential properties are across Northfield Road to the south east, and adjacent to the site at Northfield Road and Dickens Close to the south west. Beyond the playing field to the north east there are properties off Hazleton Close and Stow Close.
- 6.47 The main building would be approximately 12m from the residential properties that are side-on, across Northfield Road, no. 73 being the nearest. The only windows facing these properties would be at ground floor. Given this and the separation, no harmful overlooking would be caused. Given the sloping roof on the road side and therefore the declining scale of building at its near side to these neighbours (approximately 2.5 – 3m high at the outer wall), it would not be overbearing to these properties or cause a significant loss of light. A shadow study has been undertaken. The building would not cause significant harm by overshadowing.
- 6.48 The building would be approximately 20m (not directly opposite) from the front of the houses facing towards the site on Northfield Road, no. 71 being the closest. Given this relationship similar conclusions apply. While there is a first floor window in the side elevation of the near sloping part of the building (into what is proposed as a conference/training room), the relationship, angle and separation are such that no significant harm from overlooking would occur. Similarly to above, it would not cause harm by overbearing, overshadowing or loss of light to these properties.
- 6.49 It would be approximately 26.5m from the frontage of the bungalow plot (no. 66 Northfield Road) to the south facing diagonally towards the site, and 29m from the bungalow itself. It would be approximately 33m from the rear garden of the bungalow at an angle (the back of the bungalow faces diagonally away from the site). While the building would clearly be perceived from the front of this neighbouring property, given the scale, separation and relationship to the front of the bungalow, it would not cause significant harm by an overbearing effect or loss of light. It would be to the south west of the building and no overshadowing would occur. The ground and first floor side windows in the sloped-roof part of the building would face towards this property but not cause significant harm to privacy given the relationship.
- 6.50 It would be approximately 40m from the rear garden of the bungalow behind no. 66 (25 Dickens Close). The separation, relationship, scale and position of windows are such that no harm would be caused by overlooking, overshadowing, loss of light or overbearing effects.
- 6.51 The main building is sufficiently far from all other properties in the vicinity that at the scale proposed it would not cause harm to the amenities of residents.
- 6.52 The smaller 'Venture' building would be approximately 20m at the nearest point from 25 Dickens Close. No. 24 is the adjoining neighbour and slightly further away. It would be approximately 30m from the rear garden of 66 Northfield Road. Given the scale of the building (approximately 3.1m at the front wall) and separation it would not be overbearing to these properties or cause loss of light and given the relationship would not overshadow them. While there is a first floor window shown in the south elevation of this building (plans show this to be to a store), the angle and separation is such that it would not cause harm by overlooking, regardless of the use that room was put to.

- 6.53 Impacts of the building use:  
The opening hours of the main building are proposed as Monday to Saturday 7am to 10pm; Sundays and bank holidays 8am to 9pm. A later allowance to 11pm is proposed to provide for parties and weddings, etc from time to time; a limit of 6 per calendar year is proposed by the applicants. The smaller Venture building would be open alongside the proposed times of playground supervision; schooldays 3:30 – 6:00pm and during school holidays 10:30am – 3:30pm. If the basic level of noise mitigation from the building can be agreed, these hours are considered reasonable in terms of local amenity and could be secured by condition.
- 6.54 In that respect an Acoustic Report has been submitted. In terms of activities at the centre a key potential impact is likely to be that from music associated with events, exercise classes, etc. Provision of mechanical ventilation would allow windows to be kept closed to limit noise emission. Noise impact from plant at the building is also considered. The calculations in the report are based on having triple glazed windows, and windows being closed (the report notes with windows open the noise levels would be exceeded) so it is recommended that these measures be secured by condition. With the building specification set out, a noise limit of 95-97dBa is predicted, with the report referring to the lowest level of music likely for an event being around 90dBa, and 95-100 for live bands or other performance. In terms of plant associated with the building the report sets out that the proposals can be designed to meet the noise limits and it is recommended that a condition is imposed to set a level for plant.
- 6.55 The proposals are on a larger scale than the existing facility and a commensurate increase in comings and goings and associated noise is likely. To a certain degree this impact would be down to behaviour, popularity, and management. With the proposed times of use, a reasonable level of control over the impact would be secured. Over and above this, securing the submission of a management plan for events might serve to further mitigate the potential impacts. Overall, with certain measures secured by condition, it is not considered that the proposal would cause a demonstrable significant adverse impact on amenities in the locality. It is not considered that requiring measures preventing ball games in the street is necessary to make the development acceptable or fairly related to the development. Public Authorities may consider such measures separate to the planning process if desirable.
- 6.56 In terms of the play area there is an existing effect associated with the current play area. The proposed layout has been amended to omit the raised platform climbing frame that was close to the garden of no. 66 Northfield Road. It now comprises a pirate ship climbing frame near the road frontage, a zip wire and trim trail near the southern boundary and a range of other equipment further into the area. With the retention of the path the zip wire has been moved further away from the residential boundary. It has an elevated plinth and could presumably be sited to run with the elevated section furthest from the garden (the play area manufacturer's layout plan suggests this and as it requires updating to align with the latest plans, could be secured by condition). Given the nature, scale and siting of the equipment no harmful impact is likely on privacy.
- 6.57 External lighting is proposed, including 4m column mounted lights to the car park and access road, 2.3m column mounted lights to the access behind the Venture building adjacent to the railway line boundary, and various wall mounted lights. The lighting report shows the light spill declining to the low level of 1lux well away from any of the residential property boundaries. Furthermore this is in the context of there already being streetlighting along the road. Given the level of impact a condition to require the switching off of the lights after closure of the building has not been proposed currently (and may well be done anyway by the operator to save cost), but it could serve to ensure minimal additional impact if considered necessary.

- 6.58 An Air Quality Assessment has been submitted, which concludes that impacts from traffic increase would be negligible and not lead to any exceedances of air quality objectives or limit values, including the Painswick Road Air Quality Management Area. It also sets out that given the proposed layout and nature of usage (and notwithstanding the established existing community use of the site), there would be no significant effects from train engines given the adjacent railway line or road traffic emissions. No mitigation measures are proposed for the use. Notwithstanding the overall acceptability, the proposed electric vehicle charging points, cycle parking and use of air source heat pumps would all aid in minimizing air quality impacts associated with the development.
- 6.59 Overall, subject to conditions the proposal complies with the above policy context.
- 6.60 ***Drainage and flood risk***  
The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems. Policy E6 of the emerging City Plan sets out a similar approach to making development safe, avoiding an increase in flood risk, the sequential and exception tests, requiring Sustainable Drainage Systems, incorporating climate change considerations, facilitating benefits to watercourses and floodplains, and maintaining a buffer strip for maintenance and ecology.
- 6.61 The site is in Flood Zone 1, the lowest risk. There are no concerns about fluvial flood risk. However surface water flood maps show a significant surface water flooding route through the site. The applicant has submitted a proposal for a swale to intercept any surface water flows around the building and mimic the existing flow route, and the Drainage Officer is content with this.
- 6.62 A drainage strategy and layout have now been submitted. These propose permeable paving to hardstanding areas with additional storage capacity provided by crates below, providing attenuation to allow discharge to the public sewer at a controlled rate. A new foul connection to the public system is also proposed.
- 6.63 The adjustment on rainfall for climate change should be 40% rather than the 30% used so the permissible surface water discharge rates and attenuation volumes should be re-calculated accordingly; this can be dealt with by condition. Both the Drainage Officer and LLFA express disappointment that the scheme lends itself to high quality above ground SuDS with ecological and aesthetic benefits, but only a below ground scheme is proposed. Nevertheless the scheme is ultimately satisfactory and the permeable paving meets the CIRIA C753 water quality guidelines are adhered to. The proposal is acceptable subject to conditions to secure precise details of the drainage systems.
- 6.64 Subject to conditions the proposal complies with the above policy context.

6.65 **Land contamination**

The NPPF requires decisions to enhance the environment by remediating and mitigating contaminated land where appropriate, and ensure that a site is suitable for the proposed use taking account of ground conditions and any risks, and that after remediation as a minimum the land should not be capable of being determined as contaminated land. Responsibility for securing a safe development rests with the developer/landowner. Policy SD14 of the JCS requires that development does not result in exposure to unacceptable risk from existing or potential sources of pollution, and incorporate as appropriate the investigation and remediation of any contamination.

6.66 The submitted Geotechnical Report considers that contamination is not a significant risk. A subsequent Phase 2 Report was submitted, which sets out the site investigation work and recommendations including importing clean sub and topsoil. No specific remediation is considered necessary other than a watching brief due to the amount of made ground at the site and the potential need for clean soils. The necessary measures can be secured by a reduced version of the standard contaminated land condition relating to any unexpected contamination being found during works, and a condition to control importation of soils. Subject to these the proposal would comply with the above policy context.

6.67 **Ecology**

The NPPF requires development to minimise impacts on and provide net gains for biodiversity. Policy SD9 of the JCS similarly requires the protection and enhancement of biodiversity in the area. The emerging City Plan Policy E2 requires the conservation of biodiversity and providing net gains. Policy E4 requires biodiversity net gain on site (or a suitable alternative) if there is unavoidable significant adverse impact on trees, woodland or hedgerows. Policy E5 requires development to contribute to the provision, protection and enhancement of the Green Infrastructure Network.

6.68 City Plan allocation policy SA20 sets out requirements and opportunities of retention of some brownfield land adjacent to the railway and/or basic enhancements such as trees, hedges and planting for pollinators. It also notes that bird and reptiles surveys are not required but the timing of removal of vegetation needs to be carefully considered for these species.

6.69 An ecological report and a subsequent bat emergence survey have been provided, undertaken by accredited ecologists. No impacts on designated sites are likely. The ecological report concludes that both on-site buildings proposed for demolition have low suitability for roosting bats. The habitat on site is recorded as between negligible and site-level importance, with some compensation required for loss of the site-level habitat. The subsequent bat emergence survey sets out that no emergences were recorded from either building, although bat activity was recorded in the vicinity. As such a bat license is not required for the works, although their consultant has provided advice on demolition to the applicant. The railway line appears to be of value to foraging and commuting bats and the downlighters proposed and limited glare to the railway line mentioned above would minimise light spill.

6.70 Enhancement opportunities were suggested in the submitted report of box/house provision for various species and these should be secured by condition to satisfy the requirement to provide net gains for biodiversity. Other mitigation measures proposed in the report including planting, provision for hedgehogs when installing new fences, and habitat creation can also be secured by condition. While it is not evident that the 'Building with Nature' standards have been used, the mitigation and enhancements should address habitat and wildlife linkages. The ecological appraisal concludes that providing the recommendations are implemented, the development should have no long term impacts on key protected species present or potentially present at the site.

6.71 Subject to conditions the proposal would comply with the above policy context.

6.72 ***Sustainability***

The NPPF supports the transition to a low carbon future and contributing to reductions in greenhouse gas emissions. It expects developments to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. Policy SD3 of the JCS requires all developments to demonstrate how they contribute to the principles of sustainability by increasing energy efficiency. Proposals will be expected to achieve national standards. Policy G2 of the emerging City Plan requires that for non-residential development providing 100 or more spaces at least 2% should be utilised for charging.

6.73 An energy strategy has been submitted which sets out proposals to utilise an air source heat pump and solar thermal and photovoltaic panels to offset energy demand, the aspiration being to achieve net zero energy cost. There are therefore some commitments to sustainability measures which is welcome. The car park includes 40 spaces, below the City Plan threshold for charging spaces, although the NPPF and JCS encourage provision of electric vehicle charging facilities and some could be secured by condition. Policy SD3 requires proposals to demonstrate how they contribute to the aims of sustainability by increasing energy efficiency, and will be expected to meet national standards. On that basis, there would be no conflict with Policy SD3.

6.74 ***Waste minimisation***

A statement has been submitted however the County Council considers the application to be deficient in terms of waste minimisation so it is recommended that a Waste Minimisation Statement is secured by condition to clarify the proposed measures further.

6.75 ***Minerals***

The County Council originally considered, based on the submitted Geo Technical Report, that the site could have potential underlying minerals deposits. Further information has clarified that the sand and gravel resource is located to the north east of the site and not under it, and on this basis the County Council's Minerals and Waste team raises no objection on this point.

6.76 ***Economic considerations***

The construction phase would support employment opportunities, and the business opportunities mentioned in the applicants plans for the centre could have further positive effects. Therefore the proposal would have some economic benefit. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth through the planning system', this adds some weight to the case for granting permission.

6.77 ***Conclusion***

This application has been considered in the context of the policies and guidance referred to above. Subject to conditions, the proposal is consistent with those policies and guidance in terms of the principle of the use, the loss of part of the field, design and landscaping, traffic and transport, residential amenity, drainage and flood risk, land contamination, ecology, sustainability, waste minimisation, minerals and economic considerations; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

7.0 **RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER**

7.1 That planning permission is **GRANTED** subject to the following conditions;

## 7.2 **Condition 1**

The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

### **Reason**

Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

## **Condition 2**

The development hereby permitted shall be carried out in accordance with the drawings on the following plans except where otherwise required by conditions of this permission:

Location plan dated 08.03.21

Site plan as proposed ref. P01 Rev. X

Ground floor plan as proposed ref. P02 Rev. P

First floor as proposed ref. P03 Rev. P

Roof plan as proposed ref. P04 Rev. F

Sections – 1 as proposed ref. P05 Rev. G

Sections – 2 as proposed ref. P06 Rev. F

Elevations – 1 as proposed ref. P07 Rev. P

Elevations – 2 as proposed ref. P08 Rev. M

Venture building plans as proposed ref. P12 Rev. B

Block plan as proposed ref. P13 Rev. J

Venture building sections and elevations as proposed ref. P14 Rev. B

Hub external works as proposed ref. P15 Rev. C

Venture external works as proposed ref. P16 Rev. F

Site elevations 1 as proposed ref. P17 Rev. A

Site sections as proposed ref. P18

Boundary elevations as proposed ref. P19 Rev. A

Location plan as proposed ref. P20 Rev. C

Proposed soft landscaping – car park and access ref. 1017-03 Rev. P2

Proposed soft landscaping – Play area boundary ref. 1017-04 Rev. P3

Proposed soft landscaping – sensory garden ref. 1017-05 Rev. P2

Proposed soft landscaping – nursery garden ref. 1017-06 Rev. P2

Proposed soft landscaping – design rationale and images ref. 1017-07 Rev. P2

1017\_R2b – Proposed planting schedule Revision B July 2021

1017\_R1b – Soft landscape management and maintenance plan Revision B July 2021

We-ef Community Centre White City Exterior Lighting ref. OP028656 Rev. 4 dated 29.07.21

except where otherwise required by conditions of this permission.

### **Reason**

To ensure that the development is carried out in accordance with the approved plans.

## **Condition 3**

Notwithstanding that shown on the submitted documents, prior to the commencement of any above-ground construction of a building, samples of all facing materials for that building (including scaled elevations showing their use across the building) shall be submitted to and approved in writing by the Local Planning Authority. Buildings shall be constructed only in accordance with the approved materials.

**Reason**

To ensure a satisfactory appearance to the development.

**Condition 4**

Notwithstanding the submitted details, any boundary treatments or means of enclosure shall be implemented only in accordance with scaled drawings of their location, form, appearance and materials that shall first be submitted to and approved in writing by the Local Planning Authority.

**Reason**

To ensure a satisfactory appearance to the development

**Condition 5**

The approved soft landscaping details shall be carried out in full concurrently with the development and shall be completed no later than the first planting season following the completion of the building works. The planting within that phase shall be maintained in accordance with the approved details for a period of 5 years following implementation of each phase. During this time any trees, shrubs or other plants which are removed, die, or are seriously damaged shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

**Reason**

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

**Condition 6**

No development including demolition and site clearance shall be commenced on the site nor shall any machinery or material be brought onto the site for the purpose of development until full details of adequate measures to protect trees including those within the developable area to be retained and those on adjoining land have been submitted to and approved in writing by the local planning authority. These shall include:

- (a) Fencing. Protective fencing must be installed around trees to be retained on site. The protective fencing design must be to specifications provided in BS5837:2012 or subsequent revisions, unless agreed in writing with the Local Planning Authority. A scale plan must be submitted and approved in writing by the Local Planning Authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the local planning authority. Such fencing shall be maintained during the course of development,
- (b) Tree Protection Zone (TPZ). The area around trees enclosed on site by protective fencing shall be deemed the TPZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ, unless agreed in writing with the local planning authority. The TPZ shall be maintained during the course of development

Reason

To ensure adequate protection to existing trees which are to be retained and to retain habitat, in the interests of the character and amenities of the area and protecting biodiversity. Approval of details pre-commencement is necessary to fully protect retained trees during all works.

**Condition 7**

The existing play area shall not be demolished/removed until a programme for the provision of the new play area has been submitted to and approved in writing by the Local Planning Authority. The new play area shall be constructed in accordance with the approved programme and the community centre building hereby approved shall not be opened to public use until the new play area has been completed to full working order.

Reason

To secure replacement play area facilities for those lost and seek to achieve continuity of provision.

**Condition 8**

The glass used in the windows and doors in the new sports hall shall be at least 15mm toughened glass for the outer pane and laminated glass for the inner pane.

Reason

To allow continuous use of the sports hall whilst protecting the users and the sports hall from possible glass damage caused by sports projectiles in the sports hall.

**Condition 9**

The main 'hub' building shall be constructed in accordance with the details set out at paragraphs 6.1 and 6.2 of the ion Acoustics Acoustic Report ref. A1251/R02, or such other specification to be submitted to and approved in writing in advance by the Local Planning Authority alongside an Acoustic Report that demonstrates that the alternative building specification achieves an equivalent or better sound reduction performance.

Reason

To secure the basis on which the assessments were made and preserve the amenities of the area.

**Condition 10**

The rating level of sound emitted from any fixed plant or machinery associated with the development shall not exceed the background sound levels, taken as a 15 minute LA90 at the nearest sound sensitive receiver. All measurements shall be made in accordance with the methodology of BS 4142 (2014: Methods for rating and assessing industrial and commercial sound) or any national guidance replacing that Standard.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Reason

To safeguard the amenities of the area.

**Condition 11**

No events using amplified sound and/or that would be ongoing after 2200hrs on any day shall take place at the development until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include (but is not limited to) measures to limit noise breakout from the building and manage public exiting from the building. Any such events shall be operated only in accordance with the approved Noise Management Plan.

Reason

To safeguard the amenities of the area.

**Condition 12**

The buildings shall not be open to members of the public outside the following hours;

Monday to Saturday 0700hrs to 2200hrs;

Sundays and bank holidays 0800hrs to 2100hrs;

other than for no more than 6 no. instances within any single calendar year when the building may be open to members of the public 0700hrs to 2300hrs (in each instance on a Friday or Saturday only).

Reason

To protect the amenities of the area.

**Condition 13**

Construction and demolition work and the delivery of materials shall only be carried out between 0800 hours to 1800 hours Monday to Friday, 0800hours to 1300hours on Saturdays and no construction or demolition work or deliveries shall take place on Sundays or Public/Bank Holidays.

Reason

To safeguard the amenities of the area.

**Condition 14**

Prior to commencement of any development a Construction (and demolition) Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include (but is not limited to):

- a. Site access/egress
- b. Staff/contractor facilities and travel arrangements
- c. Dust mitigation
- d. Noise and vibration mitigation
- e. Measures for controlling leaks and spillages, managing silt and pollutants
- f. Minimisation of disturbance to ecological assets
- g. Minimisation of disturbance from any construction phase lighting.

Development shall take place only in accordance with the approved CEMP.

Reason

To protect the environment and ecological assets.

These details are required pre-commencement due to the potential impacts of the first phase of works.

**Condition 15**

Notwithstanding the submitted details, prior to any above ground construction other than site securing, a scheme for biodiversity enhancement, including the measures set out in Table 10 of the submitted Wildwood Ecology Report, and provision of bats boxes, shall be submitted to and approved in writing by the Local Planning Authority. The approved details thereafter shall be implemented concurrently with the development and completed in their entirety prior to first occupation unless an alternative timetable has been agreed in writing by the Local Planning Authority, and retained and maintained for their designed purpose, in accordance with the approved scheme. The scheme shall include, but is not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A scaled drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.

**Reason**

To provide net gains for biodiversity.

**Condition 16**

Building works and vegetation removal shall take place outside of the bird nesting season. If this cannot be achieved, a suitably qualified ecologist shall carry out a nesting bird check prior to work and supervise vegetation removal where required.

**Reason**

To protect biodiversity interests.

**Condition 17**

In the event that contamination is found at any time when carrying out the approved development it must be reported immediately to the Local Planning Authority. The applicant is advised to immediately seek the advice of an independent geo-environmental consultant experienced in contaminated land risk assessment, including intrusive investigations and remediation. No further works shall be undertaken in the areas of suspected contamination, other than that work required to be carried out as part of an approved remediation scheme (unless otherwise agreed by the Local Planning Authority) until requirements 1 to 4 below have been complied with:

1. A detailed site investigation and risk assessment must be undertaken by competent persons in accordance with the Environment Agency's 'Land Contamination: Risk Management' guidance and a written report of the findings produced and submitted to the Local Planning Authority. The risk assessment must be designed to assess the nature and extent of suspected contamination and be approved in writing by the Local Planning Authority prior to any further works taking place in the areas of suspected contamination.
2. Where identified as necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be submitted to and approved in writing by the Local Planning Authority in advance of undertaking remedial works. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. The approved remediation scheme must be carried out in accordance with its terms prior to the re-commencement of any site works in the areas of suspected contamination, other than that work required to carry out remediation (unless otherwise agreed in writing by the Local Planning Authority).

4. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any buildings on site.

#### Reason

To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

### **Condition 18**

Details of any soil or soil forming materials brought on to the site for use in garden areas, soft landscaping, filling or level raising must be submitted to and approved in writing by the Local Planning Authority prior to their use in the development on site. Where the donor site is unknown or is brownfield the material must be tested for contamination and suitability for use on site. Full donor site details, proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) must be submitted to and approved in writing by the Local Planning Authority prior to import on to the site.

The approved testing must then be carried out and validatory evidence (such as laboratory certificates) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought on to site.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

### **Condition 19**

No development shall commence other than site securing, site clearance or demolition until a detailed design, maintenance and management strategy and timetable of implementation for the surface water drainage strategy presented in the Drainage Strategy (ref 2860-CP-001 Rev A) as amended by the revised Drainage Layout (ref. 2860-DW-001 Rev. B) and the annotated version of this plan (received 1<sup>st</sup> July 2021) to show the exceedance routing strategy using swales has been submitted to and approved in writing by the Local Planning Authority. The strategy contained within the aforementioned document shall be modified such that the surface water discharge rate is restricted to QBar (pro-rata); the attenuation volume shall be recalculated in accordance with the amended discharge rate and with the allowance for climate change increase to 40%. The submitted strategy must demonstrate the technical feasibility and viability of the proposed drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The scheme for the surface water drainage and exceedance flows shall be implemented in accordance with the approved details and timetable and shall be fully operational before the development is first occupied.

#### Reason

To ensure the development is provided with a satisfactory means of drainage and thereby reducing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

#### **Condition 20**

No development shall commence other than site securing, site clearance or demolition until details for the disposal of foul water have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development.

#### Reason

To ensure the development is provided with a satisfactory means of drainage.

#### **Condition 21**

No development shall commence until a Waste Minimisation Statement for the demolition and construction period has been submitted to and approved in writing by the Local Planning Authority. The Waste Minimisation Statement shall include details of the types and volumes of construction and demolition waste likely to be generated including measures to minimise, re-use and recycle that waste, and minimise the use of raw materials. The development shall be carried out in accordance with the approved Waste Minimisation Statement.

#### Reason

In the interests of waste minimisation.

This is required pre-commencement given the impacts are likely to commence immediately upon development starting.

#### **Condition 22**

No building shall be occupied until a Waste Minimisation Statement for the occupation phase of that building has been submitted to and approved in writing by the Local Planning Authority. The Waste Minimisation Statement shall include;

- Provision within commercial and business areas of facilities or allocated areas to sort, store, treat and manage a majority of the waste produced internal to each of those parts of the site; and
- Suitable processing arrangements for recycling/waste collection vehicles.

Development shall be completed and maintained in accordance with the approved Waste Minimisation Statement.

#### Reason

In the interests of waste minimisation.

#### **Condition 23**

No development shall commence other than site securing, site clearance or demolition to slab level until details of excavations and earthworks to be carried out near the railway undertaker's boundary fence have been submitted to and approved in writing by the Local Planning Authority and the works shall only be carried out in accordance with the approved details.

#### Reason

To ensure the ongoing integrity of the network operator's land.

**Condition 24**

The development hereby approved shall not be brought into use until electric vehicle charging points have been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

Reason

To encourage sustainable travel and healthy communities.

**Condition 25**

No development shall take place, including any demolition works, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan shall provide for:

- 24 hour emergency contact number;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason

In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

**Condition 26**

No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area including accessible spaces (and turning space) shown on the drawing referenced P01 rev X has been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason

To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

**Condition 27**

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the drawing referenced P01 rev X and those facilities shall be maintained for the duration of the development.

Reason

To ensure the provision and availability of adequate cycle parking.

**Condition 28**

Notwithstanding the submitted details, the development hereby approved shall not be brought into use until 4 no. motorcycle parking spaces have been provided in a location to be submitted to and agreed in writing by the Local Planning Authority and thereafter shall be kept available for motorcycle parking as approved.

Reason

To provide safe and suitable access for all users.

**Condition 29**

Notwithstanding the submitted plans, until 'Give Way' markings at the Northfield Road site access junction to ensure vehicles exiting the site give way to vehicles on Northfield Road have been implemented in full in accordance with details to be submitted to and agreed in writing by the Local Planning Authority the car park and access road shall not be used. These measures within the site shall be maintained thereafter for the duration of use of the car park.

Reason

In the interests of highway safety.

**Condition 30**

No building shall be occupied until the means of access for vehicles and pedestrians have been fully installed in accordance with the approved plans.

Reason

In the interest of highway safety.

**Condition 31**

Prior to the implementation of measures to restrict the use of the allotments access/egress via Bibury Road and Dickens Close to "Entry Only"/"Exit Only" in accordance with details to be submitted to and approved in writing by the Local Planning Authority in advance, the access/egress at Dickens Close shall not be used for vehicular traffic. The approved measures shall be retained for the lifetime of the development.

Reason

In the interests of highway safety.

**Condition 32**

Notwithstanding the submitted details, no development shall commence on the new play area until a revised version of the Kompan play equipment details dated 16/10/2020 has been submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason

To ensure consistency between the details and plans and to protect the amenities of neighbouring residents.

## **Informatives**

1. The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

2. Severn Trent Water advise that there is a public foul sewer and a public 450mm surface water sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

3. Any works on this land will need to be undertaken following engagement with Network Rail's Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact [assetprotectionwestern@networkrail.co.uk](mailto:assetprotectionwestern@networkrail.co.uk).

**Person to Contact:** Adam Smith (396702)

Planning Application: | 21/00298/FUL

Address: | White City Adventure  
Playground Northfield Road  
Gloucester

Committee Date: |

