

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: 44/23

Date to Members: 03/11/2023

Member's Deadline: 09/11/2023 (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 listed 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

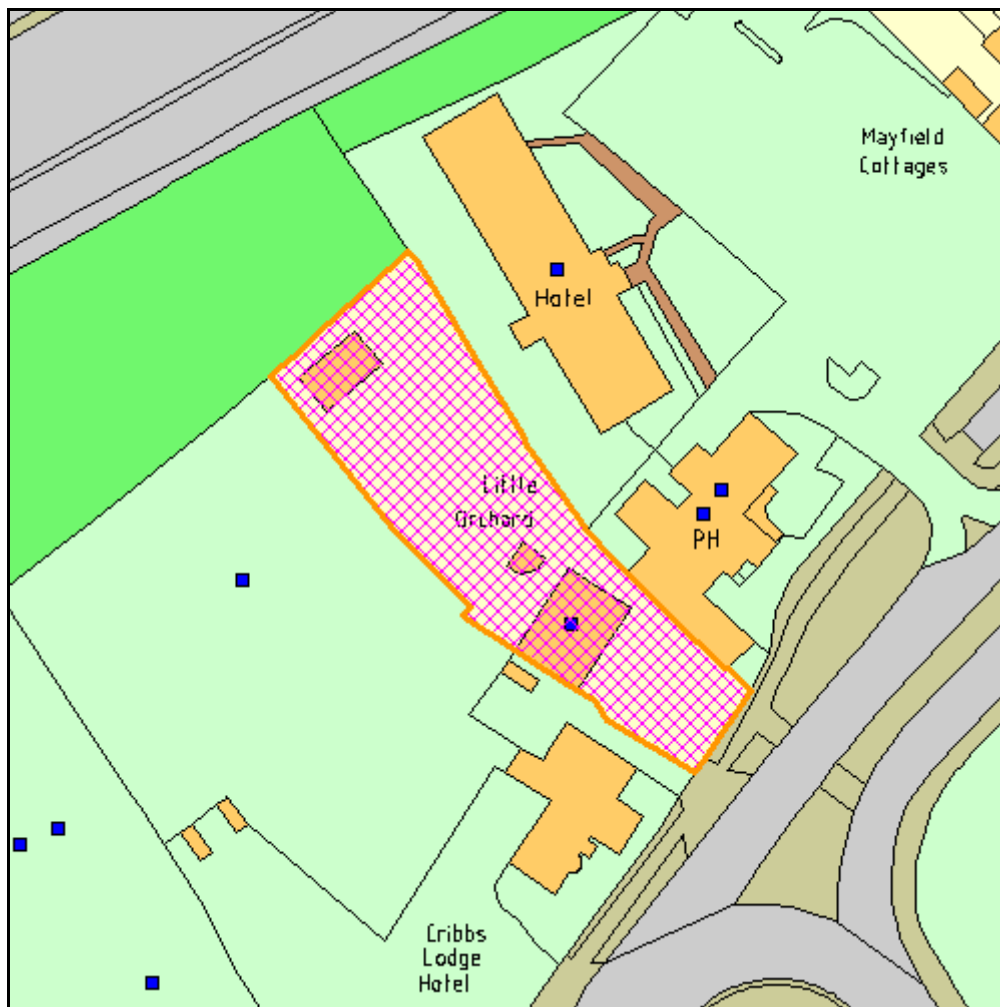
CIRCULATED SCHEDULE 03 November 2023

-

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/16564/F	Approve with Conditions	Little Orchard Cribbs Causeway Almondsbury South Gloucestershire BS10 7TL	Charlton And Cribbs	Almondsbury Parish Council
2	P23/01462/F	Approved Subject to Section 106	Parcel E1 Former Filton Airfield South Gloucestershire	Charlton And Cribbs	Patchway Town Council
3	P23/01743/F	Approve with Conditions	Land Adjacent 24 Fifth Avenue Filton South Gloucestershire BS7 0LP	Filton	Filton Town Council
4	P23/02252/F	Approve with Conditions	Henfield Paddock Henfield Road Coalpit Heath South Gloucestershire BS36 2UJ	Boyd Valley	Westerleigh And Coalpit Heath Parish Council
5	P23/02379/F	Approve with Conditions	Land North Of Eason Court 28 Kestrel Close Patchway South Gloucestershire BS34 5RX	Charlton And Cribbs	Patchway Town Council
6	P23/02469/F	Approve with Conditions	Downend And Frenchay Tennis Club Common Mead Lane Hambrook Bristol South Gloucestershire BS16 1QQ	Frenchay And Downend	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 44/23 -3rd November 2023

App No.:	P20/16564/F	Applicant:	Mr And Mrs Riga
Site:	Little Orchard Cribbs Causeway Almondsbury South Gloucestershire BS10 7TL	Date Reg:	10th September 2020
Proposal:	Demolition of existing dwelling and erection of 22 flats. Alterations to existing vehicular access, construction of parking areas and associated works.	Parish:	Almondsbury Parish Council
Map Ref:	357405 180926	Ward:	Charlton And Cribbs
Application Category:	Major	Target Date:	31st May 2023



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P20/16564/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.

INTRODUCTION

This application appears on the Circulated Schedule due to the need for a Section 106 Planning Obligation.

1. THE PROPOSAL

1.1 Full planning permission is sought for the demolition of an existing dwelling, and erection of 22 flats within a single, four storey apartment block. The site currently comprises of a single detached dwelling and large associated garden. The existing vehicular access to the site from Cribbs Causeway would be widened and the stone boundary wall along the site frontage reduced in height. The apartment block with large balconies would be sited in the rear half of the site, and provide 11No. 9-bed flats, and 13No. 2-bed flats. Parking would be located to the front, and some communal amenity space provided to the southern side of the apartment block. A basement would contain additional parking and cycle parking. A freestanding bin storage building would be located adjacent to the southern boundary of the site.

1.2 The site is bound by the M5 to the north and the A4018 (Cribbs Causeway) to the south. Access to the site is directly off Cribbs Causeway. Mature trees bound the rear of the site. It lies in an area of mixed development- to the south is the site of a former hotel which has been demolished and replaced with a new development of a new 123 bedroom motel and standalone diner. To the north lies an existing restaurant (Miller and Carter) and a hotel (Travelodge). To the south, on the opposite side of Cribbs Causeway, is a distribution centre.

Throughout the course of the application, the following amendments were secured:

Redesign of the whole scheme

Reduction from 28 to 22 flats

Retention of more trees

Landscaping scheme

Acoustic Report

Energy Report

Updated Ecology Report, Bat Survey and BNG Report

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
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
CS18	Affordable Housing
CS26	Cribbs Patchway New Neighbourhood

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PDP6	On Site renewable 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
PSP38	Development Within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Residential Parking Standard SPD (Adopted) December 2013

Landscape Character Assessment SPD (Adopted) November 2014

CIL and S106 SPD (Adopted) March 2015

Waste Collection SPD (Adopted) January 2015 (updated March 2017)

Trees and Development Sites SPD, adopted 2021

Biodiversity and Planning SPD adopted March 2023

3. RELEVANT PLANNING HISTORY

3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

First consultation

Objection on the grounds of no social housing and the area being congested with traffic.

Second Consultation

Support the application. However, there is no commitment from Almondsbury parish council to be responsible for the maintenance or the upkeep for any of the following: - (I) Any play areas or play equipment which are installed, (II) Any trees, hedges, and landscape that are planted. There should be a Homeowners Association or equivalent that would need to be responsible and have a Sustainable management plan for trees, hedges, and landscape. The plan should be for a minimum of 20 years. There should also be a Sustainable maintenance plan for any play areas or play equipment installed or provided by the developers. This plan should be for at least 20 years.

4.2 Other Consultees

4.3 External

4.4 National highways

Impact on Strategic Road Network

We remain satisfied the development is unlikely to result in an unacceptable traffic impact on the safe operation of the M5, and specifically M5 Junction

Drainage

In line with paragraph 50 of DfT Circular 02/2013 “The Strategic Road Network and the Delivery of Sustainable Development” no water run off that may arise due to any change of use will be accepted into the highway drainage systems, and there shall be no new connections into those systems from third party development drainage systems. Given the proximity of the site from the M5 boundary and the highways drainage asset, we require the submission of a detailed drainage strategy which includes the design and maintenance of the drainage assets that will control the flows of water on and around the site, to ensure no water arising from the development will discharge into the National Highways drainage systems.

Landscaping

We are satisfied the planting proposals are in accordance with our requirements. We are therefore withdrawing our previously recommended landscaping condition.

Acoustic Mitigation

Given the proximity of the site to the M5 motorway the developer is required to adequately mitigate the impact of traffic noise arising from its operation. National Highways has been unable to locate an acoustic assessment which details the measures proposed to mitigate the impact of noise on the proposed residential dwellings. The WHO Environmental Noise Guidelines (WHO), which is congruent with British Standard 8233:2014, advises “To protect the majority of people from being seriously annoyed during the daytime, it is recommended that the sound pressure level on balconies, terraces, and outdoor living areas should not exceed 55dB LAeq for a steady continuous noise. To protect the majority of people from being moderately annoyed during the daytime, the outdoor noise level should not exceed 50dB LAeq. We therefore request the submission of an acoustic assessment which includes details of the design and installation of any acoustic mitigation to ensure the development will deliver

measures which adequately mitigate noise to levels as set out in BS8233:2014 and the WHO guidelines. In accordance with Annex A of DfT Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development', all fences, screening and other structures must be erected on the developers land, and far enough within the developers land to enable maintenance to take place without encroachment onto highway land. Based on the revised

Recommendation

National Highways has no objection in principle to application P20/16564/F subject to planning conditions to the effect that:

1. Prior to the commencement of the development hereby permitted, a detailed drainage strategy for the site (which includes the design and maintenance of the drainage assets that will control the flows of water on and around the site) shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways). Reason: in the interest of the safe and efficient operation of the strategic road network, and to protect the integrity of the National Highways drainage asset.
2. Prior to the commencement of the development hereby permitted, an acoustic assessment including detailed designs of any necessary acoustic mitigation shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways). The designs shall give due regard to the requirements of DfT Circular 02/2013 in relation to future maintenance and the acoustic mitigation measures shall be implemented in accordance with the agreed design and maintained as such thereafter.

Final consultation

No further responses were received from National Highways, despite the receipt of an acoustic report.

4.5 *Internal Consultees*

4.6 Transport

First consultation

The application was originally unacceptable in terms of visibility at the site access, cyclepath alignment, number and location of car parking spaces, turning and manoeuvring areas within the site, and waste collection.

4.7 *Final Consultation*

Access

- 4.8 The revised access visibility splays, wall height, cyclepath alignment and tactile paving are agreed. As part of the detailed design, Give Way and cyclist warning signs along with Give Way Road markings and ramps up to the cycle path will be required similar to the arrangement for the Mollies Diner's access and egress. These could be secured with a suitable condition: No dwelling shall be occupied until details of the site access including Give Way Road marking, signage and ramps on both sides of the cyclepath have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

- 4.9 The car and cycle parking arrangements have previously been agreed and can be secured with a standard condition requiring the spaces to be provided prior to occupation in accordance with the submitted details. Building regulations now require an Electric Vehicle Charging Point for each flat with an associated car parking space. The Application has been in for so long we have updated

Travel Plan guidance and a development of this size would now need a Travel Plan Statement. This could be secured with a condition: The development shall not commence until a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan Statement shall be implemented in accordance with a timetable therein.

4.10 *Waste Collection*. The swept path analysis still shows the smaller 9m long refuse vehicle. As recommended before a swept path for the Council's standard 11.3m 3 axle refuse vehicle accessing and turning within the site should be provided or alternatively a letter from a private waste collection company confirming that they have the smaller waste collection vehicle and would be able to be contracted for the waste and recycling collection from the site. Informative. The access arrangements will require the Applicant to enter into a Highway Works Agreement with the Local Highway Authority before commencing any works on the public highway.

4.11 Urban Design

4.12 *First Consultation*

Objection: A number of significant issues and impacts need to be addressed. Overall height is considered to be excessive, the shape and form seems awkward with noise and possible overlooking impacts. The choice of materials is unacceptable.

Final Consultation

4.13 No objection to the revised plans. In terms of conditions, materials are the key design issue which needs to be covered. A form of wording including, 'Notwithstanding the details submitted in the plans...' would be useful as we need to test materials samples with an on-site 1m.sq. sample panel of the primary facing materials. This process needs to be started well in advance of the need to use the materials for construction given the long lead times.

4.14 Highway Structures

No comment.

4.15 Archaeology

No objection subject to two conditions to require a programme of archaeological work to the archaeological potential for the proposed development area.

4.16 Self- Build

Policy PSP42 requires the Council to encourage developers to provide serviced plots on residential sites over 10 dwellings. We would welcome a discussion with the applicants about any potential serviced plot provision for self and custom housebuilding opportunities on this site.

4.17 Affordable Housing

No objection to the proposed 35% affordable housing. Revised plans have been received which increase the size of the affordable units.

4.18 Ecology

Following the receipt of a new Bat Survey (May 2023) and BNG Assessment, the scheme will result in a net loss of -28.64% (-0.32) habitat units and a net gain of 79.98% (0.12) hedgerow and line of tree units. Therefore, in order to achieve a 1% biodiversity net gain, (in advance of any mandatory BNG), a biodiversity fee of £6624 is required to offset the loss. There is no objection subject to receipt of this contribution, and two conditions to secure:

1. Development to be in accordance with the PEA and Bat Survey report.
2. LEMP.

4.19 Environmental Protection- Noise

The EP team Noise notes the submitted Noise report. It is essential that the mitigation measures are followed; expressly for the exposed balconies.

The proposal is subject to acoustic overheating during warm conditions; the detailed ventilations measures are to be provided in accordance with the parallel control under the Building Regulations.

The council's Standard Informative for the construction phase applies.

4.20 Environmental Protection- Air Quality

The proposed development is around 50m from the M5. We have a monitoring location around 40m from the M5, near the houses to the Northeast by the junction, and the results are not a concern for nitrogen dioxide. I can certainly echo the recommendation for EV charging points at this location but we would not be asking for a condition in respect of air quality.

4.21 Public Art

No comment.

4.22 Landscape Architect

The applicant/agent has sought to amend the proposed tree species palette, which is now acceptable, but additional hedge and shrub planting will be required around the car park to soften and screen this.

Following the receipt of revised plans there is no landscape objection, subject to conditions:

- AIA and tree protection plan – compliance condition as advised by the Tree Officer.
- Hard landscape finishes and boundary treatments – compliance condition with Landscape Plan -205 Rev. C.
- Detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting (to be planted in the first season following completion of construction works); supported by an implementation specification with tree pit details covering each type of planting situation, and calculation of number of replacement trees required.
- 5 Year maintenance specification to ensure new planting establishes.

4.23 Tree Officer

The applicant has submitted an Arboricultural report and method statement. It states that the removal of category C trees and groups - T2, T7-9, G10 and T11 will be removed to facilitate the proposal. Further to this T1 a Lime at the

entrance will require the gravel in its root protection area (RPA) to be removed and a no-dig surfacing employed for the installation of the parking spaces and site entrance proposed partially within RPA. As shown in the tree protection plan. The Report goes on to say that the works within the RPA of this tree will be overseen by the Arboricultural consultant in order that no damage occurs. Arboricultural supervision will be required to be conditioned in accordance with section 8.12 of the Arb report.

Arboricultural Supervision: A pre-commencement on-site meeting will be held between the project arboriculturist and site manager. The purpose of such a meeting will be to finalise protective measures and to ensure that protective fencing is adequate and erected in the correct positions. It is also to ensure contractors are fully aware of the need to comply with the contents of this document. 8.13 It is particularly important that this meeting take place prior to works commencing on site. 8.14 Installation of the no-dig surfacing will be overseen by the project arboriculturist. It is crucial that early stages of installation is carried out correctly in order to prevent root damage occurring. Incorrect installation renders the entire system pointless A Pre commencement meeting with the Arboricultural consultant and contractors as per 8.12, and A watching brief for the installation of the no-dig surfacing in accordance with the manufacturers guidelines and for all works within the RPA of T1.

4.24 Designing Out Crime Officer

Paragraphs 92, 97 and 130 of the National Planning Policy Framework July 2021 require crime and disorder and fear of crime to be considered in the design stage of a development. Other paragraphs such as 8, 106, 108, 112, and 119 also require the creation of safe environment. The design remains to be in order and complies appropriately with the crime prevention through environmental design principles.

4.25 Drainage

First Consultation

More information required in order to comment.

Final Consultation

No objection subject to a condition requiring submission and approval of a detailed drainage scheme comprising SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection.

4.26 Environmental Policy and Climate Change

First Consultation.

Overheating: I am concerned that this scheme will be liable to overheating during the lifetime of the scheme (assumed to be 60 years).

Fabric efficiency and air permeability: The improvements in fabric efficiency are supported.

Heating and hot water: Though compliant with the Building Regulations the specification of gas combination boilers is very disappointing. The government proposes to end the sale of new gas boilers in 2035. This means that the gas boilers will need to be replaced with some form of renewable heating when they reach the end of their operational life.

Further details of the proposed PV system should be provided including drawings showing the location of panels and the peak output (kW_{peak}) and the projected annual yield (kWh/annum).

Second Consultation

The Energy Statement has not been updated, but an Overheating Assessment has been submitted as requested.

The assessment has been undertaken using the CIBSE TM59 methodology and 2020, 2050 and 2080 weather files which provides an understanding of how the building would be expected to perform now and during its design life – assumed to be 60 years.

The analysis shows that all rooms pass the assessment criteria when assessed against 2020 (i.e. current) weather files. However the analysis against the 2050 weather file shows one bedroom failing, i.e., liable to overheating. This is a ground floor bedroom where it is assumed that windows will be closed at night (presumably for security reasons).

It is likely that measures could be incorporated into the design to address this risk, examples include changing the g-value of the glazing, or providing shading over the windows. Further, the analysis against the 2080 weather files shows a fail in one sitting room/kitchen and 7 of the bedrooms. The report has proposed the installation of a mechanical ventilation with heat recovery (MVHR) with the capability of cooling circulating air by up to 10 deg C, as a means of addressing this risk. It is possible that other mitigation measures, e.g., external shading, could be used to address the risk of overheating under the 2080 scenario, though these have not been considered in the report.

Other Representations

- 4.27 Local Residents & Businesses
No responses received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the settlement boundary as defined by Policy CS5 of the Core Strategy. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate; 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. As such, based solely on the location of the site, the principle of the development is acceptable.

The site also lies within the Cribbs Patchway New Neighbourhood area which covers 480ha of land, in which Policy CS26 requires new development to demonstrate accordance with the adopted Cribbs Patchway SPD. The SPD shows the site within the existing built- up area, and with no other notations apart from a pedestrian/cycle route running along the site frontage. As this route would be maintained, (further detail is provide below under *Transport*), there is no conflict with the SPD, and the proposal is acceptable in principle.

5.2 Design

The originally submitted scheme was unacceptable in design terms for numerous reasons, including an overly tall, top heavy apartment block out of keeping with the surroundings, poor quality cladding materials, inadequate amenity space for future residents and a poor quality external environment with inadequate parking and landscaping. Following several iterations a final revised scheme was submitted.

The proposed flat roofed apartment block, located in the rear (western) half of the site, would lie between the Travelodge, and new Mollies hotel to the south, both of which are three stories in height with pitched roofs. The new flats would mainly be three stories, but with a penthouse style fourth storey over the rear half of the block. This would have a total height less than Mollys and just slightly higher than the Travelodge. Further it would not lie adjacent to the two storey Miller and Carter stone building to the north of the front of the site, or the lower Mollies restaurant to the south. Site sections have been provided to demonstrate these relationships, and the siting and height of the proposed building would be harmonious with the siting and massing of the adjacent built form.

- 5.3 The apartment block would be finished in a buff multi brick for the first three storeys, with the fourth storey in a dark zinc cladding. This would provide a transition from the dark cladding of Mollies to one side, and the brick and stone of the building to the east. The details of the proposed materials will be key design issue to achieving a successful outcome. A condition has therefore been proposed by the Council's Urban Designer and accepted by the applicant. It will be necessary to test materials samples with an on-site 1m.sq. sample panel of the primary facing materials. Physical samples of the following materials will be required: Vertical zinc cladding, brick, paving, resin bound permeable material, and acoustic panels to inset balconies. In addition, the condition will require brochure information for the window frames and sills, raised screening to balconies, metal capping to roof level, and rainwater goods. Given that the brick and zinc are the main facing materials, it is critical that the brick in particular is of a very high quality. This should be a multi, with a range of tones and good texture.

For windows, to ensure that the reveals are a minimum of 80mm, in order to give the facades more substance and depth, with shadows becoming part of the appearance, a condition will be imposed to require this minimum reveal.

Finally, it is necessary to approve the detail of how both the windows and zinc cladding will be finished and constructed (relative to surrounding faces), and therefore detailed plan for each is required under condition. The applicant has agreed to provide all of these details prior to commencement, as this is necessary due to lead in times and to give time for amendments if necessary. Subject to these conditions, the application is acceptable in design terms and in compliance with CS1 and PSP1.

5.4 Transport

Access.

The revised access visibility splays and wall height are now satisfactory. In addition the protected Active Travel Route running parallel to the site frontage, which will have a slightly revised cyclepath alignment and tactile paving is now satisfactory. As part of the detailed design however 'Give Way' and cyclist warning signs, along with 'Give Way' Road markings and ramps up to the cycle path will be required similar to the arrangement for the Mollies Diner's access and egress. These will be secured via condition.

5.5 *Parking*

27 external parking spaces, including visitor spaces, are provided together with 8 spaces in the basement, accessed by ramps. This complies with the Council's parking standards or 22 flats. In addition, in the basement, parking for at least 33 cycles would be provided. This will be secured with a standard condition requiring the spaces to be provided prior to occupation in accordance with the submitted details to accord with policies PSP11 and

Building regulations now require an Electric Vehicle Charging Point for each flat with an associated car parking space.

Travel Plan

Updated Travel Plan guidance now requires a development of this size to have a Travel Plan Statement. This will be secured with a condition, in accordance with PSP8.

5.6 *Waste Collection.*

The swept path analysis still shows the smaller 9m long refuse vehicle. As recommended before a swept path for the Council's standard 11.3m 3 axle refuse vehicle accessing and turning within the site should be provided or alternatively a letter from a private waste collection company confirming that they have the smaller waste collection vehicle and would be able to be contracted for the waste and recycling collection from the site. The applicant has provided correspondence from a private waste collection company confirming that they can service the site with a waste collection vehicle less than 9m in length. A condition will require, prior to occupation, the details of waste management to be confirmed and agreed.

An informative will be imposed regarding safeguarding National Highways' land in accordance with their consultation response.

Subject therefore to the above mentioned conditions, the application is acceptable in transport terms.

5.7 Trees and Landscaping.

The originally submitted scheme did not include a tree report and would have entailed the loss of most of the mature trees on site due to the extent of hard surfacing under existing tree canopies. Subsequently an arboricultural report

has been submitted, and revised site layout, as well as a landscape principles plan.

The Arboricultural report (August 2022) identifies that the frontage tree (T1) is a Category B Lime. In addition, the trees lining the NE, NW, and SW site boundaries as being a mix of Category C trees. The report includes a tree protection plan, and shows that a number of the NW site boundary trees will need to be removed to facilitate the development. However to the west and south, more trees would be retained than previously due to the absence of new hard surfacing in this area.

The arboricultural report and method statement states that the removal of category C trees and groups - T2, T7-9, G10 and T11 will be removed to facilitate the proposal. Further to this T1, a Lime at the entrance will require the gravel in its root protection area (RPA) to be removed and a no-dig surfacing employed due to the edges of a few parking spaces slightly encroaching within the RPA. This is as shown in the tree protection plan. The Report goes on to say that the works within the RPA of this tree will be overseen by the Arboricultural consultant in order that no damage occurs. Therefore arboricultural supervision will be conditioned in accordance with tree report. In addition the condition will require arboricultural supervision including a pre-commencement on-site meeting between the project arboriculturist and site manager. The purpose of such a meeting will be to finalise protective measures and to ensure that protective fencing is adequate and erected in the correct positions. It is also to ensure contractors are fully aware of the need to comply with the contents of the tree report and is therefore a pre- commencement condition. Installation of the no-dig surfacing will need to be overseen by the project arboriculturist in order to prevent root damage occurring to T1.

- 5.8 Hard landscape finishes and boundary treatments, show the retention of the natural stone wall which bounds the front and part of the side boundaries of the site. A condition will require its retention, apart from the widened vehicular access and the reduction in height to no less than 900mm for visibility purposes. The stone boundary wall is an important feature of local distinctiveness and matches the stone in the adjacent Miller and Carter building. Hard surfacing materials would be good quality, including Yorkstone paving, block paved parking spaces, and a resin bound driveway. A condition will require these hardscape principles to be complied with.

The landscape plan is annotated with a number of proposed tree, hedgerow and shrub groups which is much improved since the original submission and demonstrates a good level of planting within the public realm. As it does not provide the standard level of planting information required, as well a fuller range of native and ornamental hedge mixes, structural shrub species, climbers and herbaceous planting, further details of this will therefore be required by condition, in accordance with Policy PSP2. Also, a more detailed implementation specification with tree pit details, and a 5 Year maintenance specification will be conditioned. There is no landscape objection, subject to the above conditions.

5.9 Ecology

A Preliminary Ecological Appraisal (December 2022) and Bat Survey Report (May 2023) has been submitted. The site is not located on or adjacent to any designated sites.

Habitats (including habitats of principle importance (Priority Habitats) Section 41 Natural Environment and Rural Communities (NERC) Act 2006: The site includes buildings, modified grassland, a tree line, scattered trees and shrubs and a stone wall.

Species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended):

Bats: No evidence of bats was recorded during internal and external checks of the existing property and outbuildings. The outbuildings were assessed to provide negligible roosting opportunities for bats. The existing property was assessed to provide low suitability for roosting bats. Trees on site were assessed to provide negligible roosting potential for bats. The site itself provided limited foraging opportunities for bats with better habitat available in the wider area. A single dusk emergence survey was carried out and no bats were recorded emerging from the property with low commuting and foraging activity recorded. A total of 3 passes were recorded by noctule and common pipistrelle bats. Suitable mitigation has been provided, comprising a toolbox talk and supervised soft strip of PRFs.

Great Crested Newts There are no ponds on the site. There are a number of ponds within 500m of the site, most of which are located the other side of the M5, with one located 400 m to the SW of the site. The site offers some limited suitable terrestrial habitat for GCN however, given the distance of the ponds, the presence of major barriers and the limited suitable terrestrial habitat, it has been assessed that there is negligible likelihood of GCN being present on the site.

5.10 *Species protected under the Wildlife and Countryside Act 1981 (as amended):*

Birds: Suitable bird nesting habitat was recorded in the form of trees, shrubs and outbuildings.

Reptiles: The site offers some limited, suitable habitat for reptiles however given the isolated nature of the site, reptiles would only be expected in very low numbers.

Badgers: protected under the Badger Act 1992: No evidence of badger activity was recorded. The site offers some limited foraging and commuting habitat for badger however the site is relatively isolated.

Species of principle importance (Priority Species) Section 41 Natural Environment and Rural Communities (NERC) Act and Local Biodiversity Action Plan Species:

Hedgehog: Boundary vegetation offers some suitability for hedgehog.

5.11 *Biodiversity Net Gain*

A BNG assessment has been submitted using Metric 4.0. The scheme has resulted in a net loss of -28.64% habitat units and a net gain of 79.98% hedgerow and line of tree units. This is mainly due to the loss of existing,

moderate condition, modified grassland and trees. Whilst results of condition assessments have not been submitted, the assessment of 'moderate' for the existing grassland is accepted after having cross referenced with the PEA report. The existing line of trees and a single mature tree will be retained. New flowering lawns, 26 new trees, three new native hedgerows and three non-native ornamental hedgerows are proposed for the site. The flowering lawns and new trees are targeted to reach a moderate condition, whilst the hedgerows are targeted to reach a poor condition. The Council's Ecologist is happy that the BNG assessment matches other landscape documents, (however if these are to change then the BNG assessment must be updated accordingly).

Ecology Conclusion

Following the receipt of a new Bat Survey (May 2023) and BNG Assessment, the scheme will result in a net loss of -28.64% (-0.32) habitat units and a net gain of 79.98% (0.12) hedgerow and line of tree units. Therefore, in order to achieve a 1% biodiversity net gain, (in advance of any mandatory BNG), a biodiversity fee of £6624 is required to offset the loss. There is no objection subject to receipt of this contribution through a S 106 obligation, and two conditions to secure:

- Development to be in accordance with the PEA and Bat Survey report.
- LEMP.

5.12 Residential Amenity and Noise

Noise

Having regard to the proximity of the M5 motorway, which lies some 45m to the rear of the site boundary, and the proximity of the A4018 to the front, the site is significantly affected by road traffic noise. The applicant was required to submit a noise report. A noise survey was carried out, and the noise survey concluded that although the site is affected by road noise, the assessment demonstrated that the *internal* referenced noise levels stipulated in BS8233:2014 can be achieved utilising a mechanical ventilation system and the technical values stipulated in the report for the façade and glazing.

The balconies however, based on the measurements obtained, the guidance noise levels stipulated in BS8233:2014 for external spaces are unlikely to be met (50dBA/ Upper limit 55dBA). Both the front elevation (A4018) and the rear M5 elevations are in excess of 60dBA. The sides of the property facing east and west will likely be slightly lower in noise level however it is likely it will still be significantly above the upper limit of 55dBA without some form of mitigation. It is noted that BS8233:2014 states "*These guideline values may not be achievable in all circumstances where development might be desirable. In such a situation, development should be designed to achieve the lowest practicable noise levels in these external amenity spaces but should not be prohibited.*"

Further: "*It is notable that both documents require a decision to be made regarding whether or not an external amenity area (or amenity space) is intrinsic to the required design for acoustic, or for other, reasons. However, the advice in BS8233:2014 states that the resulting noise levels outside are never a reason for refusal as long as levels are designed to be as low as practicable.*"

Whereas, to comply with policy guidance any amenity space must have an acoustic environment so that it can be enjoyed as intended.”

- 5.13 In this instance, the proposed balconies are an essential element to ensuring compliance with PSP43 for private amenity space. Mitigation has therefore been addressed. A condition has therefore been imposed to require mitigation proposals to minimise noise as low as practicable in the balcony areas. As the balconies are elevated (except for ground floor), external noise barriers on either side of the building will be largely ineffective, however mitigation options are known to reduce noise in balconies by up to 5dB and will be considered for all of the proposed balconies. These measures provide for the raising of the glazed screen around balconies to provide additional ‘shadowing’ from the noise, and there must be no gaps. In addition, an appropriate absorbent material to the soffits of the balconies can be added.

The Council’s EHO Noise officer accepts the noise report and the proposed mitigation measures for balconies. The proposal is subject to acoustic overheating during warm conditions; the detailed ventilations measures are to be provided in accordance with the parallel control under the Building Regulations.

It is noted that National Highways (NH) have stated they have no objection subject to a condition requiring the submission of an acoustic report. Although an acoustic report was submitted during the course of the application, there were no further comments received from NH, despite a reconsultation.

- 5.14 The noise report highlights the public house (Miller and Carter) to the east of the proposed development has a kitchen extract located on the rear of the property. It was noted that the noise was “just about perceptible” above the surrounding noise. Based on the audibility checks conducted and the distance to the nearest sensitive location (balcony) is approximately 30m away it is considered unlikely that the kitchen extract is going to cause nuisance. The noise report recommended a condition to require assessment of the extract, however as it is an existing unit and outside the application site, the suggested condition could not be implemented. This is not of concern however given the overall background noise levels.

5.15 *Residential Amenity*

In terms of the residential amenity of future occupants, the revised scheme includes large, useable balconies on all of the flats, together with a communal area with seating in the garden to the south west of the block. The 1-bed flats would have a balcony of 6 sqm, and the two bed flats would have a balcony of 10sqm. This exceeds the PSP43 standard of 5sqm for private amenity space. In addition, PSP43 requires communal space for 2- bed flats, and this is complied with. In addition, the balconies include privacy screen where two adjoin. An appropriate level of amenity space is provided, in accordance with Policy PSP 43.

In terms of privacy and overbearing, the proposed habitable room windows and balconies would be a minimum of 21m from Mollies hotel to the south, therefore there would be no significant privacy or overbearing effect issues on either

future residents or hotel residents. To the north east, the Travelodge hotel room windows would be a minimum of 15m from the nearest habitable room window, or 12m from the nearest balcony edge. Some mature tree planting would remain between the two buildings, which would filter out view to some extent. Given that the existing adjacent use is a hotel rather than a private dwelling, and the proposed development has been pulled away from this boundary through negotiation, this relationship is now acceptable. The proposal therefore complies with PSP38 and PSP8, subject to the noise conditions outlined above.

5.16 Archaeology

The site location lies close to the Roman routeway from Sea Mills to Gloucester and is relatively undisturbed by modern development. A condition for a programme of archaeological work is therefore required. This will comprise prior to the commencement a programme of archaeological investigation and recording for the site to be approved and carried out. Further, that prior to first occupation, the results of the programme of archaeological investigation and post investigation assessment shall be completed, and publication and dissemination of results (if necessary and based upon the significance of the archaeology found), and archive deposition.

5.17 Drainage

The site is in a Flood zone 1. The applicant has stated that the permeability of the ground is considered to be good, and the submitted landscaping drawing indicated a permeable finish on both the drive (resin bound permeable surface) and parking area (permeable block paving). In addition SUDs (Sustainable Drainage Systems) crates are proposed to be designed at the detail drainage drawing stage, to accommodate and temporarily store rainwater, in order to minimise any impact downstream at any peak flow time of stormwater. It would include the required 1 in 100 year event, with 40% allowance for climate change, with no flooding occurring on the surface.

The Council's Drainage Officer has confirmed no objection subject to a condition requiring submission and approval of a detailed drainage scheme comprising SUDS for flood prevention; pollution control and environmental protection. It is noted that a similar condition is requested by National Highways, in the interests of the safe and efficient operation of the strategic road network, and to protect the integrity of the National Highways drainage asset. Subject to this condition, there is no drainage objection to the proposal.

5.18 Environmental Policy and Climate Change

An Energy Statement has been submitted. This comprises a feasibility review of alternative renewable energy options to evaluate their technical and physical compatibility with the site. This review has also taken into account the carbon saving potential and relative cost and payback periods of different renewable energy technologies. The report states that the fabric improvements and the installation of renewable technology in the form of photovoltaic panels, this site would result in a 25.9% improvement in carbon emissions in the dwellings.

A condition will require further details of the proposed PV system to be provided including drawings showing the location of panels and the peak output (kWpeak) and the projected annual yield (kWh/annum) in order to ensure that

this is met, and all to be implemented prior to first occupation, in accordance with policy PSP6.

In addition, an overheating assessment has been submitted as requested. The assessment has been undertaken 2020, 2050 and 2080 weather, which provides an understanding of how the building would be expected to perform now and during its design life – assumed to be 60 years. The analysis shows that all rooms pass the CIBSE TM59 assessment criteria when assessed against 2020 (i.e. current) weather files. The analysis against the 2050 and 2080 weather however shows some rooms failing. Further design details could mitigate this, such as changing the g-value of the glazing, or providing external shading over the windows. The report has proposed the installation of a mechanical ventilation with heat recovery (MVHR) with the capability of cooling circulating air by up to 10 degrees C, as a means of addressing this risk. Given the currently adopted PSP6, which does not required these measures to be complied with, an informative to cover this is proposed.

5.19 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.

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 authority be delegated to the Director of Place to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into a legal agreement under Section 106 of the Town and Country Planning act 1990 (as amended), to secure the following:

Biodiversity

- Payment of a contribution of £6,624* towards biodiversity net gain.
- Trigger- payment before first occupation.

NB this calculation is based on a unit price of £20,000. The required sum might vary if the applicant chooses to offset the biodiversity loss elsewhere, and not through the council. The sum includes the Biodiversity fee only.

POS

- Payment of a contribution of £26,934 towards the provision and/or enhancement of off- site POS.
- Payment of a contribution of £ £40,655. towards the maintenance of off- site POS.
- Trigger for payment: Prior to first occupation.

Monitoring Fee

Pay Council's S 106 monitoring fee of 1% of total S 106 contributions.

Affordable Housing

Quantum

35% of 22 dwellings generates a requirement of 8 Affordable Homes, to be provided on-site without public subsidy.

- All 7 ground floor flats i.e 4 x 2 beds & 3 x 1 bed flats to be provided for social rent and which will include a wheelchair property Flat 1.
- 1 first floor flat shared ownership – 1 x 2 bed 2 person flat (flat 8) provided for Shared Ownership

Tenure and Type

The following tenure split is required:

- 7 social rent flats
- 1 shared ownership flat

The following flat types will be required with the minimum unit sizes as set out below:

Social Rent:

Number	Type	Min Size m ²
3	1 bed 2 person flats	50
4	2 bed 4 person flats – one of which be provided as a Wheelchair flat.	70*

70* relates to the general needs flats only.

Shared Ownership:

Number	Type	Min Size m ²
1	2 bed 4 person flats	70

Design

Affordable Homes to be built to the same high quality design standards and visually indistinguishable from the market units and in addition, Part M of the Building Regulations accessibility standards M4(2), Secured by Design Silver, Part Q Building Regulation standards and compliance with the RP Design Brief;

- i. All rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels;
- ii. All properties to have vinyl/tiles on floor in all ground floor rooms;
- iii. Ceiling height tiling to 3 sides of bathroom to be provided;
- iv. Provide wall mounted shower (either electric or valve and kit);
- v. Provide gas and electric points to cooker space (where gas is available);
- vi. Painted softwood curtain battens to each window (where construction is traditional as opposed to timber frame)

7 flats are permitted an entrance.

Wheelchair Provision

8% of Affordable Homes to meet Part M of the Building Regulations accessibility standards M4(3)(2)(a), M4(3)(2)(b) and accessibility standard M4(3) paragraphs 3.37 and 3.39 to provide a ground floor level wheelchair accessible wet room which shall contain a WC, a basin and a level access shower.

Flat 1 has been proposed for the 1 x 2 bed wheelchair unit.

Delivery and Phasing

The Council to refer potential occupants to all first lettings and 75% of subsequent lettings.

Delivery is preferred through the Council's list of Approved Registered Providers. In the event of the developer choosing a Registered Provider from outside the partnership then the same development and management standards will need to be adhered to.

Affordable Homes to be built out with the market housing on site in line with agreed triggers within the S.106 Agreement.

Rent Levels and Affordability

Social Rent homes to be let at Target Rent (Rent Standard Direction 2014).

Shared Ownership homes to be sold at no more than 40% of market value, and annual rent on the equity retained by the RP should be no more than 1.5%.

Service charges will be capped at £650 per annum (April 2016 base and linked to RPI) to ensure that all housing costs are affordable to future occupants.

Capital receipts on intermediate housing to be recycled as capital expenditure on approved affordable housing schemes in South Gloucestershire, with subsidy levels to increase by any capital appreciation.

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. **Trees**
Prior to the commencement of the development hereby approved, (including any ground clearance, tree works, demolition or construction or any heavy machinery or vehicles entering the development site), details of an on-site meeting held between the project arboriculturist and site manager shall be submitted to an approved in writing by the Local Planning Authority. The purpose of such a meeting is to finalise protective measures and to ensure that protective fencing is adequate and erected in the correct positions. It is also to ensure contractors are fully aware of the need to

comply with the contents of the Arboricultural Assessment. All trees and their associated root protection zones must be protected in accordance with BS5837:2012, and protective barriers around the retained trees shall be erected in accordance with the Arboricultural Assessment (Tim Pursey Rev 3 Aug 2022) as shown on TP 2707/2101/TPP Rev A within this report. The development thereafter shall be implemented in strict accordance with the approved details.

The Installation of the no-dig surfacing shall be overseen by the project arboriculturist. in accordance with the manufacturers guidelines and for all works within the RPA of T1.

Reason: In order to protect retained trees, and required prior to the commencement of development in order to ensure that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policies CS1 and CS2 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP3 of the adopted South Gloucestershire Policies Sites and Places Plan. Prior to commencement is required as the condition relates to the construction period.

3. Landscaping

Prior to any above ground development, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. Such details shall accord with the principles of the approved Proposed Landscape Plan Dwg No. 1954- 205- Rev E.

These details shall include: proposed finished levels or contours; means of enclosure; other vehicle and pedestrian access and circulation areas; hard surfacing materials, which shall be permeable on the areas shown on the above drawing number, i.e resin bound permeable driveway, and permeable brick paving for the parking spaces .

Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. Detailed planting plans shall detail size, type and specification, mixes and quantities of all proposed planting and tree pt details. Where appropriate, construction details of ground retention, boundary and surfacing treatments; construction details of all SUDS elements and maintenance proposals shall be submitted and approved.

All such details as approved shall be implemented no later than the first planting season following the first occupation of the development hereby approved.

Reason:

To protect and enhance the character and appearance of the area and the amenities of future occupiers in accordance with policies CS1 and CS2 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP2 of the adopted South Gloucestershire Policies Sites and Places Plan.

4. Prior to first occupation, a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to the Local Planning Authority and approved in writing. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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.

5. The hard landscape finishes and boundary treatments shall be implemented in accordance with approved plan as per condition 3 prior to the first occupation of the development hereby approved.

No later than the first planting season following occupation of the dwellings hereby approved, the approved landscaping scheme shall be carried out. Any trees (retained or planted) 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 seasons with others of a size and species as shall reasonably be specified by the Local Planning Authority.

Reason: To prevent losses or damage and to achieve the earliest possible establishment of the landscape and its retention, and protect the character and appearance of the area, and in accordance with Policy PSP2 of the adopted South Gloucestershire PSP, and CS2 of the adopted South Gloucestershire Core Strategy.

6. Ecology

The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Seasons Ecology, December 2022) and Bat Survey Report (Seasons Ecology, May 2023) including those pertaining to ecological supervision and lighting.

Reason: To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

7. Prior to any above ground development, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority. The LEMP shall be written in accordance with BS42020. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details prior to the first occupation of the development. The LEMP is also to include ecological enhancement plan showing the location and specifications of enhancements detailed within the Preliminary Ecological Appraisal (Seasons Ecology, December 2022) and Bat Survey Report (Seasons Ecology, May 2023). This includes, but is not limited to, four bat boxes and four swift boxes.

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

8. Drainage

No development shall commence until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.

For the avoidance of doubt, the following details shall be submitted when discharging the above condition:

- o A clearly labelled drainage layout plan showing the exact location of any soakaways and foul sewer connections.
 - Design and maintenance of the drainage assets that will control the flows of water on and around the site including National Highways assets.
 - Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal.
 - Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
 - Soakaways must be located 5 Metres from any structure including the Public Highway
 - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.

All such details as approved shall be implemented prior to the first occupation of the development hereby approved.

Reason: To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2018.

9. Archaeology

Prior to the commencement of the development hereby approved, a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects.

Reason: To ensure that any archaeological remains and features are recorded prior to their destruction. And to accord with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP17 of the adopted South Gloucestershire Policies Sites and Places Plan. Prior to commencement is required as the Condition relates to the construction period.

10. The development shall not be occupied until (i) the results of the programme of archaeological investigation and post investigation assessment has been completed in accordance with an approved Written Scheme of Investigation and (ii) the provision for analysis, publication and dissemination of results (where necessary and based upon the significance of the archaeology found), and archive deposition, has been confirmed in writing to, and approved by, the Local Planning Authority.

Reason: To ensure that any archaeological remains and features are recorded prior to their destruction. And to accord with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP17 of the adopted South Gloucestershire Policies Sites and Places Plan. Prior to commencement is required as the Condition relates to the construction period.

11. Transport

No dwelling shall be occupied until details of the site access including Give Way Road marking, signage and ramps on both sides of the cyclepath have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of Highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017.

12. The car and cycle parking arrangements as shown on the plans hereby approved shall be provided prior to the first occupation of the development hereby approved, and shall be retained as such thereafter.

Reason: In the interests of highway safety, to promote sustainable travel and to accord with policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017.

13. The development shall not be occupied until a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan Statement shall be implemented in accordance with a timetable therein.

Reason: To promote sustainable travel and to accord with policies PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

14. Prior to first occupation, a Waste Management Plan including details of the waste collection organisation and the size /type of vehicle (with a swept path analysis) to be contracted to collect waste and recycling from the development shall be submitted to and approved in writing by the Local Planning Authority. Further, the bin stores shall be constructed prior to first occupation. The Waste Management Plan shall be implemented in accordance with the details therein upon occupation of the development.

Reason: In the interest of highway safety and to accord with policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017.

15. Affordable Housing

As per approved Floor Plans 1954/303 Rev G all Affordable Dwellings shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2) with the exception of:

- (i) any self-contained accommodation built above ground floor level where level access is not achievable;

(ii) the wheelchair home required to meet:
Part M of the Building Regulations accessibility standard M4(3)(2)(a); and
Part M of the Building Regulations accessibility standard M4(3)(2)(b) and M4(3)
paragraphs 3.37 and 3.39 to provide a ground floor level wheelchair accessible wet
room which shall contain a WC, a basin and a level access shower.

Reason: To ensure inclusive design access for all in accordance with Policy PSP37 of
the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan.

16. Design

Prior to the commencement of development, the following shall be approved in writing
by the Local Planning Authority.

(i) An on-site 1m.sq. sample panel of the following facing materials shall be
erected and approved in writing by the LPA.

- Vertical zinc cladding
- Brick of a multi- style with a range of tones, in a 1m.sq. sample panel.
- Brick paving
- Yorkstone
- Resin bound permeable material
- Acoustic panels to inset balconies

(ii) Brochure information for the window frames and sills, raised screening to
balconies, metal capping to roof level, and RWGs.

(iii) A plan showing how the windows and zinc cladding will be finished and
constructed (relative to surrounding faces).

Only such details as approved shall be implemented.

Reason: To ensure the highest standards of urban design and in accordance with
Policies CS1 of the adopted South Gloucestershire Local Plan: Core Strategy, and
Policy PSP1 of the adopted South Gloucestershire Local Plan: Policies, Sites and
Places Plan, and the NPPF. Prior to commencement is necessary due to lead in times
and to give time for agreement and amendment if necessary.

17. The windows shall have reveal depths of a minimum of 80mm.

Reason: In order to give elevations substance and depth and with shadows becoming
part of the appearance, to ensure the highest standards of urban design and in
accordance with Policies CS1 of the adopted South Gloucestershire Local Plan: Core
Strategy, and Policy PSP1 of the adopted South Gloucestershire Local Plan: Policies,
Sites and Places Plan, and the NPPF.

18. The natural stone wall bounding the site shall be retained in its entirety, apart from the
enlarged vehicular access as shown on the approved plans, and the lowering of the
front boundary wall which shall be retained at a minimum height of 900mm.

Reason: To ensure the highest standards of urban design and in accordance with
Policies CS1 of the adopted South Gloucestershire Local Plan: Core Strategy, and
Policy PSP1 of the adopted South Gloucestershire Local Plan: Policies, Sites and
Places Plan, and the NPPF.

19. Noise
Prior to commencement of the development hereby approved, further information that the noise levels on the balconies have been reduced to as 'low as practicable' utilising some of the methods described in the Noise Survey and Assessment (BAT B5777-AcS-RP-081222 January 2023) shall be submitted to and approved in writing by the local Planning Authority. All such details as approved shall be implemented.

Reason: In the interests of the residential amenity of future occupants, to mitigate road traffic noise, and in accordance with Policies PSP8 and PSP21 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan, and the NPPF. Prior to commencement is required to avoid remedial action.

20. Internal noise levels stipulated in BS8233:2014 shall be achieved utilising a mechanical ventilation system and the technical values for the façade and glazing as stipulated in section 9 of the Noise Survey and Assessment (BAT B5777-AcS-RP-081222 January 2023).

Reason: In the interests of the residential amenity of future occupants, to mitigate road traffic noise, and in accordance with Policies PSP8 and PSP21 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan, and the NPPF.

21. The hours of working on site during the period of construction shall be restricted to
Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays.
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason: To protect the residential amenity of adjacent residents and in accordance with Policy PSP21 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan, and the NPPF.

22. The development shall be carried out in accordance with the following approved drawings:

18.9.23:
1954-202.F - As Proposed - Sections
1954-203.E As Proposed - 3D View.
1954-205.F - As Proposed - Landscape Plan
1954-303.G - AS PROPOSED - PLANS
1954-305.F - AS PROPOSED - ELEVATIONS

09.05.23
1954-201.D - As Proposed - Site Plan
1954-204.C - As Proposed - Entrance
1954-206.B - As Proposed - Swept Path Analysis - Refuse Truck
1954-207.B - As Proposed - Swept Path Analysis - Fire Tender
1954-304.D - AS PROPOSED - PLANS
Access 1224-001.

Container Range Poster

Reason: To ensure a high quality of development and for the avoidance of doubt and in accordance with Policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy.

23. Energy

Prior to any development above ground level, details of the PV panels (including the exact location, dimensions, design/ technical specification and roof plans) together with calculation of energy generation and associated CO2 emissions to achieve a reduction in residual emissions from renewable energy of at least 20% in line with the approved energy statement should be submitted to the Local Planning Authority and approved in writing. The renewable energy technology as approved shall be installed prior to occupation of the dwellings and thereafter retained.

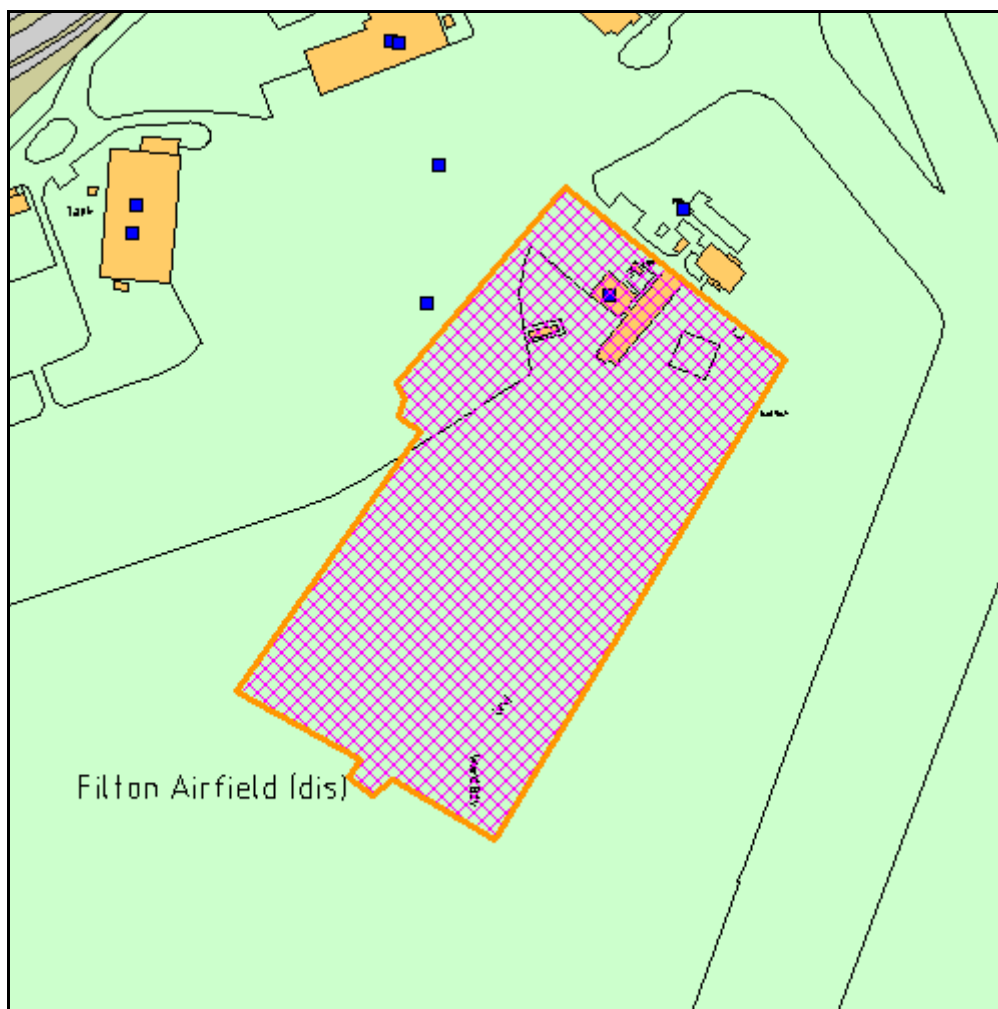
Reason: To achieve improved energy conservation and protect environmental resources, to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions, in accordance Policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy and Policy PSP6 of the adopted Policy Sites and Places Plan.

Case Officer: Helen Ainsley

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 44/23 -3rd November 2023

App No.:	P23/01462/F	Applicant:	YTL Developments UK Limited
Site:	Parcel E1 Former Filton Airfield South Gloucetershire	Date Reg:	22nd May 2023
Proposal:	Erection of 239 no. apartments (Class C2) with associated infrastructure and works.	Parish:	Patchway Town Council
Map Ref:	359960 180434	Ward:	Charlton And Cribbs
Application Category:	Major	Target Date:	14th August 2023



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P23/01462/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.

P23/01462/F

INTRODUCTION

This application appears on the circulated schedule because it requires a new S106 legal agreement to secure the heads of terms set out at the bottom of this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 239no. apartments (Use Class C2) with associated infrastructure and works.
- 1.2 The application site comprises the former Filton Airfield which has planning permission for residential redevelopment for a major mixed use scheme. The application site is located adjacent to the northern boundary of the airfield within the eastern framework. The northern boundary abuts the Aerospace Bristol Museum which houses Concorde and includes the grade II listed Triple Hangar and Storage Shed buildings. Elsewhere the application site boundaries abut the wider airfield redevelopment masterplan. With regards to this, the northern boundary abuts an area of proposed POS (Aerospace Park); the eastern boundary abuts a proposed dedicated pedestrian route (Aerospace Walk) between Aerospace Park and the North Filton Train Station. The southern and western boundaries abut the Phase 2 residential development for which detailed consent has been granted. The southern boundary abuts a proposed area of public realm which would serve as a connection between residential phase 2 and Aerospace Walk. The western boundary abuts a proposed residential street which would serve a terrace of 2-storey dwellings. Applications for the detailed design of Aerospace Park and Aerospace Walk have not yet been submitted. Residential phase 2 has detailed consent.
- 1.3 The proposal consists of five apartment blocks arranged around a private communal garden. The blocks are 3 storeys, 4 storeys, 5 storeys and 6 storeys in height reflecting the various constraints of the site. Taller blocks provide strong active frontages to public realm areas and lower blocks consider the character of adjacent neighbouring development and maximise sunlight to the communal garden. The blocks are generally positioned close to the boundaries of the site to provide strong active frontages, although block C has been positioned further away from the northern boundary to mitigate harm to the heritage assets that lie beyond the site boundary. The principal material for the blocks is a stock brick to match the adjacent development. The roof comprises dark-grey tiles to blocks that have a pitched roof, whilst other blocks have a flat roof. The balconies metalwork will be in forest green colour to provide visual interest and reflect the heritage of adjacent hangar buildings. Access to the development would be off Hayes Way via the Blenheim Roundabout and via streets within Residential Development Phase 2.
- 1.4 The proposal comprises 1 (143 units) and 2 bed (96 units) apartments each with a balcony. The apartment layouts have been developed with consideration

of HAPPI (Housing our Ageing Population: Panel for Innovation) design principles and apartments are designed to be Part M4(2) compliant in terms of accessibility and adaptability. The apartments would be served by a range of communal facilities including a dining area (also available to the public); bar, lounge and library space; wellbeing suite; communal gardens and roof garden. The main pedestrian entrance is located in the western elevation of block B behind a vehicular drop off area. A car park is located to the northwest of the site which provides 71 parking spaces allocated for residents, 19 accessible parking spaces for residents, 10 parking spaces for staff, 2 drop off/short stay spaces, 1 taxi bay, 9 public visitor spaces, 2 car club spaces, and 1 parking space for a mini bus with 115 spaces provided overall. Access to the car park would be restricted by a barrier with access controlled by ANPR (Automatic Number Plate Recognition).

1.5 The applicant took advantage of pre-application advice and the Design West Review Panel, and the proposals reflect the advice that was given.

1.6 The application site sits on land that is covered by the original outline planning permission. The site forms part of parcel E1 within the Eastern Framework which has an agreed detailed master plan and design code. This application however departs from the Outline application due to the number of beds proposed within the facility and therefore it is not a reserved matters application – it is a full planning application to be assessed on its own merits. The proposal falls within the scope of the outline application for the densification airfield masterplan; however, that application has not yet been determined. The application has been submitted in full in order to bring forward the accommodation quicker than if it were to be progressed under a reserved matters application in the event that the revised masterplan was granted permission.

1.7 In addition to plans, the following information has been submitted in support of the proposal:

- Arboricultural assessment;
- Planning statement;
- Drainage design note;
- Microdrainage calculations;
- Ecological impact assessment
- Badger survey and mitigation strategy;
- Energy strategy;
- Overheating report;
- Environmental statement
- Noise planning report;
- Design and access statement
- Visualisations
- Travel plan
- Transport assessment
- Construction waste management plan
- Construction environmental management plan
- Remedial method statement

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance
National Design Guide

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS3 Renewable and Low Carbon Energy Generation
CS4 Renewable or Low Carbon District Heat Networks
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS6 Infrastructure and Development Contributions
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS20 Extra Care Housing
CS24 Green Infrastructure Sport and Recreation Standards
CS25 Communities of the North Fringe of the Bristol Urban Area
CS26 Cribbs/Patchway New Neighbourhood

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP6 Onsite Renewable and Low Carbon Energy
PSP8 Residential Amenity
PSP9 Health Impact Assessment
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Biodiversity and Planning SPD (adopted March 2023)
Green Infrastructure SPD (adopted April 2021)
Trees and development sites SPD (adopted April 2021)
Sustainable Drainage Systems (SuDS) SPD (adopted April 2021)
Residential Parking Standards SPD (adopted December 2013)
Design checklist SPD (adopted August 2007)
CIL and S106 SPD (adopted March 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/4975/F, Erection of part three, part four storey building comprising of 60no. extra care apartments (Class C2) for the elderly with associated communal lounges, restaurants, kitchen, guest room, staff accommodation, communal refuse and electric buggy stores. Landscaped gardens, sub station and car parking with vehicular access from Sparrowbill Way. Approved on 24th July 2017. *This application relates to a similar extra care scheme at Charlton Hayes which was accepted by the Council as Use Class C2 on the basis of conditions/s106 terms secured.*
- 3.2 P21/02390/RVC, Removal of conditions 20 (newts), 42 (bird boxes) and 43 (Leasehold) and variations of conditions 9 (to apply only to construction phases), 22 (to require the development to be in accordance with the LEMP), 24 (to reference the new flood risk assessment), 32 (to amend the Way finding condition), 38 (to amend the wording to compliance with survey) and 41 (to amend the list of approved plans) as attached to permission PT14/3867/O (to be read in conjunction with P20/20118/NMA). PT14/3867/O- Mixed use development on 143.73 hectares of land comprising: residential development for up to 2,675 dwellings and apartments (comprising 2,635 x Use Class C3 and 40 x Live Work Units - Sui Generis); 24ha of stand-alone employment land (comprising up to 12ha Use Class B1a and a minimum of 12ha Use Class B1b/c, B2) ; 120 Bed Hotel up to 3,800 sqm (Use Class C1); Rail Station (0.45ha Use Class Sui Generis); Education provision to include a Secondary School (8.31ha), 2 no. Primary Schools (total 5ha) and 2 no. Childrens Nurseries (total 0.8ha) (all Use Class D1); Community Centre incorporating Library, Built Sports facilities and Doctors surgery up to 3,400 sqm (Use Classes D1 & D2); Dental Surgery up to 800sqm; (Use Class D1); 70 Bed Extra Care Facility up to 12,500sqm (Use Class C2); Shops/Financial Services/Food and Drink facilities up to 4,787sqm (Use Classes A1, A2, A3, A4 and A5) - comprising Retail Supermarket up to 2,787sqm gross maximum (Use Class A1); Business Offices up to 500sqm (Use Class B1) together with; supporting infrastructure and facilities including demolition, ground works and remediation, highways, utilities, landscaping, sustainable urban drainage system, wildlife water basins and public open space. Outline application including access, with all other matters reserved. Approved on 7th January 2022.
- 3.3 P22/02113/O, Mixed use development on 141.94 hectares of land comprising: residential development for up to 6,500 dwellings; Student Accommodation (Sui Generis); Business Office and Research development (Use Class E); General Industry (Use Class B2); Hotels (Use Class C1); Extra Care Accommodation (Use Class C2); Education provision to include a Secondary School, Primary Schools, Childrens Nurseries and further education buildings (Use Class E and F1); Community centres and uses inclusive of library, health (including GP and Dental facilities), and built sport facilities, (Use Class E, F1 and F2); Other E use class town centre uses up to inclusive of, public house and other drinking establishments, and hot food takeaway (Sui Generis) together with; supporting

infrastructure and facilities including demolition, ground works and remediation, highways and parking inclusive of pedestrian and cycle routes, public transport inclusive of Metrobus route and rail station, utilities, landscaping, sustainable urban drainage, water basins and public open space. Outline application including access, with all other matters reserved. Under consideration by the Local Planning Authority.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

No comments made

Filton Town Council

No comments received

Stoke Gifford Parish Council

No comments received

Stoke Lodge And The Common Parish Council

No comments received

Patchway Town Council

Patchway Town Council raises no objections to this planning application

4.2 External Consultees

Historic England

Thank you for your letter of 22/05/2023 regarding the above application. On the basis of the information available to date, in our view you do not need to notify us of this application under the relevant statutory provisions, details of which are below.

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request.

National Gas

Regarding planning application P23/01462/F, there are no National Gas Transmission assets affected in this area.

National Grid

Regarding planning application P23/01462/F, there are no National Grid Electricity Transmission assets affected in this area.

National Highways

No objection - On balance having reviewed the application in isolation, noting that the traffic impact associated with the current proposal, it is concluded that the development is unlikely to result in an unacceptable or severe impact on the SRN in safety or capacity terms in accordance with NPPF and DfT Circular 01/22 therefore National Highways has no objections to application reference P23/01462/F.

Advice

1) As discussed in previous correspondence, the applicant is advised that a robust assessment to assess the cumulative impact is required for the outline application (reference: P22/02113/O). There is currently concern from National Highways that the applicant could bring forward applications in a piecemeal manner which may exceed the agreed 'trip envelope' and could adversely impact on the safe and efficient operation of the SRN. This may also impact the applicant's ability to deliver sufficient mitigation to accommodate the proposals. Should further parcels of land come forward as separate planning applications, each application will be assessed on its own merits at the time of the application.

Standing advice to the local planning authority

2) The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero motorway carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up. Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of PAS2080 promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

Crime Prevention Design

No objection - Crime Prevention through Environmental Design (CPTED) and Secured by Design (SBD) principles look at the whole development. This includes layout of roads, footpaths, parking, lighting, communal areas, boundary treatments and layout and orientation of dwellings. These points all need to be considered at the earliest stage to provide a sustainable development where people are safe and feel safe. 2. Although not included in the DAS the application has been subject to CPTED advice following the Preapplication meeting, and additional meetings. 3. The advice has been included in the design evidenced in the landscaping, lighting, Avon and Somerset Constabulary boundary details and DAS. 4. Although an area where CPTED comments offer no relevance, i.e. the decision as to whether the development is classed as C2 or C3; there are some security implications of this decision. If the development is classed as C3 then it would be subject to the South Gloucestershire Affordable Housing SPD. This means that it would have to be certificated to Secured by Design Homes 2023 Silver Standard as a minimum. As the design stands at this moment this would not be possible as the applicant does not wish to comply with the required compartmentalisation of the high-rise blocks. This can be addressed over all the blocks or a specific block as necessary.

Environment Agency

The Environment Agency would have no objection, in principle, to the proposed development, subject to the inclusion of the following conditions within the Decision Notice:

CONDITION:

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The remediation strategy shall be implemented as approved.

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

CONDITION:

No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the LPA.

The scheme should include details of the following:

1. Site security.
2. Fuel oil storage, bunding, delivery and use.
3. How both minor and major spillage will be dealt with.
4. Containment of silt/soil contaminated run-off.
5. Disposal of contaminated drainage, including water pumped from excavations.
6. Site induction for workforce highlighting pollution prevention and awareness.

Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

To prevent pollution of the water environment.

NOTE:

Measures should be taken to prevent the runoff of any contaminated drainage during the construction phase.

The following informatives and recommendations should be included in the Decision Notice.

There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds, or lakes, or via soakaways/ditches.

Any oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.

If this proposal includes any car parks the operator should install a petrol interceptor if the discharge serves any of the following areas to prevent pollution to the water environment:

- Car parks typically larger than 800m² in area or for fifty or more car parking spaces.
- Smaller car parks discharging to a sensitive environment.
- Areas where goods vehicles are parked or manoeuvred.
- Vehicle maintenance areas.
- Roads.
- Industrial sites where oil is stored or used.
- Refuelling activities.
- Any other area at risk from oil contamination.

Any waste generated must be disposed of in accordance with Waste (England and Wales) Regulations 2011.

If waste material is brought onto site for construction purposes, the developer should ensure that appropriate permits are held according to Waste (England and Wales) Regulations 2011.

For information, the CL: AIRE Definition of Water: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- Excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such as they are fit for purpose and unlikely to cause pollution.
- Treated materials can be transferred between sites as part of a hub and cluster project.
- Some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operation are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- The position statement on the Definition of Waste: Development Industry Code of Practice.

- The waste management page on GOV.UK.

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment, and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

Bristol City Council

I confirm that Bristol City Council have no comment on this at this stage.

Natural England

Our comments made on P22/02113/O apply equally to this application. Although we note that this application is for only a portion of the dwellings which are included in P22/02113/O, there is a need for a strategic approach to green infrastructure across the redline boundary of P22/02113/O to create a multifunctional green infrastructure network that provides GI of sufficient quantity and quality for the future occupants.

4.3 Internal Consultees

Public Art Officer

In the light of this policy basis, if the application is approved, the Council should apply a planning condition for a public art programme that is relevant and specific to the development and its locality and commensurate with its size and importance. The Design and Access statement makes much of the Heritage Trail running along the edge of the site but concentrates on practical details such as the elevation and planting scheme as opposed to any indication as to what heritage is being celebrated. There is a mention of interpretation panels outlining the history of significant buildings across the site but no clear indication as to how that would apply here.

There are many excellent examples of public art being used to interpret the history of different sites, town centres or walking routes and I believe that it could be used here to provide moments of delight and interest to animate the heritage of this site.

This application makes no reference to public art in its Design and Access statement nor has a specific document relating to public art. Therefore, the

condition should require full details of public art proposals and interpretation to be agreed prior to commencement out of the ground.

Listed Building Officer

The treatment of the boundary and pathway alongside the Concorde hangar responds to previous comments and is acceptable. The proposed development appears to comply with the approved parameter plans for this part of the wider airfield site and I defer to the Urban Design Officer on design and material matters.

Further Listed Build Comments

I'm mindful that the original outline permission for the site weighed the harm to the setting and thus significance of the various heritage assets around Filton Airfield and at that time, the parameter plans indicated development up to 6 storeys in this particular location. The revised 2022 outline application proposes a block of development up to 7 storeys in the same area, while the current application for 239 apartments proposes perimeter blocks of 4, 5 and 6 storeys (not exceeding that approved in the original outline parameter plans). The harm to the heritage assets identified as part of the 2014 outline was found to be outweighed by the public benefits of the proposal, having regard to the provisions of the framework and would, therefore, set a benchmark against which any further development should be judged – there is a risk of double-counting harm/benefits otherwise or conversely, undervaluing the public benefits of the wider scheme of which this proposal forms a discrete component. In this context, I would say that the proposal would not result in any additional harm above and beyond that which was previously identified and found to be outweighed by the public benefits of the wider Airfield development. This would effectively be a 'neutral' position in the context of the Framework.

Tree Officer

There are no Arboricultural objections to the proposal provided that the development is carried out in accordance with the submitted arboricultural documents.

Urban Design Officer

The scheme benefitted from pre-app advice and was submitted for Design Review. I have scrutinised the plans and consider that the applicant has responded well to the pre-application advice provided. It is also broadly in accordance with approved Design Codes and master plan, although I note the application is in Full. I would have the following comments:

Could block D be extended to the NW to further close the gap with the Concorde Museum and provide a continuous frontage overlooking Aerospace Park?

Do the respective bike stores provide charging sockets for electric bikes?

Blocks A & C would benefit from a little detail to the parapets, perhaps a couple of soldier courses to the top.

What are the proposed window reveal depths (min 70mm)? Please confirm.

Material products need specifying, by condition if need be. Is the same red brick proposed on all the blocks or would a subtle variation help further distinguish the blocks and break up the massing a little?

The individual block entrances are a little underwhelming and pretty much the same across the scheme. Could they be differentiated; perhaps use different materials or brick colours in place of the buff brick panel and bespoke canopies.

I note and welcome the intention to provide (by condition) a temporary pedestrian route from the scheme to the nearby Lidl (see below). I assume it is intended that it will simply link into the Heritage trail path adjacent the Concorde Museum, and so also be of benefit to new residents in phase 1 & 2. Please clarify.

Otherwise, I defer to respective Climate, landscape, transport & ecology colleagues etc.

Suffice to say this is a well put together application and high-quality scheme. Subject to the comments above being responded to I would have no objection

Further Urban Design Comments

Please see email exchange below. I defer to yourself and transport colleagues re the provision of the footpath to the nearby Lidl. Providing early residents of the airfield site with access to a local foodstore that could be walked to was a key consideration given some positive weight in the determination of the Lidl store. It is welcome therefore that a temporary footpath is being provided. However, it is not explained why this access should be restricted to the retirement home residents only and only in daytime hours, when the residents of the adjoining Brabazon site would equally benefit. YTL should provide a lit footpath for all residents. Appropriate condition(s) should be attached. The Brabazon Entrance Design Concept should be attached to the file as an approved plan. I can confirm that I have no further objection.

Archaeology Officer

This application lies in an area not yet investigated archaeologically. Evaluation has occurred nearby and perhaps a small amount at the southern end of the red line boundary but the rest has not been tested. As such, I recommend that further archaeological work is carried out here prior to construction and then, if archaeology is found, mitigation. This can be dealt with under condition and recommend the following two conditions:

Condition 1: Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Condition 2: The development shall not be brought into its intended use until (i) the results of a programme of archaeological investigation and post investigation assessment has been completed in accordance with the approved

Written Scheme of Investigation and (ii) that the provision for analysis, publication and dissemination of results (where necessary and based upon the significance of the archaeology found), and archive deposition, has been confirmed in writing to, and approved by, the Local Planning Authority.

Lighting Engineer

I've had a look at the submitted documents referring to the proposed external lighting for this development on the planning portal, and have no objection from the obtrusive light perspective. (this is assuming that the proposed external lighting units are not offered for adoption.)

It must be noted that there are a few "up-lighters" proposed which isn't in compliance with dark sky policies, however I can confirm that according to the submitted lighting calculation results (shown on the drawing), the scheme's UWLR is within the recommended threshold set out by ILP's relevant guidance.

Also, some of the proposed private columns seem to be extremely close to the private road or parking bays (some units are within the parking bays). It would be recommended to provide some clearance to protect the columns, although since the area remains private, it is up to the Applicant / Client.

Further Lighting Comments

I've had no objections to the proposed private lighting, but many thanks for the extra info / clarification.

Highway Structures Officer

The Highway Structures team has no comment.

Drainage Officer

Once we have received confirmation regarding the removal of the trees located within the swales, we/LLFA should be in a position to offer no objection to the application, subject to the condition detailed at the end of the comments.

Climate Change Officer

The application is accompanied by comprehensive energy and overheating statements which set out the strategy for the proposal and include the energy tables as set out in the SGC guidance. The energy statement shows no fossil fuels at the site and the use of individual and communal air source heat pumps with a reduction in carbon dioxide emissions of over 20% over building regulations from low carbon energy, which is strongly welcomed.

Can you confirm that the design and orientation of the roofs has been designed to allow for PV to be fitted at a later date as required by Policy PSP6? Furthermore, whilst solar PV is not required to meet policy we would recommend it is applied where possible as in new development the cost is much less than for retrofit.

The information provided, and the futureproofing of the development to allow for connection to a district heat network if one were to be developed in the future, is welcomed. Can you confirm that space has been left available for plant rooms for any future heat network?

I have a few further questions of clarification on the documents, and some recommendations for consideration:

- In the tables there is a figure of 188,895 in row H for the 'Total CO2 reduction from renewables and /or low carbon energy generation, but this doesn't tally with the numbers provided in the tables below. Please confirm what information has been inputted into this data column.

- Heat pumps are to be utilised for the heating and hot-water. We would recommend that the refrigerants to be used have the lowest global warming potential. Is Carbon dioxide being considered for the hot water?

Overheating study

- How were the apartments selected for the overheating study?

- Was a 2080 analysis undertaken and are we able to see the results if it was? (Whilst we understand many measures would not be fitted now, as fabric may need replacing, it would be useful to see if there were any low or zero cost measures that could be implemented now that would future proof the development, in particular the apartments)

- Have cooler external spaces for the development, such as green and blue infrastructure, been considered

Further Climate Change Comments

I appreciate the response and have no further comments.

POS Officer

The applicant has applied for a C2 development i.e. extra care. For this type of development there are considered to be no policy POS requirements, given the level of care needed by the residents. However, a POS Area Calculations plan, FAF645-GRA-XXX-SK-L-077, has been submitted. I would query whether the IROS, the NSN and the Green Infrastructure – At Grade SuDS will be secured via a S106, or whether a S106 is to be drawn up for this application. I am unclear on this matter. If there is to be Public Open Space or Ancillary Open Space, a clear plan identifying solely the open spaces either covered by the original S106 or those to be covered by a new S106, should be submitted. If the class of development has changed; the development description needs to be amended.

There is an overlap between the POS calcs plan for this application and the P22/05223/RM POS calcs. Can you please clarify why there is an overlap, and the significance of this:

I am confused as to why the POS figures for both applications are the same; not the tables at the top but the categories listed in the keys beneath. Can you please clarify this. If it relates to the FCBS Compliance Statement FAD-FCB-111-XX-RP-A-0001 referred to at the foot of the plans, I cannot recall what that document is:

Along the north-west boundary, the principles for this area seem to have been approved in the revised Eastern Framework DC (fig. 04, p18) – extract on the right side below. It is shown as historic buffer landscape. This does not seem to be reflected in the care home application, which includes a 2m wide strip with trees, a 2.8m private highway path (not sure why the path is not proposed as adoptable highway, as it joins adoptable highway path in P22/05223/RM), followed by a hedge and car parking.

Further POS Comment

Our queries have been resolved. The areas shown as Public Open Space on the drawing RV Public Open Space Area Calculations Rev 01 are those that will need to be covered in a S106 agreement.

Environmental Protection (Contamination) Officer

The application includes the report: Remedial Method Statement Filton Airfield - Phase 2 Residential by Clarkebond dated 24/02/23.

The remedial requirements outlined a proposal of cut and fill, as well as capping.

As with the Phase 1 of the development, Environmental Protection should approve the use of capping materials prior to their placement.

Where possible, there is a preference to source materials from the site instead of sourcing externally.

We would require a copy of the Materials Management Plan (MMP) included in Appendix E which is not a draft and include any revisions since October 2022.

Further Contamination Officer Comments

Thank you for the additional information.

From what I can see the pre-commencement bullet points of Condition 27 attached to planning permission PT14/3867/O were discharged under DOC22/00139.

Therefore, we would recommend inclusion of the following post completion part of condition 27 as follows:

Post completion of each phase of remediation and prior to the commencement of any development within that phase, a verification report shall be submitted to the LPA demonstrate that any necessary remediation has been implemented satisfactorily. To aid review and audit, the verification shall include a summary of the ground investigation for that phase, the remediation requirements, the remediation undertaken, and demonstrate adequate supervision. If unexpected contamination is found after the development is begun, work shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. An additional investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority. Thereafter the works shall

be implemented in accordance with any further mitigation measures so agreed by the LPA prior to the commencement of any development on the area of unexpected contamination.

Reason: In the interest of public safety as a potential result of land contamination and to accord with policies CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) .

Environmental Protection (Noise) Officer

The EP Team Noise has no sustainable objection and notes the overarching Stantec noise report and subsequent Hydrock assessment.

The reports follow early advice and consultation with SGCouncil around monitoring, criteria and assessment.

The Construction(CEM) and Transport Plans are noted and apply alongside this council's Standard informative.

Landscape Officer

The proposals are acceptable, subject to minor amendment to the woodland buffer proposed along the northern boundary.

Further Landscape Officer Comments

I confirm that the amendments to the planting plan and schedule are now acceptable. Thank you.

Transportation Officer

We have now reviewed this planning application for the construction of a Retirement Village (RV) on Parcel E1 of the former Filton Airfield and understand that it is proposed to build 239 apartments plus supporting facilities on this site. Furthermore, as it is located within an urban area, we consider that this proposal fully complies with the locational requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places document.

Consequentially, we have no highways or transportation objection in principle to this proposal.

We are pleased to note that a Transport Assessment (TA) has been prepared for this development which is based upon the outcome of our pre-application discussions (carried out under ref PRE22/0375), hence our comments on the current document set out below are based on these.

As a result of our review, we understand that the trip generation rates, distributions, modal split etc for this development used in the TA are based on these produced for the TA produced for the Airfield Densification project. This seems a highly satisfactory approach which will lead to a robust assessment of this development. However, as the Airfield Densification project TA has yet to be fully approved and as this land-use was not reflected in the previous outline application for the Airfield redevelopment, we cannot fully approve the use of this data here. Nevertheless, we would concede that as broad agreement has

already been reached about the trip generation and modal split rates, we are able to indicate that these can be deemed to be acceptable.

We also note that a capacity assessment has been carried out for the site's junctions onto Fairlawn Avenue. This uses the same PICADY based methodology adopted for the southern access to Residential Phase 2. However, in this case as full-scale junctions have been provided at these locations this is considered to be an acceptable methodology and we are pleased to note that it takes account of the traffic originating from the adjoining Residential development. Our review of these tests indicates that they demonstrate that the addition of the predicted traffic from the Retirement Village does not materially affect their operation.

However, as the forecast Fairlawn Avenue traffic flows are based on those produced for the TA produced for the Airfield Densification project we must once again reserve judgment about these tests. We would, however, indicate that this broad methodology is acceptable. Nevertheless, it is unclear whether these calculations fully reflect the recent rearrangement of Residential Phase 2 to reduce the number of dwellings using that site's southern access. If this is not the case, then these tests must be revised accordingly.

Likewise, we also note that the applicants are proposing to reduce the on-site car parking provision for the RV when compared with the level of provision normally associated with the number apartments being proposed here. We believe that such an approach is broadly justified but the acceptable level of provision is dependent upon the success of any Travel Plan and will comment further on this matter once we have reviewed that document.

Finally, we note that the TA states that a Travel Plan would not be produced before a decision is reached on this application. However, as we consider this approach inconsistent with the proposed reduction in on-site car parking provision, we are pleased to see that one has now been submitted. We are currently reviewing this document and will report our findings shortly.

Further Transport Comments

We have previously commented on this planning application for the construction of a Retirement Village (RV) on Parcel E1 of the former Filton Airfield and understand that it is proposed to build 239 apartments plus supporting facilities on this site. We note that the applicant has now provided additional information to address our concerns and our response is set out below.

We previously indicated that we were unclear on a number of points regarding the traffic forecast calculations included in the Transport Assessment (TA). The applicants have now provided additional information which satisfies us that they have accounted for all the relevant traffic flows and that their estimates are based on the latest information available. Nevertheless, in accepting these explanations, we would remind that applicant that a full test of the traffic flows arising from the rearrangement of Residential Phase 2 will be required to accompany any future application for this part of the site and that our current response does not prejudice our review of that work.

We are pleased to note that a Travel Plan would be produced for this development. As we believe that this Plan must be aligned with overall Travel Plan for the site it is essential to ensure that they are compatible. This work is still on-going but should be available shortly.

In carrying out our review of the site's Travel Plan it has come to our attention once again that only two car parking spaces are provided for staff. We had previously indicated that we did not consider this adequate especially before any alternative facilities such as adjacent Multi-Storey Car Parks are available. This limited provision is of particular concern because we understand that the site possesses a range of on-site facilities (shop, library, health and welfare facilities) all of which we believe will require staffing. Hence, we would welcome the applicant's proposals for additional staff parking provision at this site.

Final Transport Comments

We have previously commented on this planning application for the construction of a Retirement Village (RV) on Parcel E1 of the former Filton Airfield and are pleased to note that the applicant has now produced a Travel Plan as requested and this has been reviewed by our travel planning team a process which resulted in numerous suggestions for amendments.

Nevertheless, as a result of our reviews we remain concerned about the proposed on-site parking provision and are particularly dissatisfied with the provision for staff which we consider to be especially unsatisfactory in the period before alternative off-site facilities are available. For this and other reasons we believe that the applicants must adhere to the contents of the approved Framework Travel Plan for the site. Hence, we recommend that a condition to that effect be placed on any planning granted for this development.

We will also require the framework travel plan to form the basis of a full version which must be approved and implemented before the site is occupied. It must also be monitored as appropriate. To this end, we consider that a planning condition(s) setting out these points is also required.

Finally we understand that the infrastructure promoted here designed to satisfactorily accommodate the travel demand arising from this site without modifications to the off-site highway network. However, we must remind the applicant that any parts of the development which relate to or are directly connected to highways which will be offered for adoption will require further detailed design and approval. In these cases, the Council reserves the right to comment on these matters until that time. This may of course result in changes being required to the infrastructure promoted here and we must also reserve the right to request these changes.

Waste Management Officer

I have viewed the documents and have no comments. The proposal appears to be fine for waste management.

Public Health Officer

We have no comments on this application.

Other Representations

- 4.4 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise.

- 5.2 The South Gloucestershire development plan comprises the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and the South Gloucestershire Policies Sites and Places Plan (adopted) November 2017. Policy CS5 (Location of Development) states that most new development will take place within the communities of the North and East Fringes of the Bristol urban area as this represents places where essential infrastructure is in place or planned. The focus will be the development of existing commitments and the remaining South Gloucestershire Local Plan allocations, whilst new neighbourhoods of sustainable communities will be developed including at Cribbs/Patchway. Policy CS26 allocates land for a major mixed-use development on 480 hectares of land at Cribbs Causeway, Patchway and Filton, with provision being made for some 5,700 dwellings, 50ha of employment land, and greater diversity of commercial uses including additional retails, together with supporting infrastructure and facilities.

- 5.3 Relevant to the proposal are that policy CS26 requires the new residential neighbourhood(s) and commercial areas to provide for:

“...A range of housing types and tenures in accordance with Policies CS17 and CS18;

Extra Care Housing dwellings in no more than 3 separate schemes...”

Policy CS25 (Communities of the North Fringe of Bristol Urban Area) states:

Development plan documents and development proposals should also accord with the following Key Principles:

...Provide new purpose-built accommodation for housing students and older people...

- 5.4 When considering the proposal, a material consideration is National Guidance set out in the NPPF, which states at paragraph 60 that the Government’s objective is to significantly boost the supply of homes and promotes the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment; and making as much use as possible of previously-developed or ‘brownfield’ land. The NPPF at paragraph 120 states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes. The proposal is for the re-

development of a brownfield site (a former airfield) rather than a greenfield site, and the proposed increase in density seeks to make more efficient use of land in a particularly sustainable location.

5.5 Given the above, the principle of the development is considered to be acceptable.

5.6 Relationship with Approved Brabazon Masterplan

The application site is located on land covered by the extant permission which allowed for a 70 bed C2 extra care facility. Given the scale of the proposal (239 beds), it exceeds the scope of the extant planning permission; and therefore, a full application has been submitted accordingly. Notwithstanding this, the proposal has been designed to be in accordance with the design code for the Eastern Framework and the parameters approved under the extant permission. The application site is located entirely within an area designated for residential use within the approved land use parameter plan and is therefore, compatible with the residential designation. The proposed development is considered to be consistent with the masterplan, design code and parameters already approved by the Council. The proposal is also consistent with the parameters and masterplan for the densification masterplan outline proposal, which is currently under consideration.

5.7 Hillside Issues

Hillside is the latest (and authoritative) case on successive planning permissions relating to the same site. The Supreme Court confirmed that the general position in relation to overlapping consents, as set out in the Pilkington case, is that more than one planning permission may be granted over the same land even though the proposed developments are inconsistent with each other. However, more than one planning permission on the same land can only be implemented if the permissions can co-exist and be implemented consistently with each other.

5.8 Accordingly, in this case the proposed C2 development is considered to be akin to a residential scheme and therefore, not in conflict with the land use parameter plan approved under the extant outline permission. However, there is a conflict with the description of the permission which specifies a 70 bed extra care facility. Therefore, there is an inconsistency between the proposed development and the requirements of the existing outline permission.

5.9 The applicant has indicated that they intend to address the inconsistency by way of a section 96A non-material amendment application to amend the description of the outline permission to ensure it remains a live and lawful permission. A non-material amendment application for this purpose has been submitted to the Local Planning Authority with the intention that both applications be determined concurrently.

5.10 EIA

The application is supported by an ES which considers the likely significant environmental effects arising from the project. For the purposes of EIA, the project that has been assessed within the ES is the densification Brabazon masterplan application, which includes up to 600 units of extra care. In this

instance, the requirement for EIA is determined by the EIA Regulations (2017) Schedule 2 which provides criteria or thresholds for establishing whether development is EIA. The overall project is considered to be Schedule 2, 10(b) urban development projects (including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas) which exceeds the following thresholds:

- i) The development includes more than 1 hectare of urban development which is not dwelling house development; or
- ii) the overall area of the development exceeds 5 hectares.

The following topic chapters are included within the ES:

Socio-Economic;
Transport and Access;
Air Quality;
Noise and Vibration;
Landscape and Visual;
Biodiversity;
Wind Microclimate;
Climate Change and Sustainability.

- 5.11 A consultation process has been carried out in accordance with Article 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposal is a standalone application which could be delivered separate to the wider densification masterplan application in conjunction with the extant planning permission if the densification masterplan is not approved or implemented. The approach to EIA in this case is however considered to be acceptable and robust, as the ES assessment considers potentially far greater impacts associated with the densification masterplan and over a longer time-period compared to if the proposal were delivered separately alongside the extant planning permission.
- 5.12 Although the ES relies on mitigation which is embedded into the wider densification masterplan to avoid likely significant adverse environmental effects, the same embedded mitigation would be delivered via the extant permission's masterplan.
- 5.13 The NPPG states that an ES should include information reasonably required for reaching a reasoned conclusion on the significant effects of the development. The ES and the information contained within has been taken into consideration and is considered sound for the purposes of considering this application.
- 5.14 Use Class
The development applied for is described by the applicant as falling within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). The categorisation of the proposals as Use Class C2 and C3 has particular relevance to the question of whether policies requiring the provision of affordable housing are applicable to the scheme.

- 5.15 Policy CS20 of the Core Strategy states: *“Regard will be had to the nature of a scheme to determine whether it comes within category C2 or C3 of the Use Classes Order and is subject to the provisions of Policy CS18 in relation to affordable housing provision”.*
- 5.16 Therefore, consideration is required as to whether the proposal falls within Use Class C2 or C3. There is no definitive means by which to establish the Use Class of Extra Care housing units; therefore, it is ultimately a matter of fact and degree in each individual case.
- 5.17 The Housing LIN, Planning Use Classes and Extra Care Housing, Housing, Learning and Improvement Network (2011) provides guidance on the features of accommodation that may point to a C2 classification. These include:
- *Applying eligibility criteria and undertaking an initial assessment of care needs with regular reviews and monitoring can reinforce this.*
 - *Given the additional costs involved in paying for care and accommodation, it makes sense for the units to be occupied by those in genuine need of care.*
 - *The distinguishing feature of C2 establishments is the provision of personal care for those who need it. Where extra care units are restricted to those in need of care by reason of old age, this would fall within the definition of Use Class C2.*
 - *The involvement of a registered Care Quality Commission care provider in the delivery of care.*

The Use Classes Order 1987 (as amended) states the following:

Class C2. Residential institutions

Use for the provision of residential accommodation and care to people in need of care (other than a use within Class C3 Dwellinghouses, used as sole or main residences]).

Use as a hospital or nursing home.

Use as a residential school, college or training centre.

Class C3. Dwellinghouses, used as sole or main residences]

Use as a dwellinghouse [as a sole or main residence and occupied for more than 183 days in a calendar year] by—

- (a) a single person or by people to be regarded as forming a single household;*
- (b) not more than six residents living together as a single household where care is provided for residents; or*
- (c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).*

“Care” is defined in article 2 as meaning:

... personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment.

- 5.18 Accordingly, the main consideration in determining whether the proposal falls within Use Class C2 or C3 is whether the definition of “Care” above is met.
- 5.19 The applicant has set out that care will be CQC registered and provided onsite 24/7, 365 days a year. The Registered Manager based on site will manage the CQC care service. They will assess the care needs of residents and a bespoke care package will be put in place based on the needs of residents.
- 5.20 The applicant proposes to include provision for a minimum of 2 hours of personal care established by health professionals. The applicant is also proposing to restrict the minimum age of occupants of the accommodation to 60 years. Care packages established at the accommodation will vary significantly reflecting different residents needs and some residents may require care packages of up to and in excess of 30 hours a week. A flexible approach to care will enable care packages to increase in conjunction with the needs of residents. I.e. the need for greater personal care will inevitably increase with age. This will mean that in all but the most severe of cases (such as specialist dementia care) residents will be able to remain living in their homes in the development.
- 5.21 Any controls imposed by conditions and S106 agreement are material to the Use Class the application falls within. These have the ability to specify conditions for occupancy, need and care such that the accommodation functions as Use Class C2.
- 5.22 Crucially obligations are proposed to secure a minimum level of care (2 hours a week) and age of occupancy (60 years and over). Given the level of care that would be secured and age of occupants, it is considered that the proposed accommodation would be occupied by people in need of personal care.
- 5.23 Accordingly, when considering the proposal on its own merits and in this particular case, the proposal is considered to fall within Use Class C2.
- 5.24 Urban Design
A Design and Access Statement has been submitted which sets out the design ethos and justification for the development proposed. It states that although the proposal is a full application rather than reserved matters it has been designed to be in compliance with all aspects of the outline permissions parameters and design code.
- 5.25 Pre-App and Design Review
The DAS explains that following advice being provided from pre-application and Design West Design Review Panel (DRP) exercises the massing and layout of the proposals have been refined to reflect the advice. This has resulted in fewer

single aspect north facing apartments; introduction of pitched roofs to certain blocks to provide more interest and articulation to the roofscape; the southwest building has been turned to front public space to provide a more active frontage.

5.26 Scale/Massing

The ES submitted identifies that the height and scale of the development has been designed to be sensitive to the surrounding landscape and determining maximum acceptable building heights is part of embedded mitigation. The proposal, at a maximum of 6 storeys in height, complies with both the densification masterplan height parameter plan and the extant permission heights parameter plan.

5.27 Massing and additional height has been used to mark prominent public areas of the scheme such as at the junction between the two public routes Garden Walk and Aerospace Walk to the south eastern corner. Additional height is provided to the south western block to mark the main entrance and the main communal facilities. Lower elements help to break up the bulk and massing of the blocks but also reduce overshadowing to specific parts of the development such as the communal garden and courtyard throughout the day and year.

5.28 Layout

Communal facilities are proposed within the southern and western blocks in order to maximise active frontages to Garden Walk and the residential street serving the main entrance. The communal facilities comprise a dining area which is located to provide opportunity to address the prominent southwest corner facing public realm and ensures active frontages in this location with opportunities for seating to the courtyard. The dining area would be available for use by the wider community and not just residents of the development. A separate bar, lounge and library will be restricted for residents of the development only. These facilities are located north of the main entrance and primarily overlook the communal garden area. A wellbeing suite is located within block A and is available for use by the wider community as well as residents of the development via an entrance off Garden Walk and via a small, enclosed garden area. The wellness suite comprises gym, treatment rooms, hairdressing and spa facilities.

5.29 Circulation within the communal areas of blocks is generous to provide spaces at lifts and elsewhere within the circulation space for seating to encourage incidental interaction between residents and a community atmosphere.

5.30 The size of apartments range from 51 to 62 sqm for the 1 beds, 72 to 79sqm for the 2 beds, and 90 to 91sqm for the 2 beds plus. The internal size of the apartments meets the requirements of the Nationally Described Space Standards. All of the apartment layouts provide flexibility to meet the needs of residents such as direct access to bathrooms from bedrooms via a Jack and Jill door arrangement in instances where there is no separate on-suite. All apartments benefit from large balconies with direct access from the main living areas. Apartments benefit from good levels of storage, bathrooms with level access showers and future proofed for grab rails and hoist installations and are building regulations M4(2) compliant.

5.31 Appearance/Character

The appearance of the development has been influenced by the existing hangar buildings which are located adjacent to the site; builds upon residential development at phases 1 and 2, and reflects the requirements and guidance from the approved design code relating to the Hangar District.

The elements that convey this character within the scheme are strong brick forms and detailing; articulated roof profiles; robust materials; the selected colour of brickwork and balcony colour and steel structures.

5.32 The development incorporates architectural elements such as brick detailing that provide interest and texture to the ground floor bases and in between certain windows. The proposals demonstrate strong roof forms through incorporation of a mix of pitched roofs and parapet flat roofs. There are also a variety of styles of balconies proposed, including cantilevered, stacked, and brick framed that are both functional and provide visual interest and added depth and rhythm to elevations. These architectural elements combine together to give the proposed development a very high quality and distinctive character and appearance.

5.33 Materials

Similar to phase 1 and 2, brick is the primary material proposed for the blocks. This is a suitably robust material to ensure the blocks will weather adequately. A stock red/red-purple brick is proposed to reflect the phase 2 residential houses adjacent to the development. A stock light buff brick is proposed to the inside of the colonnade to the public facing south and west corner of block B to provide a high visual contrast to these elevations.

5.34 Roof materials proposed comprise dark-grey tiles for pitched roofs, and the metalwork to balconies is forest green.

5.35 The materials proposed are acceptable subject to conditions for the final products to be agreed.

5.36 Safety and Security

The consultation response received from the Crime Prevention Design Officer (CPDO) has clarified that the proposals reflect Crime Prevention Through Environmental Design (CPTED) pre-application discussions. Accordingly, the CPDO has raised no objections. The proposal provides a sequence of progressive privacy for occupants including a secure communal garden, whilst ground floor apartments are provided with substantial defensible planting to provide a sense of security and privacy. Elsewhere, the proposal has been designed to provide active frontages to key routes and public spaces to provide surveillance over these areas. The proposal is considered acceptable with regards to safety and security.

5.37 Urban Design Conclusion

The proposed development by reason of its scale, form, massing, materials and detailing would achieve a very high standard of design and would make a very positive contribution to the character and distinctiveness of the area. The

proposal accords with policy CS1 of the Core Strategy and PSP1 of the Policies Sites and Places Plan.

5.38 Energy/Climate Change

Policy CS3 of the Core Strategy states that proposals for the generation of energy from renewable or low carbon technologies, provided that the installation would not cause significant harm to residential amenity, standalone or centralised is to be supported. Policy PSP6 of the Policies Sites and Places Plan states that:

All development proposals will:

- 1. be encouraged to minimise end-user energy requirements over and above those required by the current building regulations through energy reduction and efficiency measures, and in respect of residential for sale and speculative commercial development offer micro renewables as an optional extra, and*
- 2. be expected to ensure the design and orientation of roofs will assist the potential siting and efficient operation of solar technology.*

5.39 The ES states embedded mitigation measures to reduce CHG emissions associated with the construction phase of the development includes the provision of a Framework CEMP to include measures to reduce emissions such as no unnecessary idling of engines and ensuring maintenance of plant equipment; agreeing a Waste Management Strategy to reduce GHG emissions associated with waste management; and the implementation of Construction Traffic Management Plans (CTMP) which will set out logistics plans in order to improve the efficiencies of vehicle movements. These embedded mitigation measures are provided by conditions attached to the extant outline permission. The approved CEMP and construction waste management plan approved for the parcel have been submitted with the proposal as supporting information.

5.40 Embedded mitigation associated with the operational phase of the Proposed Development includes the incorporation of sustainable transport proposals such as dedicated pedestrian and cycle routes throughout the Site and encouraging the use of public transport by providing a new train station and local bus routes. These measures would be provided by the extant planning permission as well as the densification masterplan. A Travel Plan has also been submitted in support of the proposed scheme to encourage sustainable means of travel.

5.41 An energy Strategy has been submitted in support of the proposal. This outlines that the development will be constructed using improved fabric performance, efficient lighting and control, as well as air source heat pumps for heating and hot water. The total reduction from renewables and low carbon technology is 21.5% which exceeds the 20% target set by PSP6 and the total CO2 reduction calculated is 52.5%, which exceeds building regulations Part L1A 2021 by 21.5%. The design and orientation of roofs has been designed to allow for PV to be fitted at a later date. There is no district heat network at the site to connect to presently. The scheme has however been designed to ensure the development could connect into a district scheme in the future. The Energy

- Strategy submitted includes a plan which indicates the route of the district heating and connection points.
- 5.42 An overheating report submitted outlines that the building will be ventilated naturally, while wet areas will be provided with continually running mechanical ventilation. Overheating results for future weather in 2050 demonstrate compliance with Part O (Overheating) Building Regulations.
- 5.43 Residential Amenity
A shortfall in nursery provision is the only socioeconomic adverse impact identified in the ES. However, given the nature of the proposed development, it is not considered that the proposal would result in an adverse impact in terms of nursery provision.
- 5.44 Two storey residential properties have been approved immediately to the west of block B. The plans submitted demonstrate a separation distance of 23 metres between windows in the front elevation of the two-storey dwellings and windows in the front elevation of block B which is a 3 and 4 storey block. It is considered that the resulting relationship would not bring about any significant adverse residential amenity impacts to occupiers. There would be some overlooking from balconies proposed in the front elevation of block B into the gardens of properties flanking the two storey terrace. However, a separation distance of approximately 19m would lessen the impact of any overlooking to a level where it would not be adversely harmful and the gardens of the two flanking neighbouring properties would still provide an adequate level of residential amenity to occupiers.
- 5.45 The southern end elevation of Block B would be approximately 26 metres from neighbouring residential properties to the south at the closest point. This is considered to be an adequate separation distance to ensure that no significant adverse residential amenity issues would result, including from noise or disruption from the restaurant proposed at ground floor level.
- 5.46 A six storey apartment block has been approved under the phase 2 residential development immediately south of block A. The DAS submitted has specifically considered the relationship between the blocks in terms of residential amenity. The end elevations of block A and the block within phase 2 directly face each other at a distance of 15.5 metres. However, the phase 2 block apartments are primarily orientated east-west which will reduce the impact of any overlooking from south facing apartments and living rooms in block A. As such, the resulting relationship is considered to be acceptable and would not bring about any significant adverse residential amenity issues.
- 5.47 A roof garden is proposed above block B at the third storey level. Consideration has been given with regards to the level of overlooking from the roof garden towards phase 2 dwellings to the west. The level of separation between the roof garden and phase 2 dwellings is approximately 20 metres. In addition, the layout of the roof garden through use of planters would step the main focus of the roof garden in from the perimeter by 2.5m at the minimum distance. Accordingly, it is not considered that the roof garden would result in any significant adverse privacy issues.

- 5.48 In terms of the relationship between the retirement blocks itself, there would be a separation distance of 15 metres between the end elevations of blocks A, E and D which would be directly facing. The resulting relationship has been specifically considered within the DAS submitted. The end apartments in these blocks have their primary aspect (master bedrooms, living room and balconies) facing east-west. Windows to living rooms that provide a secondary aspect and windows to second bedrooms would have a directly facing relationship. As such, it is not considered that the proposal would bring about any significant adverse residential amenity issues.
- 5.49 The eastern end elevation of block B and the rear western elevation of block A would be approximately 13 metres from each other at the closest point. The southeast apartment in block B is primarily orientated south with only minimal glazing facing east. The northern apartment within block B primarily faces north over the communal garden; however, it has a dual aspect and balcony to the east in order to provide more sunlight to the external amenity space. This results in a close relationship of 14.5 metres between windows in the side of block B and the rear of block A and a distance of 10m between balconies. However, this impact will only affect a small number of apartments. A large high quality secure area of communal space would provide a very high level of amenity for future occupiers and all apartments benefit from balconies which far exceed the minimum size requirements under policy PSP43.
- 5.50 Therefore, whilst there would be a close relationship between a small number of apartment blocks, when considered overall, the proposal would provide an acceptable standard of residential amenity and is considered to be in accordance with policies CS1 of the Core Strategy and PSP1, PSP8 and PSP43 of the Policies Sites and Places Plan.
- 5.51 Landscape
The design and layout of the scheme takes into consideration strategic GI identified on the approved landscape parameter plan. For example, the blocks D, E and A are designed and positioned to respond positively to Aerospace Park and Aerospace Walk.
- 5.52 A CEMP and the following embedded mitigation measures are specified in the ES to avoid significant adverse mitigate landscape impacts:
- Retention of Filton Wood with open space buffer around southern edge;
 - Retention of a green corridor along Henbury Trym watercourse;
 - Creation of new green links, north to south across the site, to connect Filton Wood with Brabazon Park in front of the YTL Arena; Cribbs Causeway with Fishpool Hill and Charlton Common; and Charlton Hayes to Charlton Common and Brabazon Park;
 - Retention of the lagoon to the east of the A38;
 - Creation of open spaces throughout the development;
 - Determining maximum acceptable building heights;
 - Areas of existing woodland, hedgerows and trees to be retained;

- View created between listed hangars 16U and 16M, by removal of existing earth mound;
- Public space providing setting for listed hangar 16S; and
- New tree planting including street trees throughout the development.

5.53 The above embedded mitigation measures would be delivered by either the extant planning permission masterplan or the densification masterplan and the proposal would not prejudice their delivery.

5.54 The building blocks proposed are arranged around a landscaped communal garden. This enables a secure and central communal garden area to be provided for occupiers. The communal garden proposals have been designed to serve a SUDs function, provide sensory experience and exercise for residents, social stimulation, and support biodiversity. The communal garden measures 4108sqm and comprises paths formed by high quality concrete block sets and coloured asphalt surfaces to provide various walking routes that circulate around the garden. The routes would take users through a variety of landscape character areas with planting to stimulate senses through scent and colour, meadow planting, rain gardens and lawns. A number of pergola structures and benches provide opportunities for resting along the walking routes. Space is provided for a number of other activities such as open event lawns, boules, yoga and flexible social spaces. A total of 127 no. trees are proposed to be planted within the garden and around the perimeter of the development.

5.55 A roof garden is proposed above block B for residents use with a high quality permeable concrete block paved floor, timber dining table and benches, large raised metal planters and a lockable storage shed. Soft landscaping comprises trees, hedgerow and a shrub and herbaceous planting mix. The roof garden will provide a social space for residents to relax and meet; it provides views of the landscape garden below and will provide opportunities for gardening for residents.

5.56 A heritage trail extends along the northern boundary of the site between the Concorde museum site and the car park associated with the proposed development. Advice was provided through pre-application discussions and the DRP regarding the treatment of the heritage trail. The walkway is elevated above the adjacent car park to reduce the impact of the parking area and to make cars feel less dominant. Soft landscaping is also proposed to the car park area to soften its impact on the route. A section plan provided demonstrates the relationship between the heritage trail, car park and block. The large scale of the block, although set well back would provide overlooking and surveillance over the route. A native woodland planting mix and hornbeam hedge are proposed along the heritage trail to add visual amenity to the route.

5.57 Trees

There are no trees at the application site that would be affected by the proposed development. The Council's Tree Officer has raised no objections to the proposal subject to the development being carried out with the submitted arboricultural documents.

5.58 Landscape Conclusion

A CEMP was approved under the extant masterplan permission; therefore, subject to a compliance condition to ensure accordance with the CEMP to mitigate construction impacts the application would not result in significant adverse landscape impacts. The proposed development will enhance the quality and amenity of the landscape. The amenity space and hard and soft landscape works will be to a high standard of design and designed as an integral part of the development. The proposal is therefore, considered to be in accordance with policy CS1 of the Core Strategy and PSP2 of the Policies Sites and Places Plan.

5.59 Transportation

The NPPF states in relation to considering development proposals:

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy PSP11 (Transport Impact Management) of the development plan states:

Development proposals which generate a demand for travel, will be acceptable where:

- 1. appropriate, safe, accessible, convenient, and attractive access is provided for all mode trips arising to and from the proposal; and*
- 2. any new or improved bus stops meet the Council's adopted standards and the appropriate national guidance; and*
- 3. residential development proposal(s) are located on:*
 - i. safe, useable walking and, or cycling routes, that are an appropriate distance to key services and facilities and then*
 - ii. where some key services and facilities are not accessible by walking and cycling, are located on safe, useable walking routes, that are an appropriate distance to a suitable bus stop facility, served by an*

appropriate public transport service(s), which connects to destination(s) containing the remaining key services and facilities; and

4. commercial development is located on safe, useable walking routes, that are an appropriate distance to a suitable bus stop facility, served by appropriate public transport services, linking to major settlement areas; and

5. appropriate on-site loading, unloading and waiting facilities are provided for commercial developments; and

6. it would not generate traffic that would:

i. create or contribute to severe congestion;

ii. severely impact on the amenities of communities surrounding access routes (local network to strategic road network);

iii. have an unacceptable effect on highway and road safety;

iv. harm environmentally sensitive areas; and

7. any new transport related infrastructure provided in relation to the proposal would not create or exacerbate traffic congestion or have an unacceptable effect on highway and road safety; and

8. unobstructed emergency vehicle access is provided; and

9. potentially significant transportation impacts are accompanied by an appropriate Transport Assessment and where necessary a Travel Plan.

5.60 Access

Access into the proposal would be off Fairlawn Avenue via the Blenheim Roundabout and through residential streets associated with the phase 2 residential development currently under construction. Fairlawn Avenue incorporates pavements of 4m in width to allow for pedestrians and cyclists to safely share the space. There is a 3m wide pavement on the southern side of Hayes way for pedestrians and cyclists with safe connectivity to Patchway and Cribbs Causeway and access to the A38. On the A38 there is a 3m wide pedestrian/cycle pavement on the western side to the Filton Roundabout and an on-road cycle lane and a pavement on the eastern side. Once the surrounding masterplan is built out there will be dedicated cycle and pedestrian provision through the development with a dedicated foot/cycle connection to the A38 via the combination junction and improved signalised crossing points with the installation of the new A38 junction into Brabazon.

5.61 The closest bus stops to the site are located on Hayes Way at a distance of approximately 800 metres walk. These stops have a shelter with seating, and a raised kerb to assist boarding. There are also bus stops on the A38 on a main bus corridor. The closest railway station to the site is Patchway at a distance of approximately 1.5 miles and approximately a 30 minute walk from the site. Patchway railway station provides services between Taunton and Cardiff Central approximately every hour in each direction. A 3 metre wide pavement

provides a safe pedestrian and cycle facility along the main route to the station along Gypsy Patch Lane and Station Road. Given the above, it is considered that the site is in an accessible and sustainable location served by a good level of public transport as well as walking and cycling routes.

- 5.62 There is a supermarket on Hayes Way that would be within close proximity to the application site. A condition is proposed for a pedestrian route to be provided from the north of the application site to Hayes Way to provide a shortcut to the supermarket and bus stops on Hayes Way to avoid pedestrians having to backtrack onto Hayes Way via Fairlawn Avenue. Retail facilities at Cribbs Causeway- The Mall are located approximately 0.6 miles and a 15 minute walk from the application site. In terms of accessing the Cribbs Causeway- The Mall, 3 metre wide pavements are provided along Hayes Way for pedestrians and cyclists and controlled crossing points are located at the San Andreas Roundabout to provide safe crossing. Therefore, it is considered that the site is accessible to a good level of services and facilities by walking and cycling.
- 5.63 Significant transport improvements are planned as part of the CPNN IDP, which will further improve the accessibility of the application site by sustainable modes of travel. An approved railway station (Filton North) would be located approximately 400 metres south of the proposed development, which would provide an hourly service to Bristol Temple Meads and would be accessible by dedicated pedestrian and cycle infrastructure to be delivered by the extant outline permission or the densification masterplan. There would also be Metrobus, which would provide frequent and reliable services to Bristol and the surrounding area, extending along Runway Avenue at Brabazon. The closest metrobus stop would be approximately 350 metres from the application site. The masterplan will also provide a new pedestrian, cycle and bus connection to the south from Brabazon to Charlton Road to improve permeability between the Patchway and communities in Bristol.
- 5.64 **Parking**
A car park is proposed to the northwest of the site. It will provide 90 spaces for residents; 10 spaces for staff; 9 spaces for visitors; and 2 car club spaces. There will also be a parking space provided for a minibus. Access to the residents parking area will be controlled by a barrier. Automatic Number Plate Recognition will be used to determine authorised vehicles, and the visitor duration of stay will be limited to 2-3 hours.
- 5.66 A layby to the west of Block B will provide 2 short stay/drop off parking spaces as well as a single taxi bay. These parking spaces are adjacent to the main public entrance into the development to provide convenient access. The layby has also been designed to serve as a loading bay for deliveries, servicing and refuse collection.
- 5.67 Mobility scooter parking has been provided within secure ground floor stores within each block. The level of mobility scooter parking has been guided by the HAPPI Document – Design Principals for Extra Care Housing; therefore, the proposals incorporate buggy stores which will accommodate 40 mobility scooters. However, with more modern, smaller, and lighter scooters emerging it

is likely that the stores could accommodate more than 40 in the future. The provision of storage for buggies and disabled car parking (19 spaces) exceeds the minimum standards set out under policy PSP16 (Parking Standards) of the development plan. The stores will also provide cycle parking spaces for 20 bikes. Separate cycle parking for staff would be provided by 4 cycle parking spaces, which exceeds the minimum standard set out under policy PSP16.

- 5.68 A technical note has been produced by the Applicant's Transport Consultant and is included within the Transport Assessment that seeks to justify the level of car parking proposed. The suggested level of parking within the technical note is based on the forecast demographic of residents and various sources of data considering car ownership amongst older people and based on comparisons to other similar developments. The details submitted highlight that the parking spaces will not be linked to specific dwellings and will be instead leased to residents separately. This will ensure there is flexibility in the allocation and re-allocation of parking as residents age and care needs change. It also highlights that construction of the development would be phased with a gradual occupation given the specialist nature of the accommodation. If permission is approved, first occupation is anticipated to be 2026; however, the development is not predicted to be fully occupied until 2031. There would therefore, be a gradual increase in parking demand over the interim period, and time for any parking issues to be addressed through travel planning and associated monitoring before the site is fully occupied.
- 5.69 The technical note seeks to justify the level of parking based on the demographic of likely residents and the highly sustainable location of the site, which will become more sustainable in the near future. The Council's Transportation Officer raised no objections to the proposal on the basis of parking but expressed concerns regarding car parking provision for staff in particular in the period before alternative off-site facilities are available. In response, the level of staff parking has been increased from 2 spaces to 10 spaces. Accordingly, the Transportation Officer has raised no objections to the proposal. A condition is recommended to ensure that the Travel Plan is fully adhered to and for monitoring to be undertaken to review the success of the travel plan.
- 5.70 **Vehicular Trips**
The outline application was for the delivery of 2,675 dwellings with an agreed vehicle trip envelope for that quantum of development. A total of 627 dwellings have been approved under reserved matters for phases 1 and 2 which represents 23% of the trip envelope. The inclusion of the proposed development would increase the proportion of consented trips to 26-27%. Therefore, even with the proposed development the overall level of vehicular trips generated would be well inside the agreed trip envelope for the extant planning permission.
- 5.71 The northern and southern access junctions on Fairlawn Avenue have been assessed utilising the forecast (with development) traffic flows for the Blenheim Roundabout access from the original TA. The results show that even if the proposed development were to be delivered under the extant consent the proposed junctions would continue to operate satisfactorily despite the higher

levels of traffic utilising the road. Accordingly, whether the densification masterplan or the original outline permission is implemented alongside the development proposal, the constructed access junctions will operate satisfactorily.

- 5.72 Accordingly, given the above it is not considered that the proposed development would result in a severe transport impact in terms of congestion or amenity or an unacceptable impact in terms of highway safety.
- 5.73 Affordable Housing
As the use class is accepted as being C2 for this particular scheme, in accordance with policy, no contribution towards affordable housing is being sought.
- 5.74 Drainage
The application site is located entirely within Flood Zone 1 and therefore, passes the sequential test which aims to steer development to areas with the lowest flood risk.
- 5.75 Infrastructure works associated with the Eastern Framework infrastructure planning application have provided drainage stubs for the application parcel.
- 5.76 The design of the development responds to the fall from NW to SE of about 1.5m level difference which would be the overland flow route of surface water. The design of the blocks and level of separation reflects the need to accommodate the overland flow route.
- 5.77 There is an overall site wide Flood Risk Assessment for Brabazon, which sets out the site drainage parameters for the various development parcels at the site. The latest approved version of the FRA is revision V4, although there is a V5 which is currently being considered by the LPA.
- 5.78 The FRA for the entire development site wide infrastructure does not identify any on plot attenuation for the application parcel (E1). The site wide FRA allows the parcel a free discharge to an open basin to the east of the A38. Discharge will be from foul and storm systems within the main infrastructure within Runway Avenue and Aerospace Promenade.
- 5.79 SuDS measures for water quality would be provided via the use of extensive porous paving within parking areas. Swales have also been provided within the landscape design at Blocks A, D and E. These are located at a low topography where surface water runoff would naturally follow. Local rainwater downpipes have also been connected directly to the swales.
- 5.80 The Council's Drainage Engineer has raised no objections to the proposal and is satisfied that the proposal is compliant with the site wide drainage principles established under the v4 (June 2021) FRA approved under the extant permission, as well as V5 of the FRA submitted with the densification masterplan. The proposal will provide an adequate drainage design and will not increase the risk of flooding elsewhere. The only outstanding comments from the Drainage Engineer relate to the detailed design of the roof garden and trees

located within swales. Revised plans have subsequently moved trees out of the swales. The Drainage Engineer is satisfied that the outstanding matter in relation to the design of the roof garden can be dealt with by an appropriate worded condition.

5.81 Listed Building Impact

Paragraph 197 of the NPPF states that:

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

5.82 Paragraph 199 of the NPPF 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The NPPF states that the effect of an application on the significance of a non-designated heritage asset should also be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5.83 Policy PSP17 of the Local Plan states that *“the conservation of South Gloucestershire’s heritage assets is a priority for the Council and, as a consequence, where development would result in harm to the significance of a heritage asset or its setting, planning permission will only be granted when it can be clearly demonstrated that all of the following can be met:*

5.84 *The proposal results in public benefits that outweigh the harm to the heritage asset, considering the balance between the significance of the asset affected, the degree of harm and the public benefits achieved;*

There is no other means of delivering similar public benefits through development of an alternative site;

The harm to the heritage asset is minimised and mitigated through the form and design of the development and the provision of heritage enhancements;
and

The heritage asset will be properly recorded to professionally accepted standards”.

5.85 The designated heritage assets Hanger Aircraft Storage Shed (known as Hanger 16M) and Triple Hangar General Service Shed (known as Hangar 16S) would be impacted by the development. These are both grade II listed buildings located within the Aerospace Bristol Site (Concorde Museum) to the north of the application site at a distance of approximately 80 metres (16M) and 46 metres (16S) at the closest points.

- 5.86 A Design and Access Statement has been submitted which includes a Heritage Statement and Assessment which describes the significance of the buildings as follows:

Triple Hangar 16S

“Group of four paired aircraft hangars in line. 1918, by the War Office’s Directorate of Fortifications and Works to drawing no. 417/17. Walls, buttresses, central piers and door ‘pylons’ in brick, curtain walls half-brick thickness in cheaper bricks, softwood ‘Belfast’ roof trusses, corrugated steel door cladding and later profiled steel roofing.

Exterior: triple segmental gables presented to east and west elevations. The general design of all the sheds is similar, with minor differences in the scope of the attached outbuildings. A series of raking buttresses to the side walls, which have brick workshop annexes with steel casement windows. Brick ‘pylons’ outside the outer bays, into which slid the doors, are in red brick, with three sets of paired piers carrying thin brick stiffening diaphragms with straight top but segmental lower edge - similar to the internal construction.

History: the Bristol Aeroplane Company, founded by Sir George White, was established in 1910 as one of Britain’s first aircraft manufacturers. It also established a series of training schools for civilian and military flyers, the hangars at Larkhill in Wiltshire having survived from this period. By the Second World War the Bristol Company supplied engines for nearly half the world’s airlines and more than half the world’s air forces, and in the Second World War it provided a third of the RAF’s engines. Sited to the north of Sir George White’s aircraft factory of 1910 (converted out of tram manufacturing sheds built in 1908), this part of Filton was developed as an Aircraft Acceptance Park for the reception and final assembly of aircraft from factories and their flight testing, storage and distribution to operational squadrons. The buildings, which survive as the most complete on any of these types of sites in existence (numbering 27) in November 1918, were retained for use by the Bristol Aeroplane Company after the war, and after 1929 became part of an operational fighter base. Following the disbanding of 501 (County of Gloucester) Squadron in 1957, the hangars reverted to use by the aircraft factory, now British Aerospace”.

Hangar 16M

Aircraft storage shed. Designed 1913, built 1917-18. Timber framework, corrugated iron cladding to roof and walls.

Exterior: the east elevation has central former main doors, with late C20 flat-roofed extension to centre and to north gable. Workshop annexe to rear (west) with metal casements.

History: although probably dating from 1917-18, this comprises a rare surviving example of the earliest standard type of hangar, designed by the Royal Engineers of the War Office’s Directorate of Fortifications and Works in 1913 and comprising a side-opening coupled shed with rear workshops. The Bristol Aeroplane Company, founded by Sir George White, was established in 1910 as

one of Britain's first aircraft manufacturers. It also established a series of training schools for civilian and military flyers, the hangars at Larkhill in Wiltshire having survived from this period. By the Second World War the Bristol Company supplied engines for nearly half the world's airlines and more than half the world's air forces, and in the Second World War it provided a third of the RAF's engines.

Sited to the north of Sir George White's aircraft factory of 1910 (converted out of tram manufacturing sheds built in 1908), this part of Filton was developed as an Aircraft Acceptance Park for the reception and final assembly of aircraft from factories and their flight testing, storage and distribution to operational squadrons. The buildings, which survive as the most complete on any of these types of sites in existence (numbering 27) in November 1918, were retained for use by the Bristol Aeroplane Company after the war, and after 1929 became part of an operational fighter base. Following the disbanding of 501 (County of Gloucester) Squadron in 1957, the hangars reverted to use by the aircraft factory, now British Aerospace.

- 5.87 The heritage assessment identifies that the Concorde Hangar is located close to the application site. It states that it is not a nationally designated asset, nor is it recognised on South Gloucestershire Council's Local List. However, it notes that its role as home to the last remaining aircraft from the Concorde fleet lends it special historic interest.
- 5.88 When considering the proposal, an important material consideration is the parameter plans and design codes approved at the Airfield which provide an approved framework for development in this location to avoid, minimise and mitigate harm to the setting of the heritage assets. These include measures to provide new views of the buildings from the south to allow opportunity for greater appreciation of their setting; restricting the height of buildings to up to 6 storeys at the application site and reducing to 3 storeys for buildings adjacent to the Concorde museum; and ensuring appropriate positioning of the residential blocks set back from the boundary of the listed buildings.
- 5.89 The proposed application for 239 apartments proposes perimeter blocks of 4, 5 and 6 storeys with a separation distance of approximately 30 metres to the Concorde museum boundary and therefore, accords with parameters approved under the extant outline permission. The Council's Listed Building Officer considers that the proposal would not result in any additional harm above and beyond that which has previously identified and found to be outweighed by the public benefits of the extant airfield permission. Therefore, the Listed Building Officer considers that this would effectively be a 'neutral' position in the context of the NPPF. The proposal is therefore, considered to be in accordance with policy PSP17 of the development plan.
- 5.90 Public Open Space
The applicant has applied for a C2 development i.e. extra care. For this type of development there are considered to be no policy POS requirements, given the level of care needed by the residents. However, a POS Area Calculations plan, FAF645-GRA-XXX-SK-L-077 Rev01, has been submitted which shows that there would be the following POS provision: 644.9m² of informal recreational open space and 271.9m² of natural and semi-natural green space. These open

space areas will need to be secured as POS within a S106 legal agreement and HoTs are proposed accordingly.

5.91 Archaeology

The Council's Archaeological Officer has raised no objections to the proposed development but has highlighted that the application site is within an area that has not been investigated archaeologically. Therefore, he recommends that further archaeological work is carried out at the site prior to construction. If archaeology is found there would need to be mitigation agreed. The Council's Archaeology Officer is satisfied that these matters can be dealt with by appropriately worded planning conditions.

5.92 Ecology

The ES specifies that a CEMP; GI corridors, landscape corridors and a 30m buffer zone to protect Hayes Wood LWS will mitigate ecological impacts and provide ecological gain. A LEMP will also prescribe long term management and protection to benefit the ecology of the site. Regular surveys will be undertaken to monitor movements in badger population.

5.93 PSP19 – Wider Biodiversity of the Council's Policy Sites and Places Plan states:

“Development Proposals resulting in the loss or deterioration of irreplaceable habitats, including unimproved grassland (lowland hay meadows), ancient woodland, and ancient trees will be refused unless the need for, and benefits of, the development in that location clearly outweigh the loss.

Where appropriate, biodiversity gain will be sought from development proposals. The gain will be proportionate to the size of the scheme and be secured through an appropriate planning condition or legal undertaking. This will include sites of low nature conservation interest (for example, intensive agricultural land) where new semi-natural habitat (green infrastructure) would provide opportunities and gains for local wildlife.

Development proposals, where they would result in significant harm to sites of value for local biodiversity, which cannot be avoided by locating it on an alternative site with less harmful impacts, adequately mitigated or, as a last resort, compensated for, will be refused”.

5.94 An Ecological Impact Assessment (EclA) has been submitted in support of the proposal.

5.95 Statutory Designated Sites for Nature Conservation

There are no designated sites for nature conservation within 1km of the application site.

5.96 Non-Statutory Designated Sites for Nature Conservation

There are two non-statutory sites for nature conservation within 1km of the application site. Hayes Wood SNCI is located approximately 400m to the west of the site; Filton Golf Course SNCI is located 800m to the southwest of the application site. Given the distance between the designated sites and the

application site it is not considered that there would be any significant harm during construction or operation.

5.97 Habitats

The application is dominated by a single habitat type – arrenhatherum dominated neutral grassland while hardstanding, sparsely vegetated land and bramble scrub comprise the remaining features. The grassland at the site constitutes approximately 1.3ha of the 1.6ha application site and is considered to be of a site level conservation importance.

5.98 The site comprises two attenuation ponds with some ruderal vegetation. The ponds appear cut off and no longer in use with no water present in them. The habitat is considered to be of site level conservation importance.

5.99 There is approximately 0.03ha of dense bramble scrub located at the edge of hardstanding areas and is considered to be of negligible conservation importance.

5.100 The EclA states that due to the nature of the proposal, there is no scope to avoid the loss of these habitats. Therefore, there will be the permanent loss of 1.35ha of existing vegetated habitats and is a negative impact at a site level.

5.101 Protected and Notable Animal Species

Badger

There are multiple records of badger within 1km of the application site. Filton Airfield has been surveyed consistently each year since 2016 to minor known badger setts in and around the site. The closest active setts are those in Hayes wood. Although the EclA acknowledges that badgers use the whole airfield site and may forage within the boundaries of the application site, it considers that they will not likely be directly affected by the proposed development but are capable of being affected through their foraging and commuting activities.

5.102 The EclA deems that the effect on badger, including loss 1.3 ha loss of foraging habitat, is minor adverse at a local level.

5.103 Mitigation is proposed via a CEMP approved under the extant outline permission to ensure appropriate working measures are followed to avoid harm to badgers during construction. The approved CEMP includes specific mitigation in relation to badgers. It states that all areas of scrub clearance will be removed carefully to check for any previously unidentified badger setts. If a sett is identified, or any suspicion that badgers may be present then work should cease in that location until a specialist is bought in to assess the activity and a mitigation strategy implemented where required. Where necessary mitigation works are required, it is likely to need a licence application and can only be completed July to November inclusive. All trenches or holes dug within the site will be covered over night or will be made such that if any animal falls into them they can get back out.

5.104 Bats

Bat surveys have been undertaken in 2016 and 2021 and show activity primarily along the north and south boundaries of the airfield. Very little activity

was identified across and through the site due to a lack of linking habitat. The application site is an isolated site within the airfield and doesn't abut main foraging or commuting routes. Therefore, the EclA concludes that bats would not likely be impacted by the proposal. An ecological enhancement plan submitted shows that bat boxes will be incorporated into the elevations of the blocks. This plan will be included in the approved plans condition to ensure development is carried out in accordance with the plan.

5.105 Reptiles

Reptiles have been translocated from the whole airfield and excluded by temporary reptile fencing. Therefore, the EclA states that despite the suitability of the habitat the species are considered absent due to previous translocation work.

5.106 Breeding Birds

The habitats within the application site are suitable to support common species of nesting birds through the dense scrub and skylark within the grassland habitat. The assemblage of common breeding birds that could be affected are considered by the EclA to be of local conservation importance. Skylark is more important and deemed to be of county level conservation importance.

5.107 Mitigation measures to avoid harm to nesting birds during construction are secured via the approved CEMP. The approved CEMP includes specific mitigation in relation to birds. It states that any vegetation clearance will take place outside of the bird nesting season (March to August inclusive) or checks will be made prior to removal by a suitably qualified ecologist to check for nests. Where nests are identified a buffer zone of at least a 5-metre radius will be designated around the site until all chicks are fully fledged; The effect, including loss 1.3 ha loss of potential breeding and foraging habitat, is minor adverse at a local level. An ecological enhancement plan submitted shows that bird boxes will be incorporated into the elevations of the blocks. This plan will be included in the approved plans condition to ensure development is carried out in accordance with the plan.

5.108 Biodiversity Net Gain

A landscaping scheme has been designed to compensate for the permanent loss of grassland, dense bramble scrub and sparsely vegetated land at the site. Much of the proposed planting comprises native species along with some amenity species.

These include:

- 130 trees;
- 1826m² of planting mix
- 400m of hedgerow
- 104m² of native woodland buffer planting mix
- 596m² of defensive planting mix
- 1096.5m² lawn and wildflower meadow mix
- 578m² of rain garden planting mix
- 50m² of shrub and herbaceous planting mix

5.109 The provision of these landscape enhancements within the proposed development would result in an overall habitat gain of around 117% based on the Natural England Biodiversity Metric 3.1. This level of habitat gain is very high, and it is considered that the proposal would likely easily provide adequate compensation for the loss of habitat. An ecological enhancement plan submitted shows that bird boxes will be incorporated into the elevations of the blocks. This plan will be included in the approved plans condition to ensure development is carried out in accordance with the plan.

5.110 Given the above, it is considered that the development proposals would not result in significant harm to wildlife subject to conditions to ensure compliance with the approved CEMP. Biodiversity gain will be achieved to sufficiently mitigate any harm to wildlife. Accordingly, the proposal is considered to accord with policy PSP19 of the Policies Sites and Places Plan.

5.111 Contamination

The Council's Environmental Protection Officer has raised no objections to the proposal subject to a condition to ensure that a verification report is submitted to demonstrate that any necessary remediation has been implemented adequately and to ensure that any unexpected contamination encountered during construction is dealt with adequately. As such, there is no objection in respect to contamination.

5.112 Noise

The ES submitted concludes that with mitigation in place as detailed in the CEMP (secured by the extant planning consent), the residual effects are likely to be up to minor adverse, which is not significant. In addition, the ES assesses the likely noise impact on the external amenity areas of the Proposed Development. It states that mitigation measures are unlikely to be required for the majority of external private amenity areas. However, private external amenity areas close to existing and proposed noise sources, such as busy roads and the railway line, are likely to require mitigation measures to be considered during the detailed design of the scheme. With mitigation, this is likely to be a minor impact and not significant.

5.113 A Noise Planning Report has been submitted in support of the proposal. The survey was carried out over a period of four days to measure ambient sound levels affecting the proposed development. Measurements were undertaken in accordance with the guidance outlined in BS 4142:2014 and BS 7445-1:2003. A noise model was created to determine the noise levels on the proposed development site which takes into account expected future traffic levels within Brabazon. The predicated noise levels at the façade are indicative of a low significance for both night time and daytime. Therefore, the recommended noise levels inside sensitive rooms will be achieved even when windows are open to control overheating at night. With regards to any fixed plant and equipment, noise will be controlled through the use of an appropriate condition to require that specific target noise levels are achieved.

5.114 Planning Obligations

The Community Infrastructure Levy Regulations 2010 set out the limitations of the use of Planning Obligations. Essentially the regulations (regulation 122)

provide three statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development;
- Fairly and reasonably related in scale and kind to the development.

5.115 In this case planning obligations are required in order to restrict occupation to those genuinely in need of care and to ensure any designated POS is adequately managed and maintained and are considered to be necessary to make the development acceptable in planning terms, directly related to the development and in scale and kind to the development. As such, this planning obligation is considered to pass the CIL Regulation 122 tests.

5.116 Listed Building Assessment Under Paragraph 202
Paragraph 202 of the NPPF states that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.

5.117 The courts have not prescribed a single, correct approach to balancing Harms against any likely benefits. Within that statutory process, and under NPPF policy, the decision-maker must adopt a sensible approach to assessing likely harm to a listed building and weighing that harm against benefits. In this case the Council's Listed Building Officer has not identified any additional harm over that already accepted under the approved outline application and considers there would be a neutral position in relation to the framework. Therefore, there would not be any additional harm to the significance of the listed building when considering the impacts of the development in this particular case and paragraph 202 of the NPPF is not considered to be engaged.

5.118 Planning Balance - Public Benefits vs Harm

The Council's Housing Strategy identifies that the number of residents in South Gloucestershire is expected to rise by a 17% by 2037 and the biggest increases will be in the older age groups. The main challenge is providing enough housing which meets the needs of specific groups, such as older people. 19% of the population are aged over 65, which is expected to rise to 21% by 2043. The proposed scheme would provide a significant level of specialist accommodation for elderly persons in need of care. This benefit is considered to hold significant weight. The increase in the number of units from 80 to 239 optimises density and makes more efficient use of a brownfield site in a sustainable location. Substantial weight is given to this benefit. There will be the creation of jobs associated with the development and publicly accessible facilities. These benefits are considered to hold moderate weight.

5.119 Therefore, in this case, it is considered that the benefits outweigh any harms identified in the main body of the report which comprise the loss of habitat for

wildlife and a close relationship between balconies to a small number of the apartments therefore, the proposal should be granted planning permission.

5.120 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. 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 full planning 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 authority be delegated to the Executive Director of Place to grant permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

Terms to Secure C2 Use

Restriction on occupation unless any occupant of an extra care unit is in need of at least 2 hours personal care per week;

List services that count as personal care;

Occupation of the development is restricted to those aged 60 years old and over;

Secure the requirement for an initial health assessment with regular review for each occupier of an extra care unit;

Any personal care package is to be provided by care agency registered by Care Quality Commission;

Ensure each resident of an extra care unit purchases the basic care package on an annual basis for the period of their occupation.

Terms in Relation to POS

The applicant shall provide 644.9sqm of informal recreational open space on site with adequate maintenance.

The applicant shall provide 271.9sqm natural and semi-natural green space on site with adequate maintenance.

Prior to the first occupation, the applicant shall secure the management and maintenance of the Public Open Space (POS) and Sustainable Drainage System (SUDS) in perpetuity, to adoptable standards, and in accordance with an appropriate management regime to be first approved by the Council. The developer shall maintain the POS and SUDs in accordance with the maintenance regime until such time as the whole of the POS and SUDs areas are either transferred to the Council or transferred to a management entity, the details of which shall be first approved by the Council.

Payment of a monitoring fee in accordance with South Gloucestershire Council Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide Supplementary Planning Document Adopted March 2021.

That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

That the Section 106 agreement shall be completed and the decision issued within 6 months from the date of this resolution.

PROPOSED CONDITIONS LIST

Standard Time Limit – Compliance

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).

EA Condition

If, during development, contamination not previously identified is found to be present at the site then work shall immediately cease upon the part of the site affected until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water

pollution from previously unidentified contamination sources at the development site.

Public Art Condition

Prior to the first occupation of the development, details of the Heritage Trail Interpretation Strategy as it relates to this parcel, together with a programme for implementation shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall include details of all heritage trail-related features to be delivered in this parcel including directional signage, content of signs and panels, details of public information and branding. The features shall thereafter be implemented in accordance with the approved details and Implementation Programme and thereafter retained and maintained.

Reason

To ensure that public art is well embedded into the scheme in the interests of the character and visual amenity of the development and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Connection to Hayes Way – Prior to construction

Prior to the construction of development above Damp Proof Course (DPC) level, details including route and, surface treatment of a path to provide a safe and accessible link to Hayes Way shall be submitted to and agreed in writing by the Local Planning Authority. The path shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby approved.

Reason

To ensure the development is well integrated and connected to the adjacent services and facilities on Hayes Way and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Materials – Prior to construction

Prior to the construction of the relevant phase of works, the product details of all external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

Archaeology Condition – Prior to commencement

Prior to the commencement of the development hereby approved, a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that archaeology at the site is adequately protected.

Archaeology Condition – Prior to occupation

The development shall not be brought into its intended first use until (i) the results of a programme of archaeological investigation and post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation and (ii) that the provision for analysis, publication and dissemination of results (where necessary and based upon the significance of the archaeology found), and archive deposition, has been confirmed in writing to, and approved by, the Local Planning Authority.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

Contamination Condition

Post completion of each phase of remediation and prior to the commencement of any development within that phase, a verification report shall be submitted to the Local Planning Authority to demonstrate that any necessary remediation has been implemented satisfactorily. To aid review and audit, the verification shall include a summary of the ground investigation for that phase, the remediation requirements, the remediation undertaken, and demonstrate adequate supervision. If unexpected contamination is found after the development is begun, work shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. An additional investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report shall thereafter be submitted to and agreed in writing to the Local Planning Authority. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed by the LPA prior to the recommencement of any development on the area of unexpected contamination.

Reason

In the interest of public safety as a potential result of land contamination and to accord with policies CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013).

Landscape Implementation – Compliance

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first available planting season following completion of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants shown on the landscaping scheme approved (excluding those in the defined

Public Open Space), which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 and PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Hard Landscape Details – Prior to installation

Prior to the installation of any hard landscaping or furniture, full details of the hard landscaping and furniture schedules, including manufacturers details, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason

To ensure the good quality of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted December 2013).

External Lighting – Compliance

Lighting shall be installed across the site in accordance with the drawing External Lighting Lux Contour Layout – FAD-WBS-112-ZZ-DR-E-63201 P02 prior to the first residential occupation of the development and thereafter maintained accordingly.

Reason

In the interests of security and crime prevention and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and in the interest of residential amenity and to protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013).

Landscape Management Condition

Prior to first occupation a Management and Maintenance Plan for the parcel shall be submitted to and approved in writing by the Local Planning Authority. Landscaping shall thereafter be managed and maintained in accordance with the approved Management and Maintenance Plan.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Noise – Compliance

The Rating Noise Level from plant at the development shall not exceed the pre-existing LA90 Background Noise Level at any time when measured 1 metre

from the nearest noise sensitive property façade as outlined in the Brabazon Phase 2 – Retirement Village Noise Planning Report submitted and assessed in accordance with the British Standard 4142 as amended.

Reason

In the interests of residential amenity and to accord with Policies PSP21 PSP8 and PSP35 of the adopted Policies Sites and Places Plan.

Ventilation and Extraction – Prior to occupation

Prior to the first use of the development hereby approved a vent and extraction plan shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt the plan shall demonstrate how air quality will be maintained to a high standard and will not adversely affect nearby residential occupiers. The development shall be carried out in accordance with the approved details prior to the first use of the building.

Reason

In the interests of residential amenity and to accord with Policy PSP8 of the adopted Policies Sites and Places Plan.

Construction Times - Compliance

The development shall be undertaken in accordance with Parcel E1 Construction Environmental Management Plan (CEMP) no. FAD-YTL-015-XX-RP-K-0002.

During the period of construction, heavy plant, noisy equipment or construction-related operations shall not take place outside the hours of:

- Monday - Friday.....7.30 - 18.00
- Saturday.....8.00 - 13.00.
- No working on Sundays or Bank Holidays.

The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the site.

Reason

In the interests of residential amenity in accordance with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Off-Street Parking Provision – Prior to occupation

The off-street parking facilities (for all vehicles, including cycles and buggies) shown on the plans hereby approved shall be provided prior to the first use of the development hereby approved and thereafter retained and maintained for that purpose.

Reason

In the interest of the amenities of the site and to accord with policy CS1 and CS8 of the South Gloucestershire Core Strategy (adopted) December 2013;

and Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Travel Plan - compliance

The Travel Plan no. 05566-A-R-01-F version V5 hereby approved shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan.

Reason

To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

District Heat Network – Compliance

Routes of the main heat distribution pipes of the future district heat network and connection points shown indicatively on drawing FAD-WBS-112-00-DR-M-50201 P01 within the Energy Strategy shall be safeguarded to ensure the development can viably connect to a district heat network in the future.

Reason

To ensure that the development contributes to mitigating and adapting to climate change and complies with policy CS4 of the adopted Core Strategy.

Drainage

Prior to the commencement of the relevant phase of development, the detailed design of the green roof shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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 PSP20 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

Ecological Mitigation

The development shall proceed in strict accordance with the ecological mitigation measures outlined in: Ecological Impact Assessment (Wessex Water, 9th March 2023), Parcel E1 Construction Environmental Management Plan (February 2023), Badger Survey Report and Mitigation Strategy (updated 12/02/2023), Reptile Survey Report and Mitigation Strategy (updated 25/02/22).

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan(adopted) November 2017.

Ecology

An Ecological Clerk of Works (ECoW) shall be present during ground preparation works and all vegetation clearance shall be conducted on the

advice of an ecologist and consist of phased vegetation clearances and watching briefs when reptiles are considered active.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan(adopted) November 2017.

Compliance with Plans

The development hereby approved shall carried out in strict accordance with the following plans:

Refuse storage and collection, FAD-PJS-112-XX-DR-D01-002 P2
Non motorised access and parking, FAD-PJS-112-XX-DR-D01-003 P2
Swept path assessment fire tender north, FAD-PJS-112-XX-DR-D01-004 P2
Swept path assessment fire tender south, FAD-PJS-112-XX-DR-D01-005 P2
Highway adoption, FAD-PJS-112-XX-DR-D01-006 P2
Visibility and dimensions, FAD-PJS-112-XX-DR-D01-007 P2
Parking swept paths arrival, FAD-PJS-112-XX-DR-D01-008 P2
Parking swept paths depart, FAD-PJS-112-XX-DR-D01-009 P2
External lighting layout, FAD-WBS-112-ZZ-DR-E-63201 P02
Ecological enhancements plan, FAD-GRA-112-XX-DR-L-1005 00
Section 01, FAD-GRA-112-XX-DR-L-1301 00
Section 04, FAD-GRA-112-XX-DR-L-1304 00
Section 06, FAD-GRA-112-XX-DR-L-1306 00
Section 11, FAD-GRA-112-XX-DR-L-1311 00
Section 12, FAD-GRA-112-XX-DR-L-1312 00
Section 14, FAD-GRA-112-XX-DR-L-1314 00
Section 16, FAD-GRA-112-XX-DR-L-1316 00
Roof terrace general arrangement plan hardworks, FAD-GRA-112-XX-DR-L-3103 00
Roof terrace general arrangement plan groundworks, FAD-GRA-112-XX-DR-L-4103 00
Softworks tree pit details, FAD-GRA-112-XX-DR-L-5501 00
Softworks hedgerow and climbing plant pit details, FAD-GRA-112-XX-DR-L-5502 00
Softworks hedgerow and fence pit details, FAD-GRA-111-XX-DR-L-5503 00
RV land controlled by YTL management company, FAF645-GRA-XXX-SK-L-078
Tree protection plan, 18195-3
Received on 28th April 2023

Retirement village public open space area calculations, FAF645-GRA-XXX-SK-L-077 01
Land to be inspected by SGC, FAF645-GRA-XXX-SK-L-086
Received on 21st July 2023

Landscape general arrangement plan, FAD-GRA-112-XX-DR-L-1001 02
Key plan, FAD-GRA-112-XX-DR-L-1003 02
Illustrative masterplan, FAD-GRA-112-XX-DR-L-1002 02

General arrangement plan hardworks 1 of 2, FAD-GRA-112-XX-DR-L-3101 02
General arrangement plan hardworks 2 of 2, FAD-GRA-112-XX-DR-L-3102 02
General arrangement plan groundworks 1 of 2, FAD-GRA-112-XX-DR-L-4101
02
General arrangement plan groundworks 2 of 2, FAD-GRA-112-XX-DR-L-4102
02
General arrangement plan softworks 1 of 2, FAD-GRA-112-XX-DR-L-5101 02
General arrangement plan softworks 2 of 2, FAD-GRA-112-XX-DR-L-5102 02
Received on 27th October 2023

Roof terrace general arrangement plan softworks, FAD-GRA-112-XX-DR-L-
5103 02
Softwork schedule, FAD-GRA-111-XX-SH-L-9005 P06
Softwork schedule roof terrace, FAD-GRA-112-XX-SH-L-9006 P02
Received on 17th July 2023

Retirement village engineering layout sheet 1, 21045-OPS-ZZ-ZZ-DR-C-0101
D
Retirement village engineering layout sheet 2, 21045-OPS-ZZ-ZZ-DR-C-0102
D
Retirement village drainage details sheet 1, 21045-ZZ-ZZ-DR-C-0116 B
Received 15th August 23

Site location plan, FAD-FCB-112-XX-DR-A-0001
Existing layout plan, FAD-FCB-112-XX-DR-A-0002
Existing topographical plan, FAD-FCB-112-XX-DR-A-0010
Illustrative block plan, FAD-FCB-112-XX-DR-A-0021 P02
Proposed block plan, FAD-FCB-112-XX-DR-A-0022 P03
Proposed boundary treatment, FAD-FCB-112-XX-DR-A-0030 P03
Proposed site plan ground floor, FAD-FCB-112-XX-DR-A-0040 P03
Proposed site plan level 02, FAD-FCB-112-XX-DR-A-0041 P03
Proposed site plan upper typical floor, FAD-FCB-112-XX-DR-A-0042 P03
Proposed site plan roof, FAD-FCB-112-XX-DR-A-0046 P03
Apartment types level 0-2, FAD-FCB-112-XX-DR-A-0050 P03
Apartment types 3-5, FAD-FCB-112-XX-DR-A-0051 P03
Block A level 00, FAD-FCB-112-XX-DR-A-0200 P03
Block A level 01-05, FAD-FCB-112-XX-DR-A-0201 P03
Block A level 06, FAD-FCB-112-XX-DR-A-206 P03
Block B level 00, FAD-FCB-112-XX-DR-A-0210 P03
Block B level 01, FAD-FCB-112-XX-DR-A-0211 P03
Block B level 02, FAD-FCB-112-XX-DR-A-0212 P03
Block B level 03, FAD-FCB-112-XX-DR-A-0213 P03
Block B level 04, FAD-FCB-112-XX-DR-A-0214 P03
Block C level 00, FAD-FCB-112-XX-DR-A-0220 P03
Block C level 01, FAD-FCB-112-XX-DR-A-0221 P03
Block C level 02, FAD-FCB-112-XX-DR-A-0222 P03
Block C level 03-05, FAD-FCB-112-XX-DR-A-0223 P03
Block C level 06, FAD-FCB-112-XX-DR-A-0226 P03
Block D level 00, FAD-FCB-112-XX-DR-A-0230 P03
Block D level 01-04, FAD-FCB-112-XX-DR-A-0231 P03
Block D level 05, FAD-FCB-112-XX-DR-A-0235 P03

Block D level 06, FAD-FCB-112-XX-DR-A-0236 P03
Block E level 00, FAD-FCB-112-XX-DR-A-0240 P03
Block E level 01-03, FAD-FCB-112-XX-DR-A-0241 P03
Block E level 04, FAD-FCB-112-XX-DR-A-0244 P03
1 bed units, FAD-FCB-112-XX-DR-A-0250 P03
2 bed units, FAD-FCB-112-XX-DR-A-0251 P03
2 bed units, FAD-FCB-112-XX-DR-A-0252 P03
2 bed plus units, FAD-FCB-112-XX-DR-A-0253 P03
Block A elevations 01, FAD-FCB-112-XX-DR-A-0300 P03
Block A elevations 02, FAD-FCB-112-XX-DR-A-0301 P03
Block A elevations 03, FAD-FCB-112-XX-DR-A-0302 P03
Block B elevations 01, FAD-FCB-112-XX-DR-A-0310 P03
Block B elevations 02, FAD-FCB-112-XX-DR-A-0311 P03
Block B elevations 03, FAD-FCB-112-XX-DR-A-0312 P03
Block C elevations 01, FAD-FCB-112-XX-DR-A-0320 P03
Block C elevations 02, FAD-FCB-112-XX-DR-A-0321 P03
Block C elevations 03, FAD-FCB-112-XX-DR-A-0322 P03
Block D elevations 01, FAD-FCB-112-XX-DR-A-0330 P03
Block D elevations 02, FAD-FCB-112-XX-DR-A-0331 P03
Block D elevations 03, FAD-FCB-112-XX-DR-A-0332 P03
Block E elevations 01, FAD-FCB-112-XX-DR-A-0340 P03
Block E elevations 02, FAD-FCB-112-XX-DR-A-0341 P03
Block E elevations 03, FAD-FCB-112-XX-DR-A-0342 P03
Block A bay study, FAD-FCB-112-XX-DR-A-0500 P03
Block B bay study 01, FAD-FCB-112-XX-DR-A-0501 P03
Block B bay study 02, FAD-FCB-112-XX-DR-A-0502 P03
Block C bay study, FAD-FCB-112-XX-DR-A-0503 P03
Block E bay study, FAD-FCB-112-XX-DR-A-0504 P03
Site sections and elevations 01, FAD-FCB-112-XX-DR-A-0700 P03
Site sections and elevations 02, FAD-FCB-112-XX-DR-A-0701 P03
Site sections and elevations 03, FAD-FCB-112-XX-DR-A-0702 P03
Received on 27th April 2023

Parking provision, FAD-PJS-112-XX-DR-D01-001 P3
Received on 1st November 2023

Reason
For the avoidance of doubt.

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. If, during development, contamination not previously identified is found to be present at the site then work shall immediately cease upon the part of the site affected until a remediation strategy detailing how this contamination will be dealt with has been

submitted to, and approved in writing by, the Local Planning Authority (LPA). The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

3. Prior to the first occupation of the development, details of the Heritage Trail Interpretation Strategy as it relates to this parcel, together with a programme for implementation shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall include details of all heritage trail-related features to be delivered in this parcel including directional signage, content of signs and panels, details of public information and branding. The features shall thereafter be implemented in accordance with the approved details and Implementation Programme and thereafter retained and maintained.

Reason

To ensure that public art is well embedded into the scheme in the interests of the character and visual amenity of the development and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

4. Prior to the construction of development above Damp Proof Course (DPC) level, details including route and surface treatment of a path to provide a safe and accessible link to Hayes Way shall be submitted to and agreed in writing by the Local Planning Authority. The path shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby approved.

Reason

To ensure the development is well integrated and connected to the adjacent services and facilities on Hayes Way and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

5. Prior to the construction of the relevant phase of works, the product details of all external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

6. Prior to the commencement of the development hereby approved, a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that archaeology at the site is adequately protected.

7. The development shall not be brought into its intended first use until (i) the results of a programme of archaeological investigation and post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation and (ii) that the provision for analysis, publication and dissemination of results (where necessary and based upon the significance of the archaeology found), and archive deposition, has been confirmed in writing to, and approved by, the Local Planning Authority.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

8. Post completion of each phase of remediation and prior to the commencement of any development within that phase, a verification report shall be submitted to the Local Planning Authority to demonstrate that any necessary remediation has been implemented satisfactorily. To aid review and audit, the verification shall include a summary of the ground investigation for that phase, the remediation requirements, the remediation undertaken, and demonstrate adequate supervision. If unexpected contamination is found after the development is begun, work shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. An additional investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report shall thereafter be submitted to and agreed in writing to the Local Planning Authority. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed by the LPA prior to the recommencement of any development on the area of unexpected contamination.

Reason

In the interest of public safety as a potential result of land contamination and to accord with policies CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013).

9. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first available planting season following completion of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants shown on the landscaping scheme approved (excluding those in the defined Public Open Space), which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 and PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

10. Prior to the installation of any hard landscaping or furniture, full details of the hard landscaping and furniture schedules, including manufacturers details, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason

To ensure the good quality of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted December 2013).

11. Lighting shall be installed across the site in accordance with the drawing External Lighting Lux Contour Layout - FAD-WBS-112-ZZ-DR-E-63201 P02 prior to the first residential occupation of the development and thereafter maintained accordingly.

Reason

In the interests of security and crime prevention and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and in the interest of residential amenity and to protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013).

12. Prior to the first occupation, a Management and Maintenance Plan for the parcel shall be submitted to and approved in writing by the Local Planning Authority. Landscaping shall thereafter be managed and maintained in accordance with the approved Management and Maintenance Plan.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

13. The Rating Noise Level from plant at the development shall not exceed the pre-existing LA90 Background Noise Level at any time when measured 1 metre from the nearest noise sensitive property façade as outlined in the Brabazon Phase 2 - Retirement Village Noise Planning Report submitted and assessed in accordance with the British Standard 4142 as amended.

Reason

In the interests of residential amenity and to accord with Policies PSP21, PSP8 and PSP35 of the adopted Policies Sites and Places Plan.

14. Prior to the first use of the development hereby approved a vent and extraction plan shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt the plan shall demonstrate how air quality will be maintained to a high standard and will not adversely affect nearby residential occupiers. The

development shall be carried out in accordance with the approved details prior to the first use of the building.

Reason

In the interests of residential amenity and to accord with Policy PSP8 of the adopted Policies Sites and Places Plan.

15. The development shall be undertaken in accordance with Parcel E1 Construction Environmental Management Plan (CEMP) no. FAD-YTL-015-XX-RP-K-0002.

During the period of construction, heavy plant, noisy equipment or construction-related operations shall not take place outside the hours of:

- Monday - Friday.....7.30 - 18.00
- Saturday.....8.00 - 13.00.
- No working on Sundays or Bank Holidays.

The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the site.

Reason

In the interests of residential amenity in accordance with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

16. The off-street parking facilities (for all vehicles, including cycles and buggies) shown on the plans hereby approved shall be provided prior to the first use of the development hereby approved and thereafter retained and maintained for that purpose.

Reason

In the interest of the amenities of the site and to accord with policy CS1 and CS8 of the South Gloucestershire Core Strategy (adopted) December 2013; and Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

17. The Travel Plan no. 05566-A-R-01-F version V5 hereby approved shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan to the satisfaction of Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

Reason

To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

18. Routes of the main heat distribution pipes of the future district heat network and connection points shown indicatively on drawing FAD-WBS-112-00-DR-M-50201 P01 within the Energy Strategy shall be safeguarded to ensure the development can viably connect to a district heat network in the future.

Reason

To ensure that the development contributes to mitigating and adapting to climate change and complies with policy CS4 of the adopted Core Strategy.

19. Prior to the commencement of the relevant phase of development, the detailed design of the green roof shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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 PSP20 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

20. The development shall proceed in strict accordance with the ecological mitigation measures outlined in: Ecological Impact Assessment (Wessex Water, 9th March 2023), Parcel E1 Construction Environmental Management Plan (February 2023), Badger Survey Report and Mitigation Strategy (updated 12/02/2023), Reptile Survey Report and Mitigation Strategy (updated 25/02/22).

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan(adopted) November 2017.

21. An Ecological Clerk of Works (ECoW) shall be present during ground preparation works and that all vegetation clearance is conducted on the advice of the ecologist and consist of phased vegetation clearances and watching briefs when reptiles are considered active.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan(adopted) November 2017.

22. The development hereby approved shall carried out in strict accordance with the following plans:

Refuse storage and collection, FAD-PJS-112-XX-DR-D01-002 P2

Non motorised access and parking, FAD-PJS-112-XX-DR-D01-003 P2

Swept path assessment fire tender north, FAD-PJS-112-XX-DR-D01-004 P2

Swept path assessment fire tender south, FAD-PJS-112-XX-DR-D01-005 P2

Highway adoption, FAD-PJS-112-XX-DR-D01-006 P2

Visibility and dimensions, FAD-PJS-112-XX-DR-D01-007 P2

Parking swept paths arrival, FAD-PJS-112-XX-DR-D01-008 P2

Parking swept paths depart, FAD-PJS-112-XX-DR-D01-009 P2

External lighting layout, FAD-WBS-112-ZZ-DR-E-63201 P02

Ecological enhancements plan, FAD-GRA-112-XX-DR-L-1005 00

Section 01, FAD-GRA-112-XX-DR-L-1301 00
Section 04, FAD-GRA-112-XX-DR-L-1304 00
Section 06, FAD-GRA-112-XX-DR-L-1306 00
Section 11, FAD-GRA-112-XX-DR-L-1311 00
Section 12, FAD-GRA-112-XX-DR-L-1312 00
Section 14, FAD-GRA-112-XX-DR-L-1314 00
Section 16, FAD-GRA-112-XX-DR-L-1316 00
Roof terrace general arrangement plan hardworks, FAD-GRA-112-XX-DR-L-3103 00
Roof terrace general arrangement plan groundworks, FAD-GRA-112-XX-DR-L-4103 00
Softworks tree pit details, FAD-GRA-112-XX-DR-L-5501 00
Softworks hedgerow and climbing plant pit details, FAD-GRA-112-XX-DR-L-5502 00
Softworks hedgerow and fence pit details, FAD-GRA-111-XX-DR-L-5503 00
RV land controlled by YTL management company, FAF645-GRA-XXX-SK-L-078
Tree protection plan, 18195-3
Received on 28th April 2023

Retirement village public open space area calculations, FAF645-GRA-XXX-SK-L-077 01
Land to be inspected by SGC, FAF645-GRA-XXX-SK-L-086
Received on 21st July 2023

Landscape general arrangement plan, FAD-GRA-112-XX-DR-L-1001 02
Key plan, FAD-GRA-112-XX-DR-L-1003 02
Illustrative masterplan, FAD-GRA-112-XX-DR-L-1002 02
General arrangement plan hardworks 1 of 2, FAD-GRA-112-XX-DR-L-3101 02
General arrangement plan hardworks 2 of 2, FAD-GRA-112-XX-DR-L-3102 02
General arrangement plan groundworks 1 of 2, FAD-GRA-112-XX-DR-L-4101 02
General arrangement plan groundworks 2 of 2, FAD-GRA-112-XX-DR-L-4102 02
General arrangement plan softworks 1 of 2, FAD-GRA-112-XX-DR-L-5101 02
General arrangement plan softworks 2 of 2, FAD-GRA-112-XX-DR-L-5102 02
Received on 27th October 2023

Roof terrace general arrangement plan softworks, FAD-GRA-112-XX-DR-L-5103 02
Softwork schedule, FAD-GRA-111-XX-SH-L-9005 P06
Softwork schedule roof terrace, FAD-GRA-112-XX-SH-L-9006 P02
Received on 17th July 2023

Retirement village engineering layout sheet 1, 21045-OPS-ZZ-ZZ-DR-C-0101 D
Retirement village engineering layout sheet 2, 21045-OPS-ZZ-ZZ-DR-C-0102 D
Retirement village drainage details sheet 1, 21045-ZZ-ZZ-DR-C-0116 B
Received 15th August 23

Site location plan, FAD-FCB-112-XX-DR-A-0001
Existing layout plan, FAD-FCB-112-XX-DR-A-0002
Existing topographical plan, FAD-FCB-112-XX-DR-A-0010
Illustrative block plan, FAD-FCB-112-XX-DR-A-0021 P02
Proposed block plan, FAD-FCB-112-XX-DR-A-0022 P03
Proposed boundary treatment, FAD-FCB-112-XX-DR-A-0030 P03
Proposed site plan ground floor, FAD-FCB-112-XX-DR-A-0040 P03
Proposed site plan level 02, FAD-FCB-112-XX-DR-A-0041 P03

Proposed site plan upper typical floor, FAD-FCB-112-XX-DR-A-0042 P03
Proposed site plan roof, FAD-FCB-112-XX-DR-A-0046 P03
Apartment types level 0-2, FAD-FCB-112-XX-DR-A-0050 P03
Apartment types 3-5, FAD-FCB-112-XX-DR-A-0051 P03
Block A level 00, FAD-FCB-112-XX-DR-A-0200 P03
Block A level 01-05, FAD-FCB-112-XX-DR-A-0201 P03
Block A level 06, FAD-FCB-112-XX-DR-A-206 P03
Block B level 00, FAD-FCB-112-XX-DR-A-0210 P03
Block B level 01, FAD-FCB-112-XX-DR-A-0211 P03
Block B level 02, FAD-FCB-112-XX-DR-A-0212 P03
Block B level 03, FAD-FCB-112-XX-DR-A-0213 P03
Block B level 04, FAD-FCB-112-XX-DR-A-0214 P03
Block C level 00, FAD-FCB-112-XX-DR-A-0220 P03
Block C level 01, FAD-FCB-112-XX-DR-A-0221 P03
Block C level 02, FAD-FCB-112-XX-DR-A-0222 P03
Block C level 03-05, FAD-FCB-112-XX-DR-A-0223 P03
Block C level 06, FAD-FCB-112-XX-DR-A-0226 P03
Block D level 00, FAD-FCB-112-XX-DR-A-0230 P03
Block D level 01-04, FAD-FCB-112-XX-DR-A-0231 P03
Block D level 05, FAD-FCB-112-XX-DR-A-0235 P03
Block D level 06, FAD-FCB-112-XX-DR-A-0236 P03
Block E level 00, FAD-FCB-112-XX-DR-A-0240 P03
Block E level 01-03, FAD-FCB-112-XX-DR-A-0241 P03
Block E level 04, FAD-FCB-112-XX-DR-A-0244 P03
1 bed units, FAD-FCB-112-XX-DR-A-0250 P03
2 bed units, FAD-FCB-112-XX-DR-A-0251 P03
2 bed units, FAD-FCB-112-XX-DR-A-0252 P03
2 bed plus units, FAD-FCB-112-XX-DR-A-0253 P03
Block A elevations 01, FAD-FCB-112-XX-DR-A-0300 P03
Block A elevations 02, FAD-FCB-112-XX-DR-A-0301 P03
Block A elevations 03, FAD-FCB-112-XX-DR-A-0302 P03
Block B elevations 01, FAD-FCB-112-XX-DR-A-0310 P03
Block B elevations 02, FAD-FCB-112-XX-DR-A-0311 P03
Block B elevations 03, FAD-FCB-112-XX-DR-A-0312 P03
Block C elevations 01, FAD-FCB-112-XX-DR-A-0320 P03
Block C elevations 02, FAD-FCB-112-XX-DR-A-0321 P03
Block C elevations 03, FAD-FCB-112-XX-DR-A-0322 P03
Block D elevations 01, FAD-FCB-112-XX-DR-A-0330 P03
Block D elevations 02, FAD-FCB-112-XX-DR-A-0331 P03
Block D elevations 03, FAD-FCB-112-XX-DR-A-0332 P03
Block E elevations 01, FAD-FCB-112-XX-DR-A-0340 P03
Block E elevations 02, FAD-FCB-112-XX-DR-A-0341 P03
Block E elevations 03, FAD-FCB-112-XX-DR-A-0342 P03
Block A bay study, FAD-FCB-112-XX-DR-A-0500 P03
Block B bay study 01, FAD-FCB-112-XX-DR-A-0501 P03
Block B bay study 02, FAD-FCB-112-XX-DR-A-0502 P03
Block C bay study, FAD-FCB-112-XX-DR-A-0503 P03
Block E bay study, FAD-FCB-112-XX-DR-A-0504 P03
Site sections and elevations 01, FAD-FCB-112-XX-DR-A-0700 P03
Site sections and elevations 02, FAD-FCB-112-XX-DR-A-0701 P03
Site sections and elevations 03, FAD-FCB-112-XX-DR-A-0702 P03

Received on 27th April 2023

Parking provision, FAD-PJS-112-XX-DR-D01-001 P3
Received on 1st November 2023

Reason

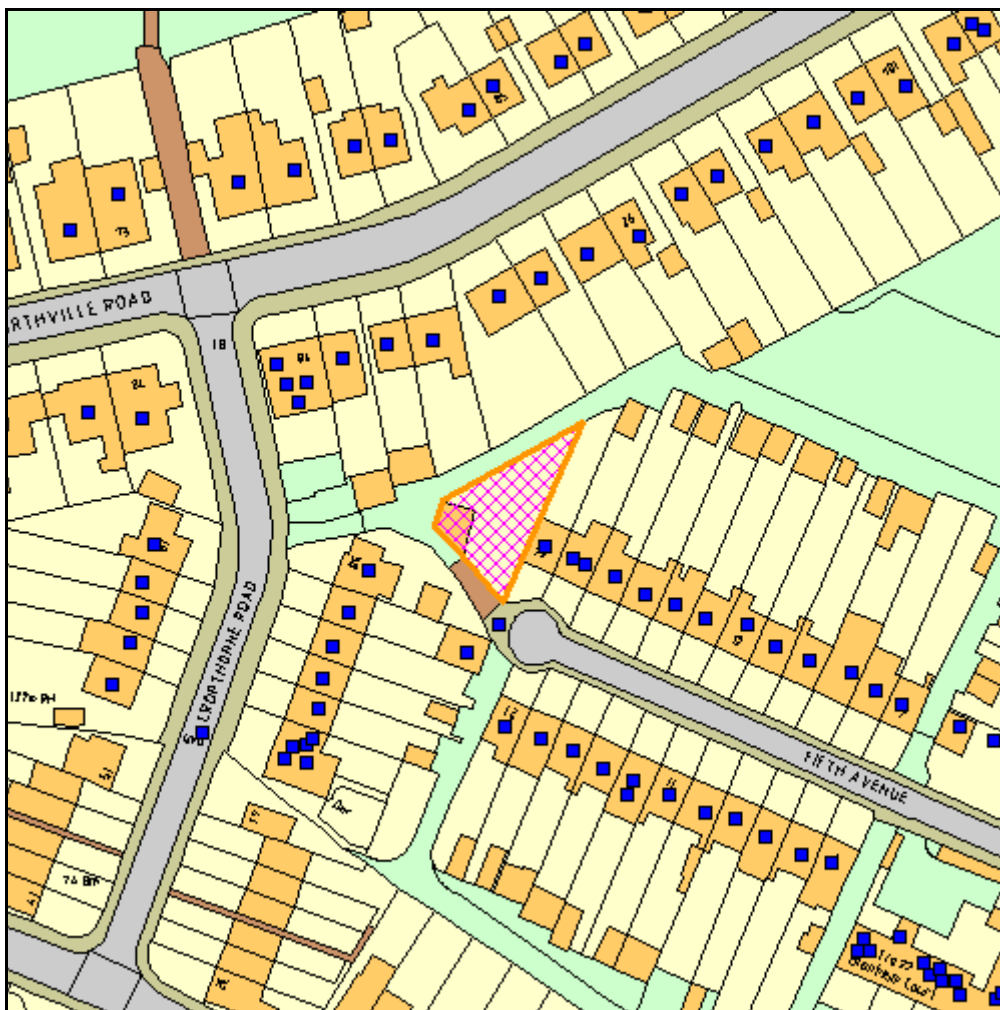
For the avoidance of doubt.

Case Officer: Jonathan Ryan

Authorising Officer: Lucy Paffett

CIRCULATED SCHEDULE NO. 44/23 -3rd November 2023

App No.:	P23/01743/F	Applicant:	Mr Graham Hampson
Site:	Land Adjacent 24 Fifth Avenue Filton South Gloucestershire BS7 0LP	Date Reg:	1st June 2023
Proposal:	Erection of 1 no. detached dwelling with associated works.	Parish:	Filton Town Council
Map Ref:	360362 178130	Ward:	Filton
Application Category:	Minor	Target Date:	10th November 2023



© South Gloucestershire Council 2007. all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. P23/01743/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.

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with procedure given that an objection has been made by the Town Council that is contrary to the officer recommendation

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 1 no. new dwelling with associated works.
- 1.2 The site is on land associated with no. 48 Fifth Avenue, an end of terrace property located within Filton. The land contains a large outbuilding, which is understood to be formerly used as a garage facility. The garage has openings to the front and rear. The front opening faces into the access lane leading to Crophorne Road. The rear access faces into the plot, to a large block paved parking area. The parking area is accessed from Fifth Avenue via a gated entrance. To the north of the plot, exists a large garden area, which tapers to a point.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 2023
National Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP38	Development within Residential Curtilages (inc Extensions and New Dwellings)

- 2.3 South Gloucestershire Supplementary Planning Documents
Residential Parking Standards SPD (Adopted) December 2013
Design Checklist SPD (Adopted) 2007
Waste Collection: Guidance for New Development SPD (Adopted) January 2015

3. **RELEVANT PLANNING HISTORY**

P85/2804 Erection of two storey side extension and single storey rear extension to form annexe for elderly relative. (In accordance with amended plans and letter received by the council on 3rd February 1986.) Approved 26.2.86

P89/2785 Installation of dormer window in front and rear elevations to facilitate formation of bedroom and en-suite shower room in roof space; alteration of roof line from hipped to gable end. Approved 25.10.89

P90/2207 Erection of detached dwelling (outline). (Refused 5.9.90 – Cramped appearance, detrimental to amenities of neighbouring property and highway impact)

P91/1984 Erection of double domestic garage to side of dwelling (in accordance with amended plans received by the council on 22ND august 1991) Approved 9.9.91

PT11/3848/F Erection of 1 no. attached dwelling and associated works Refused 24th January 2012 for the following reasons:

The parking area for the proposed dwelling, by virtue of its location to the end of a cul-de-sac and turning head, would have restricted accessibility and a lack of turning facilities which would result in the need to reverse through a visually restricted area to gain access to the highway at a point where there is a pedestrian access onto Fifth Avenue. This would be to the detriment of highway and pedestrian safety and contrary to policies D1, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

The proposed dwelling would put further pressures on the already congested highway of Fifth Avenue by virtue of increased visitor and occupant parking to the detriment of highway safety, contrary to policies D1, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

The proposed dwelling by virtue of its gabled roof form would be at odds with the hipped roof form of end-terraced properties in the locality, which is a recognisable characteristic of the area. This would result in the rank of terraces being unbalanced in appearance, out of keeping with the street scene and area in general, and detrimental to the visual amenities of the locality, contrary to policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist Supplementary Planning Document (Adopted) August 2007.

Appeal dismissed. Reasons one and two accepted. The third reason not accepted, variety of built forms, rooflines etc in the area mentioned.

PT17/4301/F Sub-division of existing dwelling to form 2 no. flats with erection of single storey rear extension and associated works. Approved 19/1/18

4. **CONSULTATION RESPONSES**

4.1 Filton Town Council

Objection

Loss of green space garden of 24 turned to parking this parking to be permeable paving Offset mandating green roof addition to existing garage on new plot

Grey roof tiles not in keeping with local area predominantly red tiles

Ridge line is perpendicular to the remainder of the street allows for lower ridge line but reduces suitability for future solar addition as this would be overshadowed by the existing property at 24

4.2 Other Consultees

Sustainable Transport

Initial Comments (summary)

No objection in principle. Unclear that the parking spaces shown conform to the required dimensions for on-plot spaces. This requires clarification.

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

We have recently commented on this planning application seeking to erect a new dwelling adjacent to the existing private dwelling situated at 24 Fifth Avenue, Filton and although we did not object to this proposal in principle, we requested more information about the car parking provision available on this site.

We have now received further clarification of this matter and we now understand that this site wholly conforms to the Councils minimum residential car park standards as set out in the Residential Parking Standards SPD and Policy PSP16 of the Policies, Sites and Places document. Hence, we have no further highways or transportation comments about this application.

Lead Local Flood Authority

Initial Comment

We query the proposed method of foul sewerage disposal and require clarity and confirmation before further comment.

Following the submission of additional information no objection is raised.

Other Representations

4.3 Local Residents

2 letters of objection have been received. The grounds of objection can be summarised as follows:

Too great housing density

Parking provided at the expense of the original property

Likely that an HMO to be created which will make highway situation worse

Parking reduced in the area by introduction of double yellow lines

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The development plan supports residential development within the established settlement boundaries. Policy CS5 of the Core Strategy encourages new residential development within settlement boundaries and urban areas.

Similarly, Policy PSP38 of the Policies, Sites & Places Plan 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; would not prejudice the amenities of neighbours; would not prejudice highway safety or provisions of an acceptable level of parking provision for any new and existing buildings; would not prejudice the provision of adequate private amenity space, and would not lead to the loss of gardens that form part of a settlement pattern that contributes to local character.

The principle of residential development on this site, within the settlement area is acceptable. Detailed matters relevant to this application will be assessed below.

5.2 Design and Visual Amenity

It is first necessary to describe the character of the area and understand the location of the site within it. The site is in a high density residential location which contains numerous other residential properties.

Character of Area

The site is situated at the western end of Fifth Avenue, there is a turning circle outside No.48 off which a gated lane leads off to nearby Cropthorne Road (for those with access) but also to a lane that runs to the rear of the property which serves garages located to the rear of some of the neighbouring residential properties on the northern side of the road. The predominant form in the area is that of long terraces of two storey properties usually with hipped roofs on the end terrace units. Within the wider area both semi-detached and detached properties are more prominent. No.48 although an end terrace property is gable

ended rather than hipped as a result of a previous consent and there is a front dormer window which is unique in the road (P89/2785)

Scale and Form

The proposed development is for a gable fronted property which is detached in contrast to the rest of the road. In any other location in the road, it is considered that this form of development would look out of place, however the property is only separated from the terrace by one metre. The height is acceptable. However it is considered material to this consideration that the property is set back marginally and can only be seen from the public realm if a person were immediately outside the site. The set back is in keeping with the broken building lines in the road. Situated on this gated lane, set back and beyond the end of the road the development is hidden from all but the upper floors from the immediate neighbours or garden of the host dwelling. The use of smooth render is in keeping with the remainder of the terrace. Concern has been raised that the use of grey roofing tiles would be out of character in the road where red tiles predominant however the Case Officer would question given the configuration of the roof, set back and private location whether it would be possible to see the roof within the context of the rest of the street. Within the context the development is considered acceptable.

Layout

The development is located on a large plot, bounded to the north and south by an access lane. Two parking are provided to the front of the site while two parking spaces are provided for the original property. Cycle and bin storage will be located at the south-eastern corner.

This four bedroom property will provide 109 sq.m of external amenity space to external occupiers. The requirement is for a minimum of 70 sq.m. It is considered that the space is a little contrived comprising two parts but given boundary treatments and this rather unusual location that is would be largely private. On balance the amenity space is considered acceptable. The original property is three bed roomed although could be used as four bed. About 66 sq.m of external amenity space is considered acceptable.

Appropriate waste storage is shown.

In summary the proposal would make efficient use of a residential site in a sustainable location.

5.3 Residential Amenity

In line with Policy PSP8, development proposals will only be acceptable where they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties.

As set out above, sufficient amenity space is provided for future occupiers.

Given the scale and the location of the proposed development in relation to neighbouring properties it is not considered that loss of amenity to neighbouring occupiers will occur either in terms of loss of privacy or in terms of loss of outlook or from appearing oppressive or overbearing. The only potential impact of concern is considered to be to the original property. The property is set back at the front and thus exceeds the rear building line. The new building projects by approx. 2.8 metres. There is a separation of about a metre between the properties. On balance situated on a north facing elevation this relationship is considered acceptable.

5.4 Highway/Parking

With the provision of two parking spaces for both the original property and the new dwelling the required residential parking spaces are shown. In addition cycle storage is shown. This will ensure that there is no adverse impact upon the street.

A condition will be attached to the decision notice to ensure that the parking spaces for both the new dwelling and original property are in place prior to the commencement of development.

Subject to this condition the proposed development is considered acceptable in highway terms.

5.5 Drainage

The proposed development will be located in Flood Zone 1 which is the area of lowest flood risk and is deemed acceptable in these terms. Additional information was requested and received in relation to foul drainage and this indicates two possible connection points at the rear of the site and in the adjoining lane next to the existing garage. As with all such matters, agreement will be required from Wessex Water in relation to the point of connection however the proposal is considered acceptable in drainage terms.

5.6 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 considerations to be reflected into the design of policies and the delivery of services.

With regards to the above, this planning application is considered to have a neutral impact on equality. Equalities have been given due consideration in the application of planning policy as discussed in this report.

5.7 Other Issues

Concern has been raised that an area of garden space will be converted to permeable paving. It is considered that sufficient amenity space is provided for the existing house and the proposed new dwelling. The permeable paving will allow for sufficient off-street parking to be provided to meet the Council standards.

A request is made for a green roof addition to the existing garage, however the existing garage in the south-west corner of the site is to be removed and replaced by a simple cycle and refuse store.

Concern has been noted that the development is not suitable because of the lower ridge for the introduction of solar panels. This is noted however this is not considered a justification for the refusal of the application.

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 planning 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 planning permission is granted, subject to the conditions recommended.

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. 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.

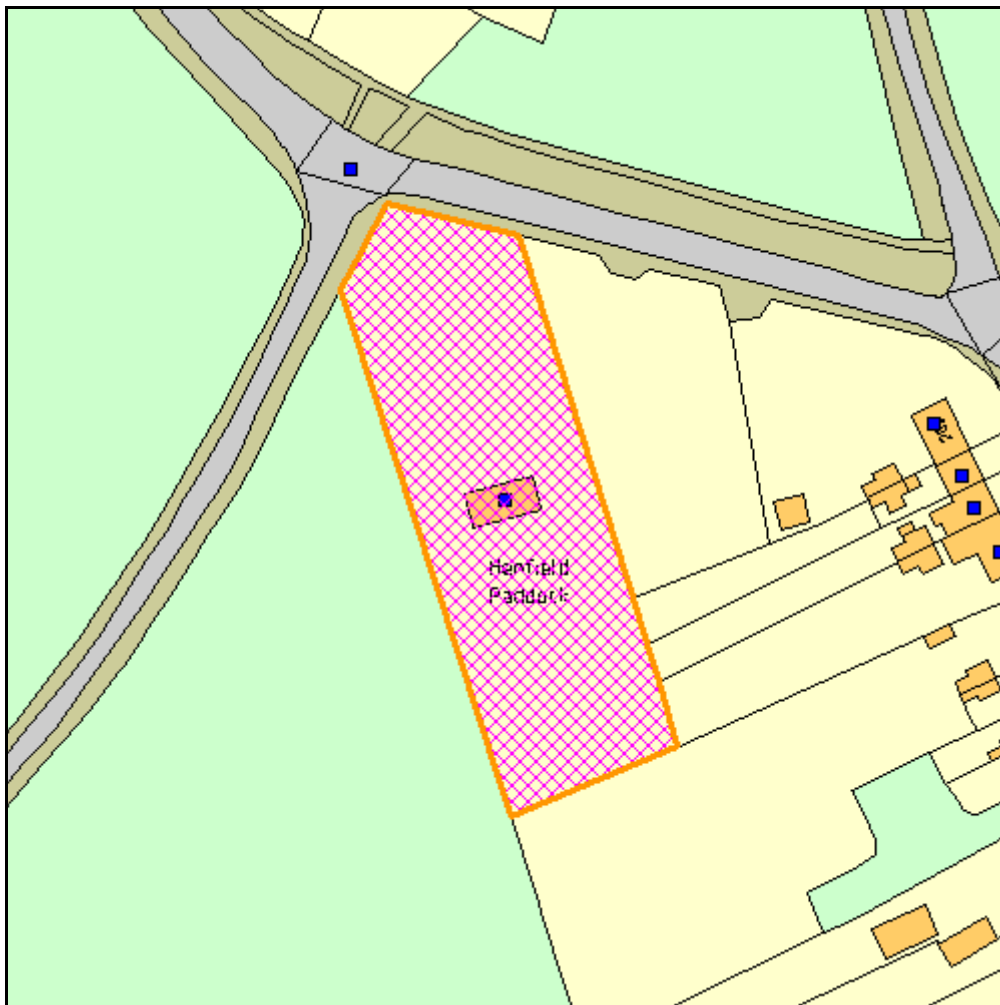
Reason

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.

Case Officer: David Stockdale
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 44/23 -3rd November 2023

App No.:	P23/02252/F	Applicant:	Mr Larry Harvey
Site:	Henfield Paddock Henfield Road Coalpit Heath South Gloucestershire BS36 2UJ	Date Reg:	12th September 2023
Proposal:	Erection of 1no outbuilding to provide ancillary accommodation and siting of 2no additional static caravans with associated vehicles and storage of up to 5no touring caravans.	Parish:	Westerleigh And Coalpit Heath Parish Council
Map Ref:	367844 179247	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	3rd November 2023



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008. **N.T.S.** **P23/02252/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.

CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule due to the receipt of objections from Westerleigh & Coalpit Heath Parish Council and more than 3no. residents contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 This application relates to a Gypsy and Traveller site located outside of any settlement boundary and within the Bristol/Bath Green Belt. The location is characterised by a mix of residential and commercial uses and farmland.
- 1.2 The site was initially granted permission in 2001 for the change of use to residential and the stationing of one mobile home. The decision was conditioned as below:

The use hereby permitted shall be carried on only by Mr L Harvey, his wife and children.
- 1.3 The site has had a number of permissions granted, such as the addition of an outbuilding in 2010, and 2no. additional static caravans with associated vehicles, and storage of up to 5no touring caravans in 2013. The 2013 decision was conditioned as below:

The use hereby permitted shall be carried on only by Mr L Harvey, his wife and children. Each of the residential units on site must be the primary residence of either Mr Harvey (senior), his wife or one of his children all times.
- 1.4 The description for this application is as below: Erection of 1no outbuilding to provide ancillary accommodation and siting of 2no additional static caravans with associated vehicles and storage of up to 5no touring caravans.
- 1.5 This application requests permission for the site to be retained as it is, with no physical changes or additional plots over and above what has already received consent. The intention of the application is to amalgamate all previous consents into one permission, but without the personal condition restricting the use of the site to Mr Harvey, his wife or their children. Without the personal condition, the site could be occupied by any person(s) of gypsy or traveller status.
- 1.6 The application is identical to P21/01343/F and P21/07952/F, both of which were previously refused for the following reason:

The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. Whilst some very special circumstances

have been submitted, these are not considered to outweigh the harm identified. The proposal is therefore contrary to the Green Belt Policy embodied within the NPPF and Policies CS5 and CS34 of The South Gloucestershire Local Plan : Core Strategy (Adopted) 11th Dec. 2013 and The 'Development in the Green Belt' SPD Adopted June 2007.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework

NPPF accompanying document Planning Policy for Traveller Sites March 2012

Ministerial Statement by the Rt. Hon. Brandon Lewis MP 2 July 2013.

National Planning Practice Guidance (NPPG)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development

CS9 Managing the Environment and Heritage

CS21 Gypsy and Traveller Accommodation

CS34 Rural Areas

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP7 Development in the Green Belt

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP19 Wider Biodiversity

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List SPD Adopted August 2007

Development in the Green Belt SPD Adopted June 2007

South Gloucestershire Landscape Character Assessment (SPD)

South Gloucestershire Council Waste Collection: guidance for new developments (SPD) Adopted Jan 2015

South Gloucestershire Council - 'Gypsy and Traveller Accommodation Assessment (GTAA) 2017 Explanatory Note'

3. RELEVANT PLANNING HISTORY

3.1 N6541 - Retention and alteration to existing barn and stables; erection of fence. – Approved 24.04.1980

3.2 PT00/2488/F - Siting of one mobile home. – Refused 05.06.2001 – Appeal allowed 23.10.2001

- 3.3 PT01/3333/F - Change of use to residential and stationing of one mobile home. – Approved 28.01.2002
- 3.4 PT05/3038/RVC - Relaxation of conditions 4 & 6 attached to PT01/3333/F to allow the continued use of land for motor vehicle sales. Refused: 30.11.2005 - Appeal split decision - 22.11.2006
- 3.5 PT08/2632/F - Demolition of existing buildings to facilitate erection of 1no. outbuilding to provide ancillary accommodation. – Approved 12.12.2008
- 3.6 PT10/1556/F - Demolition of existing buildings to facilitate erection of 1no. outbuilding to provide ancillary accommodation. (Amendment to previously approved scheme PT08/2632/F). – Approved 18.11.2010
- 3.7 PT13/2384/F - Siting of 4 no. additional static caravans on existing Gypsy site to include 4 no. utility blocks. Space for storage of up to 5 no. touring caravans and car parking space for up to 8 no. vehicles. – Withdrawn 16.08.2013
- 3.8 PT13/3785/F - Siting of 2no. additional static caravans on existing gypsy site with associated vehicles and storage of up to 5 no. touring caravans. – Approved 13.08.2014
- 3.9 P21/01343/F - Use of existing Gypsy site and erection of 1no. amenity building with associated works. – Refused 07.10.2021
- 3.10 P21/07952/F - Use of existing Gypsy site and erection of 1 no. amenity building with associated works (resubmission of P21/01343/F). – Refused 08.06.2022

4. CONSULTATION RESPONSES

- 4.1 Westerleigh & Coalpit Heath Parish Council - *OBJECTS to this application which seeks to allow for the existing development on the site without the constraint of a personal condition, in order to allow occupation by any Gypsy or Traveller.*

The existing development is inappropriate development in the Green Belt which conflicts with Green Belt Policy set out in the NPPF and Policies CS5 and CS34 of South Gloucestershires Core Strategy. This fact has been recognised in previous planning decisions. The original planning permission granted on the site was limited to the applicant, his wife and children. The permission as it stands allows for the site to be returned to open countryside in the Green Belt if the current family cease to occupy it. Granting this application will permanently remove the site from the Green Belt which is not acceptable.

- 4.2 Transport DC – No objection
- 4.3 Drainage – Query regarding sewage management and existing arrangements.
- 4.4 Highway Structures – No comment

Other Representations

4.5 Local Residents

5no. objections have been received, summarised as:

- Site is already overdeveloped
- Additional cars and commercial vehicles will cause more congestion
- Noise next to boundary
- Loss of privacy
- Land should be restored to previous condition if no longer required
- Land is Green Belt
- Removal of personal condition will encourage further development
- Not suitable for expansion in small hamlet
- Identical to previously refused applications
- Intensity of site has increased since first applied for
- The site will be removed from the Green Belt if consent is granted
- Other applications in the Green Belt are refused
- Mobile homes do not blend in
- Application is disproportionate

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The acceptance in principle of the use of the land has already been established with the granting of previous consents. The current application seeks to establish the site as a permanent one for general use by gypsies and travellers as opposed to a permission personal to the applicant, his wife and their children, which is effectively a temporary personal consent.
- 5.2 In assessing this application, officers must consider why the personal condition was imposed, and whether or not anything has changed in the interim that would now justify an unrestricted consent.
- 5.3 The applicant's justification is based on the following:
- The safeguarding of the application site within the adopted development plan
 - The proposals within the emerging plan
 - The urgent and pressing unmet need for sites in South Gloucestershire
 - The lack of a 5 year supply of sites
 - The ministerial direction
 - The longstanding failure of policy to provide sites
 - The likelihood that Green Belt sites will need to be used
- 5.4 Part of the applicant's justification makes reference to the Local Plan (2018 – 2036), which did not progress beyond Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012. It was an early engagement

document subject to informal consultation, and the plans preparation was not continued. As such, the document cannot be afforded any weight.

- 5.5 This proposal would not alter the use of the site as a Gypsy and Traveller site and would not alter what is permitted on site, i.e. 3no. static caravans, 1no. amenity building, 5no. spaces for touring caravans and 7no. parking spaces. The hardstanding and access would remain as permitted.
- 5.6 What would differ from previous permissions is that the site would not have a personal consent to make the site permanent and capable of occupation by anybody of gypsy and traveller status.

Previous consents

- 5.7 Under application PT01/3333/F, the permission was restricted to personal use for the following reason:

It is recognised that the site is located within the Green Belt and as such the residential development of the land would be considered to be inappropriate unless very special circumstances can be demonstrated to outweigh the obvious harm.

Members will be aware that at a recent appeal, regarding the vast majority of this site, an Inspector considered that the needs of the applicant and his family to find an alternative site in order to prevent their homelessness and to meet their particular educational and medical circumstances represented very special circumstances which would outweigh the harm to the Green Belt and the visual amenity of the area.

Since these circumstances have not altered since the granting of planning permission in October 2001, officers consider that the principle of the use of the site for the stationing of a residential caravan has been established and remains acceptable having regard to the very special circumstances of the applicant.

- 5.8 Application PT08/2632/F gave permission for an outbuilding on site, which replaced existing outbuildings and provided ancillary facilities for the on-going care of the applicant's daughter. The application was subject to the following conditions:

The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the existing mobile home (as show on the plans hereby approved and known as Henfield Paddock).

Reason: To accord with Planning Policies D1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

When the building ceases to be occupied by Mr Harvey, his wife and children, the building shall be removed from the application site.

Reason: The building has been granted solely having regard to the special circumstances of the case and use not in accordance with the requirements of the condition would require the further consideration of the Local Planning

Authority in the light of the Development Plan, and any other material considerations.

- 5.9 Application PT13/3785/F gave permission for the siting of 2no. additional static caravans and associated vehicles, and storage of up to 5no. touring caravans. This permission was restricted to personal use for the following reason:

The Council consider that the proposal represents inappropriate development in the Green Belt. The applicant has submitted a series of Very Special circumstances. These are set out in paragraph 1.3 of this report.

At present, there is one mobile home on the site that is occupied by Mr and Mrs Harvey and their twins, and also by another daughter (who will be referred to as S in this report) and her partner (who will be referred to as P in this report) who have a new born baby (born June 2014). Evidence has been submitted to prove that the twins attend a local school and have good records of attendance. It is therefore entirely reasonable to allow Mr and Mrs Harvey and the twins to remain in the existing caravan. There is currently an issue of overcrowding in the existing mobile home which has been exacerbated by the arrival of the new baby. As set out in paragraph 5.19 below, due to medical reasons, it is necessary for the family to live together to support one another through their various medical conditions. It is also reasonable to provide the growing family with sufficient space to meet their needs and afford a reasonable standard of living conditions.

Another daughter (who will be referred to as J in this report) is to live in the building marked 'chalet' on the submitted plan. J lives with her young daughter and medical information has been submitted to prove that J has severe disabilities. J's daughter also has serious medical issues and information has been submitted to prove this also. It is important and necessary for J to live with her parents for support as the medical needs of her and her daughter are great.

The applicants also have another son (R) who currently does not live on the site but lives in 'bricks and mortar'. This son has a wife and three children who also attend local schools and attendance records have been submitted to prove this is the case. One of the three children also has serious medical issues and is under treatment from local doctors. The current settled lifestyle is causing some considerable stress and is also overcrowded. Medical Professionals working on behalf of this family have tried to find more suitable alternative accommodation for this family in the past. Given the two children of school age are well settled into a local school and have good attendance, it is reasonable for them to remain in the local area to ensure that their schooling is not interrupted. Given the health issues of one of the sons, it is also reasonable for him to be provided with suitable accommodation with his own separate bedroom and also to maintain close contact with the medical health care professions who understand his condition and can provide continuity of care. It is unreasonable to expect 'bricks and mortar' to be a suitable alternative form of accommodation for Gypsy and Traveller families. It is a perfectly reasonable desire for a person of Gypsy and Traveller ethnicity to want to maintain a gypsy

and traveller way of life in exactly the same way as it is reasonable to expect a non traveller to want to live in 'bricks and mortar'.

Finally, the applicant Mr Harvey himself also has medical issues that may worsen with time – again documents have been received from health care professionals with regards to the health of Mr Harvey. There is concern that as Mr and Mrs Harvey age, because of existing medical issues, they may not be able to offer the care and support to the family members briefly outlined above.

It is for this reason, the family wish to live together on the site. It is recognised by the councils Department for Children, Adults and Health that it is very normal for the gypsy traveller community to look after each other relieving strain on Health and Welfare services and also to support each other.

Therefore, in light of the information in paragraphs 5.14 to 5.18 above, it is considered that a set of strong and compelling very special circumstances have been put forward to justify two additional mobile homes on the site. These are summarised as the need to maintain good attendance at local schools, the serious medical conditions faced by several of the family members and the need for family support to assist with day to day living, the need to maintain close contact with local health care professionals, and the need to provide the residents with suitable living conditions.

- 5.10 It is evident that the granting of permissions on this site has been based on a number of factors. Importantly, these included the specific personal circumstances of the applicant and other occupants of the site which, when combined with the unmet need for Gypsy and Traveller sites and a lack of alternative sites, were considered to outweigh the level of harm to the Green Belt. At the time of original consideration, and when applications P21/01343/F and P21/07952/F were submitted, Officers considered that without the personal circumstances demonstrated, the personal planning permissions for this Gypsy and Traveller site in the Green Belt would not have been granted.

Green Belt

- 5.11 The site remains within the Green Belt. Policy CS5 of the South Gloucestershire Local Plan Core Strategy 2006 -2027 (2013) (Core Strategy) confirms the extent of the Green Belt and, amongst other matters, sets out that proposals will need to comply with the related national planning policy. Policy CS34 of the Core Strategy seeks to protect the designated Green Belt from inappropriate development, whilst Policy PSP7 of the Policies, Sites and Places Plan (2017) (Policies, Sites and Places Plan) reiterates national planning policy in the Green Belt and explains how it is to be applied in South Gloucestershire.
- 5.12 Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is re-iterated by Policy E of the Planning Policy for Traveller Sites (2015) (PPTS). Policy E goes on to state that Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. This is regardless of the consideration of the effect of a proposal on openness.

- 5.13 None of the provisions in the Framework which concern exceptions to inappropriate development in the Green Belt can apply. This is because of the type of development which is proposed, namely a Gypsy and Traveller site. Accordingly, when judged against the Framework and Policies CS5, CS34 and PSP7, the proposal would be inappropriate development in the Green Belt.
- 5.14 Openness is an essential characteristic of the Green Belt. The proposal involves the permanent retention of 3no. static caravans, 1no. amenity building, 5no. spaces for touring caravans and 7no. parking spaces, hardstanding and access on previously partially open equestrian land, containing stables and some hardstanding. There would also likely be some domestic paraphernalia on the site.
- 5.15 The proposal would result in a moderate adverse impact on the openness of the Green Belt. It would not therefore preserve the openness.
- 5.16 Previous applications established that development was inappropriate within the Green Belt, and as such very special circumstances needed to be demonstrated if the harm by reason of inappropriateness, or any other harm, was to be overcome.

Character and appearance

- 5.17 The legal definition of a caravan was established in the Caravan Sites and Control of Development Act 1960; this was modified in 1968 to include twin-unit mobile homes and again in 2006 when the sizes were increased to the following:
- a) Length (exclusive of any draw bar) 20m (65.6ft)
 - b) Width 6.8m (22.3ft)
 - c) Overall height (measured internally from the floor at the lowest level to the ceiling at the highest level) 3.05m (10ft).

Given these definitions it is not normally a requirement for applicant's to submit plans of the mobile homes and caravans. In this case the dimensions of the mobile homes are given to be 6m x 11m.

- 5.18 The outbuilding is within an area of the site well screened by hedgerows, with the building set back from the site entrance.
- 5.19 The building is a mixture of rendered walls with natural slate gables, and tiles matching those of the mobile homes.
- 5.20 The proposals are considered to be in accordance with policies CS1 and PSP1.

Transport and highways

- 5.21 The NPPF (para. 32) is clear in stating that development should only be prevented or refused on transport grounds where the cumulative impacts of development are severe. The transportation officer raises no objection to the proposed application.
- 5.22 The access in/out of the site is appropriate for the scale of development and affords appropriate visibility. It is noted that the site is within the Henfield Quiet

Streets area, but this designation does not prohibit development, rather it is more of an ethos where Quiet Lanes are defined as a network of rural roads where minimal traffic calming measures are used to enable all road users to 'share with care'. I.e. Travel is easier for cyclists, walkers, horse riders and those in wheelchairs, Drivers are encouraged to travel at slower speeds. Everyone using the lanes must consider their behaviour towards other users and 'share with care'. Local authorities, interest groups and local communities develop a partnership to establish a local consensus about local travel. Research is carried out into how people travel Communities are encouraged to 'own' the lane.

- 5.23 In the event of any approval a condition should be applied that requires visibility splays of 2.4m x 43m in each direction to be retained, with no obstruction greater than 0.9m within the visibility splay.

Environmental issues

- 5.24 The site is not the subject of unacceptable levels of noise disturbance, air pollution, smell, dust or contamination and neither is the site prone to flooding – the site lies in flood zone 1 (area at least risk of flooding). The site was previously considered to be habitable being granted consent at appeal and included within the list of safeguarded sites under Policy CS21 of the South Gloucestershire Local Plan Core Strategy.
- 5.25 Details of the septic tank on site were submitted with the 2000 application and it is understood to have capacity to serve approximately 18 people. The council's environmental protection officer has previously visited the site and is happy that to the best of his knowledge, the tank works well and all existing connections are correct. The proposal therefore accords with Policies CS1 and CS21 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.
- 5.26 In accordance with the DCLG design guidance, a separation gap of at least 6 meters will remain between all caravans to reduce the risk of fire spread.

Impact on residential amenity

- 5.27 The nearest residential properties likely to be affected are No's 200 to 206 Henfield Road. There is a distance of over 70 metres between the proposed mobile homes and the main rear elevations of these neighbouring dwellings. It is not disputed that a residential use for around 14 people may generate further noise. Given that conditions would be attached restricting any commercial use from the site the only noise is likely to be that associated with normal residential occupation. It is not considered that this would have any detrimental impact on the amenity of the neighbouring properties.
- 5.28 No 208 is an end terraced property fronting onto Henfield Road. The curtilage of this property abuts the application site. The main rear wall of No 208 is approximately 58 metres from the edge of the application site. It is not disputed that the proposals will be visible from within the garden of No 208 but, due to the distances involved, it is not considered that they will have any overbearing or overshadowing impact on the neighbouring gardens.

- 5.29 The proposed caravans and outbuilding are modest in scale and only single storey. Given the level of existing and proposed tree and hedgerow planting that would enclose the site, any views in or out of the site would be well screened.
- 5.30 With appropriate conditions, officers consider that there would be no significant adverse impact on residential amenity.

Need and supply of pitches

- 5.31 The PPTS requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets. The LPA use the South Gloucestershire Gypsy and Traveller Accommodation Assessment (2017) and an Explanatory Note (2018) in relation to supply. The GTAA identifies a need for 75 additional pitches from 2016 until 2032, whilst the Explanatory Note reduces this figure to 61 based on a number of permissions that were subsequently granted. The LPA now considers there remains a need for 52 pitches, in having regard to further permissions which have been granted.
- 5.32 The Council cannot demonstrate a 5 year supply of deliverable sites in accordance with the PPTS. The recent Land at Bristol Road, appeal decision identifies that the unmet need is significant, and other appeal decisions in South Gloucestershire reach a similar conclusion.
- 5.33 Policy CS21 of the Core Strategy states that provision will be made for Gypsy and/ Traveller accommodation through the Policies, Sites and Places DPD or a replacement local plan (whichever is the sooner) following a review of the need for further pitches up to 2027. The Policies, Sites and Places DPD did not make provision for Gypsy and Traveller accommodation and whilst the Council is undertaking a review of its Local Plan and has appointed consultants to carry out a new GTAA exercise, it is unlikely that the review will be in place for some time. The new GTAA can only therefore be afforded limited weight.
- 5.34 Policy CS21 goes on to state that additional provision will be addressed through the intensification of existing sites in the first instance while not excluding sites in new neighbourhoods. This approach has not been effective as the Council has not been able to meet the need for the supply of pitches through the grant of planning permissions. When this is considered with the time period over which the supply has not been met, and also evidenced by appeal decisions, this amounts to a policy failure.
- 5.35 The applicant is not required to prove that no other sites are available. However, whether there are alternative sites is useful in further understanding local provision in practical terms. The LPA is aware of issues in relation to a lack of site availability, difficulties between different Gypsy and Traveller groups, and that other sites are full which has been corroborated by the Council's Gypsy and Traveller Liaison Officer. There are no obvious alternative sites that the applicant and their family could occupy. Matters in relation to need and supply carry significant weight.

Balancing Exercise

- 5.36 The benefits of the proposal are themselves very significant. The proposal would assist in lessening the shortfall against the identified need for Gypsy and Traveller Pitches. It would also make a contribution to dealing with the lack of supply caused by at least in part the policy failure, as well as a lack of alternative sites available to the Gypsy and Traveller community.
- 5.37 Also under consideration are the Council's duties under the Public Sector Equality Duty (PSED) contained within the Equality Act 2010 which sets out to eliminate discrimination, harassment and victimisation, advance equality and foster good relations, and the protected characteristics under the PSED, including for Gypsy and Traveller groups, and duties under Article 8 of the Human Rights Act 1998 (Article 8) that bestows the right to private and family life and for the home.
- 5.38 The proposal would constitute inappropriate development in the Green Belt and it would not preserve the openness of the Green Belt. Paragraph 148 states that substantial weight is to be given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.39 In previous decisions on the site, the LPA considered that the harms were outweighed on the basis of the personal circumstances of the applicant. By removing the personal condition, those personal circumstances are taken out of the balance.
- 5.40 The appeal for Land at Bristol Road considered that the propensity for decision makers to only grant personal permissions for Gypsy and Traveller sites in the Green Belt has been a key factor in contributing to the longstanding policy failure.
- 5.41 The need for sites must be given significant weight. Given the substantial unmet need, the lack of five year supply, the lack of any alternative sites, the likelihood of land within the Green Belt being necessary to meet the accommodation needs of gypsies and travellers in South Gloucestershire, the past and current policy failure to address these issues, and the suitability of the appeal site when considered against CS21, it is considered that very special circumstances do outweigh the harm caused by inappropriate development in the Green Belt.

Other matters

- 5.42 Concerns have been raised that removing the personal condition will result in future development at the site. This application does not propose any development over and above what already has consent and is present on site. Any future applications will be considered against the relevant policies.

Consideration of likely impact on Equalities

5.43 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.

With the regards to the above this planning application is considered to have a positive impact on equality by ensuring the needs of a group under a protected characteristic have been considered throughout the consideration of the application.

Conditions

- 5.44 The proposal has been submitted as a full planning application rather than a variation of condition (S73 application) as the site in its present form is a combination of a number of planning applications. A single application to amalgamate these applications, whilst at the same time removing the personal condition, was a simpler and less confusing process.
- 5.45 These applications (PT01/3333/F, PT08/2632/F, PT10/1556/F, PT13/3785/F) were granted subject to certain conditions, and it is considered reasonable to carry these conditions over to this application, unless they are no longer relevant.
- 5.46 Pre-commencement conditions, where details were required regarding materials, details of access, and details of drainage etc are no longer relevant, as the works have been carried out and there is no requirement for continued monitoring.
- 5.47 Conditions relating to a personal condition, or land restoration, are no longer relevant as detailed above. However, a condition restricting the use to Gypsy and Travellers will be applied due to the very special circumstances of the case. Restrictions on commercial activities, the retention of the visibility splay, retention of parking and turning areas, one vehicle above 3.5 tonnes being parked on the site, the five touring caravans not being occupied on site, and the use of the day room being ancillary to the wider site are still considered relevant, and will be applied to this consent.
- 5.48 A condition on the original 2001 consent required the occupier to request consent from the LPA prior to “lopping or topping” the trees or hedgerows on site. This is considered overly onerous as it prevents everyday maintenance. The condition will therefore be altered to prevent removal of the trees and hedges.

5.49 No time limit condition is required as the use of the site has already commenced.

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 planning permission is granted.

CONDITIONS

1. No commercial activities shall take place on the land the subject of this consent, including the storage of materials.

Reason:

To safeguard the openness of the Green Belt and the visual amenities of the area, in accordance with Policies PSP2 and PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017) and the guidance within the National Planning Policy Framework

2. The visibility splay measuring 2.4m by 43m shall be maintained in perpetuity. There shall be no obstruction over 0.9 metres in height within the visibility splay at any time.

Reason:

In the interest of highway safety and to accord with policies PSP11, PSP16 and CS8.

3. The parking, turning and manoeuvring areas shall be maintained and not be used for any purpose other than the turning and manoeuvring of vehicles.

Reason:

In the interest of highway safety and to accord with policies PSP11, PSP16 and CS8.

4. Only one vehicle over 3.5 tonnes shall be stationed, parked or stored on the land the subject of this consent.

Reason:

To safeguard the openness of the Green Belt and the visual amenities of the area, in accordance with Policies PSP2 and PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017) and the guidance within the National Planning Policy Framework

5. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Reason:

Permission has been granted having regard to the very special circumstances of the case and use not in accordance with the requirements of the condition would require further consideration against the Development Plan.

6. None of the five touring caravans to be stored on the site shall be used for residential occupation whilst they are within the red line of the application site.

Reason:

The residential occupation of any of the touring caravans would require further assessment in terms of the very special circumstances and the potential impact on drainage and transportation. Also to accord with the requirements of Policies CS21 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013

7. The dayroom shall not be occupied at any time other than for purposes ancillary to the residential use of the existing mobile homes (as shown on the plans hereby approved and known as Henfield Paddock).

Reason:

Permission has been granted having regard to the very special circumstances of the case and use not in accordance with the requirements of the condition would require further consideration against the Development Plan.

8. The existing trees and hedgerows on the site shall be retained. Any trees or hedgerows removed, or dying, becoming damaged or diseased, shall be replaced in the next planting season with trees or hedgerows of an equivalent size and species.

Reason:

To safeguard the openness of the Green Belt and the visual amenities of the area, in accordance with Policies PSP2 and PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017) and the guidance within the National Planning Policy Framework

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

28 Jul 2023			AMENITY BUILDING
28 Jul 2023			BLOCK PLAN OF THE SITE
28 Jul 2023			THE LOCATION PLAN
28 Jul 2023	4	A	PROPOSED BUILDING PLANS, ELEVATIONS AND SECTION

Reason:

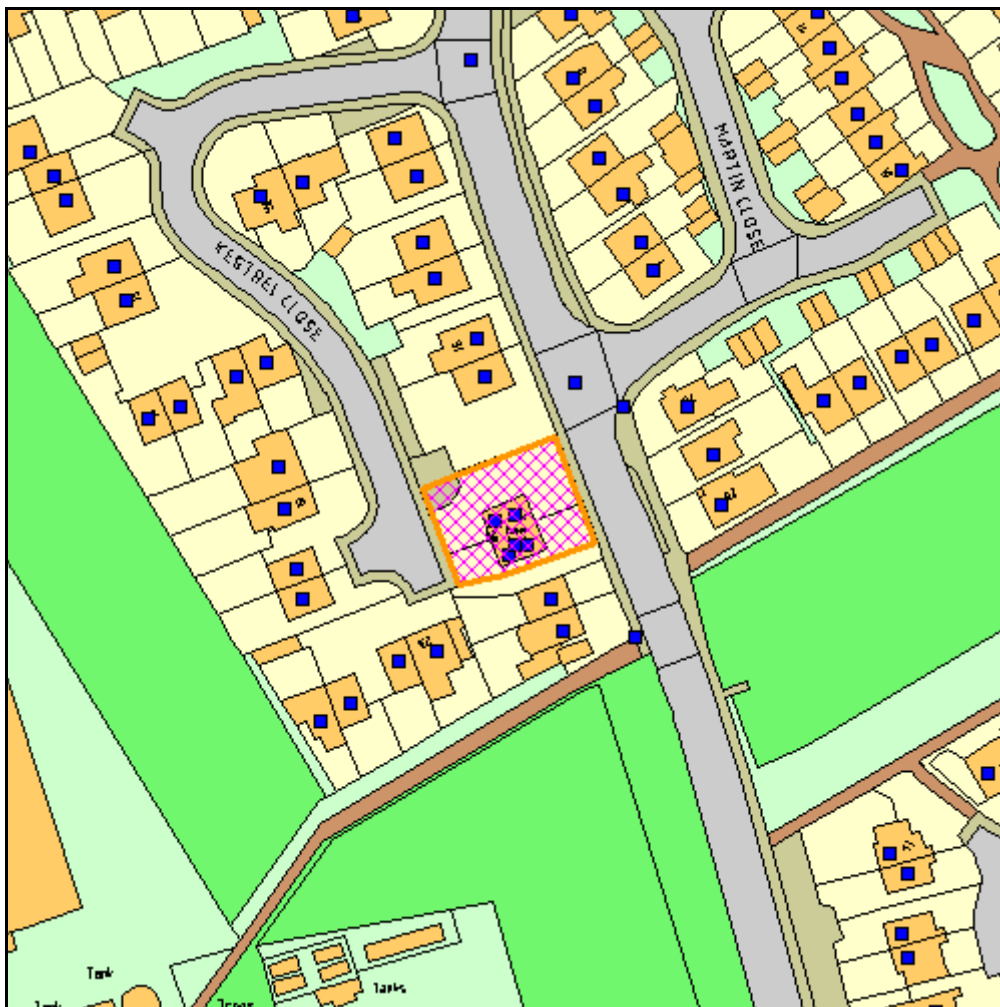
To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 44/23 -3rd November 2023

App No.:	P23/02379/F	Applicant:	Maack Architects
Site:	Land North Of Eason Court 28 Kestrel Close Patchway South Gloucestershire BS34 5RX	Date Reg:	31st August 2023
Proposal:	Erection of two storey building to form 2 no. apartments (Class C3) with access, parking, and other associated works.	Parish:	Patchway Town Council
Map Ref:	359189 181596	Ward:	Charlton And Cribbs
Application Category:	Minor	Target Date:	19th October 2023



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P23/02379/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.

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule because more than 3no. responses have been received from interested parties that are contrary to the findings of this report and officer recommendation.

The application is circulated whilst still under re-consultation, which expires on the 9th November 2023. This is on the basis that a 21-day re-consultation is required procedurally due to an amendment to the red line. However, the substance of the application has not significantly changed. As such, the application is circulated on this schedule for expediency in light of the committee schedule this side of Christmas (should it be called in). If any **materially new** issues are raised during the remainder of the re-consultation that have not already been raised and addressed, the application shall be re-circulated.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a two-storey building to form 2no. apartments (class C3) with access, parking and other associated works.
- 1.2 The site is land adjacent to Eason Court, 28 Kestrel Close, a building that contains 4no. flats (once 2no. semi-detached dwellings). The site is in the North Fringe of Bristol Urban Area and is not subject to any other sensitive planning constraints/designations.
- 1.3 This application follows pre-application advice provided under PRE23/0253. This was broadly positive, subject to some amendments relating to the siting of the building in regard to design and impacts on neighbouring amenity.
- 1.4 During the application's consideration, the red line has been amended to include the rest of Eason Court. This is because the parking layout had been amended following initial officer assessment. A 21-day re-consultation has been carried out in light of the revised red line.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 2023
National 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
CS15	Distribution of Housing

CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP2	Landscape
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

CIL and S106 SPD (Adopted) March 2015

Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/0799/F (approved 10/05/2011):
Erection of two storey and 2no. single storey rear extensions to block of flats to form lobbies and additional living accommodation.
- 3.2 PT07/2110/F (approved 11/10/2007):
Conversion of 2no. dwellings to 4no. self-contained flats, erection of single storey rear extensions to form lobbies and associated works.
- 3.3 Other history is available that is neither recent nor relevant.

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
No objection.
- 4.2 Transport
No objection.
- 4.3 Drainage (LLFA)
No objection. Informative recommended.
- 4.4 Highway Structures
- 4.5 Contaminated Land
No objection, informative recommended.

Revised comments (re-consultation): previous comments stand.

4.6 Ecology

Informative and condition recommended.

4.7 Tree Officer

If the proposal is to retain trees off site, an arboricultural report will be required. It appears that the proposals can be achieved provided the existing trees are protected in accordance with BS:5837:2012.

Revised comments (re-consultation): no arboricultural report has been submitted.

4.8 Archaeology Officer

No comment.

4.9 Local Residents

9no. responses have been received, all in objection. These are summarised as follows:

- Parking on cul-de-sac is already an issue
- Existing flats have caused problems with parking
- Development will result in increased traffic and footfall
- Noise during construction
- Already experienced noise and disruption from a neighbouring development (ongoing)
- Visitors already have to park elsewhere
- Development will increase parking pressures
- Existing site and building is unsightly and poorly maintained
- Development will result in my car being blocked in
- Increased congestion
- Insufficient parking
- Vehicles already park in the turning head
- Increased parking demand will result in existing parking being displaced elsewhere
- Loss of light/sunlight from no.30
- Impact on property values
- Misuse of private amenity space
- Understand that the space should be left as greenspace to maintain the aesthetics
- Council had originally prohibited development on this land (covenant)
- Unknown renters, leading to safety and security concerns
- Will create unwanted disruption
- Increased damage to road – existing potholes have not been fixed
- Increased air and noise pollution
- Increased stress on families with young children and elderly neighbours. Properties are generally owned by families/elderly people
- Influx of renters/visitors will cause disruption
- Parking shown on plan for existing building is not accurate as third car cannot park there
- Not clear on height of new building
- Impact on look and feel of the street and surrounding properties

- Would look out of place
- Object to anything above the existing two storey houses
- Not clear whether materials would be in keeping
- Possible loss of views
- Loss of light
- Proposal defies requirement in deeds that the land should not be developed
- Owner of site has put debris from the site onto my land
- Loss of privacy
- Impact on working from home due to noise
- Looks taller than other building – out of keeping
- Loss of wildlife habitat has occurred with the landscaping that has already taken place
- Impact on safety of the cul-de-sac
- Loss of on street parking
- Vertical design is not in keeping
- Will disrupt that visual unity and charm of the area
- Result in a crowded appearance
- Parking proposals are not realistic

Additional responses received at the time of writing (2no. from the same individual):

- Plans still show 3 cars parking outside the front of the property with a wall behind them, making them not accessible
- This would lead to cars parking on the street
- Removal of front wall will result in the loss of street parking spaces
- Parking availability on this part of the cul-de-sac is already limited

5. ANALYSIS OF PROPOSAL

5.1 Planning permission is sought for the erection of a two storey building to form 2no. apartments (class C3) with access, parking and other associated works.

Principle of Development

5.2 The application site is within an established urban area and so in accordance with the spatial strategy set out in policy CS5, the development of additional residential accommodation in this location is supported in principle. The land also appears to form part of the established residential curtilage of the existing building, and so PSP38 is also relevant. PSP38 supports new development within existing residential curtilages, including new dwellings in urban areas and settlements, subject to consideration of design, amenity and transportation.

5.3 Design and Layout

Policy CS1 is the Council's principal design policy. CS1 requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by respect and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.4 The area is a mature suburban residential location. The application site was once a pair of semi-detached properties which have since been converted to 4no. flats. Kestrel Close is a cul-de-sac which is accessed off Coniston Road to the North. The application site and its neighbours (27 and 30) appear to address both Kestrel Close and Coniston Road. Eason Court has parking to the rear accessed from Kestrel Close, with gravelled areas to the front addressing Coniston Road. Materials are generally red brick on the cul-de-sac, with plain concrete tiles to the roofs. Boundary treatments are generally in the form of brick boundary walls. The site is an area of unkempt land to the North of Eason Court, within its curtilage. To the South and West are two storey properties, whilst to the North of Eason Court is a rank of bungalows.
- 5.5 The proposed building would be oriented with West and East facing gables, with a height to the ridge of 7.9 metres and to the eaves, 5.1 metres. The ridge of the new building would be c.300mm higher than the existing building (Eason Court). Materials are indicated to be brick with concrete tiles, and the roof of the new building would have solar PV, according to the submitted plans. New openings would be to the front and rear (East and West).
- 5.6 As discussed at pre-app stage, the different orientation of the roof is somewhat at odds with the general roof layout of Kestrel Close. But gable ends addressing the road are not alien and so in that respect, the building would not appear unduly out of character. In terms of building line, there is no distinct building line on this part of Kestrel Close, with properties having staggered relationships. The new building would sit between no.28 and no.30, continuing this trend of staggered relationships. The materials proposed are in keeping with those in the locality, and can be secured by suitably worded condition, should permission be granted. Whilst the properties to the North are bungalows and the proposal is two storey, this is much the same as the current situation where there is a two storey property and then a bungalow. Sufficient separation would remain so that the proposed does not appear to dominate the lower level bungalows to the North.
- 5.7 A landscape plan has been submitted, and it is noted that the intention appears to be to re-green some of the frontage with Coniston Road, which would be welcomed given that it is currently quite barren in terms of planting. On the Kestrel Close side, the hardstanding afront Eason Court would remain but this is an existing situation. Overall, there are no particular concerns regarding the landscaping, but should permission be granted it would be prudent to secure details of proposed planting, hard surfaces and any new boundary treatments.
- 5.8 Overall, the development represents an appropriate design response to providing additional residential accommodation in a sustainable location, and accords broadly with PSP1 and CS1, subject to the conditions as discussed above.
- 5.9 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss

of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Concerns are noted in terms of impacts on neighbouring occupiers.

Neighbouring occupiers

- 5.10 New openings would face East and West, towards Coniston Road and Kestrel Close respectively. This would not result in any material privacy or overlooking issues. That said, a condition should be applied to prevent new windows being added to the North side elevation, in the interests of privacy.
- 5.11 It is noted that there are side facing windows on Eason Court. However, these are both bathroom windows and are obscure glazed. As bathrooms are not primary habitable rooms, no unacceptable impacts would be created in terms of loss of light/outlook. There is a side facing window on no.30 which faces the site. However, this is observed as being obscure glazed and so is likely to serve a bathroom or other such non primary space. As the window is obscure glazed, there would be no loss of outlook. The application has also been furnished with a plan indicating compliance with the 25-degree test, in any event, which would help preserve light received through that neighbouring opening.
- 5.12 The siting of the new building is such that there would not be any unacceptable impacts on the outlook or light received by the front and rear windows of Eason Court. In terms of overbearing in respect of no.30, whilst there would be increased massing closer to the boundary with that property (a bungalow), the new building would be closest to the side access/parking area for no.30 and the actual garden of no.30 is a sufficient distance as to avoid any unacceptable levels of overbearing or loss of light. No other overbearing or light/outlook issues would be created with respect to any other nearby property, for the avoidance of doubt.
- 5.13 It is noted that concern is raised regarding impacts such as noise and disruption. Construction impacts are not reasons to resist a development in planning terms as such impacts are temporary in nature and do not relate to the end use of the land. Should permission be granted, a condition should be applied to limit working hours, given the residential nature of the location. There is no reason to believe that the resultant development and use of land would result in any unacceptable levels of noise or disturbance, as the use would be residential, within a residential area. It is not considered that the resultant development would have any materially negative impacts on the amenity of existing residents.

Future Occupiers

- 5.14 Both flats would broadly accord with the relevant nationally described space standard and provide an acceptable internal arrangement to indicate a good standard of living condition. Both flats would also be provided with ample light and outlook to all habitable rooms through front and rear openings. There is therefore no concern in this regard.

- 5.15 PSP43 notes that 1 bed flats should provide at least 5sqm private amenity space and 2 bed flats should provide 5sqm plus private shared communal space (albeit no amount is stated). It is noted that amenity space is annotated on plan, although given its location it may not be explicitly private. That said, it demonstrates that suitable external space would be available to allow for day-to-day use, such as drying clothes. Communal space would remain available to Eason Court for the same purpose, which at the time of being approved for conversion was noted not to provide any private amenity space. It was noted at the time that good quality public open space is nearby, which remains the case. There is accordingly no objection in terms of amenity space provision or amenity of future occupants.
- 5.16 Transport
The site is within a sustainable urban location, with good access to walking and cycling facilities, and public transport. This will help facilitate access to key services, facilities and employment without needing to rely on the private car. Notably in terms of employment, the site is immediately adjacent to Patchway Industrial Estate, as well as Cribbs Causeway, a major retail location (albeit out of town). It is therefore the case that the development would accord with PSP11 in terms of sustainability of the location.
- 5.17 The other issues to consider are parking and access. It is noted that concerns are raised in this respect (particularly parking). PSP16 is the Councils adopted policy relating to residential parking and sets out minimum parking requirements based on the number of bedrooms within a dwelling. The ground floor flat would have 1 bedroom, whilst the first floor flat would have two bedrooms. PSP16 sets the standard at 1no. parking space for 1 and 2 bed flats. Each flat would be provided with 1no. space, which numerically accords with PSP16. One of the spaces would be accessed via an existing access on Kestrel Close, whilst the other would be access from a new access onto Coniston Road. Neither have been found objectionable by the highways officers. If a proposed development meets its own parking requirements, then existing perceived pressures on parking in the locality are not a reason to resist development. In terms of refuse storage and servicing, the existing facilities serving Eason Court would be retained, and space would be available on the frontages of the new building provide storage for the new flats.
- 5.18 The existing building, Eason Court, is a converted pair of semi-detached houses which contains 4no. apartments (conversion approved in 2007). Each apartment in Eason Court has 1 bedroom. Currently, Eason court has parking accessed from Kestrel Close and sufficient parking for 4 vehicles. It will therefore be necessary to ensure that the parking for Eason Court is re-configured to ensure that it retains 4 spaces. The frontage of Eason Court that faces Coniston Road also has an area that is gravelled, and previous Streetview images suggest that this has been used for parking, though this would not have been lawfully accessed as there are no dropped kerbs.
- 5.19 It is proposed to remove an existing boundary wall on Kestrel Close to provide access to 3no. parking spaces. It is noted that pavement is already lowered. A further parking space would be provided on the frontage to Coniston Road, adjacent to the new space for the proposed flats. This arrangement followed

- amendment during consideration, as previously it was proposed to provide all 4no. spaces on the Kestrel Close side. However, this was deemed undesirable as it would be very tight and the usability of one of the spaces (closest the building) would not be sufficiently useable, such that drivers/passengers would have been unlikely to be able to alight from their vehicle as they would not be able to open their doors.
- 5.20 Concern has also been raised about impacts on the usability of the parking space serving no. 27, immediately to the South. It is understood that no.27 has a narrow space which runs parallel to the boundary of the application site, although there is no boundary treatment there at present. Re-allocating the parking spaces at Eason Court as now proposed would mean that the parking space for no.27 remains accessible, within the confines of their boundary.
- 5.21 The new access onto Coniston Road (unclassified) would be outside the zig-zag area of the pedestrian crossing and would be onto a straight section of road subject to a 20mph speed limit, providing ample visibility in both directions. The highways officers have not raised any objection in this regard and so on the basis of the above, the case officer finds no reason to be concerned about the proposed new access. Whilst concerns about loss of existing on street parking are noted, there is no explicit right to park on a particular section of public highway and as noted prior, a development should not be resisted where it meets its own parking requirements under adopted policy.
- 5.22 Should permission be granted, suitably worded conditions should be applied to secure the provision of the parking and access arrangements, in the interest of highway safety and satisfactory parking provision.
- 5.23 Ecology
The site is not subject to any ecological designations. The site comprises mostly of hardstanding bordered by urban habitats. It is noted that some existing vegetation has been removed (conifers). As noted by the Council's ecologist, it would be disproportionate to require a full ecological survey, subject to a precautionary approach being adopted. This includes removing vegetation outside of nesting season and strimming grass before full clearance. Debris clearance should be mindful of any animals that may be within, allowing time for them to disperse. A suitably worded informative should be applied to this effect. A further condition should also be applied to secure details of ecological enhancements, should permission be granted.
- 5.24 Trees
Comments of the Tree Officer are noted. Existing trees have largely been cleared, save for a small Hawthorn tree adjacent to the existing access. Given that this tree is small in scale and not of particularly good condition, it would not be considered proportionate to require an arboricultural report or protection plan, in this instance.

Impact on Equalities

- 5.25 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.
- 5.26 With regards to the above this planning application is considered to have a neutral impact on equality.

Other Matters

- 5.27 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.28 Impacts on property values are not a material planning consideration.
- 5.29 The site being untidy at present is not material to the determination of this application but in any case, re-development would be likely to assist with this issue. Misuse of neighbouring amenity space by the site owner (understood to be temporary storage of waste) is a private matter and outside the consideration of this application for planning permission.
- 5.30 The existence a covenant or other legal restriction on the land is not a material planning consideration. This is a legal/conveyancing matter. Planning permission would not change this.
- 5.31 That renters may occupy the new flats has no bearing on the determination of the application. There is no reason to assume that people who rent instead of own their home are anymore likely to create safety or security issues. Those who rent are just as much part of the local community as older residents or those with children. It is proper and right that housing is provided to meet a variety of needs.
- 5.32 Potholes and existing damage to the road – this is a matter for the local highway authority but there is no reason to conclude that two new flats will result in any accelerated deterioration of the existing highway beyond its existing condition.

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 It is recommended that permission is **GRANTED** subject to the following conditions:

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 commencement of the relevant part of development [application of external/roof materials], details/samples of the roofing and external facing materials proposed to be used shall be 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 a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

3. Prior to occupation and prior to installation of any hard surface treatments or boundary treatments, landscaping details shall be submitted to the local planning authority for approval in writing. Details shall include all proposed hard surface materials, new boundary treatments, and planting (details of which to include species, amount and location). Hard surfaces and boundary treatments shall be installed as approved prior to occupation and planting shall be implemented in the first available planting season following first occupation.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the North side elevation of the building.

Reason

To preserve the amenity of neighbouring occupiers in accordance with PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

5. The hours of working on site during the period of construction shall be restricted to
Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays.
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To preserve the amenity of neighbouring occupiers in accordance with PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

6. Neither of the flats hereby approved shall be occupied until parking and access arrangements as shown on the submitted proposed site plan (GA010 B - as received 13th October 2023) have been provided in full. This shall for the avoidance of doubt include provision of new crossover as shown from Coniston Road and the removal of the existing boundary wall behind the 3no. spaces to serve Eason Court, accessed from Kestrel Close. Parking and access arrangements shall be retained thereafter.

Reason

In the interests of highway safety, satisfactory parking provision and to accord with PSP11 and 16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

7. Prior to first occupation, an ecological enhancement plan showing the locations and specifications of biodiversity enhancements shall be submitted to the local planning authority for approval in writing, to include (but not limited to) swift boxes. Biodiversity enhancements shall be installed as approved before first occupation.

Reason

To ensure appropriate ecological enhancements and to accord with PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

8. Development shall be implemented in accordance with the following plans:

GA012 A - proposed drainage plan
GA150 A - ground floor plan - space planning
GA151 A - first floor plan - space planning
GA200 A - existing elevations
GA201 A - proposed elevations
As received 11th August 2023

GA006 A - proposed block plan
As received 31st August 2023

GA011 B - proposed landscaping plan
As received 11th October 2023

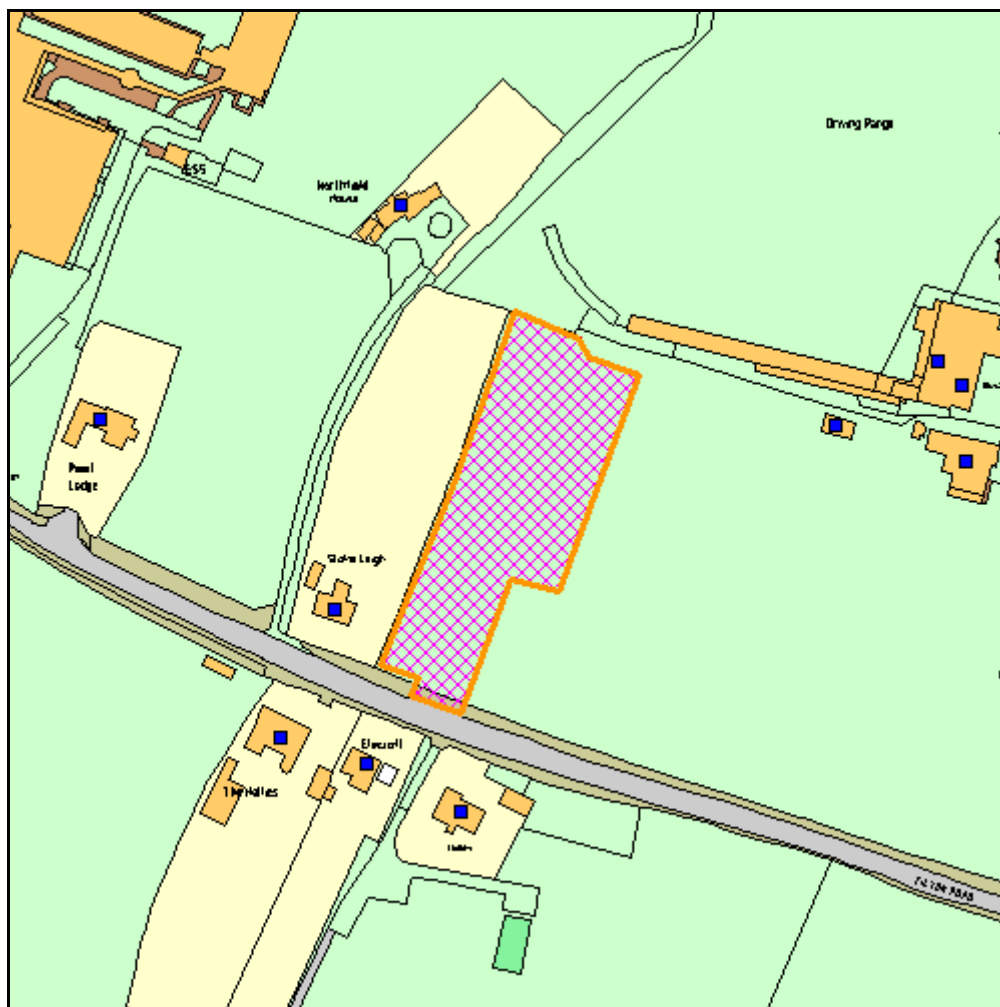
GA005 B - location plan
GA010 B - existing and proposed site plans
GA100 B - proposed floor plans
As received 13th October 2023

Reason
To define the exact terms of the permission.

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 44/23 -3rd November 2023

App No.:	P23/02469/F	Applicant:	Downend And Frenchay Tennis Club
Site:	Downend And Frenchay Tennis Club Common Mead Lane Hambrook Bristol South Gloucestershire BS16 1QQ	Date Reg:	31st August 2023
Proposal:	Erection of clubroom, formation of new maintenance access and associated works.	Parish:	Winterbourne Parish Council
Map Ref:	363133 178471	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	13th November 2023



© South Gloucestershire Council 2007. all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008.

N.T.S.

P23/02469/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.

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council and over 3 local resident comments, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a new clubroom and the formation of a new maintenance access with associated works at Downend and Frenchay Tennis Club, situated between Mead Lane and Filton Road.
- 1.2 The extension would be located at the northern edge of the site, close to the boundary with a golf driving range. The structure would be timber clad above a brick plinth and a profiled metal roof. The front (east) elevation faces outwards towards the courts. The structure is on a north-south axis and has a length of 14.5m (16m if an external balustrade) is included. The single storey building would have a height of 5.4m and depth of 4.5m (6.5 if the external balustrade is included). A 1.8m chain link fence is shown on the plans. A new maintenance access would be created to the southern end of the site.
- 1.3 The application is situated within the Bristol/Bath Greenbelt. Within context there are a number of other sporting facilities within the vicinity of the site. These include Frenchay Cricket Club, Bristol Golf Centre, the Dings Rugby Club as well as outdoor sports pitches at nearby UWE.
- 1.4 This application forms a resubmission of the previously approved application ref. P19/16655/F for which has expired due to time constraints. New changes introduced by this application is that the access to the highway is now to be made permanent so to enable access to the septic tank without vehicles crossing the neighbouring cricket pitch. This amendment has resulted in a change to the description of development, following such that a full reconsultation was issued.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 South Gloucestershire Core Strategy (Adopted)
CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility

CS23 Community Infrastructure and Cultural Activity
CS34 Development in the Countryside

South Gloucestershire Local Plan: Policies Sites and Places Plan

PSP1 Local Distinctiveness

PSP2 Landscape

PSP3 Trees and Woodland

PSP6 On-site renewables

PSP7 Development with the Green Belt

PSP11 Traffic Impact

PSP44 Open Space, Sport and Recreation

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P19/16655/F. Permission Granted, 8/1/2020
Erection of clubroom (Class D2) and associated works.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection. The proposed permanent access is onto a busy road with poor visibility. The Parish Council believes that this access also crosses green belt land.
- 4.2 Lead Local Flood Authority
No objection subject to advice regarding connection to the public sewer.
- 4.3 Highway Structures
No comment
- 4.4 Sustainable Transport
No objection, the development would have no material impact.
- 4.5 Tree Officer
No objection subject to compliance and watching condition.
- 4.6 Ecological Officer
No objection subject to clearance condition.

Other Representations

- 4.7 Local Residents
Following two rounds of public consultation, 9 sets of comments have been received. From these 9 comments, 6 of the comments have come from 2no addresses. 7 of these comments raise an objection to the proposal. The key points are summarise below.

- Harm to trees and habitat

- Trees not being replanted
- Cesspit is a short term saving
- Question regarding how often the cesspit would need emptying
- Sounds like the access is an alter motive
- Harm to Green Belt
- Close to high pressure gas line
- Harm to highway and pedestrian safety
- Poor visibility
- Tennis court floodlights would be more visible
- Harm to neighbours safety from trespassers through hedges
- Would lead to anti-social behaviour, fly-tipping, noise and disturbance
- Harm from construction and maintenance
- Harm from additional traffic

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site is located in the Green Belt. Development in the Green Belt is strictly limited with many forms of development deemed inappropriate. There are exceptions and these are set out in the NPPF (para 149). Appropriate facilities for outdoor recreation as long as these preserve the openness of the Green Belt and do not conflict with the purposes of including land within it are one of those exceptions.

5.2 PSP7 states that new buildings for outdoor sport and recreation must preserve the openness of the Green Belt and must not conflict with the purposes of including land within it, be directly related to and ancillary to an outdoor use and be of a scale and size appropriate to that outdoor use.

5.3 The site is sited on an established sporting facility and is surrounded on most sides by similar development. The facility is limited in scale and is appropriate to support the existing use. The proposed new maintenance access would be in used in connection to the existing use and is therefore not regarded as inappropriate development.

5.4 With regards to the impact of openness, due to the limited scale of development, the proposed new clubhouse and access would not result in any level of unreasonable harm so to refuse the application.

5.5 The NPPF, Policy CS23 and Policy PSP44 all support the provision of community facilities in principle and the proposal stands to be assessed against the above listed policies and all other material considerations. Of particular importance is the overall design and appearance of the proposal and its impact on the character of the existing building and that of the surrounding area CS1. The proposal would be acceptable in principle, subject to the consideration below.

5.6 Visual Amenity

The proposed development is located in a relatively secluded location surrounded by foliage and away from residential properties. The building is considered well designed with the main materials being brick and timber. The

profiled metal roof is to be dark in colour and largely covered on one elevation by solar panels (this is welcomed as it introduces on-site renewable energy generation top accord with PSP6).

- 5.7 In terms of its overall design, scale and massing the proposed single storey extension is considered acceptable and appropriate and in accord with Policy CS1.
- 5.8 With regards to the impact of landscape, the proposed access is limited in scale and within an area where other accesses are present. The removal of the small section of hedgerow would not result in any material impacts to the overall character of the area. Whilst it's accepted the removal of the section of hedge would result in a change to the immediate vicinity, due to the surrounding development and existing neighbouring accesses, it would not be harmful.
- 5.9 Residential Amenity
Comments have been received from neighbours with concerns over noise, disturbance, littering, anti-social behaviour, trespassers and light pollution. With regards to noise, disturbance and anti-social behaviour, the clubhouse would not be located close to residential dwellinghouses and due to the scale and interests of the tennis club, it is unlikely that any unreasonable degree of noise and disturbance would be caused. Should it become apparent that these issues are happening once the clubhouse is in operation, the councils Environmental Protection Team are able to take appropriate actions to ensure the health and wellbeing of the neighbours is protected. Trespassers do not form a material planning consideration, and there is no evidence that the proposal would result in this happening. With regards to littering, again there is no evidence as to why this would be increased from the proposal development.
- 5.10 Transportation
The proposed development would not affect the existing vehicular access and parking for the site and as such is considered acceptable in highway terms. It is noted that the maintenance access to the southern side of the site would now be made permanent so to allow access to the septic tank.
- 5.11 The proposed access would have good visibility splays in either direction, with officers measuring a minimum of 140m to the west and 125m to the east. From observations during the site visit, the road is very low trafficked, with the number of additional journeys to arise from the development to be negligible.
- 5.12 The number of trip rates in connection to this has not been specified as would it be dependent on the tank size and usage. However typically tanks are emptied no more than once or twice per year. As the description of development states it would be for 'maintenance access', should this access be used for any other purposes, then additional permission would be required. It would be reasonable to secure this via condition. A further condition should be attached to ensure the first 5m of hardstanding from the highway should be of a bound material (i.e. not gravel) so to prevent loose material being dragged onto the road.

5.13 Trees/ Ecology

A tree report has been submitted that indicates a small area of foliage will be removed to secure an access on the southern boundary. This consists of a mixed group of predominantly hawthorn with some blackthorn. All other planting will be protected. The extent of these works has been examined by the Tree Officer, with no objections raised subject to compliance with the submitted report and that the supervision and monitoring of all works in the root protection areas of the existing trees is overseen by the employed arboricultural consultant.

- 5.14 With regards to ecology, no objections are raised subject to the removal of the hawthorn being done outside of bird nesting season (February to August inclusive). The grass/ruderal habitats along the roadside to be cleared (to facilitate the new access) must be strimmed to a height of 150-200mm and then mown to a short sward before clearance so to allow any animals to disperse and create an unfavourable habitat. Subject to these conditions no objections are raised.

5.15 Drainage

With regards to foul sewage, the preferred method would be via a Package Treatment Plan as opposed to a Septic Tank. Nonetheless, mean of sewage disposal would need to comply with current building regulations, for which government advice is not to overlap policy. As such, no objections are raised.

5.16 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.

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

5.17 Other Matters

With regards to the neighbour comment regarding the high pressure gas pipeline, no record of this has been found in the councils mapping database. In such instances the responsibility rests on the applicant to ensure due diligence is followed during the construction process.

6. CONCLUSION

6.1.1 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 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

- 7.1 Planning permission is **GRANTED** subject to the conditions set out 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. Plans
The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Received by the council on 23rd August 2023: Site Location Plan, Proposed Blok Plan (Rev C), Proposed Site Layout (Rev C), Proposed Floor Plan (Rev C), Proposed East Elevation (Rev C), Proposed North and South Elevations (Rev C), Proposed West Elevation (Rev C), Proposed Drainage Details (Rev G).

Reason

To define the terms and extent of the permission.

3. The proposed maintenance access shall only be used for maintenance and construction purposes only associated with Downend and Frenchay Tennis Club and for no other purposes whatsoever.

Reason

To ensure compliance with the description of development and to prevent additional highway traffic without further review from the Local Planning Authority in the interests of pedestrian and vehicular safety. To comply with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

4. The first 5m of hardstanding from the highway must be formed using a bound material (i.e. not gravel).

Reason:

To prevent loose material being dragged onto the highway which could pose a risk to vehicular safety, to comply with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

5. During all stages of construction, the required works must proceed in strict accordance with the measures provided in the Arboricultural Report (Revised) (September 2019) and that the supervision and monitoring of all works in the root protection areas of the existing trees is overseen by the employed arboricultural consultant.

Reason:

To prevent remedial action and to ensure the works are carried out without harming the wider trees and hedgerows. To comply with Policy PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

6. The removal of hedgerow to facilitate the new access must be done outside of bird nesting season (February to August inclusive). In addition, the grass/ruderal habitats along the roadside to be cleared (to facilitate the new access) must be strimmed to a height of 150-200mm and then mown to a short sward before clearance so to allow any animals to disperse and create an unfavourable habitat.

Reason

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).

Case Officer: Thomas Smith

Authorising Officer: Helen Ainsley