

Application for Removal or Variation of a Condition following Grant of Planning Permission or
 Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation
 Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x) Northing (y)

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

Country

Postcode

Contact Details

Primary number

Secondary number

Fax number

Email address

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Change of use of site from a health clinic/office to 20no. supported living apartments involving conversion of the existing main building (No. 18 Denmark Road) and the provision of a new three-storey detached building to the rear, including associated landscaping, access and parking, following demolition of an existing single storey outbuilding.

Reference number

20/00300/FUL

Date of decision (date must be pre-application submission)

12/03/2021

Please state the condition number(s) to which this application relates

Condition number(s)

Condition 2 - Approved Plans
Condition 15 - Use Class C3(b) Restriction

Has the development already started?

Yes

No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

Condition 2 (Approved Plans) is to be amended to enable the inclusion of additional car parking space on site.

Condition 15 (Use Class C3b Restriction) is requested to be removed to allow the development to benefit from more flexibility within Use Class C3 as a whole.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Condition 2 (Approved Plans) is to be amended to alter the plan numbers to accord with the revisions.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
 No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- Yes
 No

Is any of the land to which the application relates part of an Agricultural Holding?

- Yes
 No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- The Applicant
 The Agent

Title

Mr

First Name

Rob

Surname

Ellis

Declaration Date

31/05/2022

Declaration made

Declaration

I / We hereby apply for Removal/Variation of a condition as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

- .

Date

31/05/2022



zeb1369

**Denmark Road
Gloucester**

PL002

Proposed Site Plan

date January 2020

status Planning

rev **M**

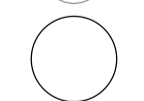


21.9

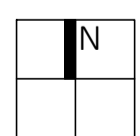
key:



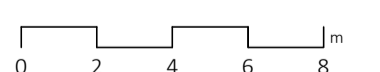
existing tree



proposed tree



scale 1 : 200 @ A2



zebra architects ltd. is part of zebra group consulting ltd.

zebra architects ltd | c2 perdiswell park | worcester | wr3 7nw

Ordnance Survey (c) Crown Copyright. All rights reserved. Licence number 100022432

Copyright is reserved by Zebra Architects and the drawing is issued on the condition that it is not copied either wholly or in part without first obtaining written consent from them. Do not scale from this drawing, figured dimensions only to be used. All dimensions to be checked on site before commencement of any work, shop drawings or the ordering of materials. This drawing is to be read in conjunction with appropriate consultant engineers drawings, schedules, specification and manufacturer's information.





zeb1369

**Denmark Road
Gloucester**

PL002

Proposed Site Plan

date January 2020

status Planning

rev **M**



21.9

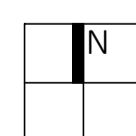
key:



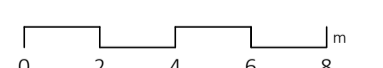
existing tree



proposed tree



scale 1 : 200 @ A2



zebra architects ltd. is part of zebra group consulting ltd.

zebra architects ltd. | c2 nordiswell park | worcester | wv3 7pw

Ordnance Survey (c) Crown Copyright. All rights reserved. Licence number 100022432

Copyright is reserved by Zebra Architects and the drawing is issued on the condition that it is not copied either wholly or in part without first obtaining written consent from them. Do not scale from this drawing, figured dimensions only to be used. All dimensions to be checked on site before commencement of any work, shop drawings or the ordering of materials. This drawing is to be read in conjunction with appropriate consultant engineers drawings, schedules, specification and manufacturer's information.



APPLICATION NO: 20/00300/FUL
VALIDATED ON: 22nd April 2020

TO

Specialised Supported Housing
c/o Mr Rob Ellis
Arriva Planning Ltd
Gloucester House
29 Brunswick Square
Gloucester
GL1 1UN
United Kingdom

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Location: Zgether NHS Foundation Trust 18 Denmark Road Gloucester GL1 3HZ

Proposal: Change of use of site from a health clinic/office to 20no. supported living apartments involving conversion of the existing main building (No. 18 Denmark Road) and the provision of a new three-storey detached building to the rear, including associated landscaping, access and parking, following demolition of an existing single storey outbuilding.

In exercise of its powers under the above-mentioned Act and Order the City Council as the Local Planning Authority **GRANT PERMISSION** for the development described above in accordance with the terms of the application and the plan/s submitted therewith subject to the following conditions:

Condition 1

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

Reason

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

Condition 2

The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers

PL001 Rev A - Site Location Block Plan
PL005 Rev K - Proposed Site Plan
PL101 Rev G - Proposed Basement Floor Plan
PL102 Rev L - Proposed Ground Floor Plan
PL103 Rev K - Proposed First Floor Plan
PL104 Rev J - Proposed Second Floor Plan
PL105 - Proposed Roof Plan
PL111 Rev A - Proposed Bin Cycle Store
PL201 Rev E - Proposed Elevations (1)
PL202 Rev H - Proposed Elevations (2)
PL301 Rev E - Proposed Street Scenes
PL501 - Shading Analysis
L201 Rev C - Detailed Landscape Proposals
Design & Access Statement - Rev D

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

Reason

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

Condition 3

The development hereby permitted shall not be occupied until the drainage works have been completed in accordance with the approved plan numbers, DRG-BML-ERD-ZZ-DR-C-0 P-01, DRG-BML-ERD-ZZ-DR-C-05 P-01, DRG-BML-ERD-ZZ-DR-C-05 P-01, DRG-BML-ERD-ZZ-DR-C-0 P-01 and Operation & Maintenance Manual DRG-BML-ERD-ZZ-RP-C-050.1

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Condition 4

No development shall take place until details or samples of materials to be used externally have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the materials harmonise with the surroundings in accordance the National Planning Policy Framework and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 5

No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 199 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 6

Prior to the commencement of development, a detailed plan, showing the levels of the existing site, the proposed levels of the site, the proposed slab levels of the building approved and a datum point outside of the site, shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In order to define the permission and ensure that the development is of a scale and height appropriate to the site in accordance with the National Planning Policy Framework and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 7

No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.

Reason

In the interests of visual amenity and to ensure dwellings have satisfactory privacy in accordance with the National Planning Policy Framework and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 8

No development shall commence on site or machinery or materials brought onto the site for the purpose of development until a landscape scheme has been submitted to and approved in writing by the local planning authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers. Drawings must include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed.

Reason

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

Condition 9

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in 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 defects period.

Reason

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

Condition 10

Implementation of any development shall be undertaken in accordance with the tree protection measures set out in the Arboricultural Method Statement, and those measures shall be retained for the duration of the demolition and construction period for that phase.

Reason

To protect trees that are to be retained in the scheme.

Condition 11

The buildings hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plans, and those facilities shall be maintained available for those purposes thereafter.

Reason

In the interest of highway safety.

Condition 12

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

Reason

To ensure the provision and availability of adequate cycle parking.

Condition 13

Prior to commencement of the development hereby permitted details of a construction management plan or construction method statement for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- 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 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;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles; and
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason

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

Condition 14

The living room windows in the north west elevation of apartments G.07 and 1.07 hereby permitted, shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing.

Reason

In order to protect the residential amenity of adjacent properties.

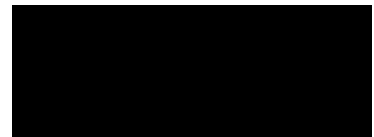
Condition 15

The premises shall be used for C3(b) and for no other purpose (including any other purpose in Class C 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 local planning authority wish to control the specific use of the land/premises, in the interest of local housing need in accordance with policy SD12 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.

Date: 12th March 2021



City Growth and Delivery Manager

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	
Address/Location:	2gether NHS Foundation Trust, 18 Denmark Road, Gloucester, GL1 3HZ
Application No:	20/00300/FUL
Ward:	Kingsholm & Wotton
Expiry Date:	22.07.2020
Applicant:	
Proposal:	Change of use of site from a health clinic/office to 20no. supported living apartments involving conversion of the existing main building (No. 18 Denmark Road) and the provision of a new three-storey detached building to the rear, including associated landscaping, access and parking, following demolition of an existing single storey outbuilding.
Report by:	Jon Bishop
Appendices:	Site Location Plan

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 18 Denmark Road is a large detached two storey Victorian building located to the north side of Denmark Road, just outside of the Denmark Road Conservation Area. The site has a large rectangular footprint comprising the Victorian building set back from the road by a front garden area, a large extensive garden to the rear and an area of car parking and hard standing which follows the west side of the site. The site also includes a number of single storey outbuildings. The entrance to the site is off Denmark Road to the south and Posy Lane passes the east. To the east of Posy Lane are residential buildings, to the west is a three-storey apartment with car parking area to the rear and to the north is a tennis courts. The building is a former dwelling which was later converted to offices and consulting room and previously occupied by the 2gether NHS Foundation Trust.
- 1.2 The application seeks full planning permission to allow the change of use of the site from a health clinic/ office to C3 (residential) to provide 20 supported living apartments involving the conversion of the existing main building and the construction of a new detached building to the rear, including associated landscaping, access and parking.
- 1.3 The conversion of the existing building would allow the provision of 8 supported living apartments, with ancillary reception/ office space at ground floor level. The basement would be retained as storage space. The proposals involve modest alterations to the external appearance of the building and would include some fenestration alterations.
- 1.4 The proposed three storey detached building would be located at the rear of the site, behind the existing frontage of the building. The building would have a t- shaped footprint and would appear contemporary in appearance and vary in height from 1 storey elements to three storey elements. The building would benefit from a flat roof and would be constructed from red brickwork with blue/ grey brickwork on elements of the build including the three storey element to the rear. The proposal would feature 12 apartments spread across the three floors.

- 1.5 Primary access into the site is proposed through the existing entrance and the existing gate would be set back further into the site. The supporting documentation confirms that given the proposed development consists solely of supported living apartments, no parking spaces would be required for residents and a total of 9 parking spaces would be provided for staff and visitors. Each apartment would have access to communal cycle storage facilities located at the southern and northern ends of the car park.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
44/13402/HIST	18098 (01):- TWO STOREY EXTENSION AT SIDE AND REAR	Z45NOB	14.09.1983
93/02695/FUL	Single storey extension at front to provide reception area.	GSC	26.10.1993
96/00374/FUL	Installation of fire escape staircase at rear and external alterations to outbuilding.	GSC	13.08.1996
97/00072/FUL	Erection of shed for garden materials at rear.	GSC	20.03.1997

3.0 POLICIES AND GUIDANCE

- 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 (Main Modifications) include:

SP1 - The need for new development
 SP2 – Distribution of new development
 SD1 – Employment – Except Retail Development
 SD3 – Sustainable design and construction
 SD4 – Design requirements
 SD8 – Historic Environment
 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
 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 213 of the NPPF provides that that due weight should be given to policies in existing plans according to their degree of consistency with the NPPF, the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given. Therefore, it is considered that the 1983 Local Plan is out-of-date and superseded by more recent planning policy including the NPPF and the Joint Core Strategy

3.5 Emerging Development Plan

Gloucester City Plan

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

Relevant policies include:

- A1: Effective and efficient use of land and buildings
- A2: Affordable Housing
- A5: Specialist housing
- B1: Employment and skills plan
- C1: Active design and accessibility
- D1: Historic environment
- D3: Recording and advancing understanding of heritage assets
- E2: Biodiversity and geodiversity
- E4: Trees, woodlands and hedgerows
- E5: Green infrastructure: Building with Nature
- E6: Flooding, sustainable drainage and wastewater
- F1: Materials and finishes
- F2: Landscape and planting
- F6: Nationally Described Space Standards
- G1: Sustainable transport
- G2: Charging infrastructure for electric vehicles
- G3: Cycling
- G4: Walking
- G7: Water Efficiency

3.6 Other Planning Policy Documents

Gloucester Local Plan, Second Stage Deposit 2002

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and was adopted by the Council for development control purposes. None of the development management policies are relevant to the consideration of this application.

3.7 Supplementary Planning Guidance/Documents

Denmark Road Conservation Area Appraisal

All policies can be viewed at the relevant website address:- national policies:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

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

4.0 **CONSULTATIONS**

4.1 **Highway Authority**

The revised design and access statement has highlighted the residents of the 20 dwellings to be created will not be driving a vehicle and therefore will not require a parking bay.

The number of parking bays have been adjusted from 8 to 9 spaces. They have also been reconfigured in a chevron pattern, which affords better access.

With this in mind there are no objections to the parking provided.

HDM has no objection to the proposal subject to the inclusion of a condition requiring the car/ vehicle parking area to be completed and kept free of obstruction and available for the parking of vehicles associated with the development.

4.2 **Conservation Officer**

Further to the submission of amended plans, the Conservation Officer made the following comments:

The design has been reconsidered and is much improved. However, I still am of the mind that there should be conditions ensuring that planting will soften the potentially institutional feel of the building. Consideration could also be given to a solar or green roof. No further objections.

4.3 **Tree Officer**

No objection to the application as long as tree protection measures are set out as per the Tree Maintenance Ltd tree report and are adhered to.

4.4 **Drainage Adviser**

Satisfied with the drainage strategy and that the detail is sufficient to mean a condition is not required.

4.5 **Local Lead Flood Authority**

Further to the submission of amended plans, the Local Lead Flood Authority confirmed they were satisfied that the subsequent details submitted would have a negligible impact on the drainage strategy and the development can progress without the need for any planning conditions related to drainage.

4.6 **Civic Trust**

Following the submission of amended plans, the Civic Trust raised no objection to the design of the proposal.

4.7 **Severn Trent Water**

I can confirm that we have no objections to the proposals subject to the inclusion of conditions. Further to the submission of amended plans, no further comments were received.

4.8 **Archaeology**

Concerned that the proposed development may damage or destroy heritage assets with archaeological interest. Recommend a condition requiring the submission of a written scheme of investigation should permission be granted.

4.9 **City Growth and Delivery Officer**

As the proposal is for over 10 residential units (supported living apartments), it meets the requirement for an Employment and Skills Plan. This can be dealt with via condition.

4.10 **Community Infrastructure Levy Officer**

The following steps must be completed prior to the commencement of development:

1. Complete CIL Form 2 'Assumption of Liability' (also attached) – this is required in order to claim social housing relief (see Regulation 51 of the Community Infrastructure Regulations 2010, as amended, for this and further requirements);
2. Submit evidence that buildings to be demolished or re-used, that are still standing on the site, have actually been in-use for the required 6 months in the last 3 years ending on the day that planning permission first permits the chargeable development, to claim a reduction in CIL liability;
3. Complete CIL Form 10 'Claim for Charitable or Social Housing Relief' (also attached) – Once granted the relief will be registered as a local land charge on the property for a period of 7 years beginning with the date on which the qualifying dwelling is first let, only ever becoming payable if there was a 'disqualifying event'.

Then when you are ready to commence, which would include demolition of the single storey outbuildings,:

4. Complete CIL Form 6 'Commencement Notice' (also attached) and send it to us at least one day prior to starting on site. We would advise you to do this well in advance if possible and not to commence development until you have received an acknowledgement from us that your Commencement Notice has been received. This requirement is quite separate from the requirement to inform building control or planning of commencement.

Once we have a valid commencement notice we will acknowledge it and issue a Demand Notice which will show the Social Housing Relief that has been granted and, if it is to be 100% affordable housing, that there is no further liability to pay, subject to the clawback period requirements.

Finally, if no 'disqualifying event' has occurred during the clawback period, after 7 years the local land charge will be removed from the register and the liability extinguished.

4.11 Housing Strategy and Enabling Officer

Subject to clarification from the Commissioners there does appear, from the Applicants Statement, to be locally based need for this type of accommodation

The supporting text of the City Plan policy references best practice. The applicant should identify how this is being achieved in relation the scheme. References to compliance with Category M4(2) and Category M4(3) Discretionary Standards of the Building Regulation would be helpful and reading the application some elements may go beyond these requirements. Advice has been sort from Commissioners on their views of the suitability of the design and whether it reflects current best practice. City Plan Policy now requires 50% of new dwellings to meet M4(2) and 4% of Affordable Rented need M4(30) adapted standards. The nature of the schemes suggest that the applicant will need to deliver over and above these levels to ensure the dwellings are fit for purpose, and therefore meet the required needs.

The City Plan Policy refences the need where there is “provision of support and/or care (it is) supported by a sustainable business model”. The applicant has implied that its model will be based on leasing of the schemes to a Registered Provider and Care Provider so details of this arrangement, and that it complies with the City Plan Policy will be required in advance of the application being consented. Long terms sustainable business models provided by fit and proper persons/organisations are important when we are considering the housing of vulnerable members of society.

The applicant has set out why they feel consider the schemes meets the tests within the NPPF and the scheme can be considered “Affordable”.

What has not been tested is whether the scheme is 80% of market rent.

Advice has been provided to the applicant in relation to the services provided and related charges being an acceptable level in order for the for the schemes to be considered as exempt accommodation under the Local Housing Allowance scheme.

In my view this is not the same as the outcomes set out in the rent setting or capital funding guide, where it is explicitly stated that once market comparable have been considered the rent set should be 20% of this level.

In order to resolve this the applicant may wish to provided evidence to justify their assertion that it complies with the rent setting and capital funding guide criteria. If it does then a 100% Affordable Rented scheme would be supported, subject to condition or legal agreement relating to the retention of the schemes to meet this particular need and that that the schemes will continue to meet local Gloucester City needs.

If the applicant is unable to demonstrate that the schemes rent reflects 80% of market homes, an agree to conditions regarding the use and management of the scheme then an affordable housing contribution would be sought, either off-site or by way a commuted sum.

4.12 **Urban Design Adviser**

No objection to the principle of the proposal. The conversion of the existing building is acceptable and the principle of an additional building to the rear would be acceptable subject to the design of that addition.

Further to the submission of amended plans, the Urban Design Officer confirmed that the amendments had addressed previous concerns.

4.13 **Open Space and Playing Pitch Adviser**

Would not expect any POS provision or off- site contributions for the proposal.

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 Neighbouring properties were notified and press and site notices were published.

5.2 5 letters of objection raising the following issues:

- The entrance of the site is on a busy thoroughfare close to a roundabout
- The provision of 7 car parking spaces is insufficient to meet the requirements of 20 residents, their support staff and visitors
- Loss of privacy due to removal of single storey outbuildings (26 Michaelmas Court)
- Loss of privacy (Highgarth Villa, Posy Lane) Two side windows on the second floor that will overlook the front garden and back garden
- Loss of light to back garden (Highgarth Villa, Posy Lane)
- Windows in westerly elevation would overlook 26 Michaelmas Court
- Concern Posy Lane will be used by staff to congregate
- Concern raised over intended use of the building
- Proposal will affect value of house (14 Hampton Court)
- Concern over increase in disturbance and police presence in the area
- Already several supported accommodation facilities on/ around Denmark Road – proposal not needed in the area

Further to the submission of amended plans, neighbouring properties were re consulted and 13 further comments were received:

- Concern remains regarding intended use of the site
- Proposed building would overlook into living room and bedroom (flat 13, Denmark Court) along with everybody else in Denmark Court flats 13-18. This would result in a sever loss of privacy
- Concern over exploitation of vulnerable occupants
- Concern over design and location of building – blocky appearance with a flat roof – a hipped roof would be less oppressive
- The three storey element would impact on the houses in Michaelmas Court through loss of sunlight and loss of privacy especially when using their gardens. The tree storey element should be placed at the other end, near the original house.
- The site borders Conservation Area no. 14, the design is unsympathetic
- Loss of light (26 Michaelmas Court). Windows on the middle and top floors to the side elevation will cause a loss of privacy
- Development is too big for the size of the plot
- Overshadowing to tennis club house
- Concern over parking provision

- The new development would be out of keeping with the area
- Proposal would result in an increase in traffic for the area
- Residential character of Denmark Road is under threat and concern over need for this type of development in the area
- Proposal would block light and view from private garden at Highgarth Villa and result in overlooking
- Increase in traffic for the area

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

6.0 OFFICER OPINION

6.1 *Legislative background*

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

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

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

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

6.4 It is considered that the main issues with regards to this application are as follows:

- Principle
- Design, layout and landscaping
- Historic environment
- Sustainability
- Traffic and transport
- Residential amenity
- Drainage and flood risk
- Economic considerations

6.5 ***Principle***

6.6 Loss of D1 use

The site was most recently used as a health clinic (Use Class D1) and office (Use Class B1) for the 2gether NHS Foundation Trust, providing mental and social health care services.

Policy INF4 (Social and Community Infrastructure) of the Joint Core Strategy (2017) states that:

1. *'Proposals to develop land or buildings currently or previously in use as a community facility will demonstrate, including evidence of engagement with relevant local community groups and partner organisations, why the facility is no longer required and, as appropriate, how, when and where suitable local replacement facilities will be provided. Provision of replacement facilities will have regard to the locational and other relevant elements of this policy.'*

The previous use as a health clinic falls within the scope of policy INF4.

The agent has confirmed that following a restructure within Gloucester, the 2gether NHS Foundation Trust put several existing sites up for sale in late 2017 and over the course of the past three years, the Trust has moved out of these older building into one central purpose-built facility at Pullman Place in Gloucester. Pullman place is a purpose built facility which amalgamates all services of the NHS Foundation Trust under one roof. The agent has confirmed that the original facilities, including 18 Denmark Road, were no longer fit for purpose in terms of the space available and were falling into a state of disrepair and a new facility was required in order to meet the changing needs of the local community. A large space was also required to cater for approximately 300 staff members, due to the impending merger between the 2gether NHS Foundation Trust and Gloucestershire Care Service NHS Trust (this took place in October 2019).

In support of point 1 of policy INF4 the agent concludes that:

- It has been clearly demonstrated why 18 Denmark Road is no longer required for their purposes and the relocation of the community use has already been undertaken.
- The quality and location of the replacement facility at Pullman Court is far more beneficial than the facilities at 18 Denmark Road.
- The proposal to redevelop the site to provide 20. No supported living units would allow people with mental and physical disabilities to enable them to live independently, whilst ensuring care is available on site to cater for their specific needs. As a result, there is a significant degree of cross over between the existing health clinic use and the proposed use. People living in these units will likely be patients of the NHS Trust.
- There are significant social benefits to the proposed scheme, which together with the reasoning of the relocation, would far outweigh the loss of the Class D1 use

Introduction of housing

Paragraph 121 of the NPPF states that *'Local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:*

- a) *Use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this framework'.*

The NPPF requires local planning authorities to demonstrate a 5 Year Housing Land Supply, with an appropriate buffer, against the relevant housing requirement. Footnote 7 to paragraph 11 of the NPPF 2018 indicates that policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years. 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). Gloucester can demonstrate a five year supply of deliverable housing sites with a 5% buffer (which is appropriate as the Council can demonstrate that it passes the housing delivery test as set out at paragraph 215 of the NPPF). This positive housing land supply position means that the housing policies in the Joint Core Strategy can be given full weight.

Policy SD10 of the JCS allows for infilling within the existing built up areas of the City Gloucester. In terms of the broad principles of development, the site is within the built up area of the City, is in a sustainable location for residential use and would contribute to housing supply. As the site is located within the built up area of the city, the principle of development is considered acceptable in accordance with JCS Policy SD10.

Provision of specialist accommodation

Policy SD11 of the JCS refers to housing mix and standards and states:

'Provision of specialist accommodation, including accommodation for older people, will be supported where there is evidence of a need for this type of accommodation and where the housing/ bed spaces will contribute to meeting the needs of the local community. Specialist accommodation should be located to have good access to local services.

Policy A5 of the emerging Gloucester City Plan refers to specialist housing and states that *'development proposals for specialist housing must be supported by evidence to demonstrate need for this form of housing within Gloucester City, suitable for intended occupiers in relation to affordability, quality, design and type of facilities and accessible for local shops and services, public transport and community facilities appropriate to the needs of the intended occupiers.*

The proposal would provide specialist accommodation for local people with mental and physical disabilities to enable them to live independently, whilst ensuring care is available on site to cater for their specific needs.

The Council's Housing Strategy officer has been notified of the proposal and confirmed that it had been proven there was a locally based need for this type of accommodation within the city.

Affordable Housing

Policy SD12 of the JCS requires the provision of affordable housing and states:

'Outside of the Strategic Allocation sites, on sites of 11 dwellings or more, or sites with a maximum combined gross floor space of greater than 1000sqm; a minimum of 20% affordable housing will be sought on developments within the Gloucester City administrative area'.

The policy goes onto state that:

'If a development cannot deliver the full affordable housing requirement, a viability assessment, conforming to an agreed methodology, in accordance with policy INF7 will be required'.

Policy A2 of the emerging Gloucester City Plan refers to affordable housing and states *'on residential sites of 10 dwellings or more, 25% affordable housing is required.*

In support of the application

Further to discussions with the agent regarding the requirement of affordable housing, the agent submitted a viability assessment for review to demonstrate that the provision of affordable housing was not viable at the site. The assessment has concluded that the scheme is not viable with the provision of affordable housing. The Council's appointed viability consultant has reviewed the submitted report and confirms that the detailed breakdown in the viability assessment identifies that there will be a surplus of £19,000 for the completed scheme. Therefore, the applicant will be required to enter into a S106 agreement in order to secure a payment of £19,000 towards affordable housing in the district. Subject to the completion of the legal agreement it is considered that the provision of an off-site contribution of £19,000 is acceptable in accordance with policy INF6 of the JCS and the NPPF.

6.7 ***Design, Layout and Landscaping***

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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that where an area is designated as a conservation area *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area'*.

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. Chapter 16 of 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'*. Paragraph 193 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.

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 SD8 of the JCS seeks to preserve and enhance heritage assets as appropriate to their significance and Policy INF3 requires development to contribute positively towards green infrastructure.

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 E4 seeks to ensure that there are no significant adverse impact on existing trees, woodlands or hedgerows and every opportunity should be taken for appropriate new planting on site. 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. Policy G7 states that development proposals must demonstrate that the estimated consumption of wholesome water per dwellings should not exceed 110 litres per person per day.

6.8 The site is located just outside of the Denmark Road Conservation Area, with the boundary of the Conservation Area running along the front of the site. The nearest Listed Building (Hillfield House – Grade II Listed) lies some distance to the south east of the site on the opposite side of Denmark Road. The proposal is located to the north of Denmark Road, which is characterised by a variety of architectural styles and design. The application site is situated between two very different buildings. The apartment block at Michaelmas Court (an example of modern development) and Denmark Court to the east – an example of late 20th century architecture. Elsewhere along the street there are a mix of examples of traditional Victorian architecture and newer built development. The majority of buildings in the local area are between two storey and three storey in height. The most common use of material in the street scene is red brick which in many cases are broken up using banding or stone detailing. Generally, the period dwellings in the area include more elaborate ornamentation than modern development. Roofing consists of both clay and slate tiles and windows include a mix of timber and UPVC.

Design and layout

The application has been amended since the original submission to seek to overcome design concerns. The proposal would require the refurbishment and alterations to the existing building on the site and the construction of a large T shaped building to the rear. The amendments proposed to the existing building are considered to be acceptable and would not harm the character of the existing building.

Access to the site would be from Denmark Road and parking would be provided at the west side of the site. The east side of the site would include a landscaped area creating a courtyard for future residents. Whilst the footprint of the proposed building is substantial and introduces backland development at this site, backland development is not completely out of keeping with the area (The neighbouring development Denmark Court includes an apartment block at the rear of the site).

The design of the proposed new build would introduce a contemporary building which would appear in contrast with the existing traditional building at the front of the site. The development would vary in height and would benefit from a flat roof. The supporting document states the building would steadily ascend from single storey adjacent to the existing building, up to three storey and the massing was considered to assist in framing the proposed communal courtyard area.

The proposal would be constructed from red brick as the primary external material which would be in keeping with the existing building. The proposal would also make use of blue/ grey brickwork intended to harmonise with the blue/ grey tones of slate roofing seen within the local area. The scale and design of the proposed new development block, whilst large, is considered to be acceptable. The council's urban design officer has been notified of the amended proposal and has raised no objection to the application.

Landscaping

In terms of landscaping, in support of the amended application, the agent has provide a detailed landscaping plan which details proposed landscaping at the site in form of tree planting spread around the site and a landscaped area to the front of the existing building and to the side of the site which would create a dedicated courtyard area. The agent has also provided a tree survey, implications assessment and outline protection method statement in support of the application. The Council's tree officer has been notified of the proposal and has raised no objection to the application subject to the inclusion of conditions requiring the tree protection measures to be carried out in accordance with approved details.

6.9 ***Impact on historic environment***

- 6.10 Whilst the site is not located within a Conservation Area, the site does sit on the fringes of the Denmark Road Conservation Area and the proposed development would be partially visible from the Conservation Area. Further to the submission of amended plans, the Council's conservation officer was notified of the amendments and raised no objection to the application but suggested that conditions should be added to any planning permission to ensure that planting would soften the potentially institutional feel of the building.

Archaeology

The site fronts onto the line of the Roman road known as Ermin Street (modern Denmark Road) and is approximately 100 metres from a known Roman cemetery at Wotton. The site has been subject to archaeological evaluation (trial trenching) which has identified archaeological remains of an uncertain date. The council's Archaeologist has been notified of the proposal and has raised that there is a reasonable chance for remains of Roman date to be present at the site and raised concern that the proposed development could damage or destroy heritage assets with archaeological interest and therefore requested a condition requiring the submission of a written scheme of investigation.

Subject to the inclusion of this condition, the development can be considered to be acceptable in terms of heritage impact in accordance with the NPPF, policy SD8 of the JCS and policies D1 and D3 of the emerging Gloucester City Local Plan.

6.11 ***Sustainability***

- 6.12 In support of the application, an energy strategy has been submitted which identifies that the most suitable opportunity to boost Co2 reduction in the scheme would be to improve the existing and proposed fabric of the building. The report identifies that the existing building will be enhanced through the refurbishment process, including improved window and insulation throughout and the new build element would meet the necessary requirements as outlined in Part L of Building Regulations 2013 to create a thermally efficient and airtight building, minimizing energy usage.

6.13 ***Traffic and transport***

Paragraph 109 of the NPPF provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts upon the road network would be severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network. The proposal would make use of the existing access to the site from Denmark Road. The visibility in both directions would meet the required standards and opportunities for two cars to pass one another within the site are possible. The proposal would include 9 car parking spaces, which the agent has confirmed would be primarily used for employees and visitors to residents. The car parking area would be located along the western boundary of the site, as per the existing site. The proposed site layout also accommodates a turning area. The proposal would include the provision of secure covered cycle storage to cover the needs of employees and visitors. Refuse collection would take place from Denmark Road as existing and a bin storage and refuse storage area would be provided close to the front boundary of the site. Further to the submission of additional information the Highways Authority made the following comments:

6.14 The revised design and access statement has highlighted the residents of the 20 dwellings to be created will not be driving vehicles and therefore would not require a parking bay. The number of parking bays have been adjusted from 8 to 9 spaces. They have also been reconfigured in a chevron pattern, which affords better access. With this in mind there are no objection to the parking provided. The Highways Department have no objection to the application subject to the inclusion of a condition requiring the completion and maintenance of car/ vehicle parking shown on the approved plans. The proposal is therefore considered to be acceptable on highways grounds in accordance with the NPPF and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

6.15 ***Residential amenity***

Paragraph 17 of the NPPF sets out that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy SD4 of the JCS relates to Design Requirements and, in terms of amenity and space, specifies that new development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution. Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

6.16 Impact on future occupants of the proposed residential units

Consideration needs to be given to the living environment which would be provided for any future occupiers of the proposed residential unit. Paragraph 17 of the NPPF and policies SD4 and SD14 of the JCS, as referred to above, are relevant in this regard, as is Policy SD11 of the JCS which relates to "Housing Mix and Standards". In terms of housing standards, Policy SD11 specifies that:

1. New housing should meet and where possible exceed appropriate minimum space standards.
2. Housing should be designed to be accessible and adaptable as far as is compatible with the local context and other policies, including Policy SD8

The "Delivery" section of Policy SD11 advises that the Government's Housing Standards Review was completed in 2015, which presents a single set of national space standards. The National Space Standards have been taken forward within the Gloucester City Plan. Policy F6 of the emerging plan provides that development proposals for new residential development (including change of use or conversions) must meet Nationally Described Space Standards. On the basis of the stage of preparation the plan has reached, and the consistency of policy with the NPPF, and its reference to national standards, Policy F6 can be afforded moderate weight in accordance with paragraph 48 of the NPPF.

Furthermore, the City Plan pre- submission Housing Background Paper (September 2019), indicates the need for National space standards within the city. The data shows that the conversions sampled often fall below the NDSS. 66% of conversions were below the standard for internal floor area.

Impact on future occupants on converted existing building

National space standards require the following gross internal floor area:

- *1 bedroom, 1 person dwelling set over 1 storey (39 square metres)*
- *1 bedroom, 2 person dwelling set over 1 storey (50 square metres)*

The existing building would include 4 apartments on the ground floor which would measure:

G.01 – 46 square metres
G.02 – 41.1 square metres
G.03 – 60.8 square metres
G.04 – 56 square metres

The first floor would include 4 apartments on the ground floor which would measure:

G.01 – 46 square metres
G.02 – 41.1 square metres
G.03 – 60.8 square metres
G.04 – 56 square metres

The agent has confirmed that the units have been designed to accommodate 1 person per unit. The proposal would reach national space standards for 1 person 1 bedroom units and can therefore be considered acceptable in this respect.

The proposed apartment would benefit from windows which would provide outlook and light for future occupants. Concern was raised over the amount of light entering the living area of apartments G.02 and 1.02 and it was queried whether the window size for these rooms could be increased to allow for additional light. The agent confirmed that the windows had been designed to be true to the size, type and number of existing windows within the Victorian building and have not been any alterations to window sizes.

To the west of the site is a block of flats which front onto Michaelmas Court. This block of flats includes windows facing towards the proposed development and would measure 18.21 metres away at its closest point. The block of flats would look towards the side windows of apartment G.04 and 1.04 which form a hallway and bathroom. Given the use of these rooms, it is not considered that harmful overlooking would occur as a result of the development.

To the east of the site are a block of flats along Denmark Road. The block of flats closest to Denmark Road does not include any side facing windows and so would not harmfully overlook future residents of the existing building. There is another block of flats to the north east of the site with windows facing towards the proposed development. However, given the separation distance between the two buildings, overlooking would not be harmful.

Impact on future occupants of the proposed new buildings

- *1 bedroom, 1 person dwelling set over 1 storey (39 square metres)*
- *1 bedroom, 2 person dwelling set over 1 storey (50 square metres)*

The proposed building would include 5 apartments on the ground floor which would measure:

- G.05 – 68.9 square metres
- G.06 – 44.2 square metres
- G.07 – 47.1 square metres
- G.08 – 41.7 square metres
- G.09 – 41.7 square metres

The first floor would include 5 apartments which would measure:

- 1.05 – 56.6 square metres
- 1.06 – 41.7 square metres
- 1.07 – 47.1 square metres
- 1.08 – 41.7 square metres
- 1.09 – 41.7 square metres

The second floor would include 2 apartments which would measure:

- 2.01 – 41.7 square metres
- 2.02 – 42.3 square metres

These apartments would again meet national space standards for a 1 bedroom, 1 person dwellings which is considered to be acceptable.

The proposed apartments would benefit from windows which would provide outlook and light for future residents.

To the west side of the site and the proposed building are properties along Michaelmas Court. The rear elevation of 27 Michaelmas Court would face towards the proposed development. The rear elevation of number 27 would be located approximately 24 metres from the side facing windows and due to this distance overlooking is not considered to be an issue. To the rear of the site is Gloucester Wotton Lawn Tennis Club and to the east of the site are properties along Denmark Road and Highgarth Villa. The side elevation of Highgarth Villa would be located approximately 4.8 metres from the proposed development but includes no side facing windows and so would not result in overlooking. The block of flats to the rear of Denmark Court would be located approximately 23 metres from the site boundary and would not result in harmful levels of overlooking.

Impact on neighbouring residents

Concerns raised from neighbouring residents in respect to amenity impact have been summarised below:

- Loss of privacy due to removal of single storey outbuildings (26 Michaelmas Court)
- Loss of privacy (Highgarth Villa, Posy Lane) Two side windows on the second floor that will overlook the front garden and back garden
- Loss of light to back garden (Highgarth Villa, Posy Lane)
- Windows in westerly elevation would overlook 26 Michaelmas Court
- Concern Posy Lane will be used by staff to congregate
- Concern over increase in disturbance and police presence in the area
- Proposed building would overlook into living room and bedroom (flat 13, Denmark Court) along with everybody else in Denmark Court flats 13-18. This would result in a severe loss of privacy
- The three storey element would impact on the houses in Michaelmas Court through loss of sunlight and loss of privacy especially when using their gardens. The tree storey element should be placed at the other end, near the original house.
- Loss of light (26 Michaelmas Court). Windows on the middle and top floors to the side elevation will cause a loss of privacy

A number of neighbouring residents have raised concern over the proposal and the impact the development would have on their living amenity. The main properties likely to be impacted by the proposal are:

- Apartment block 28-38 Michaelmas Court
- 27 and 26 Michaelmas Court
- Highgarth Villa
- Apartment block 13-18 Denmark Court
- Apartment block 1- 12 Denmark Court

Apartment block 28-38 Michaelmas Court

28- 38 Michaelmas Court is located to the west of the site adjacent to the existing building which will be converted into residential accommodation. The existing building would not be as part of the development and so would not result in overshadowing for this neighbouring apartment block. The side elevation of the existing building already contain a series of windows facing towards 28-38 Michaelmas Court. The side facing windows would comprise reception area hallway, stairway and hall and bathroom for apartment G.04 on the ground floor, meeting and training rooms windows, stairwell window and hallway and bathroom window for apartment 1.04 on the first floor.

The side facing windows would be located approximately 18.2 metres away from the rear facing windows of the apartment block at their closest point, increasing to 21.2 windows. Given the use of these windows, the separation distance between the two buildings and the fact these windows are already in existence, overlooking for 28-38 Michaelmas Court is not considered to be unacceptably harmful.

27 and 26 Michaelmas Court

Occupiers of 26 Michaelmas Court have raised the following concerns in respect to the proposal:

- Loss of privacy due to removal of single storey outbuildings
- Windows in westerly elevation would overlook 26 Michaelmas Court
- The three storey element would impact on the houses in Michaelmas Court through loss of sunlight and loss of privacy especially when using their gardens. The tree storey element should be placed at the other end, near the original house.
- Loss of light. Windows on the middle and top floors to the side elevation will cause a loss of privacy

26 and 27 Michaelmas Court are located adjacent to the north west boundary of the site. The proposed development would be located adjacent to the rear garden of no 26 and the three storey side elevation of the proposal would measure approximately 10 metres from the boundary with the rear garden of no. 26 and 24.1 metres from the dwelling itself.

The three storey element of the building would measure approximately 8.8 metres in height and there is an existing tree near the boundaries of the site which would assist in minimising some of the impact of the development.

Further to concerns being raised in regards to overlooking, alterations have been made to the proposal amending the window locations to ensure that the primary living room windows of apartments G.07 and 1.07 are north facing, with the remaining living room windows on the side elevation facing towards Michaelmas Court being a secondary window. In order to prevent overlooking from occurring, these windows could be conditioned as obscure glazed and non opening as part of any planning permission.

Highgarth Villa

Residents at Highgarth Villa have written raising a number of concerns in respect to the application:

- Loss of privacy (Highgarth Villa, Posy Lane) Two side windows on the second floor that will overlook the front garden and back garden
- Loss of light to back garden (Highgarth Villa, Posy Lane)

Highgarth Villa is located adjacent to the north east boundaries of the site.

The side elevation of Highgarth Villa would face towards the proposed development but does not include any side facing windows. To the north of the dwelling, forward of the front elevation of Highgarth Villa is the properties front garden and parking area as well as a double garage. To the east of this (behind the double garage) is the properties private garden space.

The proposed part of the development affecting this dwelling is two storey in height measuring 5.85 metres in height. The third storey development would be set further into the site. The two storey element would measure approximately 1.6 metres from the boundary of the site and 4.7 metres from the side elevation of Highgarth Villa. The proposed development would extend beyond the front elevation of Highgarth Villa by some 3.5 metres. The front elevation of Highgarth Villa includes front facing windows. The 45 degree test has been carried out and the proposal does not break this test in terms of depth.

Residents of Highgarth Villa have raised concern that the proposed development would result in the loss of light to the garden area of Highgarth Villa. The outside space located closest to the development would comprise front garden and parking area. Whilst there would be some impact on this area, this is not considered to be to an unacceptable extent and the private garden area located further to the east of the site would remain largely unaffected in terms of overshadowing and overbearing.

The side elevation of the proposed development closest to Highgarth Villa would include side windows. However, these would look towards the side elevation of the building and so would not directly overlook areas of private garden space.

Apartment block 13-18 Denmark Court

- Proposed building would overlook into living room and bedroom (flat 13, Denmark Court) along with everybody else in Denmark Court flats 13-18. This would result in a severe loss of privacy

Block 13-18 Denmark Court is located to the east of the site and is located approximately 23 metres from the boundaries of the site. Given the separation distance between this apartment block and the proposed development, impact in terms of overlooking, overbearing or overshadowing as a result of the proposal is not considered to be unacceptable.

Apartment block 1- 12 Denmark Court

12 Denmark Court is located adjacent to the south east boundaries of the site. The existing building (proposed to be converted to residential apartments) is located approximately 6.2 metres from the side elevation of this apartment block and contains a number of windows on the side elevation which are already in existence but would be converted to provide light for the apartment. There are no windows on the side elevation of this apartment block and as such the proposed development would not result in harmful levels of overlooking to any habitable rooms. The windows are already in existence and so overlooking levels are not considered to become substantially worse. The existing building would not be extended and so there are no further concerns in terms of overbearing/ overshadowing impact.

6.17 ***Drainage and flood risk***

The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems. Policy E6 of the emerging Gloucester City Plan refers to flooding, sustainable drainage, and wastewater and states that development shall be safe from flooding and shall not lead to an increase in flood risk elsewhere. All development will be expected to incorporate Sustainable Drainage Systems (SUDs) to reduce surface water discharge rates and address water quality.

6.18 A Ground Investigation Report and SuDs Drainage Strategy have been submitted in support of this application.

6.19 The Local Lead Flood Authority has been notified of the proposal and have raised no objection to the application and confirmed that there is sufficient information supported with the application to negate the need for a drainage condition.

6.20 **Conclusion**

6.21 This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

6.22 **Human Rights Act**

In compiling the recommendation full consideration has been given to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any affected properties. In particular, regard has been had to Article 8 of the ECHR (Right to respect for private and family life, home and correspondence); Article 1 of the First Protocol (Right to the use and enjoyment of property) and the requirement to ensure that any interference with the right in this Article is both in accordance with the law and proportionate. A balance needs to be drawn between the right to develop land in accordance with planning permission and the rights under Article 8 and also Article 1 of the First Protocol of adjacent occupiers. On assessing the issues raised by the application no particular matters, warrant any different action to that recommended.

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

7.1 That planning permission is GRANTED subject to the completion of a legal agreement to secure an off-site contribution towards affordable housing and subject to the following conditions:

7.2 **Condition 1**

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

Reason

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

7.3 **Condition 2**

The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers

- PL001 Rev A – Site Location Block Plan
- PL005 Rev K – Proposed Site Plan
- PL101 Rev G – Proposed Basement Floor Plan
- PL102 Rev L – Proposed Ground Floor Plan
- PL103 Rev K - Proposed First Floor Plan
- PL104 Rev J – Proposed Second Floor Plan
- PL105 – Proposed Roof Plan

PL111 Rev A – Proposed Bin Cycle Store
PL201 Rev E – Proposed Elevations (1)
PL202 Rev H – Proposed Elevations (2)
PL301 Rev E – Proposed Street Scenes
PL501 – Shading Analysis
L201 Rev C – Detailed Landscape Proposals
Design & Access Statement – Rev D

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

Reason

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

7.4 Condition 3

The development hereby permitted shall not be occupied until the drainage works have been completed in accordance with the approved plan numbers, DRG-BML-ERD-ZZ-DR-C-0 P-01, DRG-BML-ERD-ZZ-DR-C-05 P-01, DRG-BML-ERD-ZZ-DR-C-05 P-01, DRG-BML-ERD-ZZ-DR-C-0 P-01 and Operation & Maintenance Manual DRG-BML-ERD-ZZ-RP-C-050.1

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

7.5 Condition 4

No development shall take place until details or samples of materials to be used externally have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the materials harmonise with the surroundings in accordance the National Planning Policy Framework and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

7.6 Condition 5

No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 199 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

7.7 Condition 6

Prior to the commencement of development, a detailed plan, showing the levels of the existing site, the proposed levels of the site, the proposed slab levels of the building approved and a datum point outside of the site, shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In order to define the permission and ensure that the development is of a scale and height appropriate to the site in accordance with the National Planning Policy Framework and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

7.8 Condition 7

No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before before the building(s) is/are occupied Development shall be carried out in accordance with the approved details.

Reason

In the interests of visual amenity and to ensure dwellings have satisfactory privacy in accordance with the National Planning Policy Framework and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

7.9 Condition 8

No development shall commence on site or machinery or materials brought onto the site for the purpose of development until a landscape scheme has been submitted to and approved in writing by the local planning authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers. Drawings must include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed.

Reason

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

7.10 Condition 9

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in 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 defects period.

Reason

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

7.12 Condition 10

Implementation of any development shall be undertaken in accordance with the tree protection measures set out in the Arboricultural Method Statement, and those measures shall be retained for the duration of the demolition and construction period for that phase.

Reason

To protect trees that are to be retained in the scheme.

7.13 Condition 11

The buildings hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plans, and those facilities shall be maintained available for those purposes thereafter.

Reason

In the interest of highway safety.

7.14 Condition 12

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

Reason

To ensure the provision and availability of adequate cycle parking.

7.15 Condition 13

Prior to commencement of the development hereby permitted details of a construction management plan or construction method statement for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- 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 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;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles; and
- Methods of communicating the Construction Management Plan to staff,
- visitors and neighbouring residents and businesses.

Reason

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

7.16 Condition 14

The living room windows in the north west elevation of apartments G.07 and 1.07 hereby permitted, shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing.

Reason

In order to protect the residential amenity of adjacent properties.

7.17 Condition 15

The premises shall be used for C2 and for no other purpose (including any other purpose in Class C 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 local planning authority wish to control the specific use of the land/premises, in the interest of local housing need in accordance with policy SD12 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.

Person to Contact: Jon Bishop

Planning Application: | 20/00300/FUL

Address: | 2gether NHS Foundation Trust
18 Denmark Road Gloucester
GL1 3HZ

Committee Date: |



Our Ref: RJM/N92641

27 May 2022



Mr A Powell
Specialist Supported Housing



GLOUCESTER – 18 DENMARK ROAD

I refer to your instruction to provide a desk-top update to the viability review of the proposed development at 18 Denmark road, Gloucester.

Previous Assessment and Review

On the 22 October 2020 Alder King provided a Financial Viability Assessment as part of the planning application by Specialised Supported Housing to redevelop No. 18 Denmark Road, Gloucester (20/00300/FUL).

RCA Regeneration Limited (RCA) were appointed by Gloucester City Council (GCC) to review the submitted FVA and reported on the 9 December 2020 confirming the following:

1. A Policy Compliant scheme was unviable.
2. A 100% Open Market Supported Living Apartment scheme could provide a contribution of £19,000.
3. A 100% Open Market General Apartment scheme could provide contribution of £38,000.

A copy of this report (including the original AK FVA) is attached to this letter.

The applicant is now seeking to vary the use class from care to general needs and have agreed that a light touch review of the findings of the RCA report should be conducted to assess whether or not the agreed contribution of £38,000 are still viable and whether any additional monies are available.

In updating the assessment we have reviewed both the GDV of the proposed scheme and the appropriate core build costs. We detail below a table updating the GDV:

/Cont'd...



20 May 2022



	GIA	2020 Value	Rate	2022 Value	Rate
Refurb			RCA 2020		AK 2022 Update
1 Bed	40.4	£ 135,000.00	£ 3,341.58	£ 145,000.00	£ 3,589.11
1 Bed	41.4	£ 135,000.00	£ 3,260.87	£ 145,000.00	£ 3,502.42
1 Bed	46.0	£ 135,000.00	£ 2,934.78	£ 145,000.00	£ 3,152.17
1 bed	50.4	£ 135,000.00	£ 2,678.57	£ 145,000.00	£ 2,876.98
2 Bed	56.0	£ 170,000.00	£ 3,035.71	£ 175,000.00	£ 3,125.00
2 Bed	56.0	£ 170,000.00	£ 3,035.71	£ 175,000.00	£ 3,125.00
2 Bed	60.8	£ 170,000.00	£ 2,796.05	£ 175,000.00	£ 2,878.29
2 Bed	62.4	£ 170,000.00	£ 2,724.36	£ 175,000.00	£ 2,804.49
8	413.4	£ 1,220,000.00	£ 2,951.14	£ 1,280,000.00	
New			RVA 2020		
1 Bed	41.7	£ 130,000.00	£ 3,117.51	£ 140,000.00	£ 3,357.31
1 Bed	41.7	£ 130,000.00	£ 3,117.51	£ 140,000.00	£ 3,357.31
1 Bed	41.7	£ 130,000.00	£ 3,117.51	£ 140,000.00	£ 3,357.31
1 Bed	41.7	£ 130,000.00	£ 3,117.51	£ 140,000.00	£ 3,357.31
1 Bed	41.7	£ 130,000.00	£ 3,117.51	£ 140,000.00	£ 3,357.31
1 Bed	41.7	£ 130,000.00	£ 3,117.51	£ 140,000.00	£ 3,357.31
1 Bed	44.2	£ 130,000.00	£ 2,941.18	£ 140,000.00	£ 3,167.42
1 Bed	47.1	£ 130,000.00	£ 2,760.08	£ 140,000.00	£ 2,972.40
1 Bed	47.1	£ 130,000.00	£ 2,760.08	£ 140,000.00	£ 2,972.40
1 Bed	52.3	£ 130,000.00	£ 2,485.66	£ 140,000.00	£ 2,676.86
2 Bed	56.6	£ 165,000.00	£ 2,915.19	£ 170,000.00	£ 3,003.53
2 Bed	68.9	£ 180,000.00	£ 2,612.48	£ 185,000.00	£ 2,685.05
12	566.4	£ 1,645,000.00		£ 1,755,000.00	
20	379.59	Circulation			
Total	1359.39	£ 2,865,000.00		£ 3,035,000.00	

We confirm that, in our opinion the GDV of the proposed scheme has increased since we reviewed the development and agreed matters with RCA. Our assessment is that the total Market Value of a 100% market scheme is £3,035,000.

We have completed the same exercise for core build costs. In the previous assessment by RCA it was agreed that the core build costs were linked to BCIS. We detail below an updated extract from BCIS confirming the current build costs. We highlight the two construction costs adopted.

/Cont'd...



20 May 2022



£/m2 study

Description: Rate per m2 gross internal floor area for the building Cost including prelims.
Last updated: 07-May-2022 00:43
 > Rebased to 2Q 2022 (359; forecast) and Gloucester (99; sample 17)

Maximum age of results: 10 years

Building function (Maximum age of projects)	£/m ² gross internal floor area						Sample
	Mean	Lowest	Lower quartiles	Median	Upper quartiles	Highest	
New build							
816. Flats (apartments)							
Generally (10)	1,602	859	1,338	1,508	1,818	5,554	520
1-2 storey (10)	1,545	939	1,293	1,467	1,801	2,503	112
3-5 storey (10)	1,577	859	1,337	1,496	1,787	3,371	349
6 storey or above (10)	1,855	1,170	1,489	1,735	2,006	5,554	59
Rehabilitation/Conversion							
816. Flats (apartments)							
Generally (10)	1,544	491	938	1,305	1,583	5,376	58
1-2 storey (10)	1,710	718	1,009	1,329	1,464	5,221	8
3-5 storey (10)	1,436	491	950	1,243	1,575	5,376	37
6 storey or above (10)	1,822	566	912	1,327	2,198	4,377	12

We have allowed for the same allowances made in the RCA report:

- External Costs: 6%
- Contingency: 3%
- Professional Fees: 8%
- CIL: £36,466 (New Build Only)
- Marketing: 2%
- Legal Costs: £650 per unit
- Interest: 6%
- Profit: 15% of GDV

The outcome of the updated assessment is detailed in the table below and attached ARGUS Summary appraisal:

/Cont'd...



20 May 2022



Scenario 1 - Financial Viability Assessment			
Appraisal Revenue:			
Market Apartments (New)	£146,250	£1,755,000	
Market Apartments (Refurb)	£160,000	£1,280,000	
Gross Development Value			£3,035,000
Appraisal Outlay:			
Fixed Price:		£372,500	
Core Construction Cost		£1,888,706	
External Costs		£113,322	
Contingency		£60,061	
Professional Fees		£160,162	
Marketing & Agency Disposal Fees		£73,700	
CIL:		£36,466	
Finance		£124,839	
Developers Profit :		15% on GDV	£455,250
Residualised Price			£122,494
Surplus for Sec.106 Obligations			(£250,006)

The outcome of our updated review is that due to increase in build costs outstripping uplifts in GDV the scheme is now showing a negative land position against the agreed BLV.

I trust this information is useful in discussing the proposal with the LPA.

R J Mackay MRICS
Partner
Alder King LLP

february 2020
zeb 1369 | rev E

Development at 18 Denmark Road, Gloucester

design and access statement



1.0	introduction	03	3.0	design	10
1.1	introduction	03	3.1	brief	11
1.2	professional team	03	3.2	opportunities + constraints	12
2.0	site analysis	04	3.3	layout + scale	13
2.1	site location	05	3.4	appearance	14
2.2	existing building / site	06	3.5	materials + details	14
2.3	character	07	3.6	use + amount	15
2.4	scale	07	3.7	landscape + public realm	16
2.5	materials + details	08	3.8	energy statement	17
2.6	historic context	09	4.0	access	18
			4.1	site access	19
			4.2	parking	19
			4.3	refuse strategy	19

© Zebra Architects Ltd.
 All maps, plans, drawings and images are not to scale, and are copyright of Zebra Architects Ltd unless otherwise stated.

OS maps are used under licence no. 100020449



Aerial view of site, outlined in red.

1.1 introduction

Zebra Architects were appointed in November 2019 by Specialised Supported Housing to develop proposals and submit a detailed planning application for alterations to 18 Denmark Road, Gloucester.

The design has developed in collaboration with a full design team and representatives from Gloucestershire County Council.

This Design and Access Statement outlines the process of design. It illustrates how the site analysis, research, survey work and consultations have informed the final proposals.

It should be read in conjunction with the drawings and reports that form the detailed planning application.

1.2 professional team

The process of discussion and design development has included input from the following team:

client	Specialised Supported Housing
architects	Zebra Architects
landscape architects	Zebra Landscape architects
engineering consultant	Barnsley Marshall
planning consultant	Arriva Planning
archaeological consultant	Cotswolds Archaeology



02 | site analysis



City of Gloucester within Gloucestershire County.



Denmark Road within Gloucester City.



Site on Denmark Road.

2.1 site location

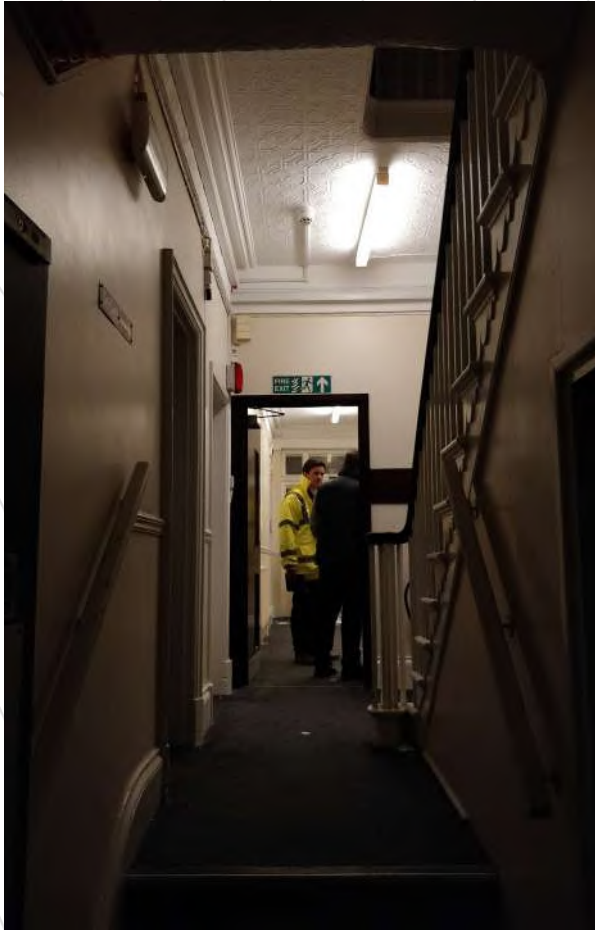
The development site is located on Denmark Road, in Gloucester.

Gloucester is the county town of Gloucestershire; a region in the south-west of England. The city has a population of circa 150,000.

Denmark Road can be found 1km north of the city centre. Whilst it is primarily occupied by residential dwellings, a number of guest houses, care homes, schools and sport institutions are also located along the road.

Formerly occupied by the NHS, the existing building unsurprisingly has excellent vehicular and public transport links to the centre of Gloucester and the wider UK. Directly north of Denmark Road, the Gloucester inner ring road connects the site to the A40/A48 to the west, and the M5 to the east. Alternatively, the Gloucester Transport Hub and railway station are only a 15 minute walk south from Denmark Road.

In addition to having excellent public and private transport links, the site on Denmark Road also benefits from a great many local amenities.



View through corridor from existing extension into original building.



Rear of 18 Denmark Road viewed from Posy Lane.



Side Extension and parking area viewed from site entrance.

2.2 existing building / site

As mentioned briefly in Section 2.1, the existing building was previously occupied by the 2gether NHS Foundation Trust.

Although only recently vacated, the building has clearly fallen into a state of disrepair as can be seen in the adjacent photos taken in January 2020.

The original building appears to be of the Victorian Era, although the exact date of construction is unknown. More recently, in the late twentieth century, a double storey extension has been constructed following approval of the historic application 44/13402/HIST. Exact details pertaining to this application are, unfortunately, no longer available on the Gloucester City Council website.

Further to this, a number of minor applications were approved between 1993 and 1997 relating to extensions and general external alterations.

Much of the site is currently attributed to on-site parking, and as such there are very few noteworthy soft landscaping features.

2.0 site analysis



2.3 character

As is the case in many suburban streets throughout the UK, Denmark road displays an eclectic range of architectural style.

The application site, 18 Denmark Road, is sandwiched between two, very different buildings. The apartment block at Michaelmas Court, pictured opposite (centre/centre), is an example of recent, developer-led, architecture. Despite its striking brick detailing, its elevation is generally austere and unwelcoming in nature.

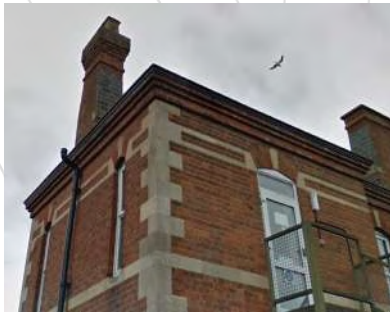
Conversely, to the east of the site is Denmark Court, pictured opposite (top/left). Denmark Court is a clear example of a late-twentieth century architecture. As can be seen, its facade is more elaborate than that of Michaelmas Court, incorporating mauve-coloured render and hanging tiles.

Elsewhere in the local area, various examples of traditional Victorian architecture can be seen, most notably that of Elizabeth House pictured opposite (centre/right).

2.4 scale

Given the suburban context of the site, the vast majority of buildings in the local context are between two/three storeys in height.

On Denmark road itself, the scale of buildings remains relatively consistent between Heathville Road and Cheltenham Road, however further afield, particularly on London Road to the east, we see a tendency towards buildings with four or more storeys.



2.5 materials + details

Denmark Road is littered with various architectural materials and details, predominately due to its combination of period dwellings and contemporary additions.

As can be seen in the adjacent imagery, the most common material seen throughout the street is red brickwork. These range generally from the handmade variety seen in the bottom-left image, to modern wire-cut versions seen in the top-left image. In many circumstances, the brick façades have been broken up using feature banding or stone detailing.

Other feature materials such as hanging wall tiles and rendered panels have been employed in certain situations; particularly within the late-twentieth century additions to the local area.

Generally, the period dwellings in the area display more elaborate ornamentation than the modern additions. Stone Quoins, banding, and edge details are all visible throughout Denmark Road, not least on the application site itself.

Roofing throughout Denmark road and neighbouring streets consists of both clay and slate tiles. Windows and doors appear to be a combination of timber and uPVC.



Conservation Area Appraisal Map, Adopted 27th November 2008.

- Proposed conservation area boundary
- Listed buildings
- Positive buildings
- Neutral buildings
- Negative buildings
- Positive open spaces
- Negative open spaces
- Important trees
- Important views
- ★ Focal buildings

2.6 historic context

The application site sits on the fringes of the Denmark Road Conservation Area, outlined in blue in the adjacent appraisal map.

Whilst the boundary of the conservation area is close to the site, the only listed building on Denmark Road which is within a reasonable distance from the site is Hillfield House, directly opposite Denmark House. Hillfield House is a large grade II listed dwelling, built c.1867 by Albert Estcourt, master builder, for Charles Walker, timber merchant.

Slightly further afield, on London Road, is the grade II listed church of St Catharine and the grade II* listed Chapel of St. Mary Magdelane. Although these will not be directly affected by any proposal on the application site, they are noteworthy examples of historic architecture within the local context.

Any proposal made by Zebra Architects will be sympathetic to the character area of Denmark Road and its associated conservation area.



03 | design



Existing Site Plan. For indicative purposes only, not to scale.

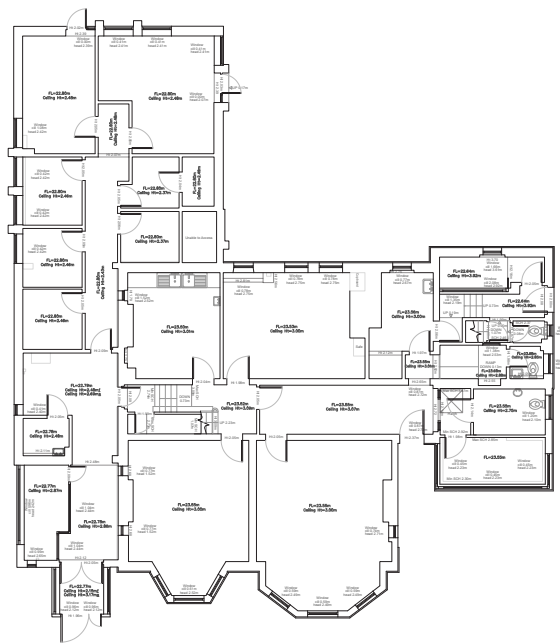
3.1 brief

Zebra were approached by Specialised Supported Housing to develop proposals to provide 20no. apartments with associated communal facilities at 18 Denmark Road. This would subsequently form part of a full planning submission.

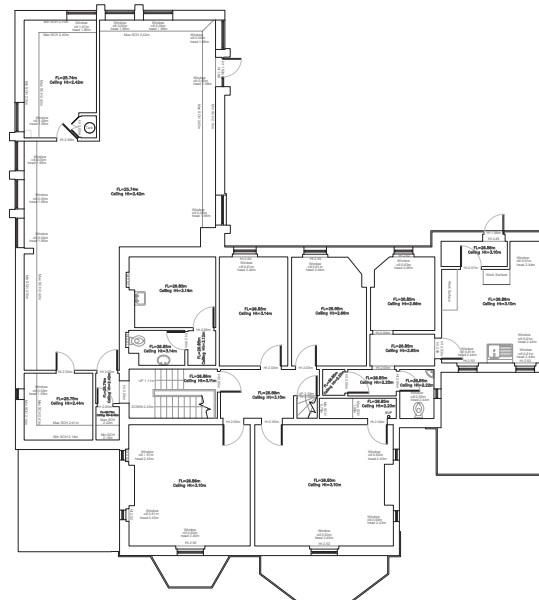
Early in the process, two main considerations were identified;

- the remodelling of the existing building and two-storey side extension, and;
- the inclusion of a new-build element to accommodate the additional apartments/services required.

It was also decided that the external appearance of the existing two-storey extension did not compliment that of the period building. Zebra were consequently tasked with rejuvenating this within the scope of works.



ground floor plan



first floor plan

Existing floor plans. Indicative only, not to scale.

3.2 opportunities & constraints

Whilst reviewing the existing situation, a number of opportunities became apparent;

- Location of access and parking already determined. Alterations to this will be necessary, however these should be minor.
- Minimal overlooking concerns at rear of the site
- Large rooms with generous ceiling heights in original building prove ideal for conversion to apartments.
- Large basement provides additional storage for care staff.
- Proposal to draw influence from prominent historic buildings throughout the local context.

Further to these observations, a number of key constraints relating to development of the site were noted;

- Existing window locations will need to be carefully considered when reorganising internal spaces to ensure that daylight is afforded to each habitable room.
- New fire escape routes, fire doors, and protected lobbies to be included into the existing building to accommodate
- Minimum overlooking distances to be achieved between existing building and new-build to rear of site.
- Footprint of existing building to remain largely unaltered



Proposed site plan. For indicative purposes only, not to scale.

3.3 layout + scale

The footprint of the proposed new-build has been extensively discussed amongst the design team. It was eventually decided that a T-shaped building would be most suitable in this situation, for three reasons;

1. The lowest section of the building will lead naturally into the site from the existing two-storey extension, whilst the short break between buildings will provide direct access from the car park into the enclosed courtyard garden.
2. The eastern projection of the new building will effectively enclose the courtyard garden and, in doing so, will provide five additional apartments with direct views of the garden.
3. The western projection will provide a physical and visual termination to the parking area when viewed from the primary site access.

Internally, circulation has been carefully designed to ensure that resident travel routes are as short as possible and easily legible for those unfamiliar with the buildings.

Although one storey taller than the adjacent extension, alling ground levels to the rear of the site ensure that the scale of the new build element is harmonious with the existing two-storey extension and similar buildings along Denmark road.



Proposed side elevation. For indicative purposes only, not to scale.

3.4 appearance

The new building will consist of a series of coinciding rectilinear forms, which steadily ascend from the south adjacent to the existing building, up to a three-storey apex to the rear of the site. This considered massing will assist in framing the proposed communal courtyard.

Both the new building and re-modelled extension will be undoubtedly contemporary in appearance to exaggerate their juxtaposition with the original Victorian building at the front of the site.

To help achieve this, features of the existing two-storey extension will be muted to simplify its external appearance. Zebra Architects have suggested the removal of the colonnade feature, and in its place plan to incorporate elements of brickwork seen throughout the new building. Existing doors and windows will be replaced with more contemporary alternatives.

3.5 materials and details

Whilst the architectural style of the proposals is contemporary, the materials chosen have been informed largely by those seen in the local area.

Red brickwork will form the primary external material for the new-build element, helping to reinforce the continuation of the existing building mentioned above. Blue/grey brickwork will distinguish the single storey element and three-storey element to the rear of the site. We anticipate that this variation of brick will harmonise with the blue/grey tones of slate roofing seen throughout the local area.

It was important that any detailing proposed in the scheme was subdued so as to not detract from the ornamentation of the original Victorian building. Isolated sections of projecting brickwork have been carefully positioned to punctuate each facade of the proposal.



Proposed aerial view. For indicative purposes only, not to scale.

3.6 use + amount

Zebra's proposal includes 20no. new, self-contained, one-bedroom apartments with associated access and a shared external courtyard.

All 20no. apartments have been designed to meet minimum GIA requirements of 40sqm. Due to the nature of internal reconfiguration, some apartments within the existing building will vary from 40-62sqm in size.

In order to provide continuous support for each resident within the development, a 24-hour office and reception area has been incorporated into the existing two-storey extension, shown opposite.

The total site area is 0.22ha.



Proposed aerial view. For indicative purposes only, not to scale.















Proposed landscape plan. For indicative purposes only, not to scale.

3.7 landscaping + public realm

Please refer to the accompanying landscape plan prepared by Zebra Landscape Architects for a detailed overview of landscaping proposals. An extract of this plan has been shown adjacent for indicative purposes only.

The courtyard garden, whilst already in use as a garden space, is to be altered where necessary to provide suitable amenity space for all residents within the development.

-  Boundary
-  Existing trees
-  Existing vegetation
-  Proposed tree planting
-  Proposed amenity planting
-  Proposed evergreen hedgerow
-  Proposed native hedgerow
-  Proposed turf
-  Buildings
-  Proposed tarmac surface
-  Proposed flag paving
Tobermore standard flags in natural or similar approved - 600x600mm
-  Proposed decorative gravel



3.8 energy statement

This Statement has been prepared to outline how the applicant intends to meet energy requirements indicated in:

- i) National Planning Policy Framework.
- ii) Approved Document Part L of the Building Regulations 2013.
- iii) The local planning policy requirements for Gloucester City Council

Building construction and the use of buildings, especially their space heating, is one of the main contributors to CO² emissions in the UK. Energy conservation, introduction of sustainable transport strategies and incorporation of energy efficient strategies can be one way to play a part in reaching targets set for CO² emission reductions set in the Kyoto agreement while reducing other adverse impacts on the environment.

A review of the Merton Rule undertaken by the NHBC foundation (The Merton Rule: A Review of the practical, environmental and economic effects, January 2009) concluded that the average cost of providing renewable sources of energy to achieve CO₂ reductions was around £525 per tonne of CO₂ saved, whereas if the reduction in CO₂ emissions was achieved by improvements to the building fabric the cost fell dramatically to £124 per tonne CO₂ saved.

By switching expenditure from providing renewables into improving the building fabric there are opportunities to boost CO₂ reduction. Careful consideration of construction materials and efficiencies is needed to ensure that the above-mentioned energy requirements are met. Each element must satisfy the U-value parameters provided in ADL 2013, as detailed below;

Element	U-Value (W/m ² .K)
Ground Floor	0.13
External Wall	0.18
Party Wall	0 (fully filled & sealed)
Roof – insulated at ceiling	0.13
Roof – insulated at slope	0.13
Roof – flat	0.13
Glazing	1.4
Door	1.2
Air Permeability	5.0 m ³ /(h.m ²)

The proposals for Denmark Road include a refurbishment element and a new build element. The existing building fabric will be improved through the refurbishment process, with improved windows and insulation provided where possible. The new-build element will meet the requirements as set out in Approved Document Part L of the Building Regulations 2013 to create a thermally efficient and airtight building and thereby minimising the building's energy usage. A detailed review of the proposal has suggested the following energy consumption values will be achievable;

Size of proposed development	1530m ²
Average energy use	55kWh/m ² /year
Total energy use per annum	84,150kWh/year

As can be seen above, a higher specification of building fabric (insulation, doors and windows) along with careful detailing, efficient services and heating systems, and low-energy lighting, will ensure that the average energy consumption of the proposal will meet Gloucester City standards. No allowances have been incorporated into the design for renewable energy sources as it can be shown that required energy standards will be met without them.



04 | access



Proposed view from entrance. For indicative purposes only, not to scale.

4.1 site access

Primary access into the application site is proposed through the existing entrance. The existing gate will be set further back into the site, in order to provide a safe temporary stopping point for those accessing the site whilst the gate is closed.

4.2 parking

The parking provision has been designed to meet the demand of the development based on the number of units and suitable location.

A total of 12no. standard sized parking bays have been included for the development.

Each apartment will have access to communal cycle storage facilities located at the southern and northern ends of the car park.

4.3 refuse strategy

A communal refuse store has been proposed in the south-western corner of the site, close to the newly proposed access gate. This location has been chosen to ensure direct access for refuse workers on collection days.



PLANNING STATEMENT

Section 73 Application for the Variation of Condition 2 (Approved Plans) and the Removal of Condition 15 (Use Class C3b Restriction) of planning application reference 20/00300/FUL

18 Denmark Road, Gloucester. GL1 3HZ

On behalf of:
Specialised Supported Housing
May 2022

Contents

1.0	Introduction	3
2.0	The Application Site and Planning History	5
3.0	The Proposed Development.....	8
4.0	Planning Policy Context.....	11
5.0	Analysis of Planning Considerations	14
6.0	Summary and Conclusions	22

Appendices

- A. 20/00300/FUL – LPA Decision Notice – 18 Denmark Road
- B. 20/00300/FUL – Committee Report – 18 Denmark Road

1.0 Introduction

1.1. This Planning Statement has been prepared by Zesta Planning Ltd, on behalf of Specialised Supported Housing (herewith referred to as 'the Applicant') and relates to the submission of a Section 73 planning application to vary Condition 2 (Approved Plans) and to remove Condition 15 (Use Class C3b Restriction) of application reference 20/00300/FUL at 18 Denmark Road, Gloucester, GL1 3HZ.

1.2. Under application reference 20/00300/FUL, approved on 12th March 2021, planning permission has been granted for the following development:

“Change of use of site from a health clinic/office to 20no. supported living apartments involving conversion of the existing main building (No. 18 Denmark Road) and the provision of a new three-storey detached building to the rear, including associated landscaping, access and parking, following demolition of an existing single storey outbuilding”

1.3. The associated Decision Notice and Committee Report are attached to this statement at **Appendices A & B**.

1.4. The Applicant now wishes to make minor amendments to the scheme through the inclusion of additional car parking and cycle spaces (Variation to Condition 2 – Approved Plans) and to remove Condition 15, which restricted to the use to Use Class C3b only and for no other use within Class C use class.

1.5. Given the scope of the amendments proposed, these would fall within the category of Minor Material Amendments and as a result this application is made under Section 73 of the Town and Country Planning Act 1990 (as amended). Under this process, the decision maker is required to solely assess the significance of the changes to the scheme. The principle of this development has already been established and therefore cannot be revisited.

1.6. Within this Statement we set out a comprehensive assessment of the proposal, including a review of the planning policies relevant to this case. It makes the clear case as to why the proposed amendments should be approved.

- 1.7. This Statement should also be read as part of a package of material that makes up the application. Where relevant, this document will cross-refer to other material as necessary, including the package of application drawings.

2.0 The Application Site and Planning History

The Application Site

- 2.1. The application site is located on the north eastern side of Denmark Road, within the Kingsholm & Wotton ward in the City of Gloucester. The site is approximately 1km from the city centre, which lies to the west. This urban area represents a sustainable location for development, close to facilities and services.
- 2.2. The site is formed of a 0.22ha rectangular parcel of land, with direct vehicular and pedestrian access from Denmark Road. The site had previously been used as a health clinic and office for the NHS 2gether Foundation Trust for many years, although following a relocation to a central site, the property became surplus to requirements and has been on the market for the past few years.
- 2.3. The site consists of the main detached building (two-storey with rooms in the roof and basement), located on the front half of the site. There is also a single-storey detached outbuilding in the rear corner of the site. The west, east and north boundaries consist of high brick walls, with the frontage boundary consisting of a low brick wall and hedging.
- 2.4. The western half of the site consists of hardstanding for car parking and the eastern rear half of the site consists of soft landscaping.
- 2.5. Residential development surrounds the site to the west, east and south, including flatted development schemes to the west and east. To the north lies Wotton Lawn Tennis Club. A public highway/footpath called Posy Lane runs along the eastern boundary of the site.
- 2.6. The site is relatively flat and is visually well contained between existing development.
- 2.7. The nearest statutory listed building (Hillfield House – Grade II Listed) lies to the south east of the site on the opposite side of Denmark Road. The site does not lie within the Denmark Road Conservation Area, albeit the Conservation Area boundary lies immediately opposite the frontage of the site.
- 2.8. The site is not located within Flood Zone 2/3, nor does it have any surface water drainage issues.

2.9. There are no other planning or environmental constraints or designations affecting the application site.

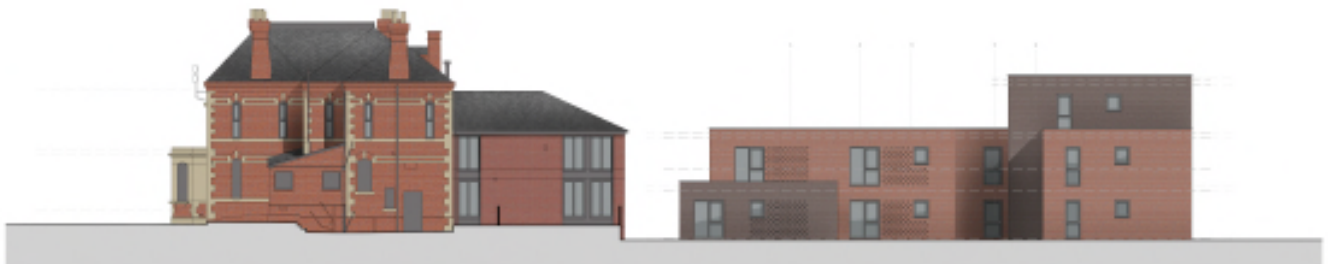
Planning History

2.10. As mentioned, planning permission has been granted for the proposed development subject of this Section 73 application, as follows:

2.11. **20/00300/FUL** - Change of use of site from a health clinic/office to 20no. supported living apartments involving conversion of the existing main building (No. 18 Denmark Road) and the provision of a new three-storey detached building to the rear, including associated landscaping, access and parking, following demolition of an existing single storey outbuilding – Permitted on 12th March 2021 and Unimplemented.



Street Scene 01



Street Scene 02



Street Scene 03

Approved Elevations – App Ref – 20/00300/FUL



Approved Site Plan – App Ref – 20/00300/FUL

3.0 The Proposed Development

- 3.1. This Section 73 application seeks consent for the Variation of Condition 2 (Approved Plans and the Removal of Condition 15 (Use Class C3b Restriction) of application reference 20/00300/FUL for the aforementioned development at 18 Denmark Road, Gloucester. This permission has not yet been implemented.
- 3.2. It should be noted that the application site, as originally approved, remains identical to that shown within the original approval. Apart from the amendments outlined below, the development remains the same as that permitted under the original application.
- 3.3. Condition 2 (Approved Plans) states:

“The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers:

PL001 Rev A – Site Location Block Plan

PL005 Rev K – Proposed Site Plan

PL101 Rev G – Proposed Basement Floor Plan

PL102 Rev L – Proposed Ground Floor Plan

PL103 Rev K – Proposed First Floor Plan

PL104 Rev J – Proposed Second Floor Plan

PL105 – Proposed Roof Plan

PL111 – Rev A – Proposed Bin Cycle Store

PL201 Rev E – Proposed Elevations (1)

PL202 Rev H – Proposed Elevations (2)

PL301 Rev E – Proposed Street Scenes

PL501 – Shading Analysis

L201 Rev C – Detailed Landscape Proposals

Design & Access Statement – Rev D

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

Reason – *To ensure that the development is carried out in accordance with the approved plans.”*

3.4. In summary, the proposed amendments to the approved scheme include the following:

- Increase in the number of car parking spaces from 8 to 11, through the provision of 3no. additional spaces on the site frontage.
- Inclusion of 3no. new semi-mature trees on the site frontage.
- Increase in the number of cycle parking spaces from 14 to 20, through additional of additional secure cycle parking to the rear of the site.

3.5. In line with the above alterations, we are requesting that the plans and documents associated with Condition 2 of planning permission reference 20/00300/FUL are amended as follows:

- PL005 Rev M – Proposed Site Plan (Replacing PL005 Rev K – Proposed Site Plan)
- L201 Rev D – Detailed Landscaping Proposals (Replacing L201 Rev C – Detailed Landscape Proposals)
- Design & Access Statement – Rev E (Replacing Design & Access Statement – Rev D)

3.6. No other plans or documents under Condition 2 are affected by the alterations.

3.7. Condition 15 (Use Class C3b Restriction) states:

“The premises shall be used for C3(b) and for no other purpose (including any other purpose in Class C 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 local planning authority wish to control the specific use of the land/premises, in the interest of local housing need in accordance with policy SSD12 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.”*

- 3.8. In the period since securing planning permission, the applicant has tried numerous avenues to take forward a supported living scheme on the site through several Registered Providers, however due to increased build costs, required rent levels for residents and low potential to access Homes England grant funding, it is no longer viable to provide a supported living scheme through Use Class C3(b). The applicant has tried all avenues, including options to develop the site themselves and also to sell the site to several other Registered Providers, through liaison with Gloucestershire County Council, however everyone has arrived at the same viability conclusion and all avenues have been exhausted.
- 3.9. The only remaining option is to remove the restrictive Condition 15 in order to provide additional flexibility in the type of Use Class C3 that can be provided on site. The applicant would then be free to develop or sell on a development that could be used for other purposes under Use Class C3 without the requirement for further permission, including 20no. market apartments (Use Class C3a).
- 3.10. A S106 was signed under the original application to provide an affordable housing contribution of £19,000. Alder King have provided an updated viability review of the site, based on RCA assumptions previously discussed, which now demonstrates that it is no longer viable to provide any affordable housing contribution, either as a supported living scheme or a market housing scheme. Therefore, a Deed of Variation or Removal of the previously completed S106 may be sought as part of this application.
- 3.11. The regulations make it clear that Section 73 applications only need to be accompanied by such information as is necessary to consider the application, which in this case relates to the above information.

4.0 Planning Policy Context

- 4.1. Planning law sets out that applications should be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan in this case comprises of the Adopted Cheltenham, Gloucester and Tewkesbury Joint Core Strategy (JCS). The saved policies of the Gloucester Local Plan 1983 also still form part of the Development Plan at this time, although its policies are clearly time expired and outdated.
- 4.2. Other relevant material considerations including the Government's National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and the non-statutory Gloucester Local Plan 2002. The emerging Gloucester City Plan will also form part of the Development Plan in the future, but this is still awaiting adoption and as a result, it carries limited weight at this stage.

The Joint Core Strategy (JCS) – Adopted December 2017

- 4.3. The JCS for Cheltenham, Gloucester and Tewkesbury was adopted in December 2017 and forms part of the Development Plan for the area. The JCS covers the plan period for 2011-2031 and acts as an overarching spatial strategy for the three districts. The following policies of the JCS are broadly relevant to this application:
- **Policy SP1: The need for new development** sets out the need to provide 35,175 new homes up to 2031 across the JCS, for which Gloucester City Council's administrative areas is required to deliver at least 14,359 new homes during the plan period.
 - **Policy SP2: Distribution of new development** sets out that in achieving this housing requirement this policy seeks to focus development within the administrative boundary of Gloucester.
 - **Policy SD4: Design** relates to 'design requirements' and requires development to be of good quality design and take in to account all aspects of urban design.

- **Policy SD10: Residential Development** notes that on sites that are not allocated, housing developments and conversions to dwellings on previously developed land in the existing built-up areas of Gloucester City will be permitted. Residential infilling will also be permitted within these areas. Maximum densities should also be achieved, where possible.
- **Policy SD11: Housing Mix** supports a mix of dwellings sizes to contribute to a balanced housing market and that they should meet the minimum space standards. Improvements to the quality of existing housing stock involving remodelling and replacing residential accommodation will be encouraged where this would contribute to better meeting the needs of the local community.
- **Policy SD14: Health and Environmental Quality** sets out that new development must not cause unacceptable harm to neighbouring amenity.
- **Policy INF1: Access to development** requires development proposals to have a safe access on to the highway network. Applications should only be refused on highway grounds where it would cause a cumulatively 'severe' impact.

Gloucester Local Plans

- 4.4. The **Gloucester Local Plan 1983** is acknowledged to be time expired, and the majority of its policies have now been superseded by the JCS. Although several policies have been saved until such time as they are replaced by policies in the lower-level Gloucester City Plan, none of the remaining saved policies are deemed to be relevant in the consideration of this application.
- 4.5. In regard to the non-statutory **Gloucester Local Plan 2002**, although the plan was never formally adopted, the Council historically have used the plan policies for development control purposes. The policies have been reviewed by the Council in light of the JCS and NPPF, with a number of policies recorded as still holding weight. However, none of these policies are deemed relevant in the consideration of this application.

4.6. The **Emerging Gloucester City Plan** has now reached the Main Modifications Consultation stage and this is currently being held until 4th July 2022. As this consultation is still outstanding at the time of writing, the policies within can only carry limited weight in the determination of this application at this stage.

The National Planning Policy Framework (NPPF) & Planning Practice Guidance

4.7. The NPPF 2021 sets out the Governments overarching planning policies and how it intends them to be applied at the local level. The NPPF provides guidance for local planning authorities in determining applications and is capable of outweighing the development plan.

4.8. Importantly, **Paragraph 11** continues to provide a presumption in favour of sustainable development as per the previous version. This means approving development proposals that accord with the development plan without delay; and where the development plan is out-of-date granting planning permission unless the adverse impacts of development significantly and demonstrably outweigh the benefits.

4.9. **Paragraph 60** seeks to significantly boost the supply of homes by ensuring a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.

4.10. **Paragraph 110** requires safe and suitable access to be provided. It states that development should only be refused on transport grounds where the cumulative impacts of development on the transport network would be severe.

4.11. **Paragraph 134** states that “where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a reason to object to the development”.

4.12. The Government’s advice contained within the PPG largely reflects that in the NPPF.

5.0 Analysis of Planning Considerations

Variation of Condition 2 (Approved Plans)

- 5.1. As mentioned above, the proposed amendments to the approved scheme through variation of the plans outlined in Condition 2 of application reference 20/00300/FUL include the following:
- Increase in the number of car parking spaces from 8 to 11, through the provision of 3no. additional spaces on the site frontage.
 - Inclusion of 3no. new semi-mature trees on the site frontage.
 - Increase in the number of cycle parking spaces from 14 to 20, through additional of additional secure cycle parking to the rear of the site.
- 5.2. Other than the above, the approved built form and layout will remain the same.



Approved Site Plan – Front of Site



Proposed Amended Site Plan (Amendments Highlighted Blue)



Approved Site Plan – Rear of Site



Proposed Amended Site Plan (Amendments Highlighted Blue)

- 5.3. Visually, the proposed amendments above will not have any significant impact on the character of the development or the area.
- 5.4. The three new car parking spaces at the front of the building will be located behind the front boundary wall, with associated screening. Although two existing trees will be removed to make way for these additional spaces, it is proposed to replace these with 3no. semi-mature specimens to enhance the soft landscaping provision on the site frontage.
- 5.5. The inclusion of three additional spaces will also bring the total number of on-site car parking spaces to 11, to service the 20no. apartments. It should be acknowledged that GCC Highways did not raise any concerns to the provision of 8 on-site spaces on the original permission. Importantly, the site is not located within an area with a controlled parking zone and is in very close proximity to the regular bus route (No. 10 & No. 94) between Gloucester and Cheltenham, as well as Gloucester Railway Station.

- 5.6. The site is a sustainable location for development and provision of three additional parking spaces presents an improvement over the approved situation.
- 5.7. As with the original permission, the three additional car parking spaces have also been tracked to confirm that vehicles using them will be able to enter and exit the site in forward gear. The on-site turning head also remains in situ.



Tracking plan showing vehicle tracking into the three additional spaces

- 5.8. The additional cycle parking storage spaces shown within the north west corner of the site, adding to the approved cycle storage in this location, would not have any discernible impact on the character of the proposals or the amenity of neighbouring properties. Bringing the number of cycle parking spaces up to 20no. (1 per unit), brings the proposals in line with the relevant standards in the Gloucestershire Manual for Streets (July 2020).

5.9. Overall, these minor material amendments would be modest in relation to the approved scheme and would accord with the provisions of the Development Plan and the National Planning Policy Framework.

Removal of Condition 15 (Use Class C3b Restriction)

5.10. Condition 15 (Use Class C3b Restriction) states:

“The premises shall be used for C3(b) and for no other purpose (including any other purpose in Class C 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 local planning authority wish to control the specific use of the land/premises, in the interest of local housing need in accordance with policy SSD12 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.”*

5.11. At the time of the submission of the original application it was a clear stated aim that the applicant, Specialised Supported Housing, sought to provide a supported living accommodation scheme on the site through the provision of 20no. 1-bed apartments spread over the existing frontage building and a new building to the rear.

5.12. The provision of a supported living scheme was sought following lengthy discussions with Gloucestershire County Council, as the health & social care provider, which started back in Summer 2019. The application site was purchased by Specialised Supported Housing in January 2020 on the basis of an agreed rental rate in line with Housing Benefit rates.

5.13. During the period between April 2020 and November 2020, Gloucestershire County Council’s position had changed in relation to the cohort of individuals requiring accommodation. Initially, the accommodation was for individuals over 55 years old, with enduring mental health issues and whom have not been in employment for over 30 years. This shifted to younger individuals with mixed needs and requiring relatively low levels of support (i.e., no severe of enduring mental health issues).

- 5.14. During the same period, despite previously agreeing a rental rate, due to the change in individuals, Gloucestershire County Council sought to amend the rates. Unfortunately, this created a viability issue for Specialised Supported Housing, as they did not have access to any grant funding to reduce rates and therefore could not deliver the units at an affordable level.
- 5.15. By March 2021, with no agreement with Gloucestershire County Council, the time passed since purchase and no access to grant funding to provide affordable rents, Specialised Supported Housing could not provide a viable supported living scheme. As a result, the applicant had no choice but to proceed with the sale of the site to an alternative Registered Provider, one who would have access to Homes England grant funding to try and deliver affordable rates.
- 5.16. Working in conjunction with David Durden (Housing Strategy Officer at Gloucester City Council) to identify suitable Registered Providers, numerous were approached with the aim to provide an affordable rent scheme for Gloucestershire County Council with the benefit of Homes England funding. Unfortunately, despite the funding available, none of the Registered Providers could make the rent affordable enough to make a viable supported living scheme in this location.
- 5.17. This has all been compounded by the Covid-19 pandemic and the well documented increases in build costs, materials prices etc within the past two years.
- 5.18. Therefore, the applicant and landowner, are in a position where they are 2.5 years on from the purchase of this site with no viable opportunity to bring forward a supported living scheme, either themselves or through a Registered Provider.
- 5.19. The Use Class C3b restriction under Condition 15 therefore creates an unviable use for this site, which effectively sterilises the permission.
- 5.20. Having lost a considerable sum of money on this site over the past 2.5 years, the applicant is seeking removal of this condition in order for them to be able to find an open market buyer for the site, who could use the permission to deliver a market housing scheme of 20no. 1-bed apartments. The removal of this condition would effectively give a more flexible permission under Use Class C3, which would continue to deliver much-needed housing.

- 5.21. Aside from the more flexible accommodation under Use Class C3, there would be no discernible impact on the scheme overall, the character of the area or the amenity of neighbouring properties. The internal arrangement of the building already provided for 20no. 1-bed apartments, which were all designed at a scale to meet the National Space Standards. The external amenity space will remain the same, and the car/cycle parking provision has been enhanced to suit.
- 5.22. The applicant envisages that the accommodation moving forward would be most likely to be market housing under Use Class C3a.
- 5.23. Overall, the removal of Condition 15 for the reasons given above would be modest in relation to the approved scheme and would still ensure that the proposals accord with the provisions of the Development Plan and the National Planning Policy Framework.

Viability Assessment, Affordable Housing and S106

- 5.24. Under the original application, Alder King provided a Financial Viability Assessment, which was independently assessed by RCA Regeneration Ltd, appointed by Gloucester City Council.
- 5.25. As a result of this, it was agreed that the approved supported living scheme could not provide a policy compliant affordable housing contribution, but that a financial contribution of £19,000 could be provided. At the time, the applicant agreed to the provision of this financial contribution and completed and signed a S106 Agreement dated 11th March 2021.
- 5.26. However, in light of the unviability of the supported living scheme mentioned above and also the passage of time with associated increases in construction costs, Alder King have provided a desk-top update, dated 27th May 2022. This update has assessed the scheme on the basis of 100% general open market housing (i.e., Use Class C3a).
- 5.27. This update has been submitted with the Section 73 application for review and concludes that due to the increase in build costs outstripping uplifts in GDV, the scheme now shows a negative land position against the agreed BLV. Therefore, the scheme can no longer afford any financial contributions for affordable housing.

5.28. As a result of this, the applicant would welcome discussions with the Council on how best to remove or delete the previously signed S106 Agreement dated 11th March 2021. The applicant would be happy to discuss a Deed of Variation if this was considered to be most appropriate.

6.0 Summary and Conclusions

- 6.1. Planning permission exists for the change of use of site from a health clinic/office to 20no. supported living apartments involving conversion of the existing main building (No. 18 Denmark Road) and the provision of a new three-storey detached building to the rear, including associated landscaping, access and parking, following demolition of an existing single storey outbuilding. This development remains extant at this time. The applicant wishes to make minor material amendments to the approved plans.
- 6.2. This application seeks permission to make amendments to the approved plans under Section 73 of the Town and Country Planning Act 1990 (as amended). Condition 2 (Approved Plans) is proposed to be amended to increase the number of car parking and cycle storage spaces on site.
- 6.3. In addition, the applicant is seeking to remove Condition 15 (Use Class C3b Restriction) in order to provide greater flexibility for the residential use of the site following a lengthy and ultimately fruitless process to develop the site for a Class C3b use.
- 6.4. The overall principle of development has already been established and this is not to be revisited. Under the Section 73 process, the Council's consideration is limited to the extent of the material changes from that of the originally approved scheme.
- 6.5. For the reasons set out in this Planning Statement, this minor amendments proposed would be relatively minor and would not have any material impact on the character or appearance of the area.
- 6.6. We conclude that this Section 73 application remains fully compliant with the Development Plan and can be granted planning permission



**GLOUCESTER - 18 Denmark Road May 2022
 20 Market Apartments - 100% Market
 General Market Housing**
Appraisal Summary for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	m ²	Sales Rate m ²	Unit Price	Gross Sales
Market Apartments (New)	12	566.40	3,098.52	146,250	1,755,000
Market Apartments (Refurb)	<u>8</u>	<u>413.40</u>	3,096.27	160,000	<u>1,280,000</u>
Totals	20	979.80			3,035,000

NET REALISATION
3,035,000
OUTLAY
ACQUISITION COSTS

Fixed Price	372,500			
Fixed Price			372,500	
Residualised Price (Negative land)			(250,006)	
				122,494

CONSTRUCTION COSTS

Construction	m ²	Build Rate m ²	Cost	
Market Apartments (New)	785.90	1,496.00	1,175,710	
Market Apartments (Refurb)	<u>573.61</u>	1,243.00	<u>712,996</u>	
Totals	1,359.51 m²		1,888,706	
Contingency		3.00%	60,061	1,948,767
Other Construction				
Other Construction		6.00%	113,322	113,322
				113,322
Section 106 Costs				
CIL	785.90 m ²	46.40	36,466	36,466
				36,466
PROFESSIONAL FEES				
Other Professionals		8.00%	160,162	160,162
				160,162
DISPOSAL FEES				
Sales Agent Fee		2.00%	60,700	
Sales Legal Fee	20.00 un	650.00 /un	13,000	
				73,700

FINANCE

Timescale	Duration	Commences
Purchase	1	May 2022
Pre-Construction	3	Jun 2022
Construction	12	Sep 2022
Sale	12	Sep 2023
Total Duration	28	

Debit Rate 6.000%, Credit Rate 0.500% (Nominal)

Land	9,473
Construction	59,396
Other	55,969
Total Finance Cost	124,839

TOTAL COSTS
2,579,750

GLOUCESTER - 18 Denmark Road May 2022**20 Market Apartments - 100% Market****General Market Housing****PROFIT****455,250****Performance Measures**

Profit on Cost%	17.65%
Profit on GDV%	15.00%
Profit on NDV%	15.00%
IRR% (without Interest)	23.84%
Profit Erosion (finance rate 6.000)	2 yrs 9 mths