

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	07.11.2023
Address/Location:	Station Hotel Bruton Way Gloucester GL1 1DG
Application No:	23/00070/FUL
Ward:	Westgate
Expiry Date:	14.06.2023
Applicant:	London and Wiltshire Ltd
Proposal:	Change of use of first and second floors from Hotel (C1 use) to a 17 bed House of Multiple Occupation (HMO) (sui generis use).
Report by:	Rhiannon Murphy
Appendices:	Site Location Plan Proposed Block Plan

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The Station Hotel is located within the Westgate ward of Gloucester. Bruton Way passes the front of the building to the west and George street (a small no through road) passes the rear of the building to the east. The building is in close proximity to Gloucester Railway Station to the south east. The building is a three storey white washed building dating back to the late 1800's. The north side of the site includes a flat roof extension and small hard standing yard area. The existing use of the site is as a pub on the ground floor with 23 en suite guest bedrooms and a staff flat on the upper floors.
- 1.2 Full planning permission is sought for the conversion of the first and second floors of the Station Hotel to a House in Multiple Occupation (HMO). The ground floor is proposed to remain as a public house. The Planning Statement submitted in support of this application confirms that the Gloucester City Council Housing Department have expressed a need for HMO accommodation in the City to help meet a need for specialist accommodation such as emergency housing.
- 1.3 Bedrooms would range from single to family bedrooms and 4 communal kitchen areas/ dining areas would be provided together with a separate laundry room. All rooms would be en suite. Amended plans have been provided which include the replacement of one of the bedrooms with an accommodation office on the first floor including associated bathroom. The proposal seeks the conversion of the building to a 17 bed HMO.
- 1.4 No external alterations to the building are proposed. The HMO would be accessed from an existing doorway along the west elevation of the building which currently leads to the stairs

serving the hotel. The pub would continue to be accessed via the main front entrance to the south of the building. No access would be available to the pub via the HMO entrance. The existing yard area to the side of the pub is proposed to provide bin and cycle storage for the HMO.

1.5 **This application is required to go to planning committee as it is subject to a S106 Highways Contribution.**

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
44/55099/HIST	P/102A/64:- USE OF EXISTING BEER CELLAR FOR THE FORMATION OF A CELLAR BAR.	Z45APP	13.08.1964
44/55100/HIST	P/819/64:- DEMOLITION AND REDEVELOPMENT FOR SHOP AND OFFICE USE.	Refused	12.01.1965
44/55101/HIST	15277 AP/532/72:- S/SIDED ILLUM BOX SIGN	Z45APP	05.05.1966
44/55102/HIST	P/532/72:- ALTERATIONS & ADDITIONS.	Z45ASC	19.07.1972
44/55098/HIST	15277 AP/1072/73:- NEON INDIVIDUAL BOX LETTERS;INT ILLUM BOX SIGN & ILLUM *	Granted	07.11.1973
98/00331/FUL	Formation of parking area at rear.	Granted	10.11.1998
01/00584/ADV	Non illuminated signage:- 2 no. banners and entrance signs. Externally illuminated and halo illuminated wall signs.	Granted	30.20.2001
14/00393/FUL	Replacement of existing ground floor level windows on north-eastern elevation with timber framed folding doors	Granted	27.05.2014

3.0 RELEVANT PLANNING HISTORY

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
- SD9 – Biodiversity and geodiversity
- SD10 – Residential development
- SD11 – Housing mix and standards
- SD14 – Health and Environmental Quality
- INF1 –Transport network
- INF2 – Flood risk management
- INF3 – Green 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 relevant policies in existing plans 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 Gloucester City Plan

The Gloucester City Plan (“City Plan”) delivers the JCS at the local level and provides policies addressing local issues and opportunities in the City. It was adopted on 26th January 2023 and forms the development plan alongside the JCS.

Relevant policies from the Gloucester City Plan include:

- A1 – Effective and efficient use of land and buildings
- A2 – Houses in Multiple Occupation
- A5 – Specialist housing
- A6 – Accessible and adaptable homes
- B6 – Protection of public houses
- C1 – Active design and accessibility
- E1 – Biodiversity and geodiversity
- E3 – Green/ Blue Infrastructure
- E4 – Flooding, sustainable drainage, and wastewater
- F1 – Materials and finishes
- F3 – Community safety
- F6 – Nationally described space standards
- G1 – Sustainable transport and parking

G4 – Broadband connectivity
G6 – Water Efficiency

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. While there are number of policies in the 2002 Plan which are considered to accord with the NPPF and have not been superseded by the JCS, none of these are considered to be relevant to the current application

3.7 **Supplementary Planning Guidance/Documents**

N/A

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 **Highway Authority**

The site is in a very sustainable location and entirely supports a car free development. Existing on street parking restrictions would protect the sensitive parts of the network and prevent unsuitable parking. GCC have no concerns regarding impact to the highway network.

The site is located within a controlled parking zone (CPZ). The levels of demand exceed capacity by over 240%. Any demand for additional on street parking generated by this development would displace demand onto areas outside the CPZ resulting in an adverse impact on highway safety and a significant impact on congestion. It is therefore deemed necessary to exclude future occupiers of this development from being able to apply for a residents parking permit.

No objection subject to a requirement of a planning obligation contribution of £10,000 to amend Traffic Regulations Order (TRO) to exclude residents of the proposed development from obtaining permits in the residents parking scheme.

Conditions also requested relating to the provision of cycle storage.

4.2 **Environmental Health Advisor**

The submitted noise and noise transmission assessment appear satisfactory and predicts that internal noise levels within the proposed HMO rooms can be adequately mitigated with the installation of appropriate glazing, alternative ventilation and acoustic treatment to the ground floor ceiling/ first floor.

When the applicant has decided which glazing and alternative ventilation products they wish to install, they should submit their sound reduction specification for approval. If any mechanical ventilation is proposed then they should meet NR30 for living rooms and NR25 for bedrooms and this should be confirmed for approval.

In terms of the sound insulation between the ground and first floor, the recommendations of the noise transmission assessment should be implemented and post completion sound testing undertaken to determine its effectiveness. The result of the post completion testing exercise should be submitted for approval.

These outstanding points can be dealt with via condition.

4.3 **Housing Strategy**

The Housing Projects and Strategy Team (HPST) understand that the intended use for the building is to provide much needed emergency interim homeless accommodation, and that the applicant is in discussions with a trusted housing provider in the city to lease and manage the property. This application will meet housing need, as there are currently more than 200 households living in temporary accommodation in Gloucester. No accessible homes are being provided, as the application does not include any ground floor rooms. The retrofitting of a lift would be unreasonable in the context of this development, amounting to a loss of much needed bedroom spaces. The proposed accommodation is in a suitable and sustainable location, as the building is adjacent to both the train station and the Gloucester Transport Hub, offering good connectivity to transport links across the city. There is no outdoor amenity space being provided, the application could be made more acceptable if the rear yard area could be made into communal outdoor space. The bedrooms all meet the required HMO size standards, and 15 of the proposed 18 rooms comply with NDSS (Nationally Described Space Standards) bedroom sizes. The 3 bedrooms achieve 97%, 98% and 99% performance against NDSS respectively. A mix of bedroom sizes (single, double, family) are being provided. Triple HMO bedrooms are generally not permitted under HMO guidance, however, their use as specialist temporary accommodation is mitigated under Policy A5 due to the need for this type of emergency short term housing. On this basis, HPST would recommend approval.

4.4 **HMO Officer**

No objection raised.

4.5 Waste

The HMO domestic refuse and recycling waste bins will need separate storage away from any Business waste and bins, with separated access to avoid incorrect waste streams being put into incorrect bins. Collections of waste will need to be from George Street, there will need to be an area designed in for the RCV's to park to collect the domestic waste. All domestic waste receptacles will have to be presented for collection. All appropriate forms will need to be completed to apply for HMO status. A site assessment will need to be carried by the collection Supervisors when the works are completed to assess for installing waste facilities and collections and the collection point.

Further to the submission of amended plans and a response from the agent in regards to waste, the Waste team were re consulted on the proposal and the following further points were raised:

- Waste officer re- iterated importance of commercial and residential waste streams being separated.
- Once the works have been completed the waste collection Supervisors will need to carry out a site assessment for H&S to make sure everything aligns before they will agree to install bins and collections
- The refuse collection vehicles will need to park on the road at the kerbside near to where the bin store is, this may mean that yellow lines are required to prevent other vehicles from parking and blocking the access.
- Presume they have planned to install a dropped kerb, if not they will need a dropped kerb for the bins to be wheeled from the pavement to the road

5.0 PUBLICITY AND REPRESENTATIONS

5.1 Neighbouring properties were notified and a site notice was placed on site on 12.05.2023

5.2 one letters of objection was received raising the following issues:

- 5.3
- Concerns over proposal for a large HMO – would be more suitable for other residential uses. Concern over use as specialist accommodation such as emergency housing
 - Concern raised over possible anti social behaviour from intended use. The station hotel is situated at a key gateway to the city centre

5.4 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 regards to this application are as follows:

- Principle (residential development, houses in multiple occupation, pub)
- Specialist housing
- Accessible and adaptable homes
- Design and layout
- Bin storage
- Outdoor amenity space
- Traffic and transport
- Residential amenity
- Anti- social behaviour concerns
- Drainage and flood risk
- Economic considerations

6.5 ***Principle***

Residential Development

The NPPF requires local planning authorities to demonstrate a 5 Year Housing Land Supply, with an appropriate buffer, against the relevant housing requirement. The JCS addresses housing supply and demand under Policies SP1 (The Need for New Development and SP2 (Distribution of New Development) as well as within Part 7 (Monitoring and Review)

The NPPF sets out that there will be a presumption in favour of Sustainable Development. For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

At the time of writing, the Council is not able to demonstrate a 5 year housing land supply. For decision making this means approving development proposals unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In terms of the broad principles of development, the site is within the built up area of the City, is in a sustainable location for residential use and would contribute to housing supply

6.6 Houses in Multiple Occupation

Policy A2 of the adopted Gloucester City Plan refers to houses in multiple occupation and states planning permission for the creation of HMOs will be permitted where:

- 1. The development would not result in any existing residential property (C3 use) being 'sandwiched' between two HMOs; and*
- 2. The development would not result in the creation of more than two adjacent properties in HMO use; and*
- 3. HMOs, including the proposed development, would represent no more than 10% of properties within a 100 metre radius of the application property*

6.7 In response to this policy, the agents have raised the following within their planning statement:

1. The application building is located to the west of the railway station, to the east of Bruton Way with the city centre beyond, to the north of the entrance road to the railway station and only neighbours are a single building to the north which is in office use. The proposal is not located in a residential area and will not therefore sandwich any existing residential properties between HMOs and complies with criteria 1 of A2
2. As set out above the application building only neighbours a single building which is in office use and therefore the proposal will comply with criteria of 1 of A2
3. A map has been provided which identifies the application building and a 100m radius. The Council's HMO licensed property register has been reviewed to confirm that there are no HMO's within the streets included within the 100m radius.

It is therefore judged that the proposal complies with policy A2 of the GCP and can be considered acceptable in this regard.

6.8 Pub

Policy B6 of the GCP relates to development proposals for the redevelopment or change of use of a public house. This policy isn't relevant however. The Change of use relates solely to the upper floors and the public house would remain on the ground floor.

6.9 **Specialist Housing**

Policy A5 of the GCP relates to specialist housing and states that specialist housing developments will be permitted where they:

1. Are supported by evidence to demonstrate need for this form of housing within Gloucester City
2. Are suitable for the intended occupiers in relation to affordability, quality, design and type of facilities with, if appropriate, the provision of support and/ or care
3. Are accessible to local shops and services, public transport and community facilities appropriate to the needs of the intended occupiers; and
4. Will not lead to harm through over concentration in the local area, including but not limited to:
 - a. Levels of activity that cause excessive noise and disturbance to local residents
 - b. Excessive demand on social infrastructure, such as health and social care and police services
 - c. Significantly reducing housing choice in the local area, preventing the existence of a mixed and balanced community

6.10 It is understood that the intended use for the building is to provide emergency interim homeless accommodation, and that the applicant is in discussions with a trusted housing provider in the city to lease and manage the property.

6.11 In regards to satisfying policy A5:

1. No evidence has been supported by the agent to demonstrate need for this form of housing other than confirming that discussions have taken place with housing and they have raised the need for this type of accommodation. This is supported within the housing teams comments who confirm that the proposal would meet housing need, as there are currently more than 200 households living in temporary accommodation in Gloucester.
2. The quality and design of the proposal is considered to be suitable for its intended occupiers. Whilst triple HMOs are not generally permitted under HMO guidance the proposal as is (specialist accommodation) is mitigated under A5 and has been supported by the housing team due to the need of this type of accommodation. The proposed bedrooms all meet HMO size standards, with 14 of the 17 meeting national described space standards bedroom sizes. The 3 other bedrooms achieve 97%, 98% and 99% performance against NDSS.
3. The site is located within a city centre location close to shops and amenities and nearby public transport options. The building is located adjacent to both the train station and Gloucester Transport hub, offering good connectivity and transport links throughout the city and beyond.
4. It is not considered that the proposal would result in harm due to the over concentration of this type of use in the local area and the housing team have raised no concern in terms of over concentration.

6.12 In considering all of the above, it is judged that the proposal is in accordance with policy A5 of the GCP.

6.13 **Accessible and adaptable homes**

Policy A6 of the GCP states in order to create accessible homes that meet the needs of an aging population, frail and disabled persons, and to meet the City Council's duty under the Equality Act, the following accessible and adaptable standards will be met:

1. 25% of housing development should be of a size, configuration and internal layout to enable Building Regulations requirement (M4)(2) 'accessible and adaptable dwellings' to be met

6.14 The application proposes the change of use of the upper floors of the building to 1 large HMO with 17 bedrooms. The application does not propose the HMO to be M4(2) compliant.

6.15 The Council's housing team have been notified of the proposal and noted that the HMO is not proposed as M4(2) compliant. Whilst noted, housing have not insisted on this being provided, acknowledging that the application does not include any ground floor rooms and the retrofitting of a lift would be unreasonable in the context of this development, amounting to a loss of much needed bedroom space.

6.16 It is conceded that in the case of this particular application, it would be unreasonable to require the introduction of a lift and so the lack of M4(2) provision in this instance is considered to be acceptable.

6.17 ***Design and layout***

The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. Policy SD4 sets out requirements for high quality design, while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network.

6.18 Policy A1 of the GCP refers to effective and efficient use of housing, land and buildings and states development will be permitted where it makes effective and efficient use of land and buildings and requires development to result in overall improvements to the built and natural environment, provide outdoor amenity space that reflects the character of the area and provide adequate, well designed, appropriately located and accessible bin storage areas. Policy F1 refers to materials and finishes and requires development to provide high quality architectural detailing, with external materials and finishes that are locally distinctive.

6.19 The proposal wouldn't make any changes to the exterior of the building and so there would be no harm to the character and appearance of the existing building or the surrounding area. The external yard area would be used for bin, recycle and bike storage for both the commercial and residential uses. The flat roof extension at the north of the building which stands adjacent to Bruton Way would prevent views of the bin storage area from Bruton

Way and the wall with access garage door at the boundary of George Street would prevent views of the bin storage area from George Street. It is therefore considered that the proposal would not be harmful visually.

6.20 Bin storage

Policy A1 of the GCP states that '*new developments will need to demonstrate how they can comfortably provide space for the various bins required so that residents can easily access all of the recycling and collection services*'.

6.21 The Waste Team were notified of the original proposal and raised that domestic refuse and recycling bins would need to be stored separately away from business waste, collections of waste will need to be from George Street and there would need to be an area designed in for RCV's to park and collect the domestic waste.

6.22 The amended proposed block plan shows a separated storage area for both commercial and residential waste and the agent has confirmed that waste collection would be from George Street, as existing. In terms of there being an area for the RCV's to park and collect domestic waste, the agent has confirmed that George Street is a short no through road and there is no space within the application site to provide a dedicated parking area. RCV's currently stop on the no through road to collect waste and no change is proposed.

6.23 Further to amended plans being received, the waste team were re consulted on the application and confirmed that the road at the kerbside next to the bin store would require double yellow lines to prevent other vehicles from parking and blocking the access. A dropped kerb would also be required for the bins to be wheeled from the pavement to the road.

6.24 Following a site visit, it was clear that double yellow lines are already present along George Street. There isn't a dropped kerb from George Street currently. However, amended plans have been received which show the inclusion of a dropped kerb onto George Street and so this overcomes these concerns.

6.25 Policy A1 of the GCP states '*It is important that bin storage is accessible but also discreet and not located directly under openable windows*'.

6.26 The proposed bin storage area would be located within the yard to the north side of the building which is close to a number of windows on the north elevation. Further to concerns being raised in terms of proximity of bedroom windows to the bin storage area, amended plans have been received replacing one of the bedrooms with an office on the first floor and enclosing the commercial bin storage areas.

The first floor would now include a family bedroom, office bathroom, office and kitchen/ dining area and at a second-floor level there is a family bedroom, en suite bathroom, single bedroom and kitchen/ dining area. The agent confirmed that the nature of converting an existing City Centre building meant there is limited flexibility in terms of where bins can be stored with the only option being the external courtyard. The agent has confirmed that the

internal layout has been designed to limit bedrooms overlooking the courtyard. The family bedroom at first and second floor level would be located directly above the cycle store and the en suite bathrooms would overlook the commercial waste area with a window to the office on the first floor and single bedroom on the second floor also partly being directly above the commercial bin store area and partly over an external staircase. To improve outlook and minimise smells, the agent has proposed to put a roof over the commercial waste area. Full details of this will be required by condition.

- 6.27 It is acknowledged that the location of bin storage in this instance is limited and that completely enclosing the commercial bin storage area would assist in minimising smells. The amendments to the first floor plan has improved the relationship between future residents and the bin storage area.
- 6.28 In considering all of the above, the proposal appears to provide adequate space for bin storage for both commercial and residential waste. There is a garage type door which would provide access to this area from George Street and separate bin storage areas would be provided for commercial and residential waste.
- 6.29 Outdoor amenity space
Policy A1 of the GCP requires development to provide outdoor amenity space and garden space at a level that reflects the character of the area and the scale of the development.
- 6.30 Whilst garden space for future occupants would be a desirable feature of any proposal, the footprint of the site area and constraints of the existing site are acknowledged. The majority of the site is taken up by the footprint of the building with the only external space being the yard area at the north of the site. The yard area will be used for bin, recycling and bicycle storage, leaving no space to provide an outdoor garden area for this scheme.
- 6.31 In terms of the character of the area, the site is located within a city centre location where gardens are not particularly characteristic and so the lack of garden space in this instance is considered to be acceptable.
- 6.32 **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
- 6.33 Policy G1 of the GCP refers to sustainable transport and parking and states that *'for residential development a minimum of 1 cycle parking space per 1 bedroom dwelling and 2 spaces per dwelling with more than 1 bedroom is required. For Houses of Multiple Occupancy (HMO) cycle parking shall be provided at a ratio of 1 space per bedroom... in all development cycle parking must be sheltered, secure and easily accessible.*
- 6.34 The proposal does not include any on site car parking. The application site is located in a highly sustainable location with good access to public transport and all required amenities

within an acceptable walk or cycle distance. The Highways Authority have been notified of the application who have confirmed that they are able to support a car free development in this location. Highways have confirmed that the existing on street restrictions would protect the sensitive parts of the network and prevent unsuitable parking.

- 6.35 The site is located within a controlled parking zone where levels of demand exceed capacity by over 240%. The Highways Authority have therefore confirmed that it is necessary to exclude future occupants of this development from being able to apply for a residents parking permit.
- 6.36 No objection has been raised from the highways authority subject to a planning obligation contribution of £10,000 to amend the Traffic Regulation Order to exclude residents of the proposed development from obtaining parking permits and required a condition relating to cycle storage.
- 6.37 A cycle store is proposed within the existing yard area which would enable residents to securely store their bikes. The adopted GCP, for HMOs, requires cycle parking to be provided at a ratio of 1 space per bedroom and the plans demonstrate that this can be achieved. A condition will be added to any permission to ensure that cycle storage is provided in accordance with the provided plans.
- 6.38 The proposal is therefore considered to be acceptable in terms of highways in accordance with the NPPF, policy INF1 of the JCS and G1 of the GCP.
- 6.39 ***Residential amenity***
Paragraph 130 (f) of the NPPF sets out that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Policy A1 of the GCP requires development to be well designed to create and support healthy living conditions.
- 6.40 Impact on the living conditions of neighbouring residents
The development would not propose any increase to the footprint of the building and so the proposal would not have a negative impact on neighbouring residents in terms of overshadowing/ overbearing.
- 6.41 The proposal seeks to make use of all existing windows and it is not considered the change in use from hotel to HMO would result in additional overlooking.
- 6.42 The use as a HMO is not considered to result in unreasonable increases in noise levels when compared with a hotel.

6.43 It is judged that the proposed change of use of the upper floors of the building is acceptable and would not harm the amenity of nearby residents in accordance with the NPPF and policy SD14 of the Gloucester, Cheltenham and Tewkesbury joint Core Strategy (2017).

6.44 Impact on the living conditions of future occupants

Policy F6 of the adopted GCP states that '*development proposals for new residential development (including change of use or conversions) must meet nationally described space standards*'. National space standards only specify space standards for a property with up to 6 bedrooms. This large HMO would have 17 bedrooms in total.

6.45 In terms of room size, HMO space standards require the following:

- Floor area of any room used as sleeping accommodation by one person aged over 10 years shall not be less than 6.51m²
- Floor area of any room used as sleeping accommodation by two persons aged over 10 shall not be less than 10.22 m²

The bedrooms all meet the required HMO size standards, and 14 out of the proposed 17 rooms comply with national space standards with the other bedrooms achieving 97%, 98% and 99% performance against NDSS respectively. Each bedroom would benefit from their own en suite.

6.46 There would be communal living space on the first floor which would comprise 2 no. open plan kitchen/ dining room areas. Similarly, on the second floor, there would be 2 no. open plan kitchen/ dining room areas – creating 4 separate communal areas in total to be spread across future occupants. All habitable rooms would benefit from windows which would provide sufficient levels of light/ outlook.

6.47 The application does not provide any outdoor amenity space for future occupants apart from a bin and bike storage area. Whilst this is the case, the site is located within a city centre location and so developments without gardens are not uncommon. Given the location of the proposal and the general character of the area, it is considered that the lack of garden space can be considered acceptable in this instance. Access to green public spaces to the site are within walking distance with Gloucester Park being located approximately a 12-minute walk away.

6.48 Noise considerations

The HMO would be situated above a pub which is proposed to be retained as part of the application. The building overlooks Bruton Way (a busy road) on three facades (northwest, southwest and southeast), and the north eastern façade is approximately 55m from the railway line.

In support of the application a noise assessment has been provided which considers noise levels from the nearby road and railway. The noise assessment details that a partially attended noise monitoring exercise was undertaken between the 27th and 28th March 2023.

The report recommends sound insulation be incorporated into the building of the facades including:

- Windows to be openable, but would need to be sealed airtight to control external noise when windows are closed
- Details of ventilation provision to be provided; this could be attenuated trickle ventilation or mechanical ventilation

- 6.49 The report concludes that with the mitigation measures installed to habitable rooms, the predicted internal noise levels would be below British Standard B233:2014 and WHO (1999) criteria.
- 6.50 A Noise Transmission Assessment has also been submitted with the application which assesses noise transmission between the existing ground floor pub and the proposed first floor residential development. It is understood that the pub is open between the hours of 11am – 11pm, 7 days a week. The Noise assessment confirms that sound insulation testing was undertaken at the site to determine the sound insulation performance of the existing separating floor.
- 6.51 The report concludes that in the worse- case location, the predicted noise levels within the dwelling above exceed the BS8233:2014 daytime internal ambient noise criterion and therefore mitigation would be required to improve the sound insulation of the first floor. The report recommends that this is applied across the full area of the pub.
- 6.52 The report goes on to detail mitigation measures relating to floor construction and flanking wall upgrades.
- 6.53 The enhancements as detailed within the assessment are expected to significantly improve sound insulation between the ground floor and first floor and thereby achieve BS8233:2014 internal ambient noise criterion.
- 6.54 The Council's Environmental Health advisors have confirmed that the submitted noise and transmission assessments appear satisfactory and predict that internal noise levels within the proposed HMO rooms can be adequately mitigated with the installation of appropriate glazing, alternative ventilation and acoustic treatment to the ground floor ceiling/ first floor floor. The Council's Environmental Health advisors raised no objection to the application subject to the inclusion of conditions requiring full details to be submitted, approved and implemented prior to occupation. Conditions will be added to any permission to ensure this.
- 6.55 Anti social behaviour concerns
Concern has been raised from an interested resident over possible anti social behaviour from the intended use and its impact with the Station Hotel being situated at a prominent gateway to the city.

6.56 Whilst these comments are noted, the proposal has been considered acceptable in terms of providing specialist accommodation and it has been concluded that the proposed development would not lead to over concentration of this type of use in the area. Whilst it is accepted that the proposed use may result in some level of noise and disturbance, as with all types of residential accommodation, there is no evidence to suggest that this would be to an unacceptable extent and the proposal can therefore be considered acceptable in this respect.

6.57 ***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.

6.58 Policy E4 of the adopted GCP relates to flooding, sustainable drainage, and wastewater and states that development shall be safe from flooding and shall not lead to an increase in flood risk elsewhere.

6.59 The site is located within Flood Zone 1 and so is not at high risk of flooding. The proposal does not include any increase in footprint of the building or impermeable areas and so it is considered that the proposal would not have an unacceptable impact in terms of drainage and flood risk. The application is therefore considered to be acceptable in this regard in accordance with the NPPF, policy INF2 of the JCS.

6.60 **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. Policy E1 of The GCP requires the conservation of biodiversity and provision of biodiversity net gains.

6.61 In response to this policy, the agent confirmed the following:

- Large numbers of bats are unlikely to be foraging and roosting within the immediate area, although some species such as the common pipistrelle are more light tolerant and known to roost within urban areas. Propose a Habitat Triple Chambered Access Bat Box (or similar) on the south- eastern and south- western elevations
- Vivaro Pro Woodstone Swift next boxes (or similar) to be provided on the north- western elevation and north eastern elevation, as this is often associated with tall buildings in urban locations
- The agent looked at the potential for providing a green roof on the flat roof extension of the building. The agent confirmed however that the integrity of the flat roof extension was of concern as the building had not been designed to take considerable weight that a saturated green roof could impose. Additionally, the small size and shadowed position of the extension would mean that after a season or two the green

roof would likely die off completely. The agent confirmed that they did not consider a green roof in this instance to be feasible.

6.62 The site is located within an urban location with very limited outdoor space and would be converting an existing building and so it is acknowledged that there are limited opportunities to provide for biodiversity net gain at this site. The proposed introduction of bird and bat boxes at the site, would provide some small improvements in terms of biodiversity net gain and so it is concluded that the application can be considered acceptable in this regard in accordance with policy SD9 of the JCS and policy E1 of the GCP.

6.63 **Sustainability**

Chapter 14 of the NPPF outlines its energy and climate policies. Policy SD3 of the JCS refers to Sustainable Development and Construction and states *'development proposals will demonstrate how they contribute to the aims of sustainability by increasing energy efficiency, minimising waste and avoiding unnecessary pollution of air, harm to the water environment, and contamination of land or interfere in other natural systems'*.

6.64 In terms of sustainability, the agents have raised the following:

- A proportionate approach should be taken given that the proposals relate to the change of use of an existing building with no external alterations being proposed
- Building Regulations will require water usage calculations as part of the conversion. As such, individual usage will be limited to 125 ltrs per person per day, with sanitary-ware and bathing facilities to be specified accordingly.
- Building regulations will also require improvements to building fabric most notably including double or secondary glazing of the windows and improving the insulation which will in turn reduce energy usage through heating use.

6.65 Policy G6 of the Gloucester City Plan refers to water efficiency and requires development proposals to demonstrate that the estimated consumption of wholesome water per dwellings should not exceed 110 litres of water per person per dwelling – which goes beyond the aforementioned building regulations requirements.

6.66 A condition will be added to any permission to ensure that water usage would be below 110 litres of water per person per day to be in line with this policy. The proposal is considered to be acceptable in terms of chapter 14 of the NPPF and policy SD3 of the JCS and the agent has confirmed the development would meet required building regulation standards.

6.67 Overall, the proposal is considered to be acceptable in terms of chapter 14 of the NPPF

6.68 **Broadband Connectivity**

Policy G4 of the GCP requires all new residential development to be served by a high speed, reliable full- fibre broadband connection. The connection must reach each dwelling and commercial premise.

6.69 A condition will be added to any permission, ensuring compliance with policy G4 of the

GCP.

6.70 ***Economic considerations***

The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment and job growth. 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.

6.71 ***Planning balance and conclusion***

The application has been evaluated against the JCS, GCP and against the core planning principles of the NPPF and whether the proposals deliver 'sustainable development'. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6.72 It is accepted that the development would make a small contribution to housing land supply which is a benefit to be attributed some weight in the planning balance. The proposal would also provide for a much needed form of accommodation for the City; providing temporary homeless accommodation. There would also be economic benefits in terms of the construction of the development itself and those associated with the resultant increase in population on the site to which limited positive weight should be attached.

6.73 Compliance with a number of the other principles of the NPPF have been demonstrated in terms of achieving sustainable development, delivering a sufficient supply of homes, promoting healthy and safe communities, promoting sustainable transport, making effective use of land, achieving well – designed places, meeting the challenge of climate change, flooding and coastal change. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to which weight should be attributed neutrally.

6.74 The proposed development would not provide any outdoor amenity space. The proposed units are not M4(2) compliant and 3 of the bedrooms do not achieve complete compliance with national space standards.

6.75 Weighing all of the relevant factors into the planning balance, and having regard to the NPPF as a whole, all relevant policies of the JCS, the GCP and supplementary planning

documents and guidance, in applying paragraph 11 of the NPPF, it is considered that the adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal. It is therefore recommended that the application is approved subject to condition.

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

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

Condition 1

The development hereby permitted shall be begun before the expiration of three 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 application form, planning statement and drawing numbers:

- Existing block plan and site location plan AA/22/58/01
- Proposed block plan AA/22/58/22 Revision B
- Proposed cellar plan AA/22/58/12
- Proposed ground floor AA/22/58/13 Revision B
- Proposed first floor plan AA/22/58/14 Revision B
- Proposed second floor plan AA/22/58/15

Except where these may be modified by any other conditions attached to this permission.

Reason

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

Condition 3

The development hereby shall not be occupied until the cycle storage facilities have been made available in accordance with the submitted drawing AA/22/58/13 Revision B and those facilities shall be maintained for the duration of the development.

Reason

To give priority to cycle movements by ensuring the adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 110 of the National Planning Policy Framework.

Condition 4

Full details of proposed glazing and alternative ventilation to allow windows to remain closed when required to maintain acoustic performance shall be submitted to and approved in writing by the Local Planning Authority. Details of any mechanical ventilation shall meet NR30 for living rooms and NR25 for bedrooms and shall be submitted for approval. The approved details shall be installed prior to first occupation of the HMO and maintained thereafter.

Reason To ensure there is no detrimental effects upon the amenity of future occupiers of the proposed development.

Condition 5

The recommendation of the noise transmission assessment found in section 7 (sound insulation advice) of the report should be implemented and post completion sound testing should be undertaken to determine its effectiveness. The results of the post completion testing exercise should be submitted for approval. The approved mitigation measures shall be implemented prior to occupation and retained for the lifetime of the development.

Reason To ensure there is no detrimental effects upon the amenity of future occupiers of the proposed development.

Condition 5

The consumption of wholesome water per dwelling shall not exceed 110 litres of water per person per day

Reason

In order to reduce water use and provide benefits to the environment in accordance with policy G6 of the Gloucester City Plan.

Condition 6

The proposed development will be served by a high speed, reliable, full fibre broadband connection which shall reach each residential unit.

Reason

In the interests of digital connectivity and to be in accordance with policy G4 of the Gloucester City Plan.

Condition 8

The development hereby permitted shall not be occupied until full commercial bin storage details have been provided in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority. Details shall include floor plans and elevations and materials proposed or specification details for the type of storage proposed. The approved facilities shall thereafter be maintained for the lifetime of the development.

Reason

To ensure adequate refuse storage facilities are incorporated in the development and to ensure high quality design.

Condition 9

Prior to the occupation of the development hereby approved, the proposed bird and bat boxes as indicated on plan AA/22/58/11 Rev B shall be installed and maintained for the lifetime of the development.

Reason

To ensure that the development contributes to the enhancement of biodiversity within the site and the wider area.

Note 1

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision.

You are advised to contact Gloucestershire Building Control Partnership (our shared service between Gloucester City Council and Stroud District Council) on 01453 766321 option 4,2 or building.control@stroud.gov.uk and www.gbcpartners.co.uk for further information or advice on your project.

Note 2

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 – explanatory booklet.

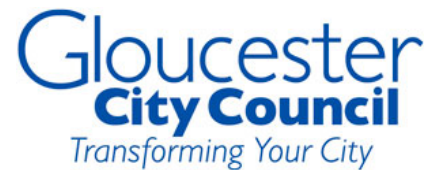
Note 3

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Note 4

You are advised that the Local Highway Authority has recommended to the Local Planning Authority (LPA) of which the development forms part and shall be treated as car free/ low car and the occupiers are ineligible for resident parking permits as well as visitor permits if in a residents parking scheme.

Person to Contact: Rhiannon Murphy (396361)

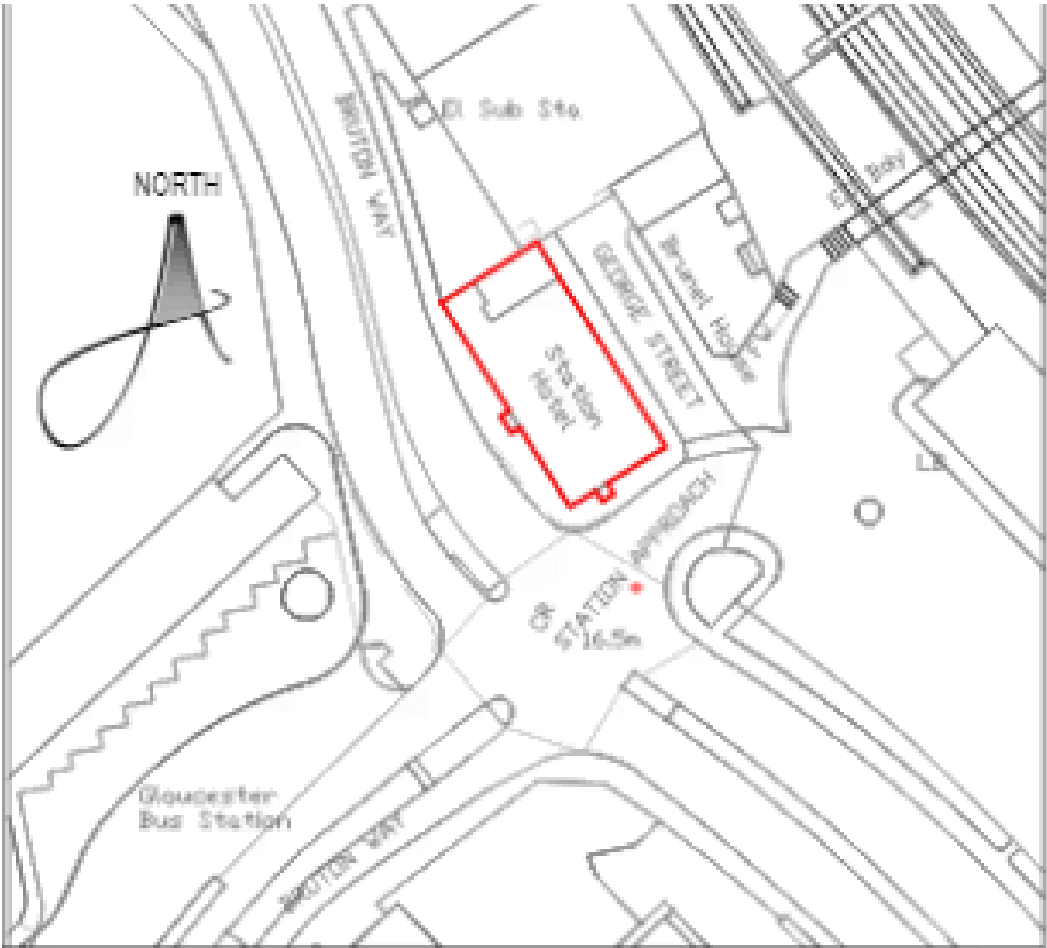


Planning Application: | 23/00070/FUL

Address: | Station Hotel
Bruton Way
Gloucester
GL1 1DG

Committee Date: | 07.11.2023

Site Location Plan



Proposed Block Plan

