

List of planning applications and other proposals submitted under the planning acts to be determined by the director of environment and community services

CIRCULATED SCHEDULE NO: 35/23

Date to Members: 01/09/2023

Member's Deadline: 07/09/2023 (5.00pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2020. Under the arrangement certain reports are circulated on a weekly basis. The reports assess the application, considers representations which have been received, and make a recommendation regarding the proposal.

Having considered the reports, those applications that Councillors feel should be referred to the relevant Planning Committee must be notified to the Strategic Planning section by email within five working days of the publication of the schedule (by 5pm) in line with the procedure set out below. If there has been no valid Member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule.

Before referring an item to the Committee, it is recommended that Members speak to an officer about the issue, to explore whether any problems can perhaps be resolved without the need for referral to a Committee. You may also wish to refer to the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

PLEASE NOTE: The circulated schedule process is only open to elected Members of South Gloucestershire Council.

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate planning committee then a referral should:

- a) Be made in writing using the attached form by emailing MemberReferral@southglos.gov.uk identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral You may wish to consider the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

If would be helpful if you could indicate if you:-

- Have discussed the application(s) with the Case Officer and/or Development Manager
- Have discussed the application(s) with ward Member(s) if the site is outside of your ward
- Consider the site would benefit from a visit by the committee, setting out the reasons

Valid referral requests will be considered by the Committee Chair, in consultation with the Spokes, against the criteria given in the Members' Planning Code of Good Practice in the Council's constitution and you will be notified of the Chair's decision. Applications which are not referral, or where the referral request is not agreed by the Chair, will be determined by officers under delegated powers

The Circulated Schedule will always contain the following applications unless the application is required to be determined by Committee:

- 1) Any application submitted by, or jointly, or on behalf of the Council.
- 2) Any application submitted by or any matter directly affecting or involving any

Member of the Council and any application(s), submitted by an Officer of the Council working in the Strategic Planning area (specifically the Policy and Specialist Advice, Development Management, Strategic Major Sites and Planning Enforcement, Validation & Registration and Planning Technical Support teams) or any Member or Officer of the Council acting as a planning agent.

- 3) Any application requiring a new planning agreement.
- 4) Any applications requiring a modification of an existing planning agreement where in the opinion of the Director, there would be a detriment to the public benefits secured.

5) Any application where the proposed decision of the Director would, in his opinion, be contrary to the policies of the Council as expressed in the Development Plan and/or any emerging plan and require referral to the Secretary of State following approval in principle by the Council for the purposes of development control decision making.

6) Any applications, except those listed below a-f where three or more representations contrary to the Officers recommendation are received within the notification period other than from officers of the Council acting in their professional capacity.

7) Any applications, except those list below a-f where a representation is received within the notification period which is contrary to the officers recommendation from the Parish or Town Council within whose boundary the proposal lies wholly or in part.

8) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officer's recommendation from any Member of South Gloucestershire Council.

Applications that will not appear of the Circulated Schedule procedure as a result of representations received:

a. All applications, where approval is deemed to be granted upon the expiry of a defined period

b. All applications to be determined the lawfulness of a proposed or existing use of a site

c. All applications for non-material amendments

d. All applications to discharge planning conditions

e. All applications solely required because of the removal of Permitted Development Rights or Article 4 direction

f. Any footpath stopping up or diversion required to implement an approved scheme

Additional guidance for Members

Always make your referral request by email to MemberReferral@southglos.gov.uk (not individual email addresses), where referrals can be picked up quickly by the Technical Support Team.

Please note a copy of your referral e mail will appear on the website.

Before referring an application always contact the case officer or Development Manager first to see if your concerns can be addressed without the application being referred.

If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward Member(s) to see what their views are, before referring the application.

Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Please do not leave it to the last minute.

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

1. Application reference number:

2. Site Location:

3. Reasons for referral:

The referral should include the reasons for the referral indicating why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issues the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay of the referral

4. If the site is outside your ward have you contacted the ward Member(s) to inform them of the referral?

5. Have you discussed the referral with the case officer or Development Manager?

6. Do you feel a site visit is required or can issues be addressed by other means e.g. further information in the report, additional presentation material, video etc.

Do you consider this is an application of strategic importance such that you would request the Director to consider using his discretion to refer the matter to the Strategic Sites Delivery Committee? If so please set out your reasons:

Date:

To be emailed to MemberReferral@southglos.gov.uk

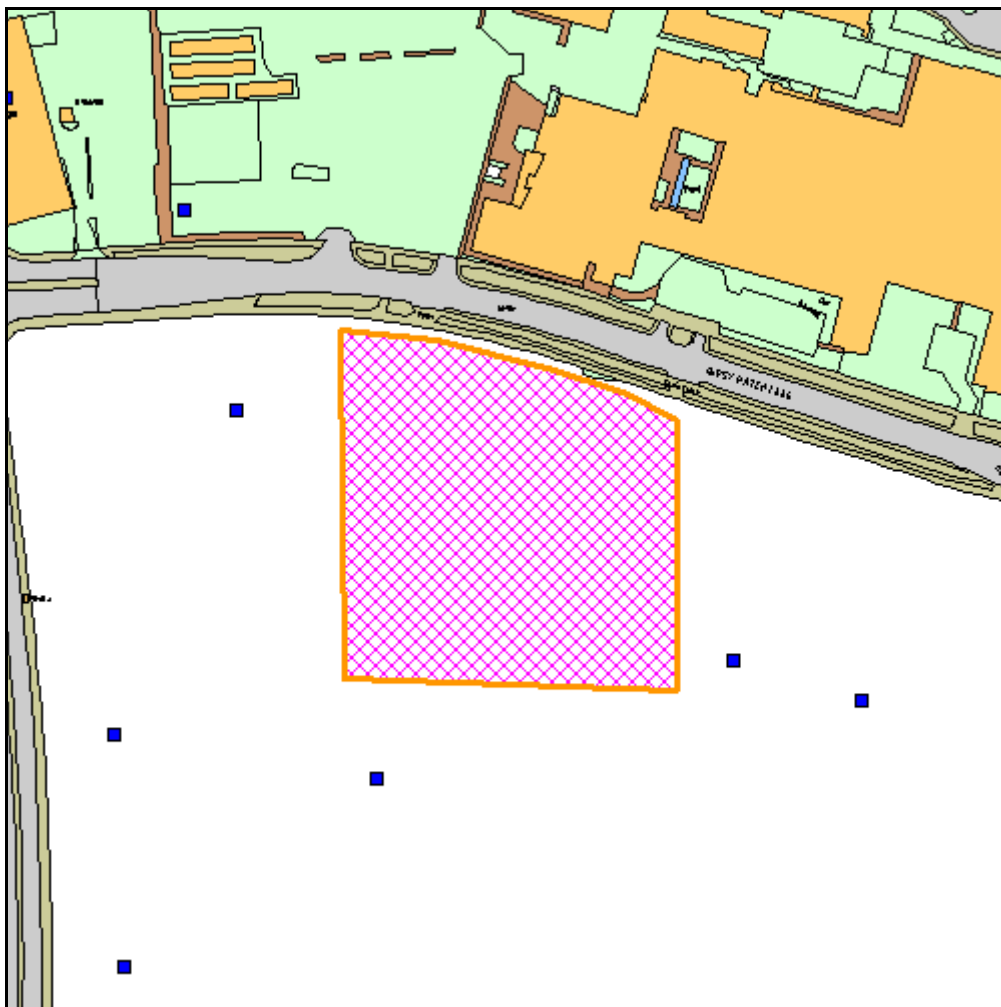
CIRCULATED SCHEDULE 01 September 2023

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P23/01822/RVC	Approve with Conditions	Plots B1-B5 Horizon 38 Bullfinch Close Patchway South Gloucestershire BS34 6FG	Filton	Filton Town Council
2	P23/01891/F	Approve with Conditions	4 Hazelgrove Winterbourne South Gloucestershire BS36 1SH	Winterbourne	Winterbourne Parish Council
3	P23/02067/HH	Approve with Conditions	7 Park Crescent Frenchay South Gloucestershire BS16 1PD	Frenchay And Downend	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 35/22 -1st September 2023

App No.:	P23/01822/RVC	Applicant:	Cubex Land (Frelid Filton) LLP
Site:	Plots B1-B5 Horizon 38 Bullfinch Close Patchway South Gloucestershire BS34 6FG	Date Reg:	12th June 2023
Proposal:	Variation of conditions 2 (approved drawings); 4 (drainage); 5 (Travel Plan); 6 (Ecological Mitigation) and 10 (Planting Plan) attached to permission P22/05000/F. Erection of 8no. units for industrial processes, general industry and storage and distribution (Use Classes E(g)(iii), B2 and B8) with associated parking, access, landscaping, drainage and associated works.	Parish:	Filton Town Council
Map Ref:	360565 180599	Ward:	Filton
Application Category:	Major	Target Date:	11th September 2023



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 100023410, 2008. N.T.S. P23/01822/RVC

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

INTRODUCTION

The report and recommendation are referred to the Circulated Schedule in accordance with the Council Constitution as an objection has been received from the Parish Council

THE PROPOSAL

1.1 On 3rd May 2023 planning consent P22/05000/F, (with conditions and subject to a Unilateral Undertaking to secure a travel plan), was given for the erection of 8 no. warehouses each with a mezzanine floor. These new structures will be supported with an access road, services yards car parking and associated landscaping with security fencing.

1.2 The current application submitted under Section 73 of the Town and Country Planning Act 1990 (as amended) proposes the following main changes:

Relocation and removal of mezzanine floor space, resulting in a reconfiguration of internal floor space. The floor to be removed will be to the north of Units 4 and 5 which face towards Gypsy Patch Lane. Other mezzanines are retained.

Reduction in building height to haunch and revised mezzanine height. The height will be reduced from 9.5m to 8.4m.

Amendments to elevation details and fenestration arrangement at entrances.

Highways - amended highway junction along southern boundary, turning circle and additional parking in the north. Enhanced cycle parking and 14 no. parking spaces are relocated to the north.

The proposed changes will result in a reduction in floor area from 6759 sq. to 6578 sq.

1.3 The changes if acceptable would require changes to the conditions because previous documents and plans were the subject to compliance conditions. So revised details have been submitted accordingly for the following conditions.

Condition 2 – change to approved plans

Condition 4 – Revised drainage plan

Condition 5 – Revision to travel plan

Condition 6 – Ecological Appraisal amended

Condition 10 – Planting

1.4 The application site comprises 1.17 hectares of relatively flat land that was formerly (until 2013) part of the Rolls Royce site. The site is surrounded on all sides by commercial development with Gypsy Patch Lane to the north. A footpath will be provided along the western boundary. 58 car parking spaces

are shown with 20% with vehicle charging, cycle parking is also shown. Landscape buffers are shown in particular along the northern and eastern boundary.

- 1.5 The application site lies within an employment area safeguarded by Policy CS12 of the South Gloucestershire Core Strategy, specifically for B Use Classes, with Policy PSP27 of the South Gloucestershire Policies Sites and Places Plan providing support for B8 Storage and Distribution uses within safeguarded employment areas. The site also lies within the Filton Enterprise Area, one of three strategically important designated Enterprise Areas in South Gloucestershire.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS11 Distribution of Economic Development Land
CS12 Safeguarded Areas for Economic Development
CS23 Community Infrastructure and Cultural Activity
CS25 Communities of the North Fringe of Bristol Urban Area

South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017

PSP1 Local Distinctiveness
PSP2 Landscape
PSP6 Onsite Renewable and Low Carbon Energy
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP26 Enterprise Areas
PSP27 B8 Storage and Distribution Uses

Supplementary Planning Guidance

Renewables SPD (Adopted November 2014)
Landscape Character Assessment SPD (Adopted November 2014)
Green Infrastructure SPD (adopted April 2021)

Trees and Development Sites SPD (adopted April 2021)
Sustainable Urban Drainage (adopted April 2021)
CIL and S106 SPD (Adopted March 2015)

3. **RELEVANT PLANNING HISTORY**

The application site has been subject to a number of consents previously of which the following are the most relevant:

3.1PT12/0601/EXT - Redevelopment of site for mixed use development comprising Use Classes: B1 (a) Offices, B1(c) Light Industry, B2 General Industry, B8 Storage and Distribution, C1 Hotel including ancillary leisure and food and drink, sui generis trade units and car dealerships, with associated infrastructure, access, parking (Outline) with access to be considered with all other matters to be reserved. (Application for consent to extend time limit for implementation for PT07/2478/O) Approved 8th June 2012 subject to s106 agreement

PT15/1634/RVC - Variation of conditions 5 and 32 and removal of conditions 31 and 33 attached to planning permission PT12/0601/EXT. Approved 15th July 2015 subject to s106 legal agreement (this planning consent remains extant by virtue of the submission of this reserved matters application).

Reserved Matters

PT15/2209/RM - Layout, scale, appearance and buildings, landscaping of the site together with associated parking. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permissions (PT15/1634/RVC). Approved 30th September 2015 subject to conditions

PT16/1176/RVC - Variation of condition 4 attached to planning permission PT15/2209/RM to substitute approved drawings with those received by the Council on 15th March 2016. Approved 10th June 2016 subject to conditions

PT16/5502/RVC - Variation of condition 4 attached to planning permission PT16/1176/RVC to substitute plans numbered 13671-S73-102G, 13671-S73-F2-101A, 13671-S73-107C, 13671-S73-111J with revised plans. Approved 17th January 2017 subject to conditions. PT17/5682/RVC - Variation of condition 5 attached to planning permission PT16/5502/RVC to add revised landscaping plans. Approved 6th April 2018 subject to conditions

Alterations to Hotel – Adjoining application site to the west
PT18/2236/RVC - Variation of condition 5 attached to planning permission PT17/5682/RVC to substitute approved drawings with revised drawings. Approved 11th September 2018 subject to conditions

P22/05000/F Erection of 8no. Units for industrial processes, general industry and storage and distribution (Use Classes E (g) (iii), B2 and B8) with associated parking, access, landscaping, drainage and associated works. Approved subject to conditions and unilateral undertaking 3rd May 2023.

4. CONSULTATION RESPONSES

4.1 Filton Parish Council

Objection: Reduction in proposed biodiversity is not acceptable from previous drawings Permeable paving of parking spaces is recommended to mitigate some infiltration losses Opportunity to install intensive green roofing on the flat roof sections to counteract the loss from the development

4.2 Landscape Officer

Initial Comments

The proposals represent a decrease in landscape provision from the approved scheme, which is disappointing; 2 less trees are now shown and the planting beds, notably enclosing the southwestern corner of the site are much reduced. The widening of the footpath along the western boundary on the corner should be reconsidered to allow a continuous hedgerow, as previously proposed to enclose the corner. It is noted also, that the trees along the southern boundary are now much closer to the HV cable, so will require root barriers.

The landscape proposals should be amended so more in line with the approved scheme. All amendments should be clearly highlighted on the plan, to allow comparison with previous versions.

Following the submission of additional information and revisions, no objection is raised but the LEMP needs to extend the maintenance period.

4.3 Tree Officer

No objection following the submission of revised landscape details

4.4 Sustainable Transport

Initial Comments (summary)

Transport Statement

The contents of the Transport Technical Note are noted. We do not believe that it is likely that the variation in the overall travel demand arising from this small change will have any material impact on the local highway network. It is agreed that the on-site parking provision is satisfactory. It is agreed that non-car access to the site can be achieved by a variety of transport modes. Overall we do not believe that this proposal is likely to create any significant highway or transportation issues.

Travel Plan – acceptable

4.5 Ecologist

Initial Comments (summary)

Green roofs have been removed which is disappointing –explanation required
Changes to positions of wildlife boxes are acceptable
BNG loss will be -85.71% similar to the approved scheme

Following the submission of revised/additional information no objection is raised.

4.6 Lead Local Flood Authority

Initial Comments

We note the comment made in the technical note that as the proposed scheme amendments are relatively inconsequential to the drainage strategy, no changes to the strategy are proposed. Surface water runoff from the development will still discharge to the existing surface water sewer at a maximum rate of 39 L/s, as per the consented strategy.

It is now proposed to pump surface water runoff to the existing drain due to the levels of the site and the levels of the existing drain. The location of the surface water pump is shown on the Proposed Drainage Plan, which is welcomed. Details of who will be responsible for this feature along with emergency contact details will need to be provided in an appropriate maintenance and management document.

We note that paragraph 3.5 states '*An updated drainage scheme drawing for the site is appended – this will be developed with additional detail, including Micro Drainage model results, in the near future to provide sufficient detail for the LLFA to consider the proposals to be suitable for a repeat of the current compliance condition*'. We query if these details are to be provided as part of this application?

Following the submission of additional information the following comments have been received:

The Flood & Water Management Team (Department for Place) has **No Objection** to this application.

Additional drainage information has been submitted for this application. Having completed our review of this information, I can confirm that the details satisfy our requirements, and we have no further comments to make.

4.7 Urban Design Officer (summary)

Objection - that the submitted elevation plans now shows what is a very different scheme design, in terms of the types, colours and application of materials, as well as a different form, footprint and overall height.

Unit 1-4 – Enhanced glazing between Units 2 and 3. Increased dark cladding defining windows. Vertical glazing now replaced by cladding. Some glazing on northern but the rest dark cladding and southern elevations

Unit 5-8 – Additional roller shutter door but again more cladding. All windows removed on the western elevation. The windows provided surveillance of footpath. More Goosewing Grey cladding on southern elevation.

The increased height provides additional areas of darkness and grey.

The darker colour detracts from the previously approved scheme.

Following revisions no formal objection is raised

4.8 **Other Representations**

Local Residents/Neighbouring Occupiers

No comments have been received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

- 5.2 The principle of development has been accepted previously through the approval of P22/05000/F *Erection of 8no. Units for industrial processes, general industry and storage and distribution (Use Classes E (g) (iii), B2 and B8) with associated parking, access, landscaping, drainage and associated works. Approved subject to conditions and unilateral undertaking 3rd May 2023.*

The following report will therefore only consider the changes that have been submitted as set out in Section 1 of this report above. As with all S73 applications there is an opportunity to vary or amend other existing conditions or if it meets the tests of a condition to add additional conditions if appropriate.

5.3 Design/Visual Amenity

While it is appreciated the development sits within a commercial context, this does not mean that the objectives of Policy CS1 seeking to secure the highest quality of design does not apply. There is a need to go beyond even the types of warehouse/large commercial units which were being developed 10 years ago, in terms of design quality.

Within context, it is considered that there is a variable level of quality. The adjacent hotel building certainly offers one of the better-quality built forms, but some of the other warehouse units also offer quality in part. It is considered by the case officer that the Volvo showroom further south is finished well, with interesting materials. More recent schemes provide depth in the facades at the material change points, deep openings and some material variation, with projecting door surround and window features. The idea from viewing the design and access statements has been to attempt to lift what could be quite a bland and functional buildings towards much better architecture. It is considered that this should be an objective at this site.

Two main buildings are proposed, both broadly running north-south, with ends defining the important northern and southern edges. Long elevations define the eastern and western sides of the site, with access and parking at the centre.

The principal changes are to remove a mezzanine floor on the north of Units 4 and 5. The removal of the mezzanine at Unit 4 accommodates an enhanced amenity area in the north east of the site. The mezzanine floor to the south OF Unit 8 is retained. 3.6. The removal of the mezzanine floors at Units 4 and 5 result in the relocation of the mezzanine to the 'front' of the building, to align with Units 1, 2 and 3 in the eastern terrace and Units 6 and 7 in the western terrace.

The applicant has indicated that the above operation will result in the reduction in the height of the buildings. A reduction of approx. one metres is indicated in the planning statement. However having carefully measured the submitted plans the Case Officer/Design Officer disagree with this statement, as these show a slight increase of between 0.25 and 0.5 metre for each block. However within the context of the large surrounding buildings, including the large "Village Gym", this increase in height is insignificant and considered acceptable.

The colouring of the elevations is darker than that approved featuring horizontal and metal cladding. This change was a concern to the case officer and changes have been secured to the more prominent elevations ie the east elevation of Units 1 to 4 and west elevation of 5 to 8 and a lighter colour grey will be provided there. The reduction of glazing on the elevation facing onto the footpath is disappointing however it is noted that the Village Gym is glazed on their facing elevation provided surveillance.

In additional there will be a change to the layout to amend the highway junction along southern boundary, turning circle and additional parking in the north. In addition enhanced cycle parking and the 14 no. parking spaces are relocated to the north. These changes will have minimal visual impact and in terms of the front elevation will be screened in due course by the landscape planting.

Overall the design changes are considered acceptable.

5.4 Landscape

Policy CS1 requires high quality design and site planning, with landscaping forming an integral part of the site design. The relevant Green Infrastructure and Trees on development sites SPD's seek to achieve biodiversity net gain.

In considering the previous application it was considered that the proposal was acceptable in landscaping terms. While considering the application it was deemed important that avenue tree planting was incorporated on the Gypsy Patch Lane frontage as this would continue on from the frontage of the neighbouring Hotel. This is important given the loss of trees previously to the Metrobus route.

Some minor changes have occurred as a result of the changes set out in section 1 of this report, namely the reconfiguration of the parking and

landscaping at the north of the site, however the key principles as follows have been maintained.

Boundary vegetation – through a mix of trees and hedgerows, including a uniform row of Field Maple along Gypsy Patch Lane, representing a continuation of the tree line proposed at the adjacent hotel;

Internal vegetation to break up hard landscaping in the service courtyard;

Landscaped public footpath is proposed along the western boundary to provide access between Gypsy Patch Lane and Bullfinch Close.

Initial concerns were raised regarding the maintenance regime for the proposed landscaping however a detailed Landscape and Ecological Management Plan (LEMP) has subsequently been submitted and is considered acceptable by Landscape Officers. The proposals are considered acceptable by the Landscape Officer and Condition 10 (Planting Plan) will be amended to reflect the changes to include the requirement to comply with the LEMP.

5.5 Transportation

In transportation terms, the following changes have been made to the approved scheme:

To facilitate turning for HGVs (where necessary), a turning circle is incorporated adjacent to the roller shutter doors of Units 5 and 6.

In regard to parking, 14 no car (including 4 no. electric vehicle, EV) parking bays have been relocated to the north of the site. Enhanced cycle parking provision is provided to the north and the south of the site, to promote access via sustainable modes of transport.

These changes are considered acceptable and will have no impact upon highway safety.

5.5.1 *Travel Plan*

A framework travel plan was submitted with the original application and was welcomed by the Travel Plan Officer. The plan outlines the initiatives for promoting cycling, walking, and use of public transport, car sharing and other initiatives. The plan has been amended to reflect the amendments and condition 6 (Travel Plan) is amended accordingly. A travel plan co-ordinator will be appointed to provide the council with reports to see that the initiatives are carried out and the results and these will be monitored by the Travel Plan Officer.

A monitoring fee of £1000 per year for 5 years has been secured through a unilateral undertaking. This undertaking was signed prior to the determination of the previous application and remains valid.

In summary the development remains acceptable in transportation terms.

5.6 Residential amenity

The application site is situated within a protected employment area, surrounded by similar development, at some distance from the nearest residential properties and therefore it is not considered that the development will have any significant impact upon the nearest residential occupiers.

5.7 Contamination

Given the location of the development and previous uses there is the potential for ground contamination. Officers initially indicated that a full pre-commencement condition was necessary requiring a full assessment however it appears following additional information being supplied that remediation of the soils has previously taken place and that those works are validated. No gas protection measures are necessary. Clean cover measures are required for the soft landscaping areas however. The development is considered acceptable in these terms subject to conditions to secure a verification report, (with respect to clean cover provision in all soft landscaped areas, demonstrating that all necessary remediation works have been completed satisfactorily), to be submitted to and agreed in writing by the Local Planning Authority. In addition the condition will require a course of action in the event that any contamination is identified during the course of the construction phase.

5.8 Drainage

The application site is situated in Flood Zone 1, the lowest area of risk however as required for a major application, a flood risk assessment has been submitted and reviewed by the Lead Local Flood Authority.

The concern raised regarding the paving however the Lead Local Flood Authority are supportive of the proposal having viewed a drainage plan, drainage details, drainage calculations and a maintenance plan.

Officers considered in dealing with the original application that this removed the need for a condition requiring the submission of a sustainable drainage plan and instead a compliance condition was attached to the decision to ensure that the drainage system that serves the development is satisfactory.

The plans have been amended to reflect the other changes proposed and are considered acceptable by the Lead Local Flood Authority. Condition 4 is amended accordingly.

5.9 Ecology

A Preliminary Ecological Appraisal (Aspect Ecology, April 2022), Ecological Mitigation and Enhancement Plan (The Landmark Practice, August 2022) and a Biodiversity Net Gain Assessment (The Landmark Practice, August 2022) was submitted and viewed by officers with the previous application.

The site is not covered by any ecological designations. The site is a poor example of this priority habitat and comprises sparsely vegetated and re-colonising / bare ground, scrub and amenity planting. Ecological Enhancements were identified in the report and will remain.

Concern has been raised regarding the biodiversity net loss but this is broadly similar to that of the previously approved scheme. In addition the applicant's case is that the proposals should be viewed in the wider context of the ecological conditions before the demolition of the Rolls Royce building on the site. The site was historically cleared as part of a detailed planning permission to deliver a new employment scheme in accordance with the wider site allocation. The proposed scheme offers a biodiversity enhancement when compared with the Rolls Royce operation it will replace. It is also important to note that the legal requirement for BNG has not yet been introduced.

The Ecologist agrees that while disappointing the loss of the Green Roofs actually has a negligible impact upon BNG. Following negotiation a small area of Green Roof is now provided at Unit 8.

The applicant had previously amended the design of the building to reduce external lighting on the southern elevation where bat boxes are to be located. This was welcomed, the proposed changes will not affect this provision. Subject to a condition to ensure that the development proceeds in accordance with the ecological mitigation measures the development is considered acceptable in ecological terms.

5.10 Environmental Policy/Climate Change

Policy CS1 (8) seeks to ensure that new development minimises the amount of energy and natural resources consumed during the lifetime of the development. Negotiations have taken place to secure a revised energy statement and the applicant has indicated that the development will achieve a Building Research Establishment Environmental Assessment Method rating of "Very Good" which is welcomed by officers. A condition will ensure that appropriate certification (evidence) is supplied within 6 months of the completion of the development. Electric Vehicle charging points are now shown on the submitted plans. A solar PV scheme has been approved in principle and a condition is recommended to secure these details prior to first occupation and to ensure that the approved scheme is installed prior to first occupation. Subject to these conditions the proposed development is considered acceptable in these terms.

5.11 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the Workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This

should be reflected in the policies of that organisation and the services it delivers.

The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

5.12 Planning Balance

The physical impact of the proposed development is largely neutral in terms of the main planning considerations above. The proposed development will result in a biodiversity net loss but this is similar to the previously approved scheme and some enhancements will be secured. The development will achieve a score of “very good” in terms of energy use and efficiency. The principle benefits of the scheme are that it will deliver a flexible range of employment uses on an accessible, vacant parcel of land in a designated area for economic development in the short-term and energy efficiency and sustainability enhancements.

On balance it is considered that the benefits of the proposal, situated in a safeguarded employment site outweighs any harms.

5.13 Conditions (summary)

Condition No.	P22/05000/F (Previously approved)	P23/01822/RVC (Current Application)
1.	Standard 3 year Implementation Period	Retained. The development shall commence before 3 rd May 2026 (date of previous consent being 3 rd May 2023)
2.	Approved Plans	Amended to reflect the changes set out above.
3.	Contamination Condition (Pre-Commencement)	Retained
4.	Drainage Condition (Compliance Condition)	Retained with the amended plans to show the revised drainage scheme (required because of the change to layout) included
5.	Travel Plan (To be submitted within 3 months of the first use of each building)	Retained (Travel Plan updated to reflect layout change). The signed legal agreement agreed previously remains applicable with the payment of a £5000 fee required to monitor the implementation of the plan for a five year period)
6.	Ecological Mitigation (Compliance Condition)	Retained (Ecological Enhancement Plan updated to reflect changes to layout)
7.	BREEAM Certification (required within 6 months of the completion)	Retained
8.	Solar PV (Details required prior to first occupation)	Retained
9.	Parking (Compliance Condition)	Retained
10.	Planting Plan (Compliance	Retained (Landscape Masterplan

	Condition)	changed to reflect the layout change and LEMP added)
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6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

- 7.1 That the variation of conditions 2 (approved drawings); 4 (drainage); 5 (Travel Plan); 6 (Ecological Mitigation) and 10 (Planting Plan) attached to permission P22/05000/F are varied as set out in the report above.

CONDITIONS

1. The development hereby permitted shall be begun before 3rd May 2026.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. The development shall take place in accordance with the following plans/drawings:

Received 24th August 2023

18949-THPW-XX-XX-DR-A-1001_P06 Proposed Site Plan
 18949-THPW-ZZ-ZZ-DR-A-1100_P05 Unit 01-04 GA Plans (includes roof plan)
 18949-THPW-ZZ-ZZ-DR-A-1103_P02 - Unit 01-04 Elevations
 18949-THPW-ZZ-ZZ-DR-A-1101_P04 - Unit 01-04 Sections
 18949-THPW-ZZ-ZZ-DR-A-1110_P06 - Unit 05-08 GA Plans
 18949-THPW-ZZ-ZZ-DR-A-1111_P05 - Unit 05-08 Roof Plan
 18949-THPW-ZZ-ZZ-DR-A-1114_P02 - Unit 05-08 Elevations
 18949-THPW-ZZ-ZZ-DR-A-1112_P05 - Unit 05-08 Sections
 18949-THPW-XX-XX-DR-A-1002_P02 - Proposed Streetscene Elevations

Received 10th July 2023

Fig 1 - Landscape Masterplan - H38 Bristol - P0610 Rev E

Received 8th June 2023

6289-CBC-00-XX-DR-U-96008-T01 - Diverted HV Cable Route

Site Location Plan 5635-PL-001

Reason

For the avoidance of doubt

3. Contamination

A) Verification Report - Prior to first occupation, a report providing details of the verification undertaken with respect to clean cover provision in all soft landscaped areas, demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

B) Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found additional remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason

To ensure that the site is appropriate for the proposed use and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy and Policy PSP21 of the South Gloucestershire Policies, Sites and Places Plan 2017.

4. Drainage

The proposed development shall be carried out in accordance with the following plans/details:

Received 6th October 2022

22-001-CHA Drainage Maintenance Plan (prepared by I&L Consulting Ltd)

13041 w0003a Drainage Technical Note (Craddys)

Received 10th July 2023

13041 0050 A Proposed Drainage Plan

13041 0060 A Drainage Details Sheet 1

13041 0061 A Drainage Details Sheet 2

Surface Water Network Design and Simulation (Craddy Pitchers Davidson)

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework

5. Travel Plan

Within 3 months of first use of each of the buildings hereby approved, a Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall be based upon the principles laid down in the Framework Travel Plan (Mode Transport Planning August 2023). Operation of the development shall thereafter be carried out in accordance with the approved details.

Reason

In order to conserve and enhance the natural environment and to accord with Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017

6. Ecological Mitigation

The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Aspect Ecology, April 2022), Ecological Mitigation and Enhancement Plan (The Landmark Practice, June 2023) and a Biodiversity Net Gain Assessment (The Landmark Practice, June 2023)

Reason

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

7. BREEAM

Within 6 months of completion a copy of the BREEAM post-construction certificate, showing that the scheme has achieved a BREEAM rating of 'Very Good', shall be provided to the Local Planning Authority for approval. The assessment shall be undertaken, and the certificate provided by a registered BREEAM Assessor using BREEAM (2018) New Construction (for Shell buildings only)."

Reason

To ensure that the development contributes to mitigating and adapting to climate change and has achieve a high environmental standard in accordance with the South Gloucestershire Local Plan Core Strategy Policy CS1(8).

8. Solar PV

Prior to the first occupation of the development hereby approved, full details of the location of PV panels, technical specification and evidence that the projected annual energy yield of the installed system, will be at least 80,640kWh per annum (by providing a copy of the MCS installer's certificate) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out prior to the first occupation of the development in accordance with the approved details.

Reason

To ensure that the development contributes to mitigating and adapting to climate change and has achieve a high environmental standard in accordance with the South Gloucestershire Local Plan Core Strategy Policy CS1(8).

9. Parking

The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

10. Planting Plan

All soft landscape works shall be carried out in accordance with the approved planting plan, Fig 1 - Landscape Masterplan - H38 Bristol - P0610 Rev E and the Landscape and Ecological Management Plan Version 4 (Landmark Practice June 2023). The works are to be carried out during the first available planting season following the completion of the building works or in accordance with the programme agreed with the Local Planning Authority. Any vegetation that fails, is dying or is removed in the first five years following planting shall be replaced in the next available planting season with like size and species, to accord with the approved plan.

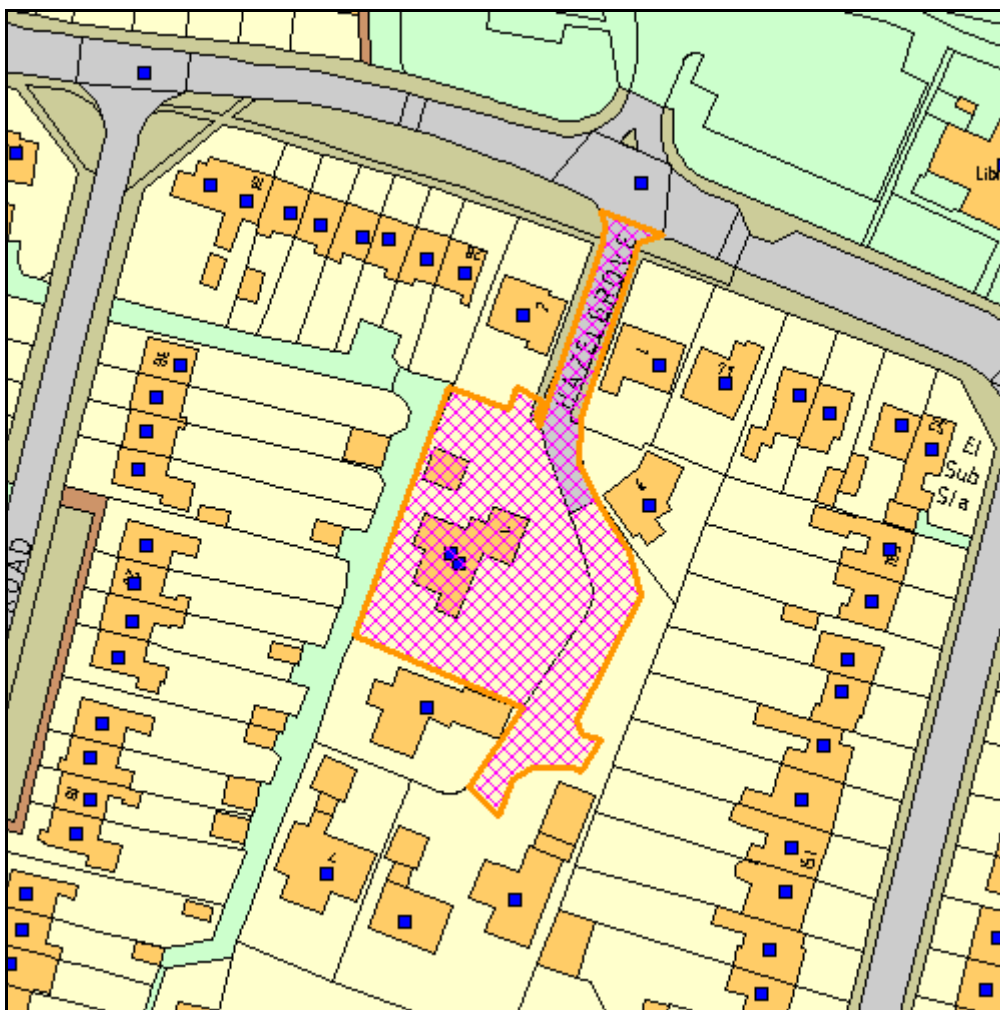
Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Case Officer: David Stockdale
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 35/22 -1st September 2023

App No.: P23/01891/F	Applicant: Mr & Mrs Oakley
Site: 4 Hazelgrove Winterbourne South Gloucestershire BS36 1SH	Date Reg: 22nd June 2023
Proposal: Demolition of existing bungalow and erection of 3no dwellings with garages and associated works (re submission of P22/05828/F).	Parish: Winterbourne Parish Council
Map Ref: 364994 180447	Ward: Winterbourne
Application Category: Minor	Target Date: 7th September 2023



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N.T.S.

P23/01891/F

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

A REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the demolition of an existing dwelling and garage and erection of 3no. detached dwellings with detached garages and other associated works on Land at 4 Hazelgrove, Winterbourne.
- 1.2 The application site comprises an existing bungalow set within a large plot currently used as the property's private garden space. The site lies off Hazelgrove which connects to the wider highway network via Flaxpits Lane. The application site is located within the defined Winterbourne settlement boundary.
- 1.3 This application is a re-submission of plans that were originally approved in 2010 (ref. PT10/0970/F), again in 2013 (ref. PT13/1822/EXT), and finally the most recently approved application P22/05828/F. The main differences between this application and the one before, is that the garages to the front are now attached, a slight reposition in the sitting, and small single storey front return for plot 3.
- 1.4 During the course of the application, further detail has been received with regard to additional tree and shrub planting and highway design. The site plan has also been amended so to enhance the outlook from the front of the proposed dwellings.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework National Planning Practice Guidance

- 2.2 Development Plan

South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted)
November 2017

PSP1	Local Distinctiveness
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Assessing Residential Amenity TAN (Endorsed) 2016

Trees and Development Sites SPD (Adopted) April 2021

3. RELEVANT PLANNING HISTORY

3.1 PT13/1822/EXT

Erection of 3no. detached houses with associated garages and works.
(Consent to extend time limit implementation for PT10/0970/F).
Approve with Conditions (17/07/2013)

3.2 PT10/0970/F

Erection of 3no. detached houses with associated garages and works.
(Resubmission of PT09/0674/F).
Approve with Conditions (01/06/2010)

3.3 PT09/0674/F

Construction of 2 no. detached houses and 1 no. detached bungalow with
associated garages and works.
Withdrawn (01/06/2009)

3.4 P22/05828/F

Demolition of existing dwelling and garage. Erection of 3no. new dwellings with
detached garages, and other associated works.
Permission Granted (17/5/2023)

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Objection

“As with all new builds the Parish Council would encourage developers to consider sustainability, biodiversity and the environmental impact and stress the importance of designing a sustainable building. The Parish Council are of the opinion that, still, not enough has been done in consideration of the aforementioned. The Parish Council request a condition be attached to any decision not to allow the garage and office to be turned into housing”

- 4.2 Archaeology Officer
No comment.
- 4.3 Ecology Officer
No objections, conditions recommended.
- 4.4 Floor and Water Management Team
No objection.
- 4.5 Sustainable Transport Team
No objections subject to the inclusion of conditions and an informative.
- 4.6 Tree Officer
No objections.
- 4.7 Local Residents
1no. objection comments from local residents have been received making the following points:
- Harm to local infrastructure;
 - Loss of privacy;
 - Loss of view and scenery;
 - Harm to the environment;
 - Harm to local ecology;
 - Harm via construction disturbance; and
 - Harm via increased traffic.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
Planning permission is sought for the demolition of existing dwelling and garage and erection of 3no. detached dwellings with detached garages and other associated works at a site in Winterbourne. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is situated within the defined Winterbourne Settlement Boundary. As such, based solely on the location of the site, the principle of the development is acceptable.
- 5.2 The development is acceptable in principle under the provisions of Policy CS5, and it is acknowledged that the provision of a new dwelling towards housing supply would have a modest socio-economic benefit. However the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm. For this type of development at this location, the further areas of assessment are: impacts on visual amenity; impacts on residential amenity; and impacts on the surrounding transport network.

5.3 Design and Visual Amenity

Policy CS1 of the Core Strategy and Policy PSP1 and PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.4 The existing site contains a large detached bungalow within a generous curtilage. The proposed development would demolish this existing bungalow and replace it with 3no. two storey detached dwellings. The proposed dwellings would front a private access drive off Hazelgrove, which currently serves 4 dwellings. The proposed dwellings would all benefit from having front garden space, private rear garden space, parking areas and detached garages.

5.5 The proposed dwellings would be set back from the existing private drive and stepped back slightly from each other. Plot 1 and 2 would now have attached garages adjacent to the existing private drive whilst Plot 3 would have a detached garage set back from the private drive to the rear of the site, albeit it would benefit from a small front return. Currently there is a 2 metre high brick wall running the length of the site boundary adjacent to the private drive. The creation of frontages onto the private drive with increased levels of soft landscaping would therefore represent a visual improvement.

5.6 The proposed development would consist of 3no. large detached dwellings, each with a hip roof, flat roof porch, and gable end to the front. The proposed fenestrations would match. The proposed material are considered to be of a good quality with reconstructed bath stone being used for the plinth courses, quoin blocks, lintels and dentil courses. All roofs would be covered in smooth face black/blue reconstituted slate tiles. The proposed dwelling design and materials, including the colour and finish of the render, would match the other existing dwellings that front the private access drive (approved under applications P96/1967 and PT04/3526/F).

5.7 Overall, it is considered that the proposed development would closely match the design of the other existing dwelling that fronts the private access drive in terms of size, detailing and appearance. The development would therefore be in keeping with the surrounding area and would not cause any visual amenity harm. Nonetheless, permitted development rights should be removed so to protect the high quality design and the amenities in the area.

5.8 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

- 5.9 To the west of the site lie rows of terraced dwellings beyond a rear access lane. These properties benefit from long rear gardens, in excess of 25 metres, therefore there would be no overbearing impact upon the occupiers of these dwellings. To the south there is a large detached property which Plot 1 would abut its side elevation wall and therefore cause no undue overbearing or loss of light. To the east of the site, the situation is similar to the west with all properties having long gardens. To the north the nearest building to the rear of 2 Hazelgrove would be a single storey detached garage and it is not considered this would be of a size to cause an overbearing impact or unacceptable loss of light.
- 5.10 With regards to the outlook from the front of the proposed dwellings, as a result of the repositioning of the front return for plot 1, all dwellings would have an acceptable outlook which is not compromised by the neighbouring returns. The outlook to the rear would also be acceptable with views over the associated amenity space.
- 5.11 To the east and west, properties on Green Dragon Road and Bradley Avenue all benefit from having long rear gardens. Loss of privacy should be measured on distances between habitable rooms in neighbouring properties. In this instance, these properties would all have distances in excess of 30 m between habitable rooms. It is considered this is a sufficient distance for there to be no loss of privacy or undue overlooking. The side elevation windows of all three properties are obscure glazed and so this would prevent any loss of privacy to the north and south of the site. With regards to loss of view and scenery, it is acknowledged that the existing gardens of the application site would be development, however the site is not protected under any designation, and would not be out of character in the context of the area. In terms of harm to local infrastructure, due to the small scale of development, there would not be any unreasonable harm to the degree to refuse the application.
- 5.12 Policy PSP43 of the Policies, Sites and Places Plan outlines the Council's minimum standards for private amenity space for new residential units. PSP43 states that private amenity space should be: functional and safe; easily accessible from living areas; orientated to maximise sunlight; of a sufficient size and functional shape to meet the needs of the likely number of occupiers; and designed to take account of the context of the development, including the character of the surrounding area.
- 5.13 4 bedroom dwellings are expected to provide a minimum of 70 square metres of functional private amenity space. The proposed development meets this minimum requirement for all 3 proposed dwellings.
- 5.14 Highway Safety and Transport
Vehicular access to the proposed dwellings would be provided via the existing private access drive. A number of road upgrades are required to accommodate the additional dwellings, for which are shown on drawing 1217-003 and include variable paving construction to the council's transport officers specification. Notwithstanding the submitted plans, the individual boundary walls should not exceed 0.6m in height so to allow adequate visibility – this can be secured via condition.

- 5.15 In terms of parking, Policy PSP16 of the Policies, Sites and Places Plan required 4 bedroom dwellings to provide a minimum of 2no. off-street parking spaces. The proposed development would meet this minimum requirement.
- 5.16 A Construction Environmental Management Plan (CEMP) has been submitted for which is considered acceptable and would be subject to a general compliance condition should the application be approved.
- 5.17 On the basis that sufficient on-site parking is provided, it is not considered that the development would directly lead to additional vehicles parking on the highway. However for the avoidance of doubt, a condition would be attached to any consent requiring the parking spaces to be provided prior to the first occupation of the new dwelling. Due to the small scale of development and taking into consideration the surrounding highway network, there would only be a negligible increase in traffic which would not be harmful.
- 5.18 Drainage
The submitted Drainage Layout Plan shows the proposed drainage solutions for both surface and foul water. The Submitted plan is considered acceptable and compliance would be conditioned.
- 5.19 Ecology
A Preliminary Ecological Assessment (PEA) Report (Silverback Arboricultural Consultancy Ltd, November 2022) and an Addendum Ecology Report for Bats (Pure Ecology, March 2023) have been submitted in support of this application. The site is not covered by any ecological designations and there are no protected habitats on site.
- 5.20 The existing main house and garage were assessed as having low potential to support roosting bats. The trees on site were assessed as having no suitable roost features for bats. Ecological enhancement recommendations were included in the report, including installation of bat boxes/panels. The Addendum Ecology Report for Bats provides the results of a site visit undertaken in February 2023. The report included a more detailed inspection of potential roost features, and it is noted that no obvious signs of roosting bats were found in any of the inspected features. The report concluded that both buildings had negligible potential to support roosting bats, due to the inspected potential roost features being unsuitable for roosting bats. The mitigation measures provided within the report must be strictly adhered to.
- 5.21 The PEA report assessed the terrestrial habitat on site as being unsuitable for Great Crested Newts and there were no waterbodies on/near the proposed development site. The walled boundaries around the site were considered to be a dispersal barrier to GCN. No further surveys/mitigation was recommended in the report.
- 5.22 The PEA report confirmed that the Lawson cypress tree and shrubs to the front of the site offered nesting opportunities for birds. The proposed development will result in removal of these habitats. Ecological enhancement recommendations were included in the report, including installation of bird

boxes. The Addendum Ecology Report for Bats stated there were no bird nests in building B1 or building B2. The information provided in this report, and the Preliminary Ecological Assessment report indicates the buildings are unsuitable for nesting birds. As such, the mitigation outlined in the PEA report for tree/shrub removal is sufficient to ensure works avoid harm to nesting birds.

5.23 The site was assessed as offering sub-optimal foraging habitat for badgers. The mitigation measures outlined for hedgehogs in the PEA report (covering trenches by nightfall or fitting with a means of escape) are also suitable to avoid potential harm to badgers. The site was assessed as offering foraging opportunities for hedgehogs. Appropriate mitigation measures are included within the PEA report, including covering trenches by nightfall or fitting with a means of escape. The report also recommended holes in fences to provide access for hedgehogs.

5.24 Conditions would be included with any consent requiring strict accordance with the mitigation measures recommended; the submission of details of the required ecological enhancements; and limits on the installation of external lighting.

5.25 Trees

There are no significant trees on or adjacent to the site that require the submission of an Arboricultural report. There are no objections to the removal of part of the existing boundary hedge. The proposed soft landscaping is acceptable. So to ensure successful planting, a condition should be included to ensure a scheme of replacement tree planting should any fail.

5.26 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.27 With regards to the above this planning application is considered to have a neutral impact on equality.

5.28 Other Matters

With regards to applying a restrictive condition to prevent the garages from conversion to residential living accommodation, the condition must be necessary, relevant to planning and to the development being permitted, enforceable, precise and reasonable in all other respects.

5.29 In the instances of plots 1 and 2, due to the attached nature, sufficient levels of parking beyond the garages and acceptable levels of amenity space, and

boundary treatment so to prevent overlooking, to apply a condition to prevent conversion would not be reasonable and thus is not necessary.

- 5.30 With regards to plot 3 however, due to the detached nature of the garage and the reduced parking levels, there is potential for separate occupation and the loss of the associated parking area. As such a condition to restrict residential conversion for this garage is necessary and reasonable.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application be **Approved** subject to the conditions included on the decision notice.

CONDITIONS

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

Reason

As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Received by the council on 24st July 2023: Proposed Drainage and Sewer Plan. Received by the council on 21st July 2023: Highway Detail Plan. Received by the council on 16th June 2023: Ecological Enhancement Plan, Elevations Plots 1 and 2 Proposed, Elevations Plot 3 Proposed, Plot 2 Proposed Floor Plan, Proposed Turning Head Plans, Street Scene Proposed, The Location Plan (Amended). Received by the council on 25 August 2023: Proposed Site Plan (Rev A), Proposed Floor Plan Plot 1.

Reason

To define the terms and extent of the permission.

3. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1, including Classes A, B, D, E, F, G and H or any minor operations as specified

in Part 2, Class A, other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure a satisfactory standard of external appearance and private amenity space, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2 and PSP38 and PSP43 of the Policies, Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

4. The approved development must comply in strict accordance with the submitted Construction Environmental Management Plan (CEMP), dated 29th May 2023.

Reason

In the interests of health and safety and to ensure the free flow of the surrounding highway networks in accordance with PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

5. The dwellings shall not be occupied until the highway works shown on drawing 1217-003 have been completed.

Reason

To prevent remedial action and ensure the free flow of the surrounding highway networks in accordance with PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

6. Except for the individual trees shown on the site plan the vegetation across the site frontage between the access road and the individual boundary walls shall not exceed a height of 0.6m.

Reason

To ensure adequate visibility is provide for each driveway in the interest of highway safety and to accord with policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

7. The dwellings shall not be occupied until the accesses, car and cycle parking facilities have been provided in accordance with the submitted details.

Reason

In the interest of highway safety in accordance with policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

8. The development shall proceed in strict accordance with the mitigation measures in the revised Addendum Ecology Report for Bats (Pure Ecology, April 2023) and the Preliminary Ecological Assessment report (Silverback Arboricultural Consultancy Ltd, November 2022).

Reason

To prevent remedial action and to ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the

South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

9. Should any external lighting to be installed, prior to such installation, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:

1. Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

2. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason

To prevent remedial action and to ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

10. Ecological enhancement features comprising of bat and bird boxes, are to be installed at the locations detailed in the revised Addendum Ecology Report for Bats (Pure Ecology, April 2023) prior to first occupation. Details the bat box and bird box specifications are to be provided prior to first occupation, for review and approval. This can be provided in the form of an updated Ecological Enhancement Plan which is to include soft landscaping plans.

Reason

To prevent remedial action and to ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species

Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

11. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason

To ensure a high quality of landscaping, to comply with policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013, policies PSP1, PSP2, PSP3 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017, and the provisions of the NPPF.

12. The garage for which forms part of plot 3, shall be used solely for the storage of vehicles and/or ancillary goods/items in association with the host dwelling, and for no other purposes or use whatsoever (i.e. residential occupation). Furthermore, it must not be let, sold, or otherwise disposed-off separately from the host dwelling.

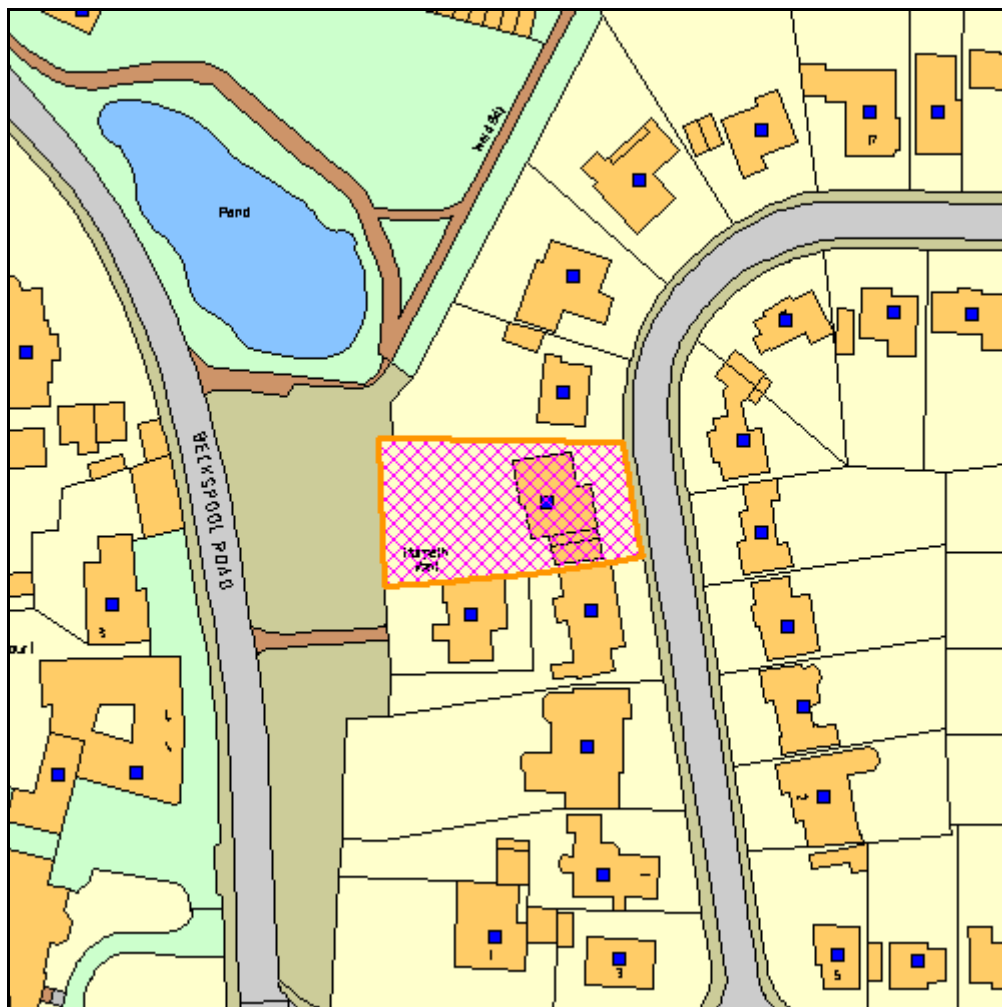
Reason

To prevent an independent unit being created for which could result in unsatisfactory living conditions and the loss of off-street parking. To comply with policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and policies PSP1, PSP8, PSP16 and PSP28 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

Case Officer: Thomas Smith
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 35/22 -1st September 2023

App No.: P23/02067/HH	Applicant: Mr Jabbar Mohammed
Site: 7 Park Crescent Frenchay South Gloucestershire BS16 1PD	Date Reg: 12th July 2023
Proposal: Erection of conservatory and repositioning of approved lounge window under P21/06458/F, and additional window to bedroom 2. Amendment to previously approved scheme P23/00266/HH.	Parish: Winterbourne Parish Council
Map Ref: 364213 178187	Ward: Frenchay And Downend
Application Category: Householder	Target Date: 29th September 2023



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 100023410, 2008. N.T.S. P23/02067/HH

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

Reason for Referral to Circulated Schedule

This planning application appears on the Circulated Schedule due to the receipt of an objection from Winterbourne Parish Council contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission to apply to change the approved hipped roof to a glass gable end roof to the previously granted conservatory. Therefore this application (ref P23/02067/HH) is an amendment to the previously approved scheme P23/00266/HH, and is detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 7 Park Crescent is set within a very good sized plot, and the host dwelling is an existing detached chalet style property. It is located within the area of Frenchay, and is within the eastern fringe of Bristol's urban area.
- 1.3 To the southwest of the side elevation of the bungalow, 'Morpeth Rant' forms the shared boundary. This site is also in close proximity to the Frenchay Conservation Area, situated approx. 50 metres to the west of the proposed development but is within the subsequent settlement boundary.
- 1.4 A condition was applied to the permitted application (ref P23/00266/HH) for obscure glazing.
Condition 2 states:
 - *Prior to the use of the conservatory and the repositioning of the lounge window from approved position (ref P21/06458/F) hereby permitted, and at all times thereafter, the proposed glazed side elevation of the conservatory to the north elevation and the repositioned lounge window to the south elevation, shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.*
- 1.5 In addition to this, objection comments were raised on the permitted application (ref P23/00266/HH) in respect of the conservatory.
- 1.6 Objection comments have been received from Winterbourne Parish Council. It has been subsequently advised that a retrospective application for the installation of the 4 no. air conditioning units has been submitted and in response to the comments made, revised proposed plans and elevation drawings have now been submitted which make the proposal clearer in terms of the change to the roof form.
- 1.7 This application only seeks planning permission to apply to change the previously approved hipped roof to a glass gable end roof, as it would be visible. Therefore, the following report is an assessment of this glass gable end roof element only.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPS (Adopted) 2013
Householder Design Guide SPD (Adopted) 2021
Conservation Area Appraisal - Frenchay Conservation Area SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P23/01969/HH. Installation of 4No. Air conditioning units (Retrospective). *Pending Consideration.*
- 3.2 P23/00266/HH. Erection of a Conservatory, along with repositioning of Lounge Window from approved position (ref P21/06458/F), and the installation of New Window to Bedroom 2. Approved. 30.03.2023.
- 3.2 P21/06458/F. Erection of two storey side and single storey rear extension to form additional living accommodation. Erection of front porch. Installation of front dormer, alteration to existing rear dormer, plus roof terrace. Approved. 29.04.2022.
- 3.3 P21/04490/F. Erection of front porch and two storey side and rear extension to provide additional living accommodation. Installation of front dormer window and rear balcony (Amendment to previously approved scheme P20/05475/F). Refused. 23.08.2021.
Refusal reasons:

- *The proposed development would result in a poorly designed addition with inappropriate scale, massing, proportions and form that would not sufficiently reflect the existing characteristics of the host property or that of the surrounding context. Due to this, it is therefore considered the development is contrary to policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), Policies PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and, the South Gloucestershire Householder Design Guide (Adopted March 2021);*
- *The proposed extension, by reason of its two-storey size and proximity to the neighbouring property of No 7 Park Crescent, Frenchay, would have an overbearing negative impact to the detriment of the amenity of the occupiers of this neighbouring dwellinghouse. The proposal is therefore considered contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP8 and PSP38 of the Policies Sites and Places Plan (Adopted) 2017; the South Gloucestershire Council Householder Design Guide (Adopted) 2021 and the National Planning Policy Framework.*

3.4 P20/05475/F. Erection of two storey side and single storey rear extension to form additional living accommodation. Erection of front porch. Approved. 09.07.2020.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

1No letter of Objection comments –

- *The comments of the Parish Council are Strong Objection;*
- *The Parish Council regard this application as an overdevelopment of the site;*
- *In addition, the drawings submitted/presented are not an accurate representation of the dwellinghouse in its current form, for example, the four air conditioning units are not shown;*
- *It is noted that the balcony does not have obscured glass which was agreed in previous applications; and*
- *The Parish Council will raise this with planning enforcement.*

4.2 Other Consultees

Listed Building and Conservation Officer

No Comment.

Archaeology Officer

No Comment.

Other Representations

4.3 Local Residents

1No letter of Support comments received –

- *The lounge window shall be glazed with obscure glass with any opening part of the window being above 1.7m above G.F.L of the room.*

3No letters of Objection comments received –

- *The new planning application is even for an even bigger roof than the last plan which had objections;*
- *The proposed glass is not annotated as ‘obscured glass’;*
- *This proposed glass gable end conservatory would be an over-imposing structure, especially when viewed from the footpath alongside Beckspool Road;*
- *This proposed glass gable end will be higher than the existing fence boundary;*
- *The north elevation drawing facing No 5 Park Crescent now shows what appears to be a solid conservatory wall. It was a glass conservatory wall under the consent of P23/00266/HH. If it is a solid wall, it does not state that it will match the existing stone wall;*
- *This proposal shows an alteration to the conservatory roof and proposed bi-fold doors;*
- *The proposed conservatory glass roof should be obscured glass;*
- *There is no provision for rainwater runoff from the conservatory roof shown; and*
- *If this application is approved, will there be further ugly external sewer pipes, heat source pumps and pipe work, lighting and security cameras.*

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.

5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

5.3 Design, Heritage and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design.

5.4 This conservatory extends from the existing rear elevation of the main dwellinghouse, by 3.9 metres in depth. Its width is 4.2 meters. However, this application now proposes a part glazed rear elevation, with a gable end, and glazed pitched roof to the sides and maintaining a height of 2.4 meters to the

- eaves from ground level. It also includes the provision of bi-fold doors, which would create a glazed floor to roof part wall to this rear (east) elevation.
- 5.5 Although in accordance with paragraph 195 of the NPPF (July 2021), this erection of a conservatory proposal may have the potential to affect the significance of Frenchay Conservation Area and/or its setting. The conservatory continues to be carefully proposed in its design, ensuring that it integrates with the existing host dwellinghouse through its proposed choice of materials, of part dwarf part glazed walls and glazed roof, to ensure that the aesthetical appearance continues to complement the host dwellinghouse and its adjacent neighbouring property.
- 5.6 Therefore the scale and form of this conservatory continues to respect the proportions and character of the existing host dwellinghouse. By reason of the above, it is considered that this conservatory does continue to meet the requirements of policies CS1, PSP38, Conservation Area Appraisal and the Householder Design Guide.
- 5.7 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.8 The impact on residential amenity has been assessed in terms of the adjacent and surrounding neighbouring properties. An assessment of the impacts of the proposal being potentially overbearing and any impacts from loss of light or privacy have also been made.
- 5.9 Although this glass gable end roof to the conservatory may result in some new impacts, it does maintain the approved footprint of the conservatory to the rear of the host dwellinghouse. Therefore it is appropriate to consider the level of any new impacts, particularly with regards to the nature and scale of this amended glass gable end roof. The footprint will remain as approved. However, it is now proposed to amend the roof form to a glazed, gable end, to its rear east elevation, which overlooks the private amenity space of the main dwellinghouse.
- 5.10 As previously stated in the consent for P23/00266/HH, the approved glazing/windows to the conservatory remain to be of obscured glazing and therefore should not result in any new overbearing or loss of light impacts to the adjacent neighbouring dwellinghouses. For the avoidance of doubt, a condition will continue to be added to any consent granted to ensure that the side glazing/windows continue to be of obscured glazing.
- 5.11 In general terms, the proposed scale and mass of the glass gable end roof has been assessed and continues not to result in unacceptable impacts upon the

occupants of the adjacent or surrounding neighbouring dwellings. Furthermore, this proposal of a gable end glass roof does not result in any new significant impacts and continues not have a detrimental impact on residential amenity. Therefore, this proposal is deemed to comply with policies PSP8, PSP38 and the Householder Design Guide SPD.

5.12 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The application continues to be acceptable in transportation terms.

5.13 Private Amenity Space

The dwelling benefits from a good amount of existing private amenity space to the property. PSP43 sets out standards which are based on the number of bedrooms at a property. No concern is raised on the level of amenity space being retained.

5.14 Other Matters

As this application shares some similarities of the previously consented application ref P23/00266/HH, similar objection comments have been raised in terms of any external sewer pipes; heat source pumps and pipe work; lighting and security cameras being installed. Although these comments are noted, they do not have a material consideration in this planning application.

5.15 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.16 With regards to the above this planning application it is considered to have a neutral impact on equality.

6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application be **APPROVED** subject to the conditions detailed on the decision notice.

CONDITIONS

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

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. Prior to the use of the conservatory hereby permitted, and at all times thereafter, the proposed glazed side elevation of the conservatory to the north elevation, shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed, and as shown on Proposed Plans and Elevations drawing RE02 Rev C.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

3. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

RE01 Combined Existing Plan (Date received 08/07/23)

RE02_Rev C Combined Proposed Plan (Date received 16/08/23)

RE03 Location and Block Plan (Date received 08/07/23)

BR3 Proposed Sections (Date received 16/08/23)

Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: Marie Bath