

Matter 5: Promoting healthy and safe communities

Whether the GCP is justified, effective and consistent with the JCS, and national policy in relation to its approach towards promoting healthy and safe communities?

- 48. Is Policy C1 overly prescriptive? Is it appropriate that the policy should defer to the publication Active Design, and the supporting text refers to developers being ‘required to demonstrate how....’? Similarly, should the City Council’s Open Space and Playing Pitch Strategies, be elevated to the status of policy within policy C3, and the Changing Places Standard included within policy C8?**
- 48.1 The Council considers the Sport England Active Design standard to be a good standard that will ensure that new developments go some way to addressing the health issues that are pertinent to the city, helping people to make healthy choices and lead active lives.
- 48.2 With regard to the reference to the Open Space Strategy and Playing Pitch Strategy, Policy C3 sets out that ‘The need for new open space and playing fields within new development will be determined in accordance with the aims and recommendations of the City Council’s Open Space Strategy and Playing Pitch Strategy’. This is because the strategies identify opportunities for improvements to open spaces and playing fields that can be considered at the time of the planning application. This provides a flexible approach that can be reflect changing circumstances, for example where improvements have already been implemented through alternative development sites or investment from National Governing Bodies and allows the approach to be responsive to future updates to the strategies. For the avoidance of doubt, the policy would be more effective if the penultimate paragraph of the policy could be amended to read ‘New open space, playing fields and facilities, to be delivered through new development...’
- 48.3 The strategies have been used to inform other elements of Policy C3, in that they demonstrate a need for new facilities and the protection/enhancement of existing facilities, in accordance with paragraphs 96 and 97 of the NPPF. Furthermore, the site allocation policies identify where new open space provision will be expected onsite, and those where off-site provision will be expected (Submission Document HW017 ‘Gloucester Open Space Background Note’). The Gloucester Playing Pitch Strategy (Submission Document HW010) is the main evidence to justify the allocation at Policy SA06 ‘Blackbridge Sports and Community Hub’. None of the site allocations are expected to make on-site playing field provision because they are all too small to accommodate any.
- 48.4 With regard to the ‘Changing Places Standard’, this is intended to refer to the delivery of Changing Places toilets, to ensure accessible public conveniences are available for all members of the community. The policy could be amended to remove the word ‘standard’ and instead refer to ‘...provide at least one Changing Places toilet.’ Further information is provided in response to Question 52 and the ‘Changing Places: A Practical Guide’ is provided as Submission Document HW009.
- 49. Is the wording of Policy C3 effective and consistent with paragraph 97 of the Framework?**
- 49.1 The Council has undertaken a robust and up-to-date assessment of the needs for open space, sport and recreational facilities, including quantitative and qualitative deficits and surpluses, and opportunities for new provision (see Submission Documents HW010 Gloucester Playing Pitch Strategy 2015 – 2025, HW011 Gloucester Playing Pitch Strategy

2015 – 2025 Assessment Report, HW012 Gloucester Playing Pitch Strategy Interim Review 2017, HW013 Gloucester Built Facilities Strategy 2019, HW014 Gloucester Built Sports Facilities Assessment Report, HWO15 Gloucester Artificial Sports Strategy 2015, HW016 Gloucester Open Space Strategy 2014, HWO17 Gloucester Open Space Background Note 2019). This evidence has informed Policy C3 and it is considered the policy is consistent with paragraphs 96 and 97 of the NPPF.

- 49.2 The City Council considers it's important a robust approach is taken to protecting open spaces and playing fields. This is because The Council faces increasing pressure from developers wanting to acquire and develop public open spaces. This is partly driven by the limited availability of land within the city. Public open space and playing fields are clearly important to the health and well-being of communities, and this is recognised in paragraph 96 of the NPPF.
- 49.3 In responding to comments to this policy made by the Gloucestershire Playing Fields Association in their response to the Pre-Submission consultation, the Council has submitted some proposed changes that it believes strengthens, adds clarity and improves the effectiveness of the policy. These are identified in Submission Document CD010a 'Schedule of Changes Pre-Submission Gloucester City Plan addendum' (reference PM023) and shown in the context of the plan in Submission Document CD010b 'Appendix 1 – Tracked Change Pre-Submission Gloucester City Plan'.
- 49.4 For the avoidance of doubt, criterion 4 of Policy C3 as shown in CD010b Tracked Change Pre-Submission Gloucester City Plan', 'ancillary development' refers to ancillary to the open space or sports use such as changing rooms. The supporting text could be improved by adding this clarification.
- 49.5 As mentioned in the response to Question 48, the penultimate paragraph in Policy C3 would benefit from, and be more effective through, clarification of what is expected from developers in providing new open spaces, playing fields, sports facilities, and ancillary provision through new development. This needs to tie in with the requirements of Policy INF4 'Social and Community Infrastructure' of the Adopted JCS.
- 50. The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force amending the Town and Country Planning (Use Classes) Order 1987. What, if any, is the implication of the amendments to the Use Classes Order on Policy C4? Is it appropriate that mobile catering units fall within its remit? Is the policy as currently worded effective and suitably flexible? Is the approach of excluding hot food takeaways within 400 m of secondary schools justified by the evidence, and if it is, is it clear how the policy would be applied?**

Approach to hot food takeaways

- 50.1 This policy was written in consultation with Gloucestershire County Council Public Health. A policy benchmark of a 400m restriction zone has been tried and tested by an increasing number of local authorities. This exclusion approach will help to limit secondary school children's access to unhealthy foods at lunchtime and immediately after school. The city has an obesity issue significantly worse than the national average as outlined in Submission Documents HW002 'Health and Wellbeing Topic Paper, Submission Document HW003 'Understanding Gloucestershire – A Joint Strategic Needs Assessment', Submission Document HW004 'Joint Strategic Needs Assessment for Gloucester', Submission Document

- 50.2 The latest evidence from Public Health England submitted in response to the Pre-Submission consultation states that in 2018/19 25.9% of 4 to 5-year olds and 36.9% of 10 to 11-year olds are an excess weight. From the ages of 10/11 to adulthood obesity rises to 66.3% of adults. The time between primary and adulthood is normally spent in secondary and college education and a proposed modification to Policy C4 reflecting these latest figures has been submitted.
- 50.3 Furthermore, in response to comments made to the Pre-Submission GCP consultation, other proposed changes have been submitted for consideration at the examination, relating to highways impact, waste and clarifying the interpretation of the policy in terms of the boundary of a secondary school or college. These and are identified in Submission Document CD010a 'Schedule of Changes Pre-Submission Gloucester City Plan addendum' (references PM025, PM026, PM027 AND PM028) and shown in the context of the plan in Submission Document CD010b 'Appendix 1 – Tracked Change Pre-Submission Gloucester City Plan'.
- 50.4 It is considered appropriate to include both bricks and mortar hot food takeaways and mobile catering units within the policy as they both serve the same purpose.

Changes to use class order

- 50.5 The changes to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 created two new Use Classes, which came into effect on 1 September 2020. The new Use Classes are E 'Commercial, Business and Service' and F 'Local Community and Learning' and the full wording has been provided at Appendix 2.

Both new classes broadly amalgamate previous Use Classes, as follows:

- **Use Class E:** Broadly covers uses previously defined in the revoked classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafés), D1 a – b (Non-residential institutions) and D2 (indoor sport).
- **Use Class F:** Broadly covers uses previously defined in the revoked classes from parts of D1 (Non-residential institutions), D2 (Assembly and Leisure), and provides for newly defined community uses.

- 50.6 The implication and proposed amendment to address this is set out below:

Generic policies	Pre-Submission wording	Proposed amendment to address September 2020 update to Use Classes Order
Policy C4: Hot food takeaways	Criterion 5 requires 'There should be a minimum of two non-A5 units, or at least 10 metres, between the units, whichever is greater.'	Amend policy to refer to 'hot food takeaway units', removing reference to A5 Use Class.

51. **Is the extent of the Cordon Sanitaire, identified on the Policies Map, justified by robust, up-to-date evidence? Is Policy C6 an effective means to ensure that future development will not be subject to unacceptable levels of odour nuisance?**

- 51.1 To provide robust and up-to-date evidence to inform Policy C6, the City Council commissioned a consultancy called Phlorum, experts in this field, to undertake an analysis and make recommendations on the extent of a Cordon Sanitaire, i.e. the area where there is a concern with regard to odour nuisance to development. The 'Cordon Sanitaire Evidence Study: Netheridge STW' (September 2019) has been submitted as Submission Document HW001.
- 51.2 The study included the following:
- Consultation with Severn Trent Water Limited, including a tour of the facility, identification of key odour sources and consideration of future capacity.
 - Review of odour complaints.
 - Odour surveys across May, June and July 2019.
 - Detailed dispersion modelling assessment.
 - Review of previous dispersion modelling assessment.
- 51.3 The analysis resulted in a recommendation as to the extent of the Cordon, which is different to that identified in previous draft plans, and this is identified on the submitted policies map (Submission Documents CD002 and CD010c). This presents a 'zone of concern with regard to likely odour nuisance.
- 51.4 The policy approach is considered effective in that it identifies an area within which odour is a constraint to development. Furthermore, in responding to comments made by Gloucestershire County Council as Minerals and Waste Planning Authority, a proposed change has been submitted for consideration at the examination, regarding the need to ensure that development would not cause unacceptable restrictions upon sewage treatment operations. This is considered wholly appropriate given the identification with the Gloucestershire Waste Core Strategy 2012 (Submission Document DP005), which is identified under Core Policy WCS11 'Safeguarding Sites for Waste Management', which states:
- '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 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.'*
- 51.5 The proposed change is identified in Submission Document CD010a 'Schedule of Changes Pre-Submission Gloucester City Plan addendum' (reference PM032) and shown in the context of the plan in Submission Document CD010b 'Appendix 1 – Tracked Change Pre-Submission Gloucester City Plan'.
- 51.6 Notwithstanding this, in response comments received through the Pre-Submission consultation, the evidence has been reviewed and it is confirmed that the fields adjoining the Netheridge Sewage Treatment Works are no longer used to sludge disposal; this

sentence in the supporting text should therefore be deleted. However, this does not affect the extent of the Cordon Sanitaire, as justified by the evidence.

52. Is the wording of Policy C8 suitably clear, so that decision makers and developers understand when enhanced toilet facilities should be provided within larger venues?

52.1 The policy could be further clarified to say, 'Major non-residential developments and minor developments for community, cultural, leisure, sport and civic uses where a new or refurbished public toilet or changing facility is proposed, shall include a toilet constructed to the 'Changing Places' standard.'

52.2 The council wishes to acknowledge through the policy that whilst major developments may more readily lend themselves to the provision of a Changing Places toilet due to their nature and scale, smaller developments with toilets may also be able to accommodate a Changing Places toilet that may open up community, cultural, leisure, sport and civic buildings to those with limited mobility.