



Gloucester City Council

PLANNING COMMITTEE

Meeting: Tuesday, 5th July 2022 at 6.00 pm in Civic Suite - North Warehouse, The Docks, Gloucester, GL1 2EP

Membership:	Cllrs. Taylor (Chair), Morgan (Vice-Chair), Bhaimia, D. Brown, J. Brown, Conder, Dee, Finnegan, Melvin, Sawyer, Toleman and Tracey
Contact:	Democratic and Electoral Services 01452 396126 democratic.services@gloucester.gov.uk

AGENDA

1. APOLOGIES

To receive any apologies for absence.

2. MINUTES

To approve as a correct record the minutes of the meeting held on June 7th, 2022.

3. DECLARATIONS OF INTEREST

To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.

4. LATE MATERIAL

Please note that any late material in respect of the applications detailed below will be published as a supplement on the Council’s website in the late afternoon of the day of the meeting.

5. FORMER INTERBREW SITE, EASTERN AVENUE, GLOUCESTER - 22/00014/FUL

Application for determination:

Development of site to create fourteen industrial units having Planning Use Class

E(g) (iii), B2 & B8 uses with ancillary offices, plus trade counter uses for Units 9 to 14, carparking, service areas and soft landscaping along with highways works to Chancel Close.

6. **LAND AT HILL FARM, HEMPSTED, GLOUCESTER - 20/00315/OUT**

Application for determination:

Outline planning application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access.

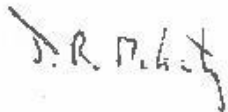
7. **DELEGATED DECISIONS**

To consider a schedule of applications determined under delegated powers during the month of May 2022.

8. **DATE OF NEXT MEETING**

August 2nd, 2022 at Civic Suite, North Warehouse.

Yours sincerely



Jon McGinty
Managing Director

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and (b) either – i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share

- capital of that body; or
- ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

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- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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Gloucester City Council

PLANNING COMMITTEE

MEETING : Tuesday, 7th June 2022.

PRESENT : Cllrs. Taylor (Chair), Morgan (Vice-Chair), Bhaimia, D. Brown, J. Brown, Dee, Sawyer and Toleman

Officers in Attendance

Planning Development Manager
Chief Planning Lawyer, One Legal
Highways Officer, Gloucestershire County Council
Democratic and Electoral Services Officer

Also in Attendance

Councillor Patel
Design & Planning Executive, Taylor Wimpy
Local Resident

APOLOGIES : Cllrs. Conder, Finnegan, Melvin, Tracey

1. APPOINTMENT OF CHAIR AND VICE CHAIR

Councillors Taylor and Morgan were confirmed as Chair and Vice-Chair of the committee respectively.

2 MINUTES

RESOLVED that: - the minutes of the meeting held on Tuesday 1 March 2022 were approved and signed as a correct record by the Chair.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 LATE MATERIAL

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Late material had been circulated in respect of Agenda Item 6, Land Adjoining Naas Lane (22/00355/REM).

5. LAND ADJOINING NAAS LANE, QUEDGELEY, GLOUCESTER - 22/00355/REM

The Planning Development Manager presented the report detailing a reserved matters application for approval of appearance, landscaping, layout and scale for 97 dwellings, provision of Green Infrastructure including surface water attenuation and play space and other related infrastructure including foul water pumping station (pursuant to outline planning permission ref.18/01228/OUT).

A Design & Planning Executive representing Taylor Wimpey addressed the committee in support of the application.

She stated that the application should be granted on the following grounds:

- The application was developed in line with the approved site master plan agreed upon at the outline stage;
- The application respected the character of the area;
- Of the 97 proposed dwellings, 24 would be affordable housing. This amounted to 25% of properties, which was in accordance with the S106 agreement.
- The application was well designed;
- The application would provide 200 car parking spaces;
- Each 4-bedroom property would have at least three car parking spaces, three bedroomed properties would have at least two parking spaces and so on;
- The application would provide a well-equipped play area;
- Sufficient green infrastructure would be provided;
- Private and secure cycle storage would be provided for the dwellings;
- Each home would have a 7.2 k/w electric vehicle charging point;

The Planning Development Manager responded to Members' questions concerning concerns raised about the lack of bungalows proposed, whether there would be electric vehicle charging points, the distance between the pumping station and the neighbouring properties, the time of the publication of the late material, questions about the public right of way and private drive, whether Brooklyn Villas would be accessed by vehicle, whether there would be a Showman's Guild site within the site, what the main concerns were regarding the representations made in the late material and whether Severn Trent had approved the water pumping station as follows:

- There was no specific policy that stipulated a requirement of a certain number of bungalows. However, there was a policy regarding housing mix, which depended on the application size.
- Regarding wheelchair provision, there was a policy within the City Plan which tied in with the affordable housing policy. Out of the total builds, 25% of dwellings must be a category M4(2) dwelling. These were dwellings which made reasonable provisions for most people to access and included features that made them suitable for adaption for a range of potential occupants,

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including some wheelchair users. 4% of dwellings needed to be a category M4(3) dwelling which was a wheelchair user dwelling. The provision of one bungalow met this 4% threshold.

- The Housing Officer was satisfied that the application was compliant with policy and met the local area's needs.
- Electric vehicle charging points were being provided.
- Regarding late material, for this particular application, the relevant Planning Officer specifically consulted the residents who had previously made representations to inform them that the application was going before the committee, and that the objectors had requested that their letters were published in full.
- The public right of way fell within and continued beyond the site and had been considered at the outline stage. It was common that public rights of way went across private land. The applicant proposed to make upgrades to the public right of way and a minor diversion in one corner. Condition 8 listed in the late material stipulated that no development would start until specifications of the surface improvements to the public right of way were provided. The improvements to the public right of way were a bonus.
- The reserved matters application was only for the approval of appearance, landscaping, layout, and scale.
- Brooklyn Villas would be accessed by vehicle. An additional access point was included in the outline permission to provide residents with alternative access.
- There was not a Showman's Guild site as part of the application. The Planning Brief for Land East of Waterwells Business Park produced in 2009, listed in paragraph 3.7 of the report, included the wider site and generally had been superseded. It was still a planning document, but now had very limited weight.
- The representations circulated in the late material argued against the development on numerous grounds. His view was that the majority went to the principle of development and determinations made at the outline stage.
- He could not say the exact distance of the Pumping Station to the closest property, but it appeared to be more than 20 metres away from any dwelling.
- The pumping station had been approved by Severn Trent Water. He was unsure exactly where the water would be pumped to, but confirmed that this would have been considered by the relevant professionals.

Members' Debate

The Vice-Chair stated that he believed there were matters raised by residents in the late material that required addressing. He added that he was unsure whether he would vote in line with the officer's recommendation.

The Chair stated that he agreed with concerns raised regarding the publication date of the late material for the committee meeting and that he would follow this matter up for future committee meetings with Gloucester City Council's Democratic Services Team and the Planning Development Manager.

The Chair moved, and Councillor D. Brown seconded the officer's recommendation as amended in the late material:

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RESOLVED that: - approval of the reserved matters of layout, scale, appearance, and landscaping be granted subject to the conditions outlined in the report and amended in the late material.

6. 50 SALISBURY ROAD, GLOUCESTER - 22/00051/FUL

The Planning Development Manager presented the report detailing an application for the erection of a single storey rear extension and rear dormer window to facilitate the use of the dwelling as a 6-bedroom HMO.

A local resident addressed the committee in opposition to the application.

He objected to the application on the following grounds:

- The area already suffered from noise pollution; the granting of the application would add to this;
- Local residents objected to the application;
- The dwelling would be densely populated;
- Whilst the application was for six persons, it would not be confined to six people as couples would live there;
- The granting of the application would exacerbate anti-social behaviour that had been combatted recently;
- Parking issues;
- There was continuous traffic on Salisbury Road, the granting of the application would further contribute to this;
- The proposed dwelling was inadequate for six occupants.

Councillor Patel addressed the committee in opposition to the application.

He objected to the application on the following grounds:

- His ward was the most densely populated in the City of Gloucester, the granting of the application would set a dangerous precedent and would add to this issue;
- There were parking issues already. Should the application receive consent, this issue would become worse;
- There was a reference to Conduit Street from the Highways Authority in the report, when the application was for Salisbury Road;
- There was an issue with fly-tipping within the area, and the addition of an extra five persons to the street would contribute to the worsening of this issue;
- Anti-social behavioural issues.

The Planning Development Manager responded to Members' questions concerning what would happen if more than six people moved into the HMO, the percentage of HMOs allowed in an area, how many people could live in the property and why the

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application was before committee when it benefitted from permitted development rights as follows:

- The application had not already received permitted development approval. However, it benefitted from permitted development rights.
- If more than six persons lived in the property, it would then require planning permission as it would be regarded as a large HMO, which required permission. The applicant would require a specific licence, separate from planning permission, that deals with aspects such as cooking and beds. Six couples could not fit into the property owing to its size.
- There was to be a maximum of 10% of intensified properties (large HMOs or buildings converted into flats) in an area according to policy. However, this was not a relevant policy for the application before the committee, as the application was for a small HMO.
- It was possible that eight persons could fit within the property based on the size of the bedrooms, but there would be licensing issues that arose from that. Further, that was not a planning consideration as the application before the committee was for six persons.
- He was unsure why the applicant applied for planning permission as it benefitted from permitted development rights.
- The agent was advised that the conversion could be completed under permitted development. However, the applicant chose not to follow that advice.
- It was before the committee and not a delegated decision because two local Ward Councillors called it in.

The Highways Officer responded to a question from a Member concerning the reference to Conduit Street in the report as follows:

- The reference to Conduit Street was a clerical error.

Members' Debate

The Vice-Chair stated that he sympathised with the concerns the local resident raised in his speech. However, he added that he believed there were no planning reasons for refusal and that there were licensing means that could control activity to ensure that more than six persons did not occupy the dwelling.

Councillor Bhaimia stated that his main worry was that anti-social behaviour and fly-tipping was already common in the area and that granting an application to make the area more densely populated would contribute further to this. He said that there was already no capacity for vehicles to park in the area and that the area was not as pleasant now as it used to be.

Cllr D.Brown stated that he was perplexed that the application had made it to the Committee stage. He said that he also had sympathy with the concerns raised by the local resident but that he saw no reason for refusal, particularly as the proposed conversion benefitted from permitted development rights.

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

RESOLVED that: - planning permission is granted subject to the conditions outlined in the report.

7. DELEGATED DECISIONS

The schedule of applications determined under delegated powers during the month of February, March and April 2022 was noted.

RESOLVED that: - the schedule be noted.

8. DATE OF NEXT MEETING

Tuesday 5 July 2022.

Time of commencement: 6:00pm

Time of conclusion: 7:06pm

Chair

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	5 th July 2022
Address/Location:	Former Interbrew site, Eastern Avenue, Gloucester
Application No:	22/00014/FUL
Ward:	Barnwood
Expiry Date:	18 th March 2022
Applicant:	Mr Tom Maltby
Proposal:	Development of site to create fourteen industrial units having Planning Use Class E(g) (iii), B2 & B8 uses with ancillary offices, plus trade counter uses for Units 9 to 14, carparking, service areas and soft landscaping along with highways works to Chancel Close
Report by:	Adam Smith
Appendices:	Site location plan Proposed layout plan

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is a broadly square site of 5.3ha, now cleared of buildings and formerly used as a distribution facility understood to be in association with the drinks industry between approximately 1994 and 2017, since when it has been vacant. There is a slight decline south to north across the wide span of the site of around 3.5m overall. The application site also includes parts of Chancel Close and Eastern Avenue.
- 1.2 To the immediately west are the railway lines, beyond which the 'Triangle park' development with the Morrisons store and car park, and commercial units, at the near side to the railway lines. To the south is Metz Way, which declines as it approaches the Eastern Avenue junction, with commercial units beyond. To the east is Eastern Avenue, beyond which are commercial and retail uses. There is an existing access, northbound, off Eastern Avenue onto the parallel feeder road, and access into the site off this feeder road. Southbound vehicles on Eastern Avenue can utilise the opening in the central reservation a little way south of the existing site entrance before the main crossroads, in order to turn and head northbound to the site access. To the north of the site is Chancel Close and commercial units accessed off it. There also appears to have been a layby-type access to the site off Chancel Close. Exiting vehicles would use the feeder road then rejoin the northbound Eastern Avenue. There is currently no right-turn (southbound) exit to Eastern Avenue from here.
- 1.3 The proposal is for a range of 14 buildings in three main parts, totalling a gross new floorspace of 23,333sqm, for use classes E(g)(iii) (industrial process), B2 (general industrial) and B8 (storage or distribution).
- 1.4 The development layout comprises of:

Two large adjoining buildings, Units 1 and 2, extending the full length of the site at the north western boundary backing onto the railway.

Unit 1 – comprising of a warehouse area at ground floor of 6000sqm. At first and second floor

there is office space of 520sqm. The roof plans show an area for a photovoltaic (PV) array. The unit would be 13.7m high to eaves, 17.1m to ridge. Facing materials are a variety of metal cladding.

Unit 2 – comprising of a warehouse area at ground floor of 8030sqm. At first and second floor there is office space of 520sqm. Again the roof plan shows a PV array. The unit height is as per unit 1, 13.7m high to eaves, 17.1m to ridge, with facing materials again a variety of metal cladding.

A single building, Unit 3, sited at the southern corner, next to the Metz Way/Eastern Avenue junction – comprising of a ground floor warehouse area of 3380sqm. At first floor there is office space of 350sqm. Again the building would have a PV array at roof. It would be 11m to eaves, 13.8m to ridge. Facing materials are a variety of metal cladding.

Two blocks facing each other at the eastern part of the site comprising of 11 smaller units;

Units 4-8 comprising of ground floor warehouse areas between 293 and 482sqm, each with a first floor office space between 46 and 102sqm. The block would be 8.2m to eaves, 9.5m to ridge. As per the other units a PV array is shown to roof with facing materials in a variety of metal cladding.

Units 9-14 backing onto Eastern Avenue comprising of ground floor warehouse areas between 267 and 364sqm. These do not have an office element. The block would be 8.6m to eaves, 9.7m to ridge, again designed with a variety of metal cladding externally.

- 1.5 In terms of levels the proposal would involve a general levelling-off of the current conditions, leading to an increase of approximately 1.8m at the northern end around unit 1. New soft landscaping including tree planting is proposed, set out in further detail below.
- 1.6 Vehicular access is proposed directly off Eastern Avenue (northbound and entry only), broadly in the position of the existing southernmost access. The feeder road would be removed. The footway would be re-aligned to retain a path along this frontage. Vehicular accesses are also proposed at the north edge, to Chancel Close.
- 1.7 The existing Chancel Close to Eastern Avenue feeder road junction would be substantially altered, proposing a signalised junction directly with Eastern Avenue. This is the same junction arrangement as approved in the previous permission for this site. 197 car parking spaces are proposed, 11 light good vehicles spaces, 21 motorcycle spaces, 25 disability spaces, and 74 cycle spaces.
- 1.8 The application is referred to the Committee because of the scale of floorspace proposed and the S106 agreement recommended.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
P/25/74	Change of use to distribution depot. Erection of office accommodation and layout of car parking.	Granted	09.10.1974
	Various historic applications relating to the use of the site as a distribution depot between 1974 and 1998.		
95/00095/FUL	Formation of additional car parking spaces with associated landscaping.	Granted	22.03.1995

96/00262/FUL	Extension to warehouse. Formation of lorry park, relocation of derv tanks and use of part of existing lorry park for open storage.	Granted	24.10.1996
98/00652/FUL	Alterations to facade of offices.	Granted	30.11.1998
13/01261/OUT	Redevelopment of existing warehousing and distribution site to provide Wholesale / Retail Warehouse Club (circa 13,025 square metres gross), creation of new signalised access and junction on Eastern Avenue, laying out of associated vehicle parking (circa 612 spaces) and associated servicing space, and servicing (outline application - means of access offered for consideration; appearance, landscaping, layout and scale reserved for future consideration)	Granted outline planning permission.	20.08.2014
18/01444/FUL	Demolition of vacant buildings and comprehensive redevelopment for employment units falling within Use Classes B1, B2 and B8 (totalling 9,574 sqm); a DIY retail warehouse within Use Class A1 (4,703 sqm); a 44 bedroom hotel within Use Class C1 with associated restaurant/pub within Use Class A3/A4 (2,018 sqm); and a drive-thru restaurant within Use Class A3/A5 (totalling 255 sqm); together with associated car parking, servicing and access; landscaping and all associated works	Granted subject to conditions and s106 agreement	17.9.2020

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
- SD1 – Employment – except retail development
- SD2 – Retail and City/town centres
- 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
- INF6 – Infrastructure delivery
- INF7 – Developer contributions

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 hearing sessions for the examination of the pre-submission version of the Gloucester City Plan (City Plan) have concluded and the examining Inspector’s post hearing letter has been received. The letter provides the Inspector’s view on modifications required to make the plan sound. Policies which are not listed as requiring main modifications may now attract more weight in the consideration of applications, with those policies which require main modifications attracting less weight depending on the extent of the changes required. The Main Modifications have now been published. The Plan remains an emerging plan and the weight that may be attributed to individual policies will still be subject to the extent to which there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given) and the degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).

Relevant policies include:

- A1 – Effective and efficient use of land and buildings
- B1 – Employment and skills plan
- B2 – Safeguarding employment sites and buildings
- B3 – New employment development and intensification and improvements to existing employment land
- C1 – Active design and accessibility
- C5 – Air quality
- C7 – Fall prevention from tall buildings
- D1 – Historic environment
- D2 – Non designated heritage assets
- D3 – Recording and advancing understanding of heritage assets
- E1 – Biodiversity and geodiversity
- E3 – Green/blue infrastructure
- E4 – Flooding, sustainable drainage, and wastewater
- E7 – Trees, woodlands and hedgerows
- F1 – Materials and finishes
- F2 – Landscape and planting
- F3 – Community safety
- F4 – Gulls
- G1 – Sustainable transport and parking
- G2 – Cycling
- G3 - Walking

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:

E.4 – Protecting Employment Land

3.7 **Supplementary Planning Guidance/Documents**

SuDS design guide

Designing safer places

Waste minimisation in development projects

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; visibility splays, detailed drawings and implementation of off site improvement works, ensuring the means of access is provided prior to use commencing, a construction management plan, cycle parking, electric vehicle parking, provision of suitable accessible car parking spaces, active travel facilities, and approval and implementation of a Travel Plan; and a financial contribution to Travel Plan monitoring for 10 years (£10,000.00).
- 4.2 **Network Rail** raises no objection in principle but sets out their usual list of requirements for a developer to comply with in relation to boundary fencing, encroachment, works near the common boundary, etc.
- 4.3 The **Landscape consultant** raises no objection to the amended scheme subject to securing full landscape details by condition.
- 4.4 The **Tree Officer** objected, requesting more trees (to the original scheme prior to the amended scheme accepted by the Landscape consultant).
- 4.5 The **City Archaeologist** raises no objection.
- 4.6 The **Contaminated Land consultant** raises no objection subject to a condition to secure remediation works.
- 4.7 The **Drainage Officer** raises no objection subject to a condition to secure approval of the detailed design, maintenance and management of the drainage strategy.
- 4.8 The **Lead Local Flood Authority** raises no objection based on the updated drainage information.
- 4.9 **Severn Trent Water** raises no objection subject to conditions to secure approval of drainage plans for disposal of foul and surface water flows.
- 4.10 The **Environmental Health consultant** raises no objection on noise subject to a condition to control plant noise. On air quality the consultant raises no objection but recommends air quality mitigation measures are incorporated to minimise impact on air quality to secure electric vehicle charging, cycle parking, and low emission boilers.

- 4.11 The **Ecological consultant** raises no objection subject to conditions to secure the mitigation measures.
- 4.12 The **Economic Development Team** is supportive of the proposed development.
- 4.13 The **County Council Waste Team** requires a waste minimisation statement and consideration to alternative secondary and / or recycled aggregate use in construction.
- 4.14 The **Planning Policy Team** raises no objection but conditions are required to control the uses to maintain policy compliance.

5.0 **PUBLICITY AND REPRESENTATIONS**

- 5.1 Neighbouring properties were notified and press and site notices were published. No representations have been received.
- 5.3 The application can be viewed on: [View your planning applications - Gloucester City Council](#) within the Barnwood ward.

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.

- Principle
- Design, layout and landscaping
- Traffic and transport
- Residential amenity
- Drainage and flood risk
- Ecology
- Contaminated land
- Sustainability
- Waste minimisation
- Economic considerations
- Heritage

Given the large scale of the site an Environmental Impact Assessment screening opinion has been adopted, which concluded that an Environmental Statement was not required alongside the application.

6.5 **Principle**

The NPPF requires decisions to give substantial weight to the value of using suitable brownfield land within settlements for identified needs, and promote and support the development of under-utilised buildings. Decisions should support development that makes efficient use of land. The NPPF also sets out that planning decisions should help create the conditions in which businesses can invest, expand and adapt, with significant weight given to the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In relation to town centres it advises that decisions should support the role that they play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Authorities should apply a sequential test to applications for main town centre uses not in an existing centre or in accordance with an up to date plan.

6.6 Policies SP1 and SP2 of the JCS set out a requirement for a minimum of 192ha of B class employment land to supports new jobs, with only part of it on strategic allocations. JCS Policy SP2 seeks to focus development in the JCS area at Gloucester and Cheltenham. Policy SD1 supports employment-related development for the redevelopment of land already in employment use, for the development of new employment land within the City, and where it allows the growth or expansion of existing businesses. Policy SD2 deals with retail and city centres and sets out the City Centre boundary and sequential test approach for main town centre uses.

6.7 Policy B2 of the Main Modifications City seeks to safeguard employment sites and buildings for offices, research and development, light industrial, general industrial and storage and distribution uses and resists changes to alternative uses unless specified criteria are met. Policy B3 sets out that proposals for new offices, research and development, light industrial, general industrial and storage and distribution uses and/or to intensify the use of existing employment sites will be supported where criteria are met relating to traffic impact, provision of satisfactory access, avoiding significant adverse impacts on the amenity of neighbouring uses, the scale and design is compatible with the character of the location, not resulting in unacceptable adverse environmental impacts, and provision is made for waste collection. Policy A1 requires development to make effective and efficient use of land and buildings. Policy E4 of the 2002 Second Deposit Local Plan seeks to resist loss of employment land in general unless criteria are met relating to the land having limited potential for employment, and demonstrating that an alternative use offers greater potential benefit to the community.

6.8 ***Main town centre uses***

Main town centre uses, as defined in the NPPF, include offices and retail. The previous approved scheme for this site allowed main town centre uses at this location in respect of the DIY warehouse retail, hotel, and restaurant, subject to certain conditions on their operation. The current application does not apply for any main town centre uses and no sequential or impact test is necessary. Offices are not explicitly applied for but are shown on the submitted plans as component parts of the overall floorspace of several units. It is accepted that these offices as shown are ancillary to the main use of the units. The application form references trade counter uses for units 9-14 and it is accepted that these can operate as a Class B8 storage and distribution use. Nevertheless given the operation of the use classes system and permitted development rights these matters of office and retail use are relevant to the consideration of the application.

- 6.9 Offices and retail are within Use Class E, as is the Class E, g, iii light industrial use that is applied for. As such, there could be the possibility of a change to retail and/or office use in future. These uses would then be outside designated centres and the site is not allocated for such uses. An extensive office use would also affect the traffic impact at peak hours which has not been tested at increased magnitudes. The application understandably does not provide a justification for these alternative uses, and in order to maintain policy compliance it would be necessary to prevent a change of use to office or retail within Class E. It is accepted that the trade counters referred to at units 9-14 could operate under Class B8, but it would be necessary to control their operation to that of a trade counter use by limiting the floorspace of each unit that could operate with a retail function, and limit that to Units 9-14 only, by condition. As this is a speculative scheme it would not be possible to obtain the proposed arrangement of operators to understand the nature and extent of any retail operation so a 20% limit on floorspace operating as the retail element is proposed similar to that imposed on similar schemes. With these controls in place it is considered that the proposal would comply with the above policy context as to main town centre uses.
- 6.10 **Employment use**
This is a substantial site understood to have been vacant since 2017 but last used for storage and distribution and therefore it provided an employment use. The current application follows the 2018 permission for office, industrial and storage/distribution (B1, B2 and B8), DIY retail warehouse (A1), hotel (C1) and restaurant (A3/A4) and drive through restaurant, and an earlier permission for a Costco-style retail warehouse club. No works other than demolition appear to have been undertaken pursuant to the previous permission although it is understood that the s278 highways agreement is progressing for the junction works that are the same in the previous permission as in the current application. The proposal would deliver more employment floorspace than the 2018 permission (23,333sqm compared to 9574sqm, not including the employment associated with the retail and hospitality uses).
- 6.11 The uses proposed would represent employment uses and would continue the employment use of an existing employment site in line with Policy B2, and would support the delivery of the employment floorspace set out in JCS policies SP1 and SP2. In relation to Policy SD1 criteria, the employment uses would take place within the City and would comply with that broad principle. It would represent redevelopment of land already in a traditional employment use. In relation to Policy B3, the traffic, design and amenity issues are dealt with later in the report but the policy gives in-principle support to the proposal subject to these. It is considered that the proposal complies with the above policy context in relation to the principle of employment use in this location.
- 6.12 **Other 'in-principle' policies**
Policy A1 of the City Plan is a general policy encompassing a range of criteria. It requires effective and efficient use of land and buildings which the proposals would deliver, and it would not prejudice the potential for comprehensive development of adjacent land. The scheme would be of suitable scale for the site although the design considerations of the building massing are considered further below. The criteria in respect the built environment and character of the locality, impact on amenity, parking, cycle and bin storage are considered later in the report. There is therefore no in-principle conflict with Policy A1 either.
- 6.13 Overall it is considered that subject to conditions the principle of the development is acceptable in this location within the City.

6.14 **Design, layout and landscaping**

The NPPF requires developments to be of high quality design and respond to local character integrating into the local environment. 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.

6.15 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. Policy A1 of the City Plan requires overall improvements to the built and natural environment, development to be of a suitable scale for the site and 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 C7 seeks measures to help prevent suicide and accidental falls on buildings or structures over 12m in height. Policy E4 seeks to ensure no significant adverse impacts on existing trees, every opportunity is taken for appropriate new planting on sites, mitigation for any loss or harm to trees, 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 complement local distinctiveness. Policy F2 requires high quality hard surfacing, boundary treatments and planting that are appropriate to the location, to 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.

6.16 The surrounding area is industrial/commercial in character with lots of large floorplan functional buildings. By comparison with the approved 2018 scheme, the layout has some similarities with a block all along the railway edge of the site. At the Eastern Avenue frontage however the buildings are now proposed in locations up to towards the site edge rather than the retail unit car park, drive through and hotel/restaurant and associated garden towards the site edge in the approved 2018 scheme.

6.17 Units 1 and 2 at the rear/western part of the site would be 17.1m high to roof ridge, 13.7m to eaves. At the northern end this would appear higher in relation to surrounding land, given the proposed ground levels increase of around 1.8m in addition. Unit 3 at the south east corner closest to the Eastern Avenue/Metz Way crossroads would be 13.9m to ridge, 11m to eaves. Units 9-14 at the Eastern Avenue frontage further north would be 9.7m to ridge, 8.2m to eaves. As a comparison the existing buildings on the Unilever site have ridge heights of between 14 and 29.8m, while the Amazon storage and distribution building off the Barnwood Link Road (near the ten pin bowling centre) is 14.7m at maximum while its multi storey vehicle park has an eaves height of 11m and is 16.7m to the highest part of the structure. The 2018 permission meanwhile was for buildings between single storey and three storeys in height.

- 6.18 The proposed buildings would therefore be substantial in size and would be readily visible within the surroundings, from Eastern Avenue and Metz Way, from Triangle Park (e.g. Morrisons car park), and from the railway line. There would also be a significant difference in height compared to the adjacent commercial buildings to north; the section plans indicate approximately 12.4m higher in the case of unit 1 next to the buildings to north, at the rear/western part of the site. However this is considered one of the more appropriate areas within the City for large functional buildings and units 1 and 2, considering their siting at the rear of the site, would not cause significant harm to the character of the area. The trees alongside the Metz Way boundary at this rear part are probably around 11-12m tall and would provide screening.
- 6.19 The height difference between proposed and existing buildings would be less striking at the more prominent Eastern Avenue frontage with the section plans indicating that the proposed easternmost block (units 9-14) at the Eastern Avenue/Chancel Close frontage would be around 3-4m taller than the neighbouring building to north across Chancel Close where there is a significant separation distance between them. This height relationship is considered acceptable in design terms and would not harm the character of the area.
- 6.20 However having the rear elevation of the unit 9-14 block facing the Eastern Avenue frontage is an unfortunate arrangement for the appearance of the development and streetscene. This alters the approach taken in the approved 2018 scheme, which was designed to have active frontages to provide visual interest to the front of the site. It is acknowledged that the enhanced landscaping now included along this edge should serve to soften the appearance of the development slightly, although it is not extensive and would take several years to mature even in the proposed sporadic planting arrangement. This planting would enhance the appearance of the development somewhat but would not provide an extensive tree screen and the building would remain highly visible along this frontage. The rear elevation is broken up somewhat with some cladding variation and translucent panels that could be lit from behind when in use in the dark, although it is not considered a high quality elevation when considering how prominent this frontage is. The applicant has made the point that utilities restrictions limit the options for planting to the extent that they have now offered, and it should also be noted that their design statement sets out that service areas have been designed to face inwards to ensure they are not visually and acoustically intrusive, and presumably this has led to the rear orientation to the site frontage. However, while the service yard would be largely hidden, the proposed layout still leads to a blank rear elevation of over 8m tall, across a 100m wide span close to the prominent Eastern Avenue edge of the site. Overall this siting and building design is considered a poor urban design response to the site and weighs against the application.
- 6.21 Similarly Unit 3 would be seen at the southern corner position closest to the main crossroads although the existing embankment and planting at Metz Way and the proposed additional landscaping should partially screen and soften the appearance of this building. Given the proposed 13.9m ridge height proposed it would still be prominent and there is a substantial expanse of blank elevation. The south east elevation of the unit facing Eastern Avenue is partly broken up by the office fenestration for roughly half this elevation and around the corner and a vertical 'zipper' feature in the blank section.
- 6.22 The proposed facing materials are mainly a variety of metal profiled cladding panels with some variation in dark and light grey colours. Some elevations are broken up with the use of the vertical 'zipper features' – central translucent panels, plus contrasting panels to the main cladding. Window frames are proposed grey. Generally these are considered acceptable for this industrial unit scheme but approval of specific materials should be secured under condition.

- 6.23 The PV panel proposal is shown to whole roof slopes at its greatest potential extent and as such would likely be a prominent part of the buildings. Precise details have not been provided but they are proposed as standard PV panels fixed to the roof cladding. It is considered that these are likely to be acceptable in terms of visual impact within this location, and sustainable merits are to be supported. Nevertheless precise details of their appearance should be required by condition.
- 6.24 The application confirms level access to all ground floor entrances. Wheelchair accessible parking bays would be provided close to main entrances. External surfaces would be specified to facilitate easy and safe access. No roof access is available so fall prevention measures are not considered necessary. Refuse storage provision is set out on the plans to the front of the blocks, off the internal access roads. The Highway Authority has advised that the internal layout is sufficient for all types of service/refuse vehicles to navigate the site.
- 6.25 There are some trees around the periphery of the site and a Tree Survey has been submitted. The majority of trees are on the south western Metz Way boundary, and there are some specimens at the site edge. The best specimens are category B trees at the Metz Way embankment and at the northern corner on the railway corridor. These would be retained.
- 6.26 As noted earlier, the landscaping proposal has been improved during the application. Tree planting is proposed sporadically along the Eastern Avenue frontage along with native hedge on the Eastern Avenue side of the units 9-14 block. Some tree planting is also proposed within and around some of the car parks. The Council's landscaping consultant is now satisfied with the landscaping proposals. As mentioned, the applicant has asserted that they are severely restricted in the number of trees and extent of hedges that can be planted along this frontage as there are existing underground services for the wider area, ranging from high voltage electricity, medium pressure gas and a water main each of which have easement zones in which trees cannot be planted. They also have visibility requirements and height restrictions to take into account relative to the road junctions. Overall in the context of the constraints the landscaping proposal is considered acceptable subject to securing its implementation and maintenance and tree protection measures by condition.
- 6.27 Due to the siting and design of the Eastern Avenue frontage of the development the proposal would conflict with the above policy context, causing a modest amount of harm given the character of the locality.
- 6.28 **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 supports improvements to the sustainable transport network and sets out parking standards including for adequate provision for plug in charging. Policy G2 seeks to protect cycle lanes and paths, encourages new routes and improved cycle security, and requires safe and secure access by cycle to new development. Policy G3 supports development that protects and enhances convenient, safe and pleasant walking environments, and improvement of walking routes to sustainable transport hubs. It reinforces pedestrians being at the top of the road user hierarchy. 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.

- 6.29 The NPPF states that all significant generators of traffic movements should be required to provide a Travel Plan. JCS Policy INF1 provides that applications may be required to be accompanied by a Travel Plan. The Travel Plan should be formulated in accordance with the GCC Travel Plan Guidance for developers.
- 6.30 Eastern Avenue is a three lane dual carriageway, subject to a 40mph speed limit. The signalised crossroads junction with Metz Way is nearby to the south (approximately 110m south of the existing site access) and the signalised junction with York Road approximately 220m to the north of the site access. Further north along Eastern Avenue the Walls roundabout leads to the connections to Barnwood Road and Corinium Avenue with onward connection to the M5 beyond.
- 6.31 The site has good connectivity with cycle and pedestrian links through the local area. The closest bus stops are on Metz Way to the south east (no. 8 Gloucester to Brockworth service, 20m frequency Mon-Sat). The railway station is approximately 1.7km from the site and can be accessed via the bus service.
- 6.32 The scheme includes proposals to improve the pedestrian and cycle environment on the site frontage by closing the existing service road, providing a wider (3m) shared footway/cycleway along the site frontage, reducing the crossing width across the site access and providing an improved alignment (the current wide access allows for fast speeds entering the feeder road off Eastern Avenue). The Highway Authority has confirmed this is designed to operate safely.
- 6.33 Footways are provided around the units in general, however there is a long stretch of the development fronting units 1 and 2 which does not have pedestrian facilities given the frontage is open to allow HGV access. Given this and potential conflicts there is the need to provide a strategy within in the site to protect vulnerable road users which should be secured by condition.
- 6.34 As above, the existing Chancel Close/service road junction would be replaced by an all-movement signalised junction connecting Chancel Close directly to Eastern Avenue. This is the same arrangement as in the approved 2018 application. It would open the central reservation and allow right-turn movements into the site approaching southbound, and exiting the site to head southbound. It would also serve to improve pedestrian and cyclist connectivity across Eastern Avenue in this vicinity (between the York Road and the Metz Way crossings) through the provision of a pedestrian crossing at the new junction. The proposed in-only access off Eastern Avenue further south is also as per the arrangement in the 2018 application. Swept paths have been provided to show that the design is suitable and compliant visibility splays can be achieved. The Highway Authority is satisfied with the proposed access arrangements.

6.35 **Traffic generation and impact**

The application uses the 2018 approved application as a comparison for an acceptable impact. Traffic generation for the 2018 application was:

AM peak 87 arrivals 52 departures, 139 total movements

PM peak 94 arrivals 116 departures, 210 total movements

Traffic generation for the proposed development is;

AM peak 83 arrivals 34 departures, 117 total movements

PM peak 35 arrivals 85 departures, 120 total movements

There would be a net reduction in peak hours traffic movements compared to the previously approved scheme. The number of weekend movements would also significantly reduce from the previous scheme; notably the retail, hotel and restaurant uses in that scheme are no longer proposed.

The Transport Assessment concludes that the development's impact on the operation of the local highway network would not be severe. The Highway Authority views the proposal as a de-intensification of use and is therefore welcomed. Site Management and Construction Management Plans would be needed under conditions to minimise impact.

6.36 **Travel Plan measures**

Given the employment use at the scale proposed a Travel Plan and contribution for its monitoring is required. A contribution via s106 for £10,000 for 10 years Travel Plan monitoring is sought and is as per that secured with the 2018 permission. A Framework Travel Plan has been submitted with the application. This would cover the range of uses and plots in the scheme, and it would be for occupiers to produce detailed Travel Plans with the overall objective to reduce percentage of occupants travelling by car with a 10% modal shift reduction target in car use for employees.

6.37 **Parking**

Parking provision has been based on TRICS data to derive demand and the provision in the application meets and slightly exceeds that calculated demand. 197 car parking spaces with 28% electric vehicle charging spaces and 8% disabled parking is proposed, and 74 cycle spaces. The Highway Authority is satisfied that parking provision is above the minimum standards and there are no concerns about overspill.

6.38 **Railway infrastructure**

The site borders the railway line corridor and needs to be considered in terms of any related impact. Network Rail raises no in-principle objection but sets out their usual asset protection requirements for preventing impacts on their infrastructure which they recommend that the applicant actions should permission be granted. The applicant has written to acknowledge all of Network Rail's requirements. Specific requirements confirmed are - the existing 2.4m metal palisade fence to the railway boundary is shown to be retained, and all buildings are at least 2m from the fence. The proposed drainage system does not include attenuation ponds or soakaways close to the railway boundary. Furthermore there is no tree planting to the rail boundary and their landscape architect has confirmed that the smaller planting in this area are species permitted by Network Rail and would be maintained as hedges. On this basis there are no railway infrastructure safety concerns. Given the point raised about lighting interference with drivers by Network Rail it is recommended that approval of any external lighting scheme is secured by condition.

- 6.39 *Highways conclusions:*
In conclusion, subject to conditions and the financial contribution, the proposal would not cause an unacceptable impact on highway or railway safety or a severe impact on congestion, and would comply with the above policy context.
- 6.40 **Residential amenity / environmental health**
The NPPF provides that planning should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. 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. 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.
- 6.41 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. Furthermore Policy A1 of the City Plan includes criteria on the living conditions of neighbouring occupiers or future residents.
- 6.42 The nearest residential occupants to the site are in York Road to the north east on the other side of Eastern Avenue, around 110m from the edge of the site where buildings would be constructed. There are also residential properties fronting Eastern Avenue to the south, in the Ayland Gardens area of Barton to the south west, and around Blinkhorns Bridge Lane to the north. These are all at least 200m from the site with a variety of buildings, roads and rail lines between. Given the separation distances involved, the buildings would not cause any harm to residential amenities by their physical presence in terms of overshadowing, overbearing impacts or the like. No concerns have been raised by other nearby occupants and no significant harms appear to be likely.
- 6.43 **Noise**
A noise report has been submitted and sets out that the noise environment is unsurprisingly heavily influenced by the road network. HGV movement impact has been considered, including reversing alarms. It concludes that predicted noise levels from the development at the nearest dwellings would be significantly below the existing ambient and background noise climate and consequently unlikely to be noticeable. Proposals for plant associated with the buildings are not yet known, so cumulative plant noise limits are set out in order to preserve acceptable noise levels. The report notes that noise control measures may be required to achieve these levels so it is recommended that the matter be controlled by condition.
- 6.44 Opening/operating hours are also unknown because the proposals are speculative at present. The Council's environmental health consultant has confirmed that a restriction on operating hours is not necessary based on the data in order to protect amenity. However the consultant does suggest a control measure to preserve this level by condition such that the main doors of all units are kept closed other than for ingress and egress between 11pm and 7am.

- 6.45 Furthermore it is recommended that external storage is prevented by condition. It is mentioned in the report recommendations, and the report does not consider associated external vehicle movements – forklifts, etc.
- 6.46 **Air Quality**
An air quality report has been submitted. The closest Air Quality Management Area (AQMA) is at Barton Street and is 0.7km west of the site. There have been no exceedances of the air quality objectives at monitoring locations in the vicinity in recent years. Road traffic emissions associated with the development have been modelled and the impact of pollutant concentrations is predicted to be ‘not significant’ in line with guidance at any of the sensitive receptor locations in the assessment (the houses and nursery along Eastern Avenue). Demolition and construction impacts have also been assessed; there is a high risk of dust soiling impacts, and mitigation is proposed to address this. Provided mitigation measures are implemented the residual impacts are considered to be not significant. As such it is recommended that dust management during construction is secured and can be provided as part of the construction management plan under condition.
- 6.47 **Lighting**
Lighting is referred to in the application as being proposed to the car parking and service areas via spotlights on buildings. Given the distance to residential properties, this would not be harmful to residential amenity. The specific arrangement is not provided however and given the concerns raised by Network Rail as above it is recommended that the detail is dealt with under condition.
- 6.48 Overall, subject to conditions the proposal complies with the above policy context.
- 6.49 **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 E4 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.
- 6.50 By reference to the Environmental Agency (EA) map the vast majority of the site is in flood zone 1. Flood zone 2 is indicated to encroach slightly at the northern edge of the site with flood zone 3 at the very northern edge of the site including part of Chancel Close. The applicant’s Flood Risk Assessment notes that a small part of the site is in flood zone 2 but only to Chancel Close and outside the proposed development area. The flood zoning is associated with Wotton Brook which is beyond the site further to the north.
- 6.51 Detailed on site topographical surveys are often used to refine the mapped flood zonings. In relation to the sequential test, the 2018 permission already concluded that the topographical survey levels appear to show the Flood Zone 2 area outside the site in Chancel Close. Redevelopment of this brownfield site that is in need of regeneration has already been accepted in this regard. As such there is a site-specific need for its redevelopment. A sequential approach has also been taken in relation to the layout and flood risk with the buildings proposed in the lower risk flood zone 1 area. While Chancel Close is in a higher risk area the site frontage onto Eastern Avenue is entirely flood zone 1 and so provides an exit for occupants in a flood event.

- 6.52 Surface water drainage is proposed to the mains sewer in Chancel Close. Attenuation tanks are proposed in the circulation areas of the site with flow control to limit the outfall. The proposals and outfall rates have been amended in response to consultee observations, and are now accepted. Approval of the detailed scheme would be required by condition. The proposals would not impact on flood risk elsewhere.
- 6.53 The proposal has also been amended to address water quality requirements with petrol interceptors within the trafficked areas and downstream defender units upstream of the final connection for an additional stage of treatment. Provided these are sized and maintained properly (this can be addressed under condition), consultees are satisfied with the amended arrangement which would address the risk of pollutant discharge to Wotton Brook in line with guidance.
- 6.54 Subject to conditions the proposal complies with the above policy context.
- 6.55 **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.
- 6.56 There are potential contamination sources from the last use of the site and the mapping data indicates potential previous contaminating uses also. A Ground Investigation Report has been submitted, this is the report associated with the 2018 scheme but no changes have occurred. The previous assessment indicates that a remediation strategy would be necessary and was accepted as an approach. Given the proposed development may not employ the identical remediation strategy and targets to that from the 2018 proposal, it is recommended that the full standard contaminated land condition is applied to any permission, which would ensure that a bespoke remediation strategy is drawn up and implemented.
- 6.57 Subject to this condition the proposal would comply with the above policy context.
- 6.58 **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 E1 requires the conservation of biodiversity and providing net gains. Policy E3 requires contribution to the provision, protection and enhancement of green/blue infrastructure, commensurate to the proposal. Policy E7 requires biodiversity net gain on site (or a suitable alternative) if there is unavoidable significant adverse impact on trees, woodland or hedgerows. Policy F4 covers measures to deal with gull roosting, nesting and damage.

- 6.59 An ecological impact assessment has been submitted. The site is predominantly hardstanding but there is some vegetation in the periphery providing opportunities for certain species. Some potential impacts are possible but mitigation measures are proposed including in relation to habitat removal, design of the lighting scheme, and there being no tree removal. Five bird boxes are proposed as mitigation for habitat clearance to re-provide nesting opportunities, and two bat boxes proposed to enhance the site for roosting bats. Habitats along the railway corridor would be retained, and additional wildflower grassland to the north east and south west boundaries and new native hedgerows are proposed, to compensate for loss of cleared vegetation. The report calculates a 6% net biodiversity gain from the proposals (corresponding to 'significant net gain' within the BREEAM criteria). These mitigation measures and the specific details of the ecology enhancements should be secured by condition.
- 6.60 The mitigation measures are considered to be appropriate and the enhancements are welcome. Although the proposed planting is limited it would represent an enhancement to the site and no harm would arise that could not be mitigated.
- 6.61 Subject to conditions the proposal would comply with the above policy context.
- 6.62 **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. The parking criteria in Policy G1 of the emerging City Plan requires parking to a level and design appropriate to local context including the need to ensure adequate provision of spaces for charging plug in and other ultra low emissions vehicles.
- 6.63 The development proposes a BREEAM 'excellent' rating which is welcomed. An Energy Statement has been submitted as well as the BREEAM pre-assessment setting out the elements contributing to the targeted excellent rating. The plans indicate PV array areas across most of the buildings, this is in association with the proposal's intention to meet a 10% renewables contribution through these.
- 6.64 There are therefore some commitments to sustainability measures which is welcome. The City Plan encourages an appropriate level of charging spaces, and the NPPF and JCS also encourage provision of electric vehicle charging facilities and these should 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.
- 6.65 **Waste minimisation**
The NPPF sets out that sustainable development has an environmental objective that includes minimising waste. The saved Gloucestershire Waste Local Plan Policy 36 relates to waste minimisation and requires developments to include a scheme for sustainable management of waste generated from the scheme during construction and occupation.
- 6.66 The BREEAM assessment indicates a high points-score on the waste elements including resource efficiency and diversion from landfill. A waste minimisation statement could address specific points raised by the County Council relating to the use of the demolished material on site and other site materials, as well as the normal measures of reducing waste in construction. Subject to securing detailed measures for waste minimisation by condition, the proposal is considered to comply with the above policy context.

6.67 **Economic considerations**

The NPPF sets out that significant weight should be placed on the need to support economic growth and productivity. Policy B1 of the City plan requires an Employment and Skills Plan for commercial development of 1000sqm or more, to identify opportunities for the employment and skills development of local people through the development.

6.68 The proposals would support economic growth with the provision of a substantial amount of employment floorspace. The application estimates 200 FTE proposed employees from the development, and the Economic Development team considers this a reasonable estimate. It is noted that this could be higher given that the Transport Assessment refers to the HCA employment density guide whereby based on a light industrial use of the total floorspace, 496 employees are calculated (although the lower employment rates for B8 storage and distribution use, for which the application would also provide, is likely to mean a lower figure in reality). In either respect, the development is likely to lead to a significant number of employment opportunities. The Economic Development team also reports that there are numerous firms in the city currently frustrated by the shortage in availability of industrial space and they consider that this proposal would meet much of that demand. They also consider it a suitable location for the development and with good road access.

6.69 The construction phase would also support employment opportunities in the short term and therefore the proposal would have some economic benefit. An employment and skills plan has not been provided with the application and should be secured by condition.

6.70 Therefore the proposal would have significant 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 weight to the case for granting permission.

6.71 **Heritage**

The NPPF sets out the importance of protecting and enhancing the historic environment, and conserving heritage assets in a manner appropriate to their significance. In particular, it states that in determining planning applications, local authorities should take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. It states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Any harm or loss should require clear and convincing justification; substantial harm to or loss of assets of the highest significance such as scheduled monuments should be wholly exceptional. Tests are set out if 'substantial harm' or 'less than substantial harm' to a designated heritage asset are identified. Policy SD8 of the JCS sets out that heritage assets and their settings will be considered and enhanced as appropriate to their significance. Development should aim to sustain and enhance their significance and put them to viable uses consistent with their conservation whilst improving accessibility. Proposals that secure the future conservation and maintenance of heritage assets and their settings that are at risk through neglect, decay or other threats, also those that bring vacant or derelict heritage assets back into appropriate use, will be encouraged. Policy D1 of the emerging City Plan reflects the guidance in the NPPF and JCS in respect of designated heritage assets. Policy D2 sets out criteria for dealing with non designated assets. Policy D3 sets out requirements for recording and understanding the significance of assets where revealed, altered or damaged during proposals.

6.72 There are no designated heritage assets close to the site. The site is within an area of potential archaeological interest but has previously been investigated through trial trenching and no concerns are raised with the proposed development. Overall no harm would be caused to heritage assets and the proposal complies with the above policy context.

6.73 **Legal agreement heads of terms**

The Travel Plan monitoring is the only issue needing to be addressed by legal agreement. The terms are;
Financial contribution to monitoring of the Travel Plan. £10,000.00 to fund monitoring for 10 years.

6.74 **Conclusion**

This application has been considered in the context of the policies and guidance referred to above. The proposals would lead to significant economic benefits. Subject to conditions and completion of the legal agreement, the proposal is considered to be consistent with the policies and guidance in terms of the principle of development, traffic and transport, residential amenity/environmental health, drainage and flood risk, land contamination, ecology, sustainability, waste minimisation, and heritage. These are neutral factors in the conclusion. There are also some negative design aspects that are an environmental disbenefit of modest significance and this weighs against the proposal. The character and appearance of the area is acknowledged in respect of the overall impact of this design concern.

The substantial economic benefits are considered to outweigh the harm in relation to design in this case. As such on balance the proposal is acceptable and accordingly it is recommended that planning permission be granted.

7.0 **RECOMMENDATION OF THE PLANNING DEVELOPMENT MANAGER**

7.1 That planning permission is **GRANTED** subject to;

completion of a legal agreement to secure a financial contribution for Travel Plan monitoring as at paragraph 6.73 of the report;

and;

the following conditions:

7.2 **Condition 1**

The development hereby permitted shall be begun before the expiration of 3 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:

Site location plan ref. 21078-PL1001 Rev. 00

Proposed site plan ref. 21078-PL1003 Rev. 07

Site block plan ref. 21078-PL1004 Rev. 03

Unit 1 GA Ground floor plan ref. 21078-PL1011 Rev. 01

Unit 1 GA GF main entrance, FF and SF office plan ref. 21078-PL1012 Rev. 01

Unit 1 GA roof plan alternative PV layout ref. 21078-PL1113 Rev. 00

Unit 1 Elevations ref. 21078-PL1014 Rev. 02

Unit 2 GA Ground floor plan ref. 21078-PL1021 Rev. 01

Unit 2 GA GF Main entrance, FF and SF office plan ref. 21078-PL1022 Rev. 01

Unit 2 GA roof plan alternative PV layout ref. 21078-PL1123 Rev. 00

Unit 2 Elevations ref. 21078-PL1L1024 Rev. 02

Unit 3 GA Ground floor plan ref. 21078-PL1031 Rev. 02

Unit 3 GA, GF Main entrance & FF office plan ref. 21078-PL1032 Rev. 02

Unit 3 Proposed GA roof plan alternative PV layout ref. PL1133 Rev. 01

Unit 3 Elevations ref. 21078-PL1034 Rev. 04

Unit 4 to 8 GA Ground & first floor plan ref. 21078-PL1041 Rev. 01

Unit 4 to 8 GA roof plan alternative PV layout ref. 21078-PL1143 Rev. 00

Unit 4 to 8 Elevations ref. 21078-PL1044 Rev. 03

Unit 9 to 14 GA Ground floor plan ref. 21078-PL1091 Rev. 03

Unit 9 to 14 GA Roof plan alternative PV layout ref. 21078-PL1193 Rev. 00

Unit 9 to 14 Elevations ref. 21078-PL1094 Rev. 03

Proposed site sections A-A and B-B ref. 21078-PL1203 Rev. 01

Proposed site sections C-C and D-D ref. 21078-PL1204 Rev. 01

Proposed fence line ref. 21078-PL1005 Rev. 03

Planting plan ref. 21-135-P-03 Rev. C

Reason

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

Condition 3

Notwithstanding the submitted details, construction of the following elements of the development shall take place only in accordance with specifications and samples of their appearance, as well as scaled elevations showing their use across the building, that have been submitted to and approved in writing by the Local Planning Authority in advance:

- All facing materials to walls of buildings and new structures within service yards/car parks;
- Cladding to roofs;
- New window and door framing / curtain wall glazing;

Reason

To ensure a satisfactory appearance to the development and preserve the character and appearance of the area.

Condition 4

Notwithstanding the submitted details, construction of any photovoltaic arrays to any building shall take place only in accordance with details of their appearance, mounting structure, and location across the building/s that have been submitted to and approved in writing by the Local Planning Authority in advance.

Reason

To ensure a satisfactory appearance to the development and preserve the character and appearance of the area.

Condition 5

Notwithstanding the submitted details, any new 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. The existing fencing to the site boundary with rail infrastructure land shall be retained.

Reason

To ensure a satisfactory appearance to the development and preserve the character and appearance of the area, and protect rail infrastructure.

Condition 6

Any premises used for Class E(g) (iii) industrial process (of the schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that specific use Class sub-category in any statutory instrument revoking and re-enacting that Order with or without modification) shall be used as such and for no other purpose (including any other purpose in Class E of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

The site is within an out of centre location and no justification has been provided for alternative uses in respect of main town centre use policy or highways impacts.

Condition 7

Any trade counter use shall operate only from any of the units numbered 9-14 on plan ref. 21078-PL1003 Rev. 07 Proposed site plan and shall operate only as Use Class B8 (storage or distribution) of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification. The retail sales and display area of any individual unit of units 9-14 shall at no time exceed 20% of the overall floor space of the unit and at all times shall remain ancillary to the main use of the unit for purposes within Use Class B8 (storage or distribution) of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason

To define the terms of this permission in accordance with the unit proposals set out in the application, and in order to protect the vitality and viability of existing centres.

Condition 8

No goods, plant, material or machinery shall be deposited or stored on the site except within the buildings hereby approved or such other areas as shall have been approved in writing by the Local Planning Authority.

Reason

To protect the character and amenities of the area.

Condition 9

Offices associated with the approved development shall be occupied solely for purposes ancillary to the uses hereby approved.

Reason

The site is within an out of centre location and no justification has been provided for alternative uses in respect of main town centre use policy or highways impacts.

Condition 10

Notwithstanding the submitted details, prior to commencement of any planting details of any soft landscaping including tree and ground level planting, (comprising of a scaled layout plan, planting specification including with respect to trees the size of specimen at the time of planting, tree pit details and any below ground mechanism to accommodate trees alongside utilities) shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

Condition 11

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 and seeding season following the completion of the building works. The planting shall be maintained in accordance with the approved details for a period of 5 years following implementation. 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 12

No development 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 on adjoining land have been submitted to and approved in writing by the Local Planning Authority, These shall include:

(a) Fencing. 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 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 to the external parts of the building that requiring scaffolding or other mobile or fixed access equipment.

Reason

To ensure adequate protection to existing trees and to retain habitat, in the interests of the character and amenities of the area and protecting biodiversity. This is required prior to commencement of development given the harm that may be caused by initial works.

Condition 13

The doors of all units shall be kept closed other than for ingress and egress (in which case they shall be immediately fully closed after the required movement) between 2300hours and 0700hours on consecutive days.

Reason

In the interests of the amenities of the area and highway safety.

Condition 14

The cumulative noise impact from any external plant / equipment associated with the development shall not exceed the day time and night time noise limits detailed in section 7.3 of the Hoare Lea Acoustics Report (REVISION 2 – 03 DECEMBER 2021) when assessed in terms of BS4142:2014+A1:2019.

Reason

To safeguard the amenities of the area.

Condition 15

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 16

Prior to commencement of any development a Construction 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 parking
- c. Storage, loading and unloading areas for materials and plant
- d. Dust mitigation measures
- e. Noise and vibration mitigation measures

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 17

Site clearance and construction shall be undertaken in accordance with the mitigation measures set out in the Clarkson & Woods Ecological Impact Assessment December 2021.

Reason

To ensure proper provision is made to safeguard protected species and ecological interests.

Condition 18

Prior to commencement of any approved use, mitigation measures other than for the site clearance and construction outlined in the Clarkson & Woods Ecological Impact Assessment December 2021 and a scheme for biodiversity enhancement, including incorporation of permanent bat roosting features and measures such as nesting opportunities for birds shall be submitted to and approved in writing by the Local Planning Authority. The approved details thereafter shall be implemented concurrently with the development or to any approved alternative timetable, and retained and maintained for their designed purpose, in accordance with the approved scheme. This shall include, but is not limited to, the following details:

- i. Plans showing locations and extent of all existing and proposed habitats and wildlife features;
- ii. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- iii. Materials and construction to ensure long lifespan of the feature/measure;
- iv. When the features or measures will be installed and made available.

Reason

To provide mitigation and net gains for biodiversity.

Condition 19

Prior to the commencement of the use of a building hereby approved, a scheme of seagull mitigation measures for that building shall be implemented in full in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. Any management measures comprised in the approved details shall be operated for the lifetime of the development.

Reason

To deal with gull nuisance issues in the interests of the amenities of the area.

Condition 20

Prior to the commencement of use of any building hereby approved, details of any external lighting proposed to the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include;

- a. Light fixture positions on a scaled layout plan;
- b. Light fixture manufacturer details, including details of any shields, cowls or blinds, and scaled elevations if a freestanding fixture;
- c. Light luminosity and colour;
- d. A scaled plan clearly showing light spill contours (Lux plan);
- e. An ecologist note that in conjunction with the submitted plans demonstrates that lighting will not cause excessive light pollution or disturb or prevent bat species using key corridors, forage habitat features or accessing roost sites. The details shall include, but not be limited to, a drawing showing sensitive areas and/or dark corridor safeguarding areas, and methods to control lighting (e.g. timer operation, passive infrared sensor (PIR));
- f. Any other measures required to prevent impact on railway operations.

All external lighting shall only be installed in accordance with the specifications, locations and control measures set out in the approved details. These shall be maintained thereafter in accordance with these details.

Reason

To ensure proper provision is made to safeguard protected species and their habitats, safeguard railway safety, and in the interests of the amenity of the area.

Condition 21

No development that involves intrusive works to the ground or soft landscaping at ground level, other than site securing, archaeological works, or that required to be carried out as part of an approved scheme of remediation shall commence until parts 1 to 3 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site, which has first been submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with the Environment Agency's '*Land Contamination Risk Management*' (LCRM).

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must accord with the provisions of the EPA 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development that involves intrusive works to the ground or soft landscaping at ground level other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (elsewhere referred to as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2 above, and submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, and submitted to and approved in writing by the Local Planning Authority in accordance with part 3 above.

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an appropriate time period, and the provision of reports on the same, shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to and approved in writing by the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

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. This condition is required prior to intrusive works because there is potential for contamination to exist on the site.

Condition 22

Notwithstanding the submitted details, no development shall commence other than site securing, until a detailed design for the surface water drainage strategy presented in the Proposed Drainage Planning Strategy 21-038-CAN D00 Rev. P3, the Pollution mitigation report ref. 21-038-CAN dated 09/06/2022 and (except where superseded by the above mentioned documents) the I&L Consulting Ltd Flood Risk Assessment 21-038_Access Park, Gloucester 24th November 2021 has been submitted to and approved in writing by the Local Planning Authority. The submitted design 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 shall be implemented in accordance with the approved details and shall be fully operational before the development is first occupied for any of the uses hereby permitted.

Reason

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

Condition 23

The development hereby permitted shall not be occupied for any of the uses hereby permitted until a SuDS management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SuDS maintenance plan shall be implemented in full in accordance with the approved details for the lifetime of the development.

Reason

To provide for the continued operation and maintenance of sustainable drainage features serving the site and to ensure that the development does not result in pollution or flooding, to improve water quality at point of discharge.

Condition 24

No development shall commence other than site securing or archaeological works until a Waste Minimisation Statement for the 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 waste likely to be generated and the existing demolition waste 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 25

The development hereby permitted shall not be occupied until an Employment and Skills Training Plan, tailored to the development, has been submitted to and approved in writing by the Local Planning Authority. The plan shall identify opportunities for the employment and

skills development of local people during the construction and operational stages of the development. The development shall be subsequently carried out in accordance with this approved plan.

Reason

In the interests of delivering local employment and skills training opportunities.

Condition 26

No building on the development hereby permitted shall be occupied until the approved access works (including the signal controlled junction on Eastern Avenue, cycleways, carriageways, vehicular turning head/s and footways (with surfaces to surface course level); surface water drainage/disposal, and street lighting) have been completed in their entirety including ensuring provision of access from the nearest public highway to that building, and furthermore new junction signals linked with the Eastern Avenue/Metz Way and Eastern Avenue/York Road junctions have been completed in their entirety.

Reason

In the interest of highway safety; to ensure safe and suitable access has been provided for all people.

Condition 27

The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of the number of metres stated within Manual for Streets for the designated road speed in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason

In the interests of highway safety.

Condition 28

The development hereby approved shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason

To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

Condition 29

Prior to the occupation of any individual unit the cycle and bin storage facilities associated with it shall be made available for use in accordance with the approved plans (subject to any revisions approved pursuant to other conditions of this permission), and those facilities shall be maintained for the lifetime of the development.

Reason

To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up, and in the interests of the visual amenities of the area and avoid clutter on the highway.

Condition 30

No individual unit hereby approved shall be brought into use until electric vehicle charging points associated with that unit have been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The proposal shall contain details of the number and location of all electric vehicle charging points and shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851, and Manual for Gloucestershire Streets. 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 31

No development shall commence until a Construction Management Plan for highways matters has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition and 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;
- Any temporary access/es to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles including a banksman if necessary;
- Booking system for deliveries, etc.
- 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 during the demolition and construction phase of the development.

Condition 32

No building or use hereby permitted shall be occupied or use commenced until a Framework Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use and mechanisms for monitoring and review over the life of the development and timescales for implementation has been prepared, submitted to and approved in writing by the Local Planning Authority.

Prior to occupation of each individual unit a Travel Plan for that unit, which shall be in general accordance with the Framework Travel Plan, shall be submitted to and approved in writing by the Local Planning Authority.

The approved Travel Plans shall be implemented in accordance with the provisions and timescale within them.

Reason

In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

Condition 33

No individual unit hereby approved shall be brought into use until accessible car parking spaces associated with that unit have been provided in accordance with details showing their locations on scaled drawings that shall be submitted to and approved in writing by the Local Planning Authority in advance and thereafter shall be kept available for disabled users as approved. The overall provision for the development shall be at least 25 spaces.

Reason

To provide safe and suitable access for all users.

Condition 34

The development hereby approved shall not commence other than site securing until detailed drawings of the works comprising:

- Off street highway junction works;
- 3m wide pedestrian cycle way;
- New access arrangements;

have been submitted to and approved in writing by the Local Planning Authority; and no building shall be occupied until those works have been constructed in accordance with the approved details.

Reason

To ensure the safe and free flow of traffic onto the highway.

Condition 35

Neither Unit 1 nor 2 (as defined on Proposed site plan ref. 21078-PL1003 Rev. 07) shall be occupied until a Site Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures to protect vulnerable users in the vicinity of HGV movements. The development shall be operated at all times in accordance with the approved Site Management Plan.

Reason

To protected vulnerable users on the site.

Informatives:

Note

This permission is associated with a legal agreement dated XXX TBC XXX.

Note

The proposed development will require a Travel Plan. Gloucestershire County Council has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Councils website. As part of this process the applicant must register for Modeshift STARS and ensure that their targets have been uploaded so that progress on the implementation of the Travel Plan can be monitored. Modeshift STARS Business is a nationally accredited scheme which assists in the effective delivery of travel plans, applicant can register at www.modeshiftstars.org.

Note

Alterations to Vehicular Access

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk.

Note

Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

Note

Construction Management Plan (CMP)

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to “respecting the community” this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression, and promoting the Code.

The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

Note

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 the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note

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

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.

Informative note

The applicant must comply with the provisions of the demarcation agreement dated 21 February 1996 made between the British Railways Board and Railtrack PLC that benefit Network Rail's land and railway.

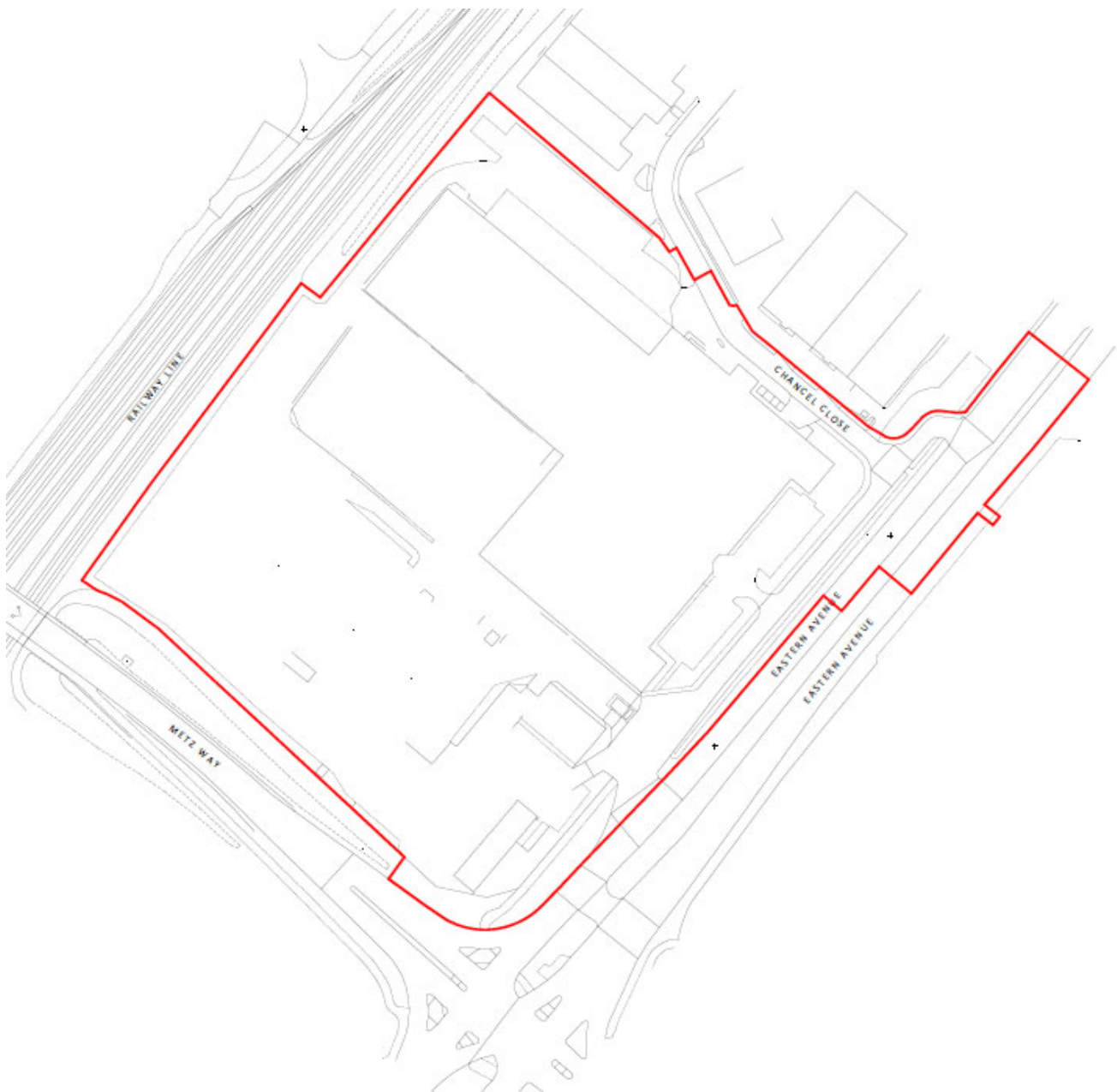
Person to Contact: Adam Smith (396702)

Planning Application: | 22/00014/FUL

Address: | Former Interbrew, Eastern
Avenue

Committee Date: | 5th July 2022

Appendix 1 – Site location plan



Appendix 2 – Proposed layout plan



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GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	5 th July 2022
Address/Location:	Land at Hill Farm, Hempsted
Application No:	20/00315/OUT
Ward:	Westgate
Expiry Date:	Agreed extension of time January 2022
Applicant:	Gladman Developments
Proposal:	Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access
Report by:	Joann Meneaud
Appendices:	1. Site Plan 2. Development Framework Plan 3. Proposed Site Access Arrangements

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site comprises 12.2 hectares of agricultural land to the south of Hempsted Lane. The eastern boundary of the land adjoins Secunda Way, the western boundary adjoins Rea Lane and runs adjacent to the rear garden boundaries of Oak Cottage and the 2 bungalows Lowlands and Coppins. The northern boundary runs along Hempsted Lane and behind the residential properties on the southern side of Hempsted Lane. The land is sloping from north to the south and has an existing gated access onto Hempsted Lane close to its junction with Secunda Way and a further gated access onto Rea Lane. A public footpath lies within the site close to the eastern boundary which runs almost parallel to Secunda Way. A bridlepath runs outside the site but adjacent to the northern boundary and to the rear of the dwellings in High View and then leading onto Rea Lane.
- 1.2 The application is submitted in outline and proposes a residential development with all matters reserved, except for access. Whilst originally proposed for up to 245 dwellings, appeal documentation states that the applicant is suggesting that the Inspector consider applying a condition of reduced numbers of up to 215 dwellings and the updated documents refer to this lesser number.
- 1.3 The application is now the subject of a non determination appeal and therefore the application is presented to Planning Committee for assessment of the proposals and for resolution upon those matters that will form the Councils case in this appeal.

2.0 RELEVANT PLANNING HISTORY

There is no relevant planning history.

3.0 RELEVANT PLANNING POLICIES

- 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
SD6 – Landscape
SD8 – Historic Environment
SD9 – Biodiversity and geodiversity
SD10 – Residential development
SD11 – Housing mix and standards
SD12 – Affordable housing
SD14 – Health and environmental quality
INF1 –Transport network
INF2 – Flood risk management
INF3 – Green Infrastructure
INF4 – Social and community Infrastructure
INF6–Infrastructure delivery
INF7 – Developer contributions

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 215 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 **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 hearing sessions for the examination of the pre-submission version of the Gloucester City Plan (City Plan) have concluded and the examining Inspector's post hearing letter has been received. The letter provides the inspector's view on modifications required to make the plan sound. Policies which are not listed as requiring main modifications may now attract more weight in the consideration of applications, with those policies which require main modifications attracting less weight depending on the extent of the changes required

The Plan remains an emerging plan and the weight that may be attributed to individual policies will still be subject to the extent to which there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given) and the degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).

- A1 – Effective and efficient use of land and buildings
- A5 – Specialist Housing
- A6 – Accessible and adaptable homes
- A7 – Self Build and custom build homes
- B1 – Employment and Skills Plan
- C1 – Active design and accessibility
- C2 – Allotments
- C3 - Public open space, playing fields and sports facilities
- C5 - Air Quality
- C6 – Cordon Sanitaire
- D1 – Historic environment
- D2 – Non designated heritage assets
- D3 – Recording and advancing understanding of heritage assets
- E1 - Landscape character and sensitivity
- E2 – Biodiversity and geodiversity
- E4 - Trees, woodlands and hedgerows
- E5 - Green/Blue Infrastructure: Building with Nature
- E6 - Flooding, sustainable drainage, and wastewater
- E8 – Development affecting Cotswold Beechwoods Special Area of Conservation
- F1 – Materials and finishes
- F2 – Landscape and planting
- F3 – Community safety
- F6 – Nationally described space standards
- G1 – Sustainable transport
- G3 - Cycling
- G4 - Walking
- G5 - Broadband Connectivity
- G6 - Telecommunications infrastructure

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: :

- OS.2 – Public Open Space Standard for New Residential Development
- OS.3 – New housing and open space
- OS4 – Design of Public Open Space – point 2 only
- OS.7 – New areas of Public open space
- A.1 – New housing and allotments
- FRP12 – Cordon Sanitaire
- FRP19 - Pipeline

3.7 **Supplementary Planning Guidance/Documents**

- New Housing and Public Open Space
- Open Space Strategy
- Gloucester Playing Pitch Strategy

3.8 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:

4.0 **CONSULTATIONS**

- 4.1 **Highway Authority** – No objection following the receipt of additional and updated information subject to conditions and planning obligations.
- 4.2 **Conservation Officer** – There will be harm to the setting of Hempsted Conservation Area and this is considered to be less than substantial.
- 4.3 **Landscape Adviser** –. In landscape impact terms the harm is considered to be minor when considered with the proposed level of mitigation. Overall it is considered that a scheme can come forward at the reserved matters stage which would be acceptable in terms of landscape impact subject to an appropriate level of mitigation
- 4.4 **Waste and Minerals Authority** – No objection subject to conditions
- 4.5 **Contaminated Land Adviser** – Response awaited
- 4.6 **Local Lead Flood Authority** – No objection the drainage strategy is acceptable in principle and further detail would be required by condition.
- 4.7 **Noise Adviser** No objection subject to further conditions and assessment at the reserved matters stage to ensure that dwellings and gardens have acceptable amenity
- 4.8 **Housing Strategy and Enabling Officer** – Welcomes the provision of 20% affordable housing but requires further detail to ensure the detail of the scheme is acceptable and meets local need
- 4.9 **Highways England** – No objections
- 4.10 **Severn Trent Water (Asset Protection)** No objection subject to a condition requiring the submission of drainage plans for the disposal of surface water and foul sewage.
- 4.11 **Drainage Adviser** – Considers that further information is required to ensure that the proposed drainage scheme would be acceptable.
- 4.12 **Public Rights of Way Officer** – No response
- 4.13 **Fisher German on behalf of the Exolum Pipeline System** – Object to the proposals stating that consent would not be granted as the proposed development would restrict access to the pipeline
- 4.14 **Ecology Adviser** – Considers that acceptable mitigation is proposed in relation to the Habitat Regulations Assessment but requires further information to be able to fully assess the impacts and proposed mitigation upon species and habitats.
- 4.15 **Open Space and Playing Pitch Adviser** – Objection the scheme provides a large extent of open space however the play provision is poor and there is no provision for sport..
- 4.16 **Environment Agency** – No response
- #### 5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 Neighbouring properties were notified, and press and site notices were published when the application was originally submitted. A considerable number of comments were submitted however due to the cyber incident we are not able to access them. The appellant has provided some of those comments within their appeal documents.

5.2 As part of the appeal process letters were sent to 271 householders within the vicinity of the site to advise that the appeal had been submitted and included details of how to provide comments upon the proposals. As is the normal procedure with an appeal, all comments on the appeal are required to be sent directly to PINS. A summary of the objections are detailed below:

5.3 Principle

- The site is not suitable for development or residential development
- There has already been too much new development in Hempsted and more planned
- 245 houses is too many for the area to cope with
- The site has previously been assessed by the Council as not suitable for development
- Site lies outside the built up area
- Conflict with the JCS spatial strategy
- Harmful impact upon the Conservation Area
- Priority should be given to brownfield sites being developed before greenfield sites
- Would result in the loss of agricultural land
- Would impact upon archaeology on the site

Community

- The school is at capacity, existing children in the village are unable to get a place
- There is limited scope for expansion of the school
- There is no doctors or dentist surgery to take all the new residents

. Highways

- Would cause more congestion
- Traffic already use the village when the bypass is congested
- Previous problems with emergency vehicles being able to get access through the local roads
- The new access so close to Hempsted Lane junction would cause even more traffic to back up
- Access would be better from Secunda Way Increased parking upon local roads

Landscape

- The site is very visible and provides a buffer between the rural and urban area
- This land forms a pleasant approach to Hempsted
- Previous assessments raise concern with developing the land due to landscape impact
- Development would have a negative landscape impact and encroach upon the rural setting of Hempsted

Amenity

- The site is a cordon sanitaire intended to prevent development due to the smell for the

treatment works

- New residents would experience unpleasant smells
- Overlooking and loss of privacy for existing residents
- The area is very noisy from traffic along second Way
- Would cause light pollution to existing residents

Drainage and flooding

- Part of the site is a flood plain
- Will add to flooding problems in the local area and particularly Rea Lane
- Need to look at foul sewerage which is a problem in the village

Wildlife

- Harmful impact upon wildlife
- Great crested newts have been found in the pond
- Bats, badgers, hawks, kestrels, barn owls, garden birds and deer can be seen on the site

5.5 The comments submitted by interested third parties will be available to view at the following link:

[20/00315/OUT Land at Hill Farm, Hempsted - Gloucester City Council](#)

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
- Loss of agricultural land
- Design and layout
- Housing Mix and Standards
- Affordable Housing
- Heritage
- Landscape
- Traffic and transport

- Residential amenity – for new and existing residents
- Drainage and flood risk
- Open Space, Recreation, Education and Community Facilities
- Waste and minerals
- Economic considerations
- Planning obligations

6.5 Principle

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.

The NPPF clarifies that: ‘out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer..).’

6.6 At the time of writing, the Council is not able to demonstrate a 5 year housing land supply.

For the purpose of this application and in the context of paragraph 11 of the NPPF, including footnote 6 the ‘tilted balance’ is engaged. 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. The assessment of this and the wider balancing exercise is set out in the conclusion of the report.

6.7 Policy SP1 of the JCS sets out the overall strategy concerning the amount of development required, and Policy SP2 sets out the distribution of new development. These two policies, combined with Policy SD1 on the economy, provide the spatial strategy for the plan. This strategy, together with its aims, is expressed in relevant policies throughout the plan and will be supported by forthcoming district plans and neighbourhood plans

Specifically relating to residential development Policy SD10 of the JCS states that housing in the City area will be allowed

- At sites allocated within the development plan and district plan
- On unallocated sites on previously developed land in the existing built up areas of Gloucester City.
- It is infilling within the existing built up areas of the City of Gloucester
- It is for affordable housing on a rural exception site
- It is brought forward through community right to build orders
- There are other specific exceptional/circumstances defined in a district plan.

- 6.8 The site is not allocated for development in the JCS nor the emerging Gloucester City Plan. Whilst the built up area of the City is not defined in text or on a map, the site clearly lies outside existing built development and comprises agricultural land at the edge of the built up area. The application therefore conflicts with JCS policies SP2 and SD10 in that it would not comprise sustainable development as it is unplanned, outside the built up area and not an acceptable location for residential development
- 6.9 **Loss of Agricultural Land**
The NPPF advises that planning policies and decisions should recognise the economic and other benefits of the best and most versatile agricultural land. JCS policy SD14 states that proposed development must take into account the quality and versatility of any agricultural land affected by the proposals, recognising that the best agricultural land is a finite resource.
- 6.10 The site comprises undeveloped farmland and has land classification 3b. The best and most versatile agricultural land is that classified between 1 and 3a. The land does not fall within the higher classification of better agricultural land and therefore its development and subsequent loss would be acceptable in terms of part v1 of JCS policy SD14 and section 174 of the NPPF
- 6.11 **Design and Layout and**
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 SD3 requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design, Policy SD6 requires development to protect or enhance landscape character 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. These design aspirations are also reflected in the emerging City Plan.
- 6.12 Policy A1 of the emerging Gloucester City Plan requires development to make effective and efficient use of land and buildings and should result in the overall improvement of the built and natural environment and be of a suitable scale for the site. Policy D1 of the emerging Gloucester City Plan requires development proposals to conserve the character, appearance and significance of designated and non-designated heritage assets and their settings. Policy D3 states that where development reveals, alters or damages a heritage asset, the City Council will require developers to record and advance the understanding of the significance of that asset prior to and/or during development.. Policy E5 states that development must contribute towards the provision, protection and enhancement of Gloucester's Green Infrastructure Network. Policy F1 states the development proposals should achieve high quality architectural detailing, external materials and finishes that are locally distinctive. Developments should make a positive contribution to the character and appearance of the locality and respect the wider landscape. Policy F3 refers to landscape and planting and states that major development proposals must be accompanied by a landscape scheme, incorporating hard landscape and planting details.
- 6.13 The application is submitted in outline with all matters other than means of access reserved for future consideration. However, the applicant has submitted a development framework plan which sets out how the development could be laid out across the site and this is included as an appendix to the report .The revised appeal documentation has included a number of amended documents including revised design and access statement and accompanying master plan and this relates to up to 215 dwellings, rather than the "up to 245 dwellings originally proposed". The applicant states that they will be inviting the Inspector to consider restricting the number of dwellings to 215.

6.14 The site would be served by one vehicular access to be located onto Hempsted Lane approximately mid way between its junction with Secunda Way and 180 Hempsted Lane. The existing public footpath that runs parallel with Secunda Way would be retained. There would be a new pedestrian link to the bridleway that is located to the rear of properties in High View and a pedestrian access onto Rea Lane close to the dwellings Coppice and Lowlands. There is concern that the proposals do not currently show a cycle and pedestrian link to Secunda Way to allow for easier travel in a southerly direction, however this could be the subject of a condition required by the Highway Authority.

6.15 The framework plan shows the layout of the site with the lower part of the site and the edges to Secunda Way and Rea Lane as open space area and green infrastructure which also incorporate a LEAP and NEAP, new drainage basin, informal parkland and the retention of the existing drainage basin on site. Areas for housing are proposed on the area immediately adjacent to Hempsted Lane and the higher parts of the site. The framework plan details 5.71 hectares for development and 6.51 hectares as green infrastructure.

6.16 The submitted documents set out the basic design principles for the site detailing a high proportion of green infrastructure, that would be well connected to the new residential areas together with new landscaping to create a sensitive and appropriately designed development, setting out how the new framework plan has been amended to respond to concerns previously raised in relation to design, layout and visual impact.

6.17 In looking at the built form of the local surroundings the area is varied. The properties to the north of Hempsted Lane are generally set in large plots, they are at a higher level to the road and there is little rhythm in terms of their relationship with the street. They comprise mainly two storey but also some single storey of varying house design and materials are mainly brick and render.

The properties on the southern side of Hempsted Lane and immediately adjacent to the site are two storey houses with generally open frontages, set at similar distances to the road and with brick, concrete tiles and tile hanging being a common element. They have large rear gardens enclosed by fencing and planting.

Adjacent to the north western corner of the site but separated by the bridlepath are the houses in High View, whose rear elevations look towards the site. The properties are two storey, detached, and of similar design, size and materials. To the western side of High view and Rea Lane a new development of 33 houses is currently under construction on land formerly known as the Strawberry Fields.

Three properties adjoin the site along the western boundary, the detached property Oak Cottage and a pair of detached bungalows on Rea Lane close to the gated access. These are similarly designed properties constructed of brick and concrete tiles, set back from Rea Lane and with fairly open frontages.

6.18 In conclusion the design character of the local area is mixed with a variety of house designs, but comprises predominantly detached, two storey family sized housing set within good sized gardens, with individual driveways and off road parking, with brick being the dominant building material together with elements of fender and the use of vertical tile hanging.

6.19 As the application is outline there is limited detail relating to the design and built form of the proposed housing. Subsequent reserved matters applications would need to carefully consider the design requirements set out in the policies of the JCS and emerging City Plan, particularly given the sloping nature of the site. With the mixed character and design of the surrounding residential developments, overall it is considered that there are no significant

site constraints that would mean that a successful design approach could not be achieved for the reduced number of dwellings proposed.

6.20

Housing Mix and Standards

JCS policy SD11 seeks to ensure that new housing development provides a mix of house types, sizes and tenures in order to contribute to mixed and balanced communities and meeting the current and changing needs of families and to ensure compliance with the Strategic Housing Market Assessment (SHMA). Additionally, policy SD10 requires that housing meets national design standards and the emerging City plan seeks to ensure the provision of accessible and adaptable housing.

6.21

The application does not include any reference to the detailed mix of housing types and sizes nor provide detail relating to housing design standard or the provision of accessible housing. Such details are important considerations to ensure that the new dwellings comprise an appropriate mix of sizes and types and are well designed and good quality housing, However these details can be set out by condition and require subsequent reserved matters application to comply with the requirements of those policies.

6.22

Affordable Housing

The NPPF states that where local authorities have identified the need for affordable housing, policies should be set for meeting this need on site, unless off site provision or a financial contribution can be robustly justified. Policy SD12 of the JCS provides that a minimum of 20% affordable housing will be sought on sites of 11 or more dwellings in the Gloucester City administrative area. The supporting text at paragraph 4.13.6 explains that the policy reflects the viability of differing value areas that exist across the JCS, hence the requirement for a 40% contribution within Cheltenham and Tewkesbury but only a 20% contribution within Gloucester. However, bullet 10 of the Policy provides that the viability of the site may enable additional levels of affordable housing to be provided

6.23

Policy A2 of the emerging City Plan requires the provision of 25% affordable housing on residential sites proposing 10 or more dwellings. However this policy is now proposed to be deleted under the main modifications to the City Plan.

6.24

The applicants supporting information clearly sets out the need for affordable housing across the City and the public benefits this would provide. The applicant is proposing 20% affordable housing as required by JCS policy SD12. At 245 dwellings this would be 49 units and with a condition restricting number to 215, this would be 43 units. However, at this stage the applicant has provided no further details of the scheme.

6.25

To ensure that the affordable housing scheme meets the local housing needs of the City and provides for a mixed and balanced community as required by JCS policies SD11 and SD12, further detail is required based on the following requirements:

- Affordable housing provided in small clusters
- Mix of dwelling sizes between 1 and 4+ bedrooms
- Tenures based on 41% Social Rent, 24% Affordable Rent and 35% Affordable Home ownership (Shared Ownership)
- Rents in accordance with the Local Housing Allowance
- Dwellings to meet National Design Standards and to provide accessible and adaptable homes

6.26

The provision of 20% affordable housing meets the basic policy requirements. In the absence of no additional detail at this stage, Officers are unable to assess whether the affordable housing provision would meet the requirements of the policy context to ensure that the scheme provides quality accommodation and meets local housing need. Discussions with the applicant on this matter are continuing and it may be that an acceptable

scheme is forthcoming, however at this stage the lack of a detailed scheme and mechanism to ensure the provision, is a reason to refuse the application.

6.27 **Heritage Assets**

The National Planning Policy Framework sets out the importance of protecting and enhancing the historic environment and conserving heritage assets in a manner appropriate to their significance. In particular, paragraph 192 states that in determining planning applications, local authorities should take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'

6.28 Sections 16 and 72 Listed Buildings and Conservation Area Act require special consideration to be given to the protection of heritage assets and their settings. The NPPF states that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including where appropriate securing it optimum viable use. The impact resulting in less than substantial harm must be given considerable weight in the assessment of the application and planning permission should not be granted unless there are public benefits of doing so. Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990 state where development which affects a listed building, or its setting, the Local Authority "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possess".

6.29 JCS Policy SD8 and City Plan policy D1 sets out the important consideration for heritage assets in in assessing development proposals

6.30 The site lies to the south of Hempsted Conservation area and the Conservation Area Appraisal and Management Recommendations for Hempsted were adopted in September 2007. This sets out that the Conservation area is centred around the core of the historic village and that the open fields form a protective green area around the village and contribute to the rural setting of the village.

6.31 The Conservation Officer has concerns that the development of the site would further compromise the remaining rural settlement of Hempsted, resulting in the loss of green fields which contribute to the character of the conservation area, being a key characteristic within the conservation area appraisal . This would result in harm to the setting of the Hempstead conservation area by virtue of the loss of the rural and village characteristics which are integral to the character and appearance of the conservation area and help to preserve the sense of separation from Gloucester.. This harm has been identified as being of less-than substantia and would need to be weighed against any resultant public benefits.

6.32 **Archaeology**

This site has recently been subject to archaeological evaluation comprising trial trenching and a localised borehole survey. At the time of writing, the full results of these investigations are not available. That said, it can be stated that archaeological remains are present within the site (pottery of Roman and medieval date has certainly been identified), and that those remains are not of high significance.

6.33 In light of that archaeological background the City Archaeologist raises no objections to the proposed development, but to ensure that groundworks associated with the proposed development do not damage or destroy heritage assets with archaeological interest, conditions would be required to ensure further investigation, assessment and recording is undertaken. on the basis that an appropriate programme of work to excavate and record any significant archaeological is undertaken prior to the commencement of the development in order to mitigate the ground impacts of this scheme

- 6.34 **Conclusion on Heritage Matters**
 In conclusion on heritage matters, the archaeology issues can be appropriately dealt with by conditions. There is some limited harm to the setting of Hempsted Conservation Area which is considered to be less than substantial. Such harm to heritage assets must be **given** weight in the assessment of the application and must be weighed against the public benefits of the scheme. In this respect, it is considered that the benefits arising from the proposal notably the provision of housing and affordable housing, are capable of outweighing the limited harm to the setting of the Conservation Area.
- 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
- 6.36 Details of the existing access, public footpath and proposed access are set out at section 6.14. The means of access is not a reserved matter and needs consideration at the outline stage.
- 6.37 **Local Highway Network**
 The original highway consultation response upon the scheme was for refusal on the basis that
The proposal places additional demands onto the Highway network which has not been mitigated. The TA does not correctly appraise the impact and cannot be relied on. The Highway Authority considers that the lack of mitigation will result in a severe impact on highway capacity when considered cumulative with the planned growth. The proposal also fails to address the needs of pedestrians, cyclists and to a lesser extent public transport users through the absence of suitable appraisal and integration into existing infrastructure. The travel plan is not ambitious and fails to maximise the sustainable transport offer. The application conflicts with policies SD4, INF1, and INF6 of the Joint Core Strategy 2015-2031, PD4 of the Local Transport Plan and paragraphs 91, 102, 103, 108, 109, and 110 of the National Planning Policy Framework, it is therefore recommended that this application is refused.
- 6.38 In recent weeks the applicant has provided additional information and technical notes to address the matters that were unresolved and outstanding. This has been considered in detail by the Highway Authority and they now consider that the application is acceptable subject to conditions and securing planning obligations. This is set out in more detail below
- 6.39 **Vehicle Impact**
Trip Rates
 The Highway Authority recognises that there remains uncertainty as a result of the covid pandemic on likely travel patterns and as such the validation by a donor site would not necessarily provide a robust approach. The appellant has reviewed the trip rates against other developments and finds the to remain suitable, the Highway Authority considers them to be low without the active travel interventions listed above, however subject to their delivery the trip rates are considered to be acceptable.
- 6.40 **Distribution**
 The applicant has used the 2019 data set in their appraisal and the Highway Authority has undertaken a further review of historic vehicle patterns to validate the position. Having concluded this exercise the Highway Authority considers that the assessment represents a likely vehicle assignment.

- 6.41 **Cumulative Impact**
The appellant has undertaken a further assessment of the impact in 2031 which has used TEMPRO growth factors and matches the local plan period. This is considered to be a reasonable approach recognising the site is not allocated in the current plan and given the background traffic flows. The assessment methodology is suitable and has applied the correct growth factors. It is therefore considered to have address the cumulative impact of other development.
- 6.42 **Junction Modelling**
Two errors had previously been identified in the model coding. The applicant has corrected the most sensitive of these junctions A430/Hempsted Lane and the reported outcomes are agreed. With regards to the A430/The Gallops/Soren Larsen Way junction the coding hasn't been corrected however having considered the level of capacity shown and the likely impact of recoding the model it is concluded that it would have little impact and not change the overall conclusions. As such the modelling work is now accepted and demonstrates that the impact of the development would not be severe.
- 6.43 **Site Access**
Speed data has been provided to evidence the suitability of the visibility splays. The data collected indicates a small increase in splay line is needed beyond that proposed, it is clear that this is achievable without detriment and as such it is recommended that this matter can be addressed through a suitably worded planning condition.
- 6.44 **Permeability**
Whilst the layout suggests several pedestrian access points to the site, the concerns primarily related to the A430 which is a key route. The mentioned agreement to provide a dedicated active travel access addresses this topic.
- 6.45 **Master Plan**
The concerns relating to the master plan were for noting as layout is not a matter to be determined at this stage. The issue of design will have an impact on the choice of transport mode in terms of enabling active travel and perception of safety. It will be essential that any future site developer engages early with the Highway Authority to ensure that the principle of a low car ownership and low traffic neighbourhood is presented in the design
- 6.46 **Sustainable Travel**
Active Travel
The applicant has confirmed that they are willing to provide pedestrian and bicycle access onto the A430, there is also the opportunity to provide better pedestrian access from the Hempsted Lane access point. Whilst a condition is recommended it needs to be reviewed alongside the emerging layout which would form part of a future reserved matters plan, as such it is not appropriate to fix the location or form of the access point(s) at this time.
The appellant has also reviewed the quality of the walking and cycling route to reach existing infrastructure and services, and in particular the walking route to Hempsted Primary School. The assessment identifies that the route is generally suitable, however improvements are needed to 2 pedestrian crossing points, it is recommended that a contribution be made to allow the Highway Authority the ability to make the necessary changes. Access to the canal towpath is considered to be suitable in its current form.
- 6.47 **Public Transport**
The applicant has provided detail to indicate the extent of development that would fall within the notional 400m walking distance to a bus stop. This doesn't account for a new pedestrian access onto the A430 or how residents might access the off peak 11 service in Hempsted Lane. The drawing suggests about 1/3 of the likely residential development falls within the

400m distance. The Highway Authority estimates that the majority of the site falls within 800m of the stops on the A430. It is clear that there is a deficiency based on distance alone, it therefore needs to be considered if there are any mitigating factors that would offset this. The site is relatively flat, linear in nature and is not bound by a master plan, as such it is considered that it is within the appellants gift to deliver a direct and high quality pedestrian environment which would still encourage access to bus services. Furthermore, the off peak services offered in Hempstead Lane would provide a reasonable and relatively close alternative for residents wishing to travel off peak ie a non commuter service. Accounting for the frequency of services, the potential walking environment, and off peak alternatives the ability to access bus services is considered to be acceptable.

6.48 Travel Plan

The applicant recognises that the travel plan can be improved and suggests this is best addressed at a later stage via a planning condition. The Highway Authority considers that the site is in reasonable access of services and as such it is realistic to achieve a high level of mode shift away from single occupancy vehicle trips. The appellant is not a house builder, so it is likely that if permitted a housebuilder will need to pursue a reserved matters application and then construct the development. This all results in several years passing, and as such it is more appropriate to prepare a travel plan prior to the point of occupation based on the transport environment at the time. The County Councils climate change strategy seeks for a 30% mode shift and as such the reserved matters design and future travel plan should be developed to achieve this. The Highway Authority therefore agrees that a condition is a suitable way to address this item, but it remains necessary to secure a travel plan bond and monitoring contribution at this stage through a bilateral planning obligation. A condition is recommended to address this matter.

6.49 Required conditions relating to:

- Visibility splays to the access road
- Site access in place before any dwellings are occupied
- Provision of a cycle and pedestrian access from the site into Hempsted Lane and Secunda Way
- Each dwelling to be provided with an electric vehicle charging point
- Each dwelling to be provided with sheltered, secure and accessible cycle parking
- Submission and approval of a travel plan
- The submission of a construction management plan.

6.50 Required planning obligations

Specific Purpose – Travel Plan Bond

Contribution - £45,425.00

Trigger – Prior to the First Occupation of any Dwelling

Retention Period – 5 Years from the occupation of the first dwelling

Specific Purpose – Travel Plan Monitoring

Contribution - £5,000.00

Trigger – Prior to the First Occupation of any Dwelling

Retention Period – 5 Years from the occupation of the first dwelling

Specific Purpose - Improvements to uncontrolled crossing points at Hempsted Lane / Court Gardens and Hempsted Lane / Hinton Close.

Contribution - £3,000.00

Trigger – Prior to the Commencement of Development

Retention Period – 5 years from Receipt

6.51 Strategic Highway Network

The Highways Agency have stated that in their previous response when the application was

originally submitted, that they requested that a condition be applied to any consent preventing occupation of the site until the improvement scheme identified for the M5 Southbound off-slip was in place. As the improvement scheme has now been completed they now raise no objection to the proposal.

6.52 Highway Conclusion

Overall, it can be seen that the appellant has provided additional information and has accepted that certain works will be needed to make this development acceptable. It is possible to include conditions and planning obligations to address the outstanding shortcomings. Therefore, the previous recommendation of refusal can no longer be sustained given the additional evidence and agreement on key issues.

6.53 The Highway Authority has reviewed the detailed proposals and based on the analysis of the information submitted, it is concluded that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained

6.54 However whilst the Highway Authority raise no objection subject to the application of conditions and planning obligations, there is no mechanism in place to secure the required obligations. Therefore at this stage this forms a reason for refusal.

6.55 **Residential amenity**

Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD4 and SD14 of the JCS and emerging City Plan policy A1 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

6.56 It is inevitable that the development of the site will have some impact upon the existing residents and particularly their outlook and the day to day experiences of the site being developed for residential use compared to its current use as farmland.

6.57 A limited number of residential properties immediately adjoin the site, notably the three properties on Rea Lane and the houses at 164 -180, on the southern side of Hempsted Lane. To Rea Lane, the properties would be separated from built form by open space as shown on the development framework plan. However for numbers 164-180 Hempsted Lane their rear and side gardens are immediately adjacent to the area of the site proposed for housing.

6.58 As this is an outline application there are limited details relating to design and layout. At the reserved matters stage, careful consideration would need to be given to separation and back to back distances, positioning of windows, the heights of the proposed dwellings and the impact of the level changes across the site to ensure that the built form meets the requirements of the policies and does not unduly impact upon the residential amenity and living conditions of existing occupiers.

6.59 Local residents will also be aware of the additional traffic associated with a development of this size and nature, and the properties located closest to the new access point at the road junction will also experience some affects from vehicles entering and leaving the development.

6.60 A condition would be applied to restrict deliveries and working hours during the construction period of the development and a construction management plan would be required by condition to ensure that construction activity does not unduly impact upon residential amenity

6.61 Overall is it considered that there are no significant site constraints that would mean that a

successful design approach could not be achieved for the reduced number of dwellings proposed, with careful consideration given to the matters raised above, to ensure that amenity of existing residents is not duly impacted by the development of the site.

6.62 Noise Issues

The NPPF provides that planning should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Paragraph 180 provides that new development should be appropriate for its location taking into account likely effects of pollution on, inter alia, health and living conditions, and in particular to avoid noise giving rise to significant adverse impacts on health and the quality of life.

6.63 Policy SD14 of the JCS requires that new developments are of an acceptable environmental quality, including levels of noise. Similarly, policy SD4 of the JCS requires the design of new development to avoid or mitigate against potential disturbances including noise.

6.64 A noise assessment has been submitted to determine noise levels and measures for mitigation. On site monitoring was undertaken over a weekend and weekday including when the market and car boot was operational. The report identifies that noise from traffic does impact upon the site and that some of proposed dwellings would require noise mitigation measures to ensure satisfactory noise levels inside the dwellings and within the gardens. Accordingly, layout and distance to Secunda Way would determine the extent of properties needing noise mitigation. The mitigation could comprise a number of methods including building and construction measures, higher specification glazing, ventilation, fencing and careful siting of gardens. It suggests that those properties located closest to Secunda Way would be sited such that they face Secunda Way and the building acts as a screen to the rear garden. It also notes that such sited properties with their windows open, would experience levels of noise above recommended levels both during the day and night time and therefore, enhanced glazing with an alternative method of ventilation would be required for sensitive rooms in those dwellings closest to and facing the A430.

6.65 WRS as the Councils noise advisers agree with the findings of the report and are satisfied that the proposed mitigation methods should in principle, be acceptable to achieve satisfactory noise levels. However they also note that the fronts of the houses facing Secunda Way would experience very high levels of noise with façade levels at 65dba – a level which may interfere with speech intelligibility. They therefore suggest that there needs to be sufficient distance between new dwellings and Secunda Way and consideration given to a noise barrier for external amenity areas. The provision of a noise barrier is not included within the appellants proposals. Such a barrier needs very careful consideration on this site. We have various examples of noise barriers across the City, some more successful than others in terms of their visual appearance. High solid brick walls, as seen further north along Secunda Way have a very negative appearance, green walls and bunds generally have a softer appearance but to be successful, must be properly landscaped and well maintained. In addition to the concerns in relation to the visual amenity of a physical barrier, there is concern in the physical ability to provide a barrier on the site close to the eastern boundary, given the route of the oil pipeline, public footpath and a surface water sewer in this location.

6.66 WRS recommend conditions to require further assessment and detailed mitigation proposals to be submitted at the reserved ed matters stage, informed by the proposed housing layout to ensure acceptable levels of noise within properties and within the external amenity areas

6.67 It is therefore considered that mitigation measures could achieve acceptable noise levels for new residents and therefore the development could provide for a suitable and appropriate level of residential amenity for new occupiers and therefore the proposal complies with JCS polices SD4 and SD14 in terms of the noise issues

6.68 **Odour**

The site lies within the Cordon Sanitaire as defined in the Second Stage Deposit City of Gloucester Local Plan (2002) and policy FRP12 refers

Development likely to be adversely affected by smell from Netheridge and Longford works within the constraint areas defined on the proposals map will not be permitted.

6.69 The commentary text to the policy states:

Severn Trent Water Limited is responsible for sewerage and sewage disposal. They operate Netheridge sewage disposal works south of Hempsted and Longford works to the north of the City. The fields adjoining Netheridge are used for sludge disposal that, in addition to the works itself, create unavoidable smell problems. In order to reasonably prevent development that would be adversely affected by smell, two cordon sanitaires are shown on the proposals map within which development will not generally be permitted. The cordons do not represent the absolute limit of the area where smells can be detected, but are drawn so as not unreasonably to constrain development in the existing built-up area.

6.70 As the Second Stage Deposit Plan is not an adopted plan, the policies contained within it could not be superseded by the adoption of the Joint Core Strategy however the policy is a material consideration and has significant weight in the decision making process.

6.71 The emerging Gloucester City Plan also identifies a cordon sanitaire within policy CS6. The area identified is different to the cordon sanitaire defined within the Second Stage Deposit Plan. Within the City Plan, the north east and north west corners of the site are not within the defined area.

6.72 The matter of the cordon sanitaire was discussed at length during the Examination in Public hearing sessions for the City Plan. Following the hearing sessions, the Inspector wrote to the Council presenting her post hearing findings. This concluded that the Gloucester City Plan (GCP) met the Duty to Co-operate and is legally compliant. The GCP was considered unsound but could be made sound with some changes known as Main Modifications (MMs). The MMs have been finalised and have been presented to Overview and Scrutiny Committee and approved by the Cabinet for public consultation. The public consultation is underway and will end on 4th July 2022. After this point the Inspector will consider any responses made and produce her final report

6.73 The changes proposed to Policy C6: Cordon Sanitaire will ensure that the policy will meet the tests of soundness. That is to say that the policy is positively prepared, justified, and effective. The Council cannot adopt an unsound policy. The aim of the original policy text, to prevent development that would be adversely affected by odour, remains unchanged and has been made more effective by the proposed modifications

6.74 The Inspector has set out that the cordon sanitaire policy should be treated as a trigger for assessment. This is a sound and sensible approach that allows each case to be determined on its own merits and factors in that the circumstances at the sewage works may change over time. Different types of development will be impacted by odour nuisance with varying degrees of severity. The impacts and suitability of a telecommunications mast, agricultural

building, fence, sport changing rooms, or an extension to an existing employment use will be different to an application for new homes or a day nursery for example

6.75 To be positively prepared the policy needs to set out when development will be considered acceptable. The modification to the policy therefore sets out that development can take place if a robust odour assessment demonstrates that the development will not impact the operation of the sewage work and people will not be adversely affected by the odour nuisance. The supporting text has been expanded to detail the standard of assessment required and the Council will appoint independent experts to scrutinise any assessments submitted. The supporting text also states that development within the Cordon Sanitaire will not be permitted unless it can be shown that odour nuisance risk is negligible to future occupiers of that development

6.76 Additionally an important role of the Cordon Sanitaire policy is to protect the operation of the sewage works. It is important that the city can continue to effectively treat its sewage. Additional text has been proposed for the policy and supporting text to make this role clearer and to reference the Gloucestershire Waste Core Strategy 2012. Development that adversely affects the continued operation of the sewage works will not be permitted.

6.77 A paragraph was also added to the supporting text to explain that circumstances may alter over the plan period, through the intensification of waste facilities at the site, or a reduction in odour nuisance, through the introduction of new technologies. This modification helps to make the policy sound and more effective as it future proofs the policy against unknown future scenarios (positive and negative) that are outside of the control of the council.

6.78 The original text of the policy CS6 stated:

Development likely to be adversely affected by smell from Netheridge Sewage Works, within the Cordon Sanitaire defined on the policies map, will not be permitted.

The proposed modification to the policy now states:

Planning permission will be granted for development within the Cordon Sanitaire, as shown on the policies map, where it can be clearly demonstrated through a robust odour assessment that:

- 1. The users/occupants of the proposed development will not be adversely affected by odour nuisance; and*
- 2. The introduction of the proposed use will not adversely affect the continued operation of the Netheridge Sewage Treatment Works.*

6.79 It is the Council's view that the proposed modifications make the policy sound. The modification explains what will be considered acceptable (development with negligible odour nuisance risk) and what assessments are required in order to be able to determine what the impacts of individual applications will be on future users/occupants and on the operation of the sewage works

- 6.80 The applicant has submitted a number of documents for assessment and responded to comments from our advisers, Phlorum, who have also advised the Council upon odour issues and presented information to the Inspector during the Examination of the City Plan.
- 6.81 Phlorum have assessed the various documents submitted by the applicant and it is their view that the applicant has failed to robustly demonstrate that the proposed development would not have an unreasonable impact on new sensitive receptors (i.e. proposed housing) and that it would not pose an unreasonable constraint on Netheridge Sewage Treatment Works (NSTW's) operations. In particular they raise concerns with assumed emission rates used in the appellants assessment, that information provided in relation to discussions with STW seems to be at odds with STW responses to the Council, (particularly in relation to upgrade works) and the applicants emphasis upon on the fact that most odour complaints have been received to the south of NSTW rather than to the north ie within the direction of the site
- 6.82 Therefore in relation to odour issues, the application fails to comply with the requirement of JCS Policy SD4 and 14 and emerging Gloucester City Plan policy CS6 and Revised Deposit City of Gloucester Local Plan (2002) policy FRP12
- 6.83 The applicant has advised that further testing will be undertaken within the next few weeks and further assessment reports submitted to the Council, however we can only assess the application upon the information that we currently have
- 6.84 The proposal has also been assessed by Gloucestershire County Council as the Waste Authority who state that the proposed housing development should not unduly prejudice the ability of safeguarded waste infrastructure (namely Netheridge Sewage Treatment Works) from carrying out its permitted activities. In addition, consideration should also be given to the reasonable prospect of future sustainable waste development (e.g. reconfiguration, expansion etc.) being able to come forward to meet future waste demands that are reasonably foreseeable and which are aligned with industry standards, regulations and other relevant policy. They advise that the decision maker is strongly encouraged to give significant weight to the realistic prospect (or otherwise) that the proposed housing development will be able to come forward without the risk of generating unacceptable amenity impacts for future residents. In arriving at a decision, the theoretical ability (or otherwise) of the existing waste infrastructure operator to de-risk amenity impacts for future residents by way of introducing new / upgrading operating controls should not be taken into account unless this can be made a deliverable pre-condition
- 6.85 Furthermore they advise that waste management infrastructure safeguarding is a local policy matter that requires consideration with this application as there is a risk of incompatible and conflicting land uses. The waste management land use is safeguarded under the local development plan policy WCS 11 which states:

*Core Policy WCS11 – Safeguarding Sites for Waste Management
Existing and allocated sites for waste management use* will normally be safeguarded by local planning authorities who must consult the Waste Planning Authority where there is likely to be incompatibility between land uses.
Proposals that would adversely affect, or be adversely affected by, waste management uses will not be permitted unless it can be satisfactorily demonstrated by the applicant that there would be no conflict.
The Waste Planning Authority (WPA) will oppose proposals for development that would prejudice the use of the site for waste management.*

- 6.86 Officers have consulted STW (as the operators of the treatment works), upon these proposals however at the time of writing the report, their response had not been received.
- 6.87 The Council's advisers' view is that the applicant has not robustly demonstrated that new residents would not be subject to unacceptable levels of odour that would impact upon their living conditions and level of amenity. Therefore the provision of new residential development would result in an incompatibility of uses and conflict with the existing sewage treatment works and therefore the proposals are considered to be contrary to the Gloucestershire Waste Core Strategy 2012 core Policy WCS11 in addition to JCS Policy SD4 and 14 and emerging Gloucester City Plan policy CS6 and Revised Deposit City of Gloucester Local Plan (2002) policy FRP12
- 6.88 ***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.
- 6.89 The application is supported by a Flood Risk Assessment, Drainage Strategy and Foul Drainage Analysis report and there has been discussion between the applicant and the City's Drainage Adviser
- 6.90 The site lies within flood zones 1, 2 and 3 with the lower part of the site at the highest risk of flooding. No built development is proposed in the flood zone 2 and 3 areas – this area is proposed for open space and landscaping, with the housing proposed within the flood zone 1 area.
- 6.91 The submitted information identifies an existing pond within the south eastern part of the site which is a STW offline balancing pond, the Hempsted Brook (Black Ditch) which runs along the southern part of the site with a culvert at both ends from Secunda Way and Rea Lane. There are 2 existing drains along the field boundaries running down the slope. There is also a public surface water sewer that runs from close to the junction of Hempsted Lane and Secunda Way across the eastern side of the site that then discharges onto the Hempsted brook.
- 6.92 The scheme proposes a drainage strategy based on the following principles:
- Surface water runoff from the proposed development would be attenuated on-site up to and including the 1 in 100-year event, plus 40% climate change
 - Surface water runoff from the site will be restricted to greenfield rate (QBAR), at 10.3 l/s, which offers a betterment to existing conditions whereby there is uncontrolled runoff across all return periods.
- 6.93 The proposals include the provision of a new detention basin within the central southern part of the site in an area at lower risk of flooding. Surface water would be conveyed to the basin via a network of pipes and swales. The swales follow the lines of existing ditch / pipe runs. The basin will then discharge to the Hempsted Brook (Black Ditch).
- 6.94 The LLFA have commented that the general principles of the proposals are acceptable, and that strategy demonstrates that there is sufficient space to accommodate the housing and surface water attenuation. They consider that the level of information provided is sufficient for the outline stage and that a detailed design would be required by condition

- 6.95 The City's Drainage Adviser raises some concern with the calculations and level of detail included within the proposals particularly in relation to the following:
- The scheme may require more water storage than currently showing, which could impact upon the size of the basin or require alternative storage areas such as permeable paving.
 - Limited information has been provided relating to the design, size, profile and depth of the detention basin to ensure that is satisfactory in terms of its drainage function and is safe, but also that it appears a natural feature
 - The strategy is unclear regarding the proposed means of directing water flows from the housing which is to be located on the lower part of the area allocated for housing, that would sit to the east and west of the basin; these areas are located at a significantly lower elevation than the drainage runs shown and so it is hard to see how the proposed gravity system could function.
- 6.96 The City's Drainage Adviser considers that these outstanding issues are fundamental as to whether the scheme proposes a satisfactory drainage proposal and without this information he can not be fully satisfied that the submitted strategy is acceptable or that the scheme complies with national and local policy in relation to drainage. It is therefore considered that the applicant has failed to demonstrate that the proposal would not increase the risk of flooding within the site or elsewhere, in conflict with the NPPF and policy INF2 of the JCS and policy E6 of the emerging City Plan and this is a reason to refuse the application. .
- 6.97 **Foul Drainage**
Submitted information states that Severn Trent Water have confirmed that foul water from the proposed development can discharge to the public sewer network. It is expected that this would be at the manhole along Hempsted Lane close to the point of the new vehicular access into the site.
- 6.98 As current ground levels on the site are below the invert level at the connection manhole, pumping of foul water would be required through the provision of a new sewage pumping station that could be constructed in the south part of the site. There are no details of the size, siting or design of the pumping station and it is assumed that it would need to be located within flood zone 1. The full details would need careful consideration, and good levels of screening would be expected to ensure a satisfactory appearance, but this could be dealt with by condition
- 6.99 Correspondence has been provided between the applicant and Severn Trent Water dating from August 2019 with Severn Trent Water stating that the nearest foul sewer is located in Hempsted Lane and that a connection would be permitted at any convenient point. However given the size of the proposed development there "could be an adverse impact upon the local network and downstream assets" and it will therefore be necessary for Severn Trent Water undertake an hydraulic assessment of the site.
- 6.100 Officers have consulted Severn Trent Water upon the foul drainage proposals and they have responded that they have no objections to subject to further detail being required by condition.
- 6.101 **Landscape Impact**
Policy SD6 of the JCS sets out the requirements for considering the landscape impact of new development and stresses the importance of reference to the Landscape Character assessments which are a key factor in design of developments and assessing their impacts. The policy seeks to protect the landscape of highest quality and those most sensitive to new

development. Additionally, policy E1 of the emerging City Plan requires new proposals to respond sensitively to the landscape character of the area.

- 6.102 The site was previously included within a wider Landscape Conservation Area designation within the Revised Deposit Local Plan 2002. The accompanying policy sought to prevent development that would detract from the particular landscape qualities and character of the designated areas. However this designation and policy is now superseded.
- 6.103 The applicant has provided a detailed Landscape and Visual Impact Assessment. This has been updated and informs/reflects the changes made to the revised framework plan and including the reduced number of dwellings of “up to 215”.
- 6.104 The landscape character and sensitivity of the site has previously been considered during the formulation and preparation of the JCS including the JCS Landscape Characterisation Assessment and Sensitivity Analysis (2012) and The Gloucester Landscape Analysis of Potential Development Sites (Gloucester City Council, 2013)
- 6.105 The Landscape Characterisation Assessment and Sensitivity Analysis (2013) assessed the wider area defined as G37
This concluded that the wider site was medium to low sensitivity noting particularly “ the fields directly south of Hempsted occupy an elevated position and are subsequently highly visible and offer extensive views” and concluding that
- The wider site is visually related to the city and not the rural hinterland
 - Some rural features are retained including hedges, ditches and mature trees
 - Rural character is degraded by intensive agricultural use, Hempsted market, elevated infrastructure and proximity to industrial units.
- 6.106 In the Landscape Analysis of Potential Development Sites dated November 2013 and is identified as Site 4 – Land to the south of Hempsted, and states:

Any development on this site contained to the eastern side would not be detrimental in regard to landscape effect. This part of the site is in close proximity to other residential properties, the A430 trunk road and industrial units. Development here would be in keeping with the surrounding character.

The different rural character in the western part of the site, its view from the flood plain and the rising topography means this area would be unsuitable for development. This area of the site would be highly visible, therefore creating a negative effect on the visual amenity and landscape character. It would encroach on the rural aspect of the villages’ surroundings.

It recommends:

Distinct separation should be made between the proposed development and the retained open land, possibly by siting open space on the western side of any development.

Positioning of the development and any associated landscaping and open space would help to limit the impact of the development on the immediate landscape character

The housing should be in keeping with the immediate surrounding properties and others in the village of Hempsted and be of a lower density and height due to the rising topography of the site

- 6.107 The Councils Landscape adviser identifies that the site is not a nationally or locally designated landscape, does not form the setting to any designated landscape, does not fall with the NPPF definition of a valued landscape and has no particular features or characteristics that are striking or unusual. He considers that the key elements of the landscape of the site are
- *A definitive slope free from development that is prominent positioned for viewing from*

Secunda Way upon the approach into the City

- *A transition between the densely settled upper flood reef land and the sparsely settled lower area.*
- *Part of the broader setting to the Hempsted Conservation Area but in visual and experiential terms it is separated and has a peripheral role*

6.108 In looking at the surroundings and wider area:

- There are no national or local landscape designations that would be affected by development at the site.
- To the south and west the character is rural, albeit not of high landscape quality given the amount of pylons and power lines, use of land for the large Sewage Treatment Works. Although rural in nature the area is not particularly tranquil with the noise of the A430 generally pervasive.
- To the north lies the existing suburban area of Hempsted that exerts an edge of settlement feel to the area, this is primarily due to the prominent position of the houses along the ridge line; and
- To the east lies the arterial road corridor of the A430 and beyond that the low level industrial and commercial area which is relatively well screened by highway and internal planting.

In summary the wider landscape context is a mix of different character types and land uses that identify it as the edge of settlement

6.109 The main visual effect would be from Secunda Way as the site faces that stretch of road and its ridge and sloping nature presents more visual interest to take the eye from the road.

From Hempsted Lane there would be limited visual effects given the presence of existing houses and high hedge limiting views from the lane across the Site – it is now noted that the existing hedgerow along the eastern end of Hempsted Lane would need to be removed to facilitate the access road and visibility splays.

Rea Lane users have few viewing opportunities to the site given existing planting and roadside hedge growth, with the proposed western green buffer viewing opportunities will reduce further. Long distance path users such as Severn Way and Glevum Way have a high sensitivity to visual change but there are already pockets of views to the houses along the southern edge of Hempsted. There are no extensive, open views to the Site from these paths and the southern and western mitigation planting will limit views further. The overall visual effect will be similar to the current ability to see housing in pockets.

The greatest appreciation of the development would be from the south and eastern positioned Footpath FP71 as the users have longer to appreciate the scale and positioning of the development as they walk this route.

Considered together the visual effects have been assessed as Moderate, Adverse and Temporary in the first instance until the mitigation planting establishes when it will decrease to Minor, Adverse and Permanent

6.110 In summary the mitigation proposed and the space given over to the southern POS will serve to limit the visual impact of the development. The level of mitigation proposed will ensure that the visual impact of the proposed development will be limited in the long-term. The adviser does suggest that further factors need to be carefully considered at the detailed design stage including additional planting and the use of higher standards would assist in the earlier softening of the development, woodland style planting to increase screening from Secunda Way, the effects of the potential terracing and level changes and the need for a sensitive development design that ensures lower density development to allow for adequate gardens, planting and street trees within the areas proposed for housing. These detailed

matters would be considered at the reserved matters stage.

In conclusion the development of this land would alter the character and visual appearance of the site and result in the development of a distinctive, open, sloping site on the edge of the built development of Hempsted that is particularly visible from Secunda Way.

However the site, nor its immediate surroundings, have any national designation and the wider landscape context comprises a mix of different character types and land uses that are seen in views of the site and that mark it as a an edge of settlement area. In landscape impact terms the harm which would arise from the development of the application site is considered to be minor when considered with the proposed level of mitigation. Overall it is considered that a scheme can come forward at the reserved matters stage which would be acceptable in terms of landscape impact subject to an appropriate level of mitigation in accordance with policies SD4 and SD7 of the JCS and policy E1 of the emerging City Plan and the NPPF

6.111 Contaminated land

The NPPF seeks to ensure that sites are suitable for the proposed use in respect of risks from contamination. Policy SD14 of the JCS requires that developments do not result in exposure to unacceptable risk from existing or potential sources of pollution, and incorporate investigation and remediation of any contamination.

6.112 The application included details of an initial site investigation for the land which is currently being considered by the Councils advisers and an update will be provided to members within the late material.

6.113 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, and restricting development that would be likely to lead directly or indirectly to an adverse effect on the integrity of the Cotswold Beechwoods Special Area of Conservation when the effects cannot be mitigated.

6.114 The site has been the subject of desk and field based ecological surveys and amended and updated information has been submitted relating to the updated development framework plan and reference to 215 dwellings. The report identifies the potential for impacts upon protected species and existing ecological features and sets out potential mitigation including the creation of a new pond, wildlife friendly areas, bird and bat boxes, hibernaculum for common reptiles and amphibians, allowing for gaps in fences, replacement hedgerow planting and a sensitive lighting scheme.

6.115 The City Ecology Adviser notes the potential impacts of the development, the positive biodiversity net gain assessment (although there appears to be an anomaly in the figures) and generally supports the provision of planting, habitat creation and mitigation measures that are proposed together with measures to protect habitats and the stream from potential pollution during the construction period. However she does identify that some further investigative work is required and it is noted that the applicant also states that further bat surveys are required to fully assess the implication of the proposals upon the bats. It is understood that these surveys are currently being undertaken. There also appears some uncertainty regarding the badger sett and the presence of great crested newts. Therefore further information relating to ecology issues is therefore necessary and it is not possible to fully conclude upon this matter at this time.

6.116 The Ecology Adviser also requires that all the ecological enhancements are expanded upon and set out within a fully detailed landscape ecological management plan with management and monitoring details, over a ten year period, to be included for assessment at this stage.

- 6.117 Thorough assessment of the potential impacts and proposed mitigation must be undertaken prior to the determination of the application particularly in relation to the protected species . In light of this Officers can only conclude that there is insufficient information to fully assess the impact of the proposals upon biodiversity, including species afforded special protection, and this is a reason to refuse the application as being in conflict with policy SD9 of the JCS and policy E2 of the emerging City Plan.
- 6.118 **Habitats Regulation Assessment**
European designated sites, such as Special Areas of Conservations (SAC), are afforded strict protection under the Conservation of Habitats and Species Regulation 2017 (The Habitats Regulations). Local Planning Authorities have a legal obligation to undertake a formal assessment of the implications of any new plans or projects that may be capable of affecting the designated interest features of European Sites before deciding whether to permit an application to ascertain any adverse effects on the integrity of the protected site. The process by which this is assessed is known as a Habitats Regulations Assessment (HRA). This is also a requirement of JCS policy SD9 and the emerging City Plan policy E8
- 6.119 The Cotswold Beechwoods SAC, the Severn Estuary SPA and Ramsar site, Netheridge Reserve, and Alney Island are sites identified with the potential to be affected by visitor pressure arising from the development of new residential sites within their vicinity.
- 6.120 An Appropriate Assessment was undertaken and the Councils Ecology Adviser has concluded that the development could lead to an increase in recreational pressures on the aforementioned sites. Therefore mitigation is required and this would comprise the provision of public open space and green spaces within the site area, which can be used by new residents on a day to day basis. Additionally homeowner information packs that would need to be provided to every new home, detailing the location and sensitivities of the identified sites, plus guidelines and recommendations of how to avoid impacts, how to act responsibly to avoid disturbing wildlife (including: residents should be advised to keep dogs on leads at the aforementioned sites and recommendation to keep cats in at night to reduce hunting pressure on wildlife). In addition, a map of alternative public open spaces including those in the development and their foot/cycleway links plus public transport links needs to be included along with guidelines on wildlife gardening and leaving the pre-cut 13x13cm hedgehog tunnels in fences to allow their movement across the estate. Following the implementation of these mitigation measures, it is anticipated that there will be no adverse effects on the integrity of the European sites from an increase in recreational pressure as a result of the proposed development.
- 6.121 Therefore in conclusion, on the basis of the open spaces to be provided on site and providing a homeowner information pack to each new household, to mitigate for the small potential rise in recreational pressures, it is considered that the proposed development would be unlikely to give rise to any significant effects to the identified sites when considered separately or in combination with other allocated plans or projects. This requirement would be dealt with by condition and would comply with the requirements under JCS policy SD9 and emerging City Plan policy E8
- 6.122 Natural England have been provided with these details and their comments are awaited. Their previous consultation stated that they had no objection to the proposals subject to appropriate mitigation being secured as follows;
- (i) Provision of a suitable Homeowner Information Pack – we provide advice on format below.*
(ii) A suitable Constriction and Environmental Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP) so as to ensure high quality green infrastructure is secured as part of the informal recreation and biodiversity mitigation measures.

These safeguards would be secured through conditions and therefore it is expected that Natural England would have no further comment to make.

6.123 ***Open Space, Recreation, Education and Community Facilities***

The NPPF provides that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities Policies INF3, INF4 and INF6 of the JCS and policy C3 of the emerging City Plan require new residential developments to provide for any additional infrastructure and community facilities required to serve the proposed development. The retained elements of Policies OS.2, OS.3, and OS.7 of the 2002 Plan set out the council's requirements for open space together with the Councils Open Space Strategy 2021 – 2026 , Gloucester Playing Pitch Strategy 2015 -2025 and Supplementary Planning Guidance New Housing and Open Space

6.124 The Open Space Strategy for Gloucester (2021-2026) was approved in February 2021. The document sets out information on the city's parks and open spaces and includes an action plan identifying priorities for shaping and managing the spaces in the future. The Open Space Strategy identifies most of the open spaces in Hempsted as being of medium quality (which is defined as the site is in fair to good condition but may benefit from further improvement) and of medium to high value to the local community. As a play area Hempsted Recreation Ground achieves a score of 66% for value and 60% for location and therefore sits mid table in the comparison with all other play areas in the City

6.125 The Playing Pitch Strategy 2015 – 2025 sets out a strategic framework for the maintenance, improvement of and development of existing outdoor sports pitches. Additionally it seeks to provide guidance to assess planning proposals affecting playing fields and directing the appropriate provision of open space contributions to provide “accessible, high quality and sustainable network of outdoor sports facilities, which provide opportunities for all residents to access good sport, physical activity and recreation facilities”.

6.126 *Regulation 122 of the CIL Regulations sets out that infrastructure contributions can only be made under Section 106 agreements where they are*
a) necessary to make the development acceptable,
b) directly related to the development and
c) fairly and reasonably related in scale and kind to the development.

On-site requirements (whether they are delivered on or off site), and specific infrastructure requirements that can be robustly justified as necessary to make the development acceptable in planning terms (and otherwise the application would be refused without that infrastructure) will still be delivered through S106 obligations.

6.127 The proposals detail a comprehensive scheme of open space and green infrastructure, however the it is noted that lower parts of the site are at the higher risk of flooding. A LEAP and NEAP are proposed to the western side of the site and within the new parkland area proposed within the southern area of the site. These proposed locations are considered acceptable in principle however we have limited details of these facilities, particularly it is not clear if the NEAP includes a hard surfaced area that is a normal requirement as set out in the Fields in Trust guidance. It will also be important for future reserved matters applications to demonstrate that these play facilities have good levels of natural surveillance whilst still maintaining important buffers to adjoining residential area and that footpath links provide good connections.

6.128 In addition to play provision, a development of this size would be expected to provide for sports provision however nothing is currently proposed within the current details. On site provision is normally preferred however where this is not suitable or achievable the Council

does accept financial contributions to off site sports contributions. Other such contributions have been used to provide or improve existing sporting facilities within the local area, to contribute to the development of the Blackbridge Sports Hub, which has a city wide catchment area and is identified as key priority for sports provision within both the Playing Pitch Strategy and the Council Plan, and/or to the Pitch Improvement Grant which can be used City wide and in accordance with the Councils Playing Pitch Strategy

6.129 The Public Open Space Adviser requests that in addition to an off site sports contribution, that as a minimum, an informal kick about area should be provided on site and possible consideration also given to a good quality active fitness space with good quality multi purpose equipment to provide for some sporting activity for the new residents of the proposed 215 dwellings.

6.130 The Public Open Space Adviser suggests that the following sports facilities located within 2km of the site and a 15-20 minute walk could benefit from investment to secure improved and additional facilities, through an off site financial contribution:

- Hempsted Recreation Ground – football pitch (and space for outdoor fitness provision if not offered on site at Hill Farm)
- Tuffley Park – football and cricket pitches with changing rooms
- Tuffley Lane/Cole Ave – football pitch with changing rooms
- The Oval – tennis courts and MUGA provision
- Randwick Park – football pitch, tennis court, MUGA
- Baker’s Field – skate park, tennis courts (currently requiring improvement before they can be used)
- Gloucester Park – football and cricket pitch with pavilion, bowling greens
- Parry Field – football pitch and pavilion
- The Lannett – football pitches with changing rooms
- Holmleigh Park – football pitch
- Bristol Rd Recreation Ground – football pitch
- Gloucester Athletics Club – track and field athletics provision

6.131 Overall the scheme proposes a generous amount of open space, however it fails to provide for adequate facilities to meet the play and sports needs arising from a residential development of this size, resulting in a poor quality scheme, that fails to contribute positively to green infrastructure and fails to promote social well being and creating healthy, inclusive communities. This would conflict with JCS policies SD4, SD14, INF3, INF4, INF 6 and 7, policies C1 and C3 of the emerging City Plan, policies OS2 and OS3 of the Revised Deposit Local Plan, Gloucester Playing Pitch Strategy, the Open Space Strategy and Supplementary Planning Guidance New Housing and Open Space

6.132 County Council Requirements for education

The County Council can request contributions for education in three parts, primary, secondary and age 16-18 provision where this is justified. For this proposal they have concluded that a financial contribution towards primary and 16-18 provision is not required and not justified, but that a full contribution towards secondary places is justified. For a development of 215 dwellings this amounts to £705,853, although the actual figure may change depending on the total number of houses and their size,

The education contribution required for this proposed development is based on up to date pupil yield data and the County Councils Interim Position Statement on Pupil Product Ratios. The required contribution is necessary to fund the provision of the additional 36.55 Secondary age 11-16 places that are expected to be generated by this development. Gloucestershire County Council is seeking a contribution of £705,853.60 towards these places arising from this development. This contribution would be allocated and spent within

Gloucester secondary planning area.

The secondary age 11-16 contribution that would be required for this proposed development is directly related to the proposed development in that the contribution has been calculated based on specific formulas relative to the numbers of children generated by this development.

This developer contribution is fairly and reasonably related in scale and kind to the development. The contribution requirement has been calculated using an up to date formula related to pupil yields data and the scale of growth and based only on the numbers of additional pupils arising from the proposed qualified dwellings.

The applicant has agreed to pay the required contributions for education, however at this stage there is no planning obligation in place to secure this and therefore this is a reason for refusal.

6.134 Gloucestershire County Council Requirement for Libraries

The nearest library to the application site, and the library most likely to be used by residents of the new development, is Gloucester Library. The County Council conclude that a new development of the size would generate a need for additional resources at this library, and this is costed on the basis of £196.00 per dwelling. A financial contribution of £42,140 is therefore required to make this application acceptable in planning terms.

The financial contribution will be put towards improving customer access to services through refurbishment, reconfiguration and upgrades, improvements to stock, IT and digital technology, and increased services. The applicant has agreed to pay the required contributions for education, however at this stage there is no planning obligation in place to secure this and therefore this is a reason for refusal.

6.135 **Waste minimisation**

The County Council Waste Core Strategy requires a waste minimisation statement. Policy SD3 of the JCS requires major developments to be accompanied by a waste minimisation statement and expects development to incorporate the principles of waste minimisation.

6.136 The application has demonstrated waste minimisation matters have been considered at the outline stage however, and no objection is raised subject to the inclusion of conditions requiring a detailed waste management plan at the reserved matters stage.

6.137 **Mineral Resources**

The site lies within a Minerals safeguarding/consultation zone and requires assessment under policy MS01 of the Gloucestershire Minerals Local Plan 2020 which states:

Non-mineral development proposals within a Mineral Safeguarded Area (MSA) will be permitted provided: -

I. they are exempt from safeguarding requirements as set out in the list contained in table 2; or

II. needless sterilisation of mineral resources will not occur; or

III. the mineral resources of concern are not economically valuable; or

IV. it is appropriate and practicable to extract minerals prior to development taking place; or

V. the overriding need for development outweighs the desirability to safeguard mineral resources

6.138 The application is supported by a mineral resource assessment that has been assessed by the County Waste and Minerals section. They advise that the report demonstrates that needless mineral sterilisation would not occur with the proposed development and therefore

meets the requirements of Policy MS01.

6.139 **Pipeline**

A pipeline runs across the eastern corner of the site and therefore the Council are required to consult with the pipeline's advisers. Their response identifies that the proposed development is to be constructed within close proximity to the pipeline and that consent would be required for such works but that in this instance, consent would not be granted as the proposed development would restrict access to the pipeline, both for routine maintenance and in an emergency situation. They therefore object to the planning application. They refer to the protection of the pipeline under the Energy Act 2013 and the Pipeline and Safety Regulations 1996 and they set out details of required easements and the process the applicant would need to undertake to apply for a Works Consent for such works.

6.140 ***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.

6.141 **Employment and Skills Plan**

In accordance with the requirements of the emerging City Plan policy B1, the applicant agrees to the principle of a skills and employment plan to bring opportunities for the training and employment of local people through period of construction, which could be dealt with by condition.

6.142 **CONCLUSIONS - THE PLANNING BALANCE**

The application has been evaluated against the JCS, emerging Gloucester City Plan, revised Deposit Local Plan, supplementary documents and the 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 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 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.

6.143 It is accepted that the proposed development would make a contribution to the housing land supply, including affordable housing (Subject to the completion of a S106 agreement) which is a significant benefit to be attributed positive weight in the planning balance,

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

6.144 The proposal would not constitute sustainable development and there is harm arising from the conflict with the JCS spatial strategy for the Gloucester area with the development of an unallocated site that lies outside the built up area of Gloucester contrary to policies S1, SP2 and SD10 of the JCS and the advice in the NPPF. This issue is afforded negative weight in the planning balance.

There is harm from the provision of new housing that would create or exacerbate conditions that could impact upon human health, environmental quality and amenity for proposed new residents, resulting in poor living conditions due to the odour conditions/levels at the site and the incompatibility of land uses with the Netheridge Sewage Treatment works. contrary to policies JCS Policy SD4 and 14 and emerging Gloucester City Plan policy CS6, Revised Deposit City of Gloucester Local Plan (2002) policy FRP12 and Gloucestershire Waste Core Strategy 2012 Core Policy WCS11 and NPPF advice. This issue is afforded significant negative weight in the planning balance.

There is harm from the lack of a detailed drainage strategy to demonstrate that the development would not give rise to flooding at the site or elsewhere, particularly given the sloping nature of the land and that part of the site lies within the higher risk flood zones, contrary to policies INF2 of the JCS, policy E6 of the emerging City Plan and NPPF advice. This issue is afforded significant negative weight in the planning balance.

There is harm to biodiversity as the proposal fails to provide sufficient information to fully assess the proposals upon habitats and protected species, contrary to policies SD9 of the JCS and policy E2 of the emerging City Plan and NPPF advice. This issue is afforded significant negative weight in the planning balance.

The site proposes a high level of open space however there is insufficient provision for play and recreation resulting in a poor quality environment, lack of opportunities for new residents and fails to promote social well being and provide healthy communities, contrary to policies SD4, SD14, INF3, INF4, INF 6 and INF 7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017), policies C1 and C3 of the emerging City Plan, policies OS2 and OS3 of the Revised Deposit Local Plan, Gloucester Playing Pitch Strategy, the Open Space Strategy, Supplementary Planning Guidance New Housing and Open Space and NPPF advice .

- 6.145 Compliance with some of the other principles of the NPPF have been demonstrated in terms of impacts on heritage, archaeology, amenity, loss of agricultural land, mineral resources, waste minimisation and landscape impact. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to which weight should be attributed neutrally
- 6.146 As such, weighing all the relevant factors into the planning balance, and having regard to the NPPF as a whole, all relevant policies of the JCS, the emerging Gloucester City Pan, Revised Deposit Local Plan and supplementary planning documents and guidance, in applying paragraph 11 of the NPPF, it is considered that the adverse impacts would significantly and demonstrably outweigh the housing and economic benefits of the proposal.

7.0 **RECOMMENDATION OF THE PLANNING DEVELOPMENT MANAGER**

- 7.1 Had a non determination appeal not been submitted, the application would have been recommended for refusal on the following grounds:

Reason 1

The proposed development would not constitute sustainable development as required by national and local planning guidance, in that it relates to land which is not allocated within the development plan, is land outside the built up area of Gloucester and does not meet the strategy of the JCS for the distribution of new development within the City and conflicts with policies SP1, SP2 and SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017)

Reason 2

In the absence of a detailed scheme and an appropriate planning obligation, the proposals do not provide housing that would be available to households who cannot afford to rent or buy houses available on the existing housing market. As such, the proposed development conflicts with policies SD11 and SD12 of the Gloucestershire, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (December 2017) and policy A6 of the emerging Gloucester City Local Plan and the National Planning Policy Framework.

Reason 3

The proposal has failed to demonstrate that the proposed residential use of the site would be acceptable and that new occupants would not be subject to unacceptable levels of odour, resulting in a poor standard of amenity and environmental quality and that this would not result in an incompatibility of uses with the Netheridge Sewage Treatment Works. Accordingly the proposal would be contrary to policies SD4, SD10 and SD14 of the Gloucestershire, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (December 2017), policy FRP12 of the Revised Deposit Local Plan 2002, policy CS6 of the emerging Gloucester City Plan and policy WCS11 of the Gloucestershire Waste Core Strategy 2012 and the National Planning Policy Framework.

Reason 4

The proposed development fails to provide adequate facilities to meet the play and sports needs arising from a residential development of this size, resulting in a poor quality scheme, that fails to contribute positively to green infrastructure, fails to promote social well being and contrary to the principle of creating healthy, inclusive communities. This would conflict with policies SD4, SD14, INF3, INF4, INF 6 and INF 7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017), policies C1 and C3 of the emerging City Plan, policies OS2 and OS3 of the Revised Deposit Local Plan, Gloucester Playing Pitch Strategy, the Open Space Strategy, Supplementary Planning Guidance New Housing and Open Space and the National Planning Policy Framework

Reason 5

The proposal has failed to demonstrate that the development of the site would not increase the risk of flooding within the site or elsewhere, contrary to policy INF 2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017), policy E6 of the emerging City Plan and the National Planning Policy Framework.

Reason 6

The proposal fails to demonstrate the full impacts of the development upon ecology and biodiversity, including protected species, and is therefore contrary to policy SD9 and INF 3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017) and policy E2 of the emerging City Plan and the National Planning Policy Framework.

Reason 7

In the absence of a planning obligation the proposed development does not mitigate the highway impacts of the development and is therefore contrary to policy INF1, SD4 and SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017) and policy G1 of the emerging Gloucester City Plan and the National Planning Policy Framework.

Reason 8

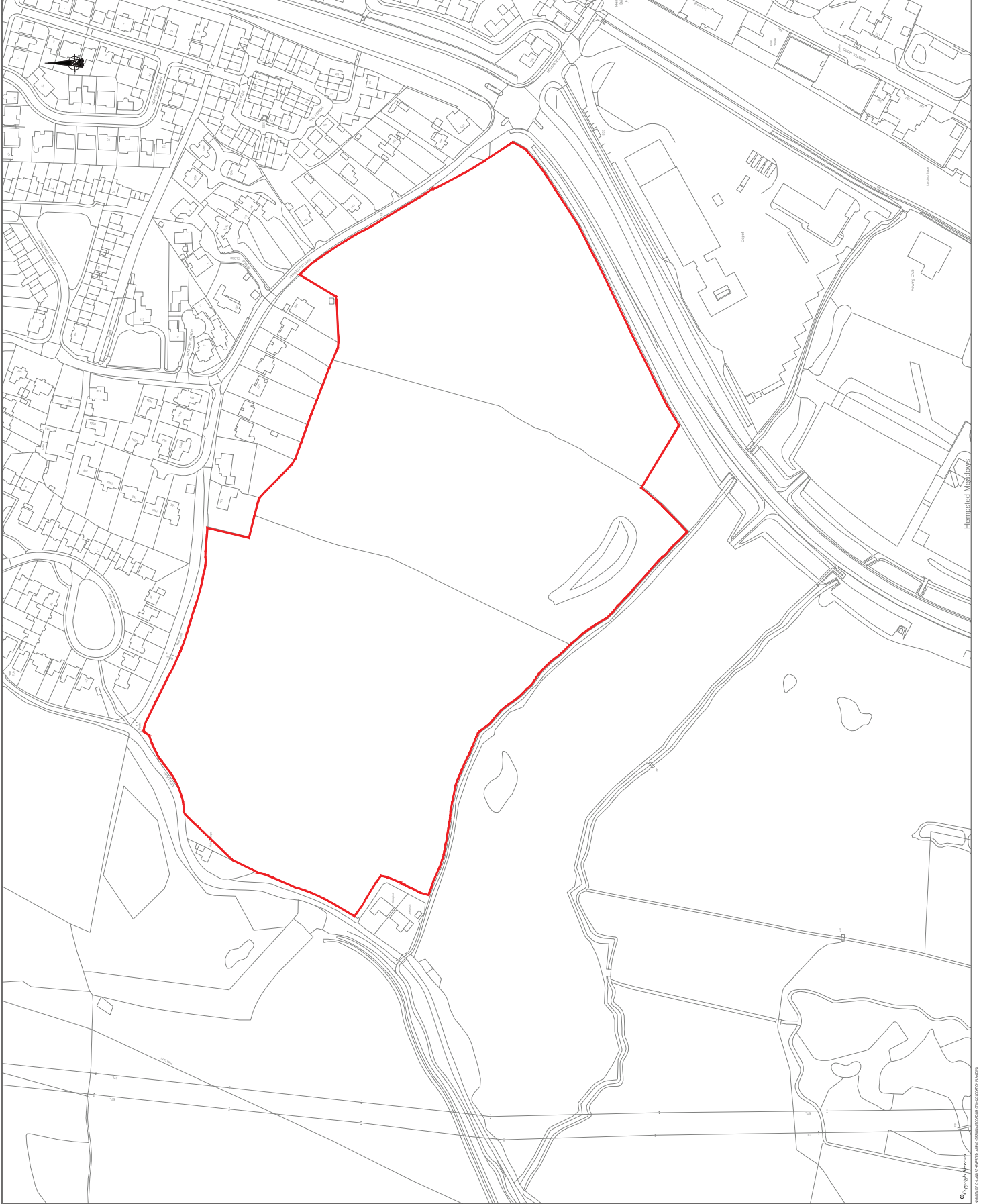
In the absence of a planning obligation the proposed development does not adequately provide for community and education facilities contrary to policies INF4, INF6 and INF7 of

the JCS of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017) and the National Planning Policy Framework.

Person to Contact: Joann Meneaud (01452 396787)

DO NOT SCALE FROM THIS DRAWING

CD1.2



CLIENT	GLADIAN DEVELOPMENTS
PROJECT	HEMPSTED LANE, GLOUCESTER
DRAWING TITLE	LOCATION PLAN
REV. NO.	GM10710-020
DATE	04.02.2020
SCALE	1:250
DRAWN BY	YK
CHECKED BY	YK
APPROVED BY	YK

**watdel
armstrong**

78

CD2.5

Site Boundary: **12.22ha**
 Residential development: **5ha**
 (190 dwellings @ 38 dph)
 Low density residential development:
0.71ha (23 dwellings @ 32 dph)
 Green infrastructure: **6.51ha**

- Existing trees and hedgerows retained
- Proposed thicket/woodland planting
- Street trees
- Native tree planting
- Wildflower/long grass
- Existing drainage basin
- Existing watercourses
- Proposed swales
- Proposed drainage basin
- Bridleway
- Public footpath
- Cycle way
- Spine street
- Secondary streets
- Private drives
- Recreational footways
- Play areas
- LEAP: Locally Equipped Area of Play
- NEAP: Neighbourhood Equipped Area of Play
- Contours

Rev	Date	By	Description
A	04.04.22	JC	Minor updates

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Project	Land off Hempsted Lane, Gloucester
Title	Development Framework Plan 2022
Client	Gladman Developments Ltd
Scale	1:2000 @ A3 Drawn SG
Date	April 2022 Checked RR
Drawing No.	CSA/6036/103 Rev A

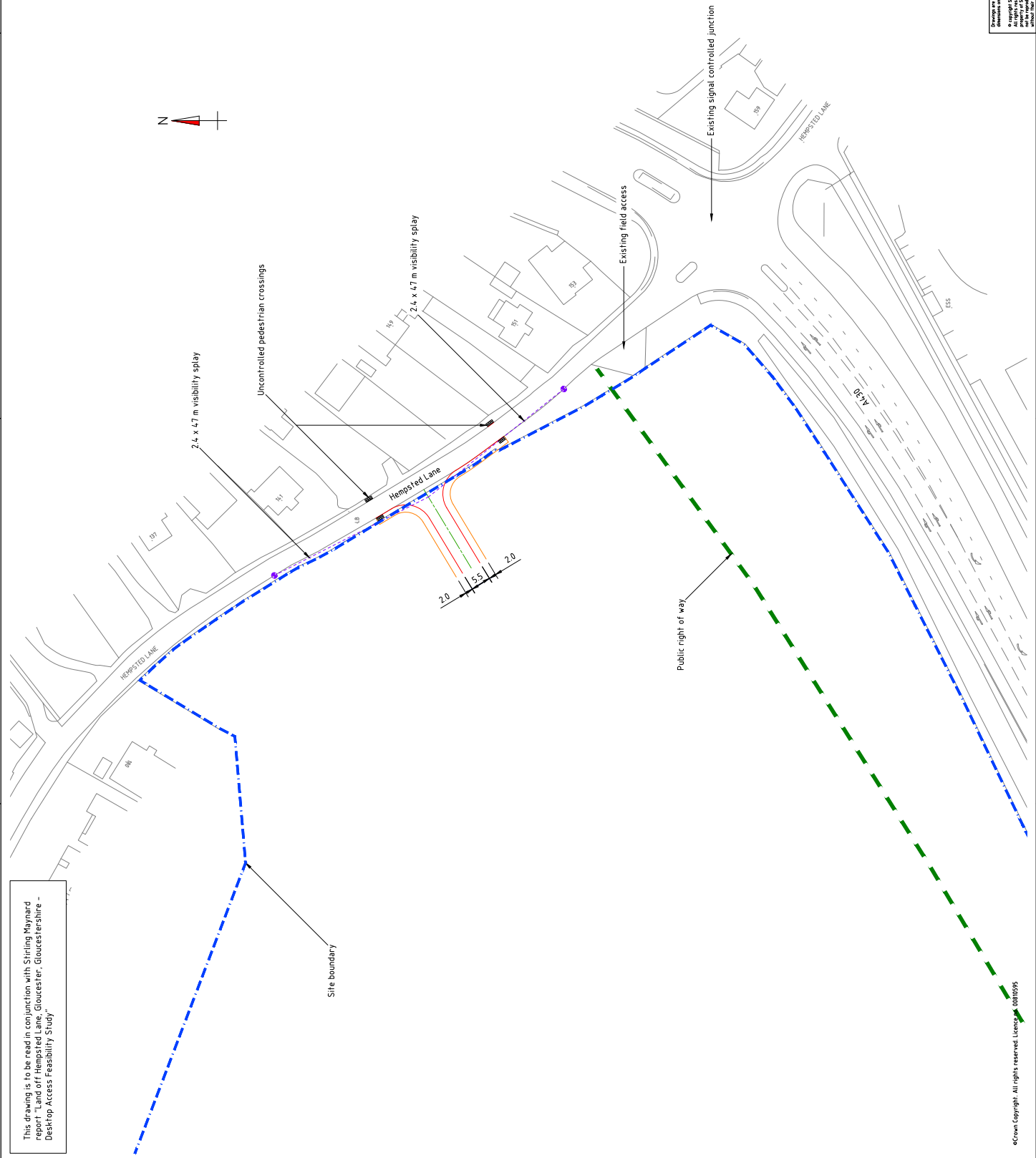


Drawing No.
P19105-00-03A
CD6.9

NOTES

- All dimensions are in metres unless stated otherwise.

DESIGN INFORMATION	
Design stage	Feasibility
Description of highway infrastructure	Simple priority T junction
Checking Authority	County Council / Library Authority
Design codes	M5
Description of Ground Conditions	Not known at this stage



This drawing is to be read in conjunction with Stirling Maynard report "Land off Hemsted Lane, Gloucester, Gloucestershire - Desktop Access Feasibility Study"

Ref	Assessment	PSS 09/05/22	Date
A	Visibility splay, revised to 2.4 x 4.7m		

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Client	GLADMAN DEVELOPMENTS LTD		
Scheme Title	LAND OFF HEMSTED LANE GLOUCESTER GLOUCESTERSHIRE		
Drawing Title	PROPOSED ACCESS OFF HEMSTED LANE		

Project Manager	P. S. SWALLOW	Drawing Status	FEASIBILITY
Drawn	P.S.S.	Scale	1:500
Checked	D.C.A.	Sheet	@ A1
Date	NOV 2019	Project No.	P19105-00-03A

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Reference	Status	Site address	Proposal	Decision date
22/00109/FUL	Grant	Sudbrook Pocket Garden, Land to the rear of 116-130 Melbourne	Creation of 'pocket garden' on land to the rear of 116-130 Melbourne Street East and to the north-west of Hatherley Road	03/05/2022
21/01227/FUL	Grant	Gloucestershire College, Llanthony Road	Installation of 659 solar panels on the roof of the college building fronting the Gloucester and Sharpness Canal adjacent to the Docks Conservation Area.	04/05/2022
22/00073/ADV	Grant	Oxstalls Tennis Centre	Illuminated face applied external lettering and non-illuminated external directional totem for the newly built Oxstalls Sports Arena	05/05/2022
22/00203/NMA	Grant	4 Innsworth Lane	Installation of additional window in southern elevation of dwelling (non material amendment)	05/05/2022
22/00242/NMA	Grant	Gloucester Royal Hospital	Non material amendment to permission 20/00595/FUL for the enlargement of the proposed lift shaft and change of external ground facing materials	05/05/2022
21/00852/FUL	Grant	3 Sapperton Road	Single storey rear extension.	06/05/2022
21/00929/FUL	Grant	2 Julian Close, Barnwood, GL4 3AF	Change of Use of Single Garage to Salon	06/05/2022
21/12061/NMA	Grant	30 & 31 Middlecroft, Gloucester, GL4 4RL	Minor amendment to planning application ref: 20/00202/FUL to revise elevations to accommodate changes to the internal layout, including windows and doors.	06/05/2022
21/00867/FUL	Grant	50 Oxstalls Drive, Gloucester, GL2 9DE	Construct proposed annexe at side of property	06/05/2022
21/01039/FUL	Grant	9 Pintail Close, Gloucester	conversion of existing garage to provide a bedroom and shower room'	06/05/2022
21/00628/JPA	Grant	Britannia Warehouse, The Docks, Gloucester, GL1 2EH	Prior approval for the conversion of existing B1a office building to No.38 C3 dwellings (30no. 1 bed & 8no. 2 bed) - Option C	06/05/2022
21/00629/JPA	Grant	Britannia Warehouse, The Docks, Gloucester, GL1 2EH	Prior approval for the conversion of existing B1a office building to No.36 C3 dwellings (30no. 1 bed & 6no. 2 bed) - Option D	06/05/2022
21/00630/JPA	Grant	Britannia Warehouse, The Docks, Gloucester, GL1 2EH	Prior approval for the conversion of existing B1a office building to No.36 C3 dwellings (29no. 1 bed & 7no. 2 bed) - Option E	06/05/2022
21/00631/JPA	Grant	Britannia Warehouse, The Docks, Gloucester, GL1 2EH	Prior approval for the conversion of existing B1a office building to No.34 C3 dwellings (29no. 1 bed & 5no. 2 bed) - Option F	06/05/2022
22/00072/FUL	Grant	2-5 Grosvenor House Station Road	Proposed temporary substation with palisade fencing and GRP housing, and perimeter hoarding	06/05/2022
22/00139/FUL	Grant	119 Finlay Road	Enlarge existing rear elevation	06/05/2022
22/00143/FUL	Grant	125 London Road	Single and two-storey rear extension	06/05/2022
22/00151/LAW	Grant	Cleeve House, Horton Road	Lawful development certificate for erection of building for use by patients with mental health needs	06/05/2022
21/00491/FUL	Grant	21, Bay Tree Road, Abbeymead	Single storey rear extension and rear loft dormer	09/05/2022
21/01246/FUL	Grant	10 Milton Avenue	Erection of one new infill dwelling on Land adjacent to 10 Milton Avenue, Podsmead	10/05/2022

22/00086/LAW	Grant	9 Grayling Close	Single storey rear extension	10/05/2022
22/00270/FUL	Grant	9 Beckford Road	Single storey rear extension	10/05/2022
22/00275/NMA	Grant	22 Haycroft Drive	Non material amendment to permission 21/01254/FUL to change first floor bedroom and ensuite windows	10/05/2022
21/01339/FUL	Grant	Kings Walk shopping centre	Enlivenment of 3 entrances to King's Walk Shopping Centre, including new branding, with no alterations of existing structure. Signifying of entrances to shopping centre from Eastgate Street, King's Square and Clarence Street with use of new metal cladding panels and halo-lit branding. New rainscreen cladding system installed on Eastgate Street car park façade from First to Third floor, including feature lighting across facade and under existing pedestrian bridge across Eastgate Street.	11/05/2022
21/01271/FUL	Grant	Sandhurst Cottage Sandhurst Lane Gloucester GL2 9AB	Two storey side extension and single storey rear extension	11/05/2022
22/00033/COU	Grant	36 Westgate Street, Gloucester, GL1 2NG	badminton	11/05/2022
22/00083/FUL	Grant	22 Grange Road	Single storey side/rear extension and loft conversion with rear dormer	11/05/2022
22/00338/ADV	Grant	Taco Bell St Oswalds Park Gavel Way	Erection of external advertisements (Illuminated fascia sign, internally illuminated sign box and lettering)	11/05/2022
22/00008/FUL	Grant	Old Gas Works Bristol Road	Engineering works to remediate site	12/05/2022
22/00018/FUL	Grant	73 Falkner Street	Two storey rear extension	12/05/2022
22/00191/ADV	Grant	Kings Walk Shopping Centre	Erection of 4 no. halo illuminated and non-illuminated advertisements at the Eastgate Street, Clarence Street and Kings Square frontages	12/05/2022
21/01323/FUL	Grant	30-44 Northgate Street	Refurbishment works to the exterior of the building and change of use to create circa 20,000sqm of use class F.1(a), (d) and (e) uses from use class E(a), and associated works of demolition, construction and landscaping	13/05/2022
21/01186/LAW	Grant	41 Northgate Street	Lawful Development Certificate for the proposed use of the building as a restaurant within use Class E(b) of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended)	13/05/2022
22/00325/ADV	Grant	Unit 59-60 Gloucester Quays St Ann Way	Proposed advertisement consent for 2 no. internally illuminated fascia signs and 2 no. non illuminated projector signs.	13/05/2022
22/00361/FUL	Grant	36 Hillcot Close	Single storey side and rear extension	13/05/2022
22/00100/FUL	Grant	16 Valerian Close	Single storey rear and side extension including raising of rear wall	16/05/2022
22/00274/FUL	Grant	11 Skylark Way	Proposed extension and internal alterations	16/05/2022
22/00280/FUL	Grant	Holmleigh Park High School	Extension of existing car park to better serve leisure centre facilities on the site. New fencing to run alongside parking area, within the site boundary. New path to connect parking with existing pathways. Realignment of boundary fencing to site boundary.	16/05/2022

22/00134/FUL	Grant	50 Brionne Way	Garage replacement	17/05/2022
22/00170/FUL	Grant	2 Wellsprings Road	Two storey side extension and part two storey, part single storey rear extension	17/05/2022
22/00304/FUL	Grant	56 Coney Hill Road	Single storey rear extension	17/05/2022
22/00360/PDE	Grant	39 The Willows	Demolition of existing conservatory and erection of new extension 4.50m x 4.00m x 2.30m	17/05/2022
22/00385/PREAPP	Grant	The Tall Ships	New upgrade of signage and lighting	17/05/2022
22/00388/ADV	Grant	107 High Street	Erection of 1 x externally illuminated fascia sign, 4 x ACM panels (non illuminated), 2 x poster cases (non-illuminated) and 1 x manifestation	17/05/2022
21/01272/FUL	Grant	141 The Wheatridge East Gloucester GL4 5JZ	Single storey side and rear extension with garage conversion	18/05/2022
21/01272/FUL	Grant	141 The Wheatridge East, Gloucester, GL4 5JZ	Single storey side/rear extension	18/05/2022
22/00098/FUL	Grant	11 Green Lane	Single storey first floor extension	18/05/2022
22/00216/FUL	Grant	117 Seymour Road, Gloucester, GL1 5QD	Creation of new external fire escape door within the north-eastern elevation	18/05/2022
22/00282/LAW	Grant	122 Tredworth Road	Change of use from shop to cafe (LDC)	18/05/2022
22/00196/CONDIT	Grant	Land to the Rear of 8-18 Badminton Road	Discharge of conditions 5 (SuDS management and maintenance plan) and condition 7 (details of secure and covered cycle storage facilities) of permission 21/00269/FUL.	19/05/2022
22/00294/FUL	Grant	33 Archibald Street	First storey rear extension	20/05/2022
22/00356/FUL	Grant	Proposed Tesco Store, KQ	Installation of new ATM with camera and light and grey composite panel	20/05/2022
20/00270/LAW	Grant	3 The Malverns Gloucester GL4 4WN	Single storey rear extension	23/05/2022
21/01169/FUL	Grant	26 Linden Road, Gloucester, GL1 5HD	Construction of single-storey and two-storey rear extensions to dwelling involving demolition of existing single-storey rear extension	23/05/2022
22/00149/FUL	Grant	18 Bradley Close	Conversion of garage into study with new pitched roof and single storey side extension.	23/05/2022
22/00258/FUL	Grant	35 Worcester Street	Demolition of the existing buildings and erection of a building to provide a retail unit at ground floor with 5 no. Houses in Multiple Occupation (providing 21 bedrooms) on the first, second and third floors, and altered vehicular access (revised application pursuant to ref. 21/00564/FUL)	23/05/2022
21/00843/FUL	Grant	15 Ardmore Close	Garage and garden room	24/05/2022
22/00005/FUL	Grant	69 Barnwood Road	Demolition of rear extension and erection of single storey rear and side extension	24/05/2022
22/00267/LAW	Grant	4 Tainmor Close, Gloucester, GL2 0XE	Rear Single storey extension	24/05/2022
21/01188/FUL	Grant	10 Myrtle Close	Two storey side extension and single storey front and rear extension	25/05/2022

21/00829/NMA	Grant	Land South Of Grange Road	Substitute the 2-bedroom units on plots 66 and 67 for 3- bedroom units	25/05/2022
22/00127/LAW	Grant	4 Barnacre Drive	Loft conversion with rear dormer	25/05/2022
22/00176/CONDIT	Grant	261 Stroud Road	Discharge of condition 3 (materials) of planning permission 21/00493/FUL	26/05/2022
21/01296/FUL	Grant	48 Hucclecote Road, Gloucester, GL3 3RS	Single storey front extension	27/05/2022
22/00080/PDE	Grant	29 Meredith Way	Conservatory at rear (3.6m x 2.6m x 2.6m)	27/05/2022
22/00210/PRIOR	Grant	3 St Michaels Court	Prior approval for proposed change of use from Commercial/ Business/ Service (Use Class E) to a mixed use of continuing Use Class E on the ground floor and the conversion of two upper floors into two, two bedroom, self contained flats (C3)	27/05/2022
22/00238/FUL	Grant	43 Stewarts Mill Lane	Single storey side extension	27/05/2022
22/00283/FUL	Grant	5 The Oval	Single storey ground floor extension and part first floor extension at rear.	27/05/2022
22/00244/NMA	Grant	Grosvenor House, Station Road	Non material minor amendment to plans approved under permission ref. 20/01286/FUL to alter Plot 4 siting, add car park substation to Plot 2, amend plot 2 hotel windows, add Plot 4 5th and 6th floor doors, amend Plot 2 vents and car parking provision, amend Plots 2 and 4 ground floor facades, and update landscaping.	01/06/2022