

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: 16/23

Date to Members: 21/04/2023

Member's Deadline: 27/04/2023 (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 21 April 2023

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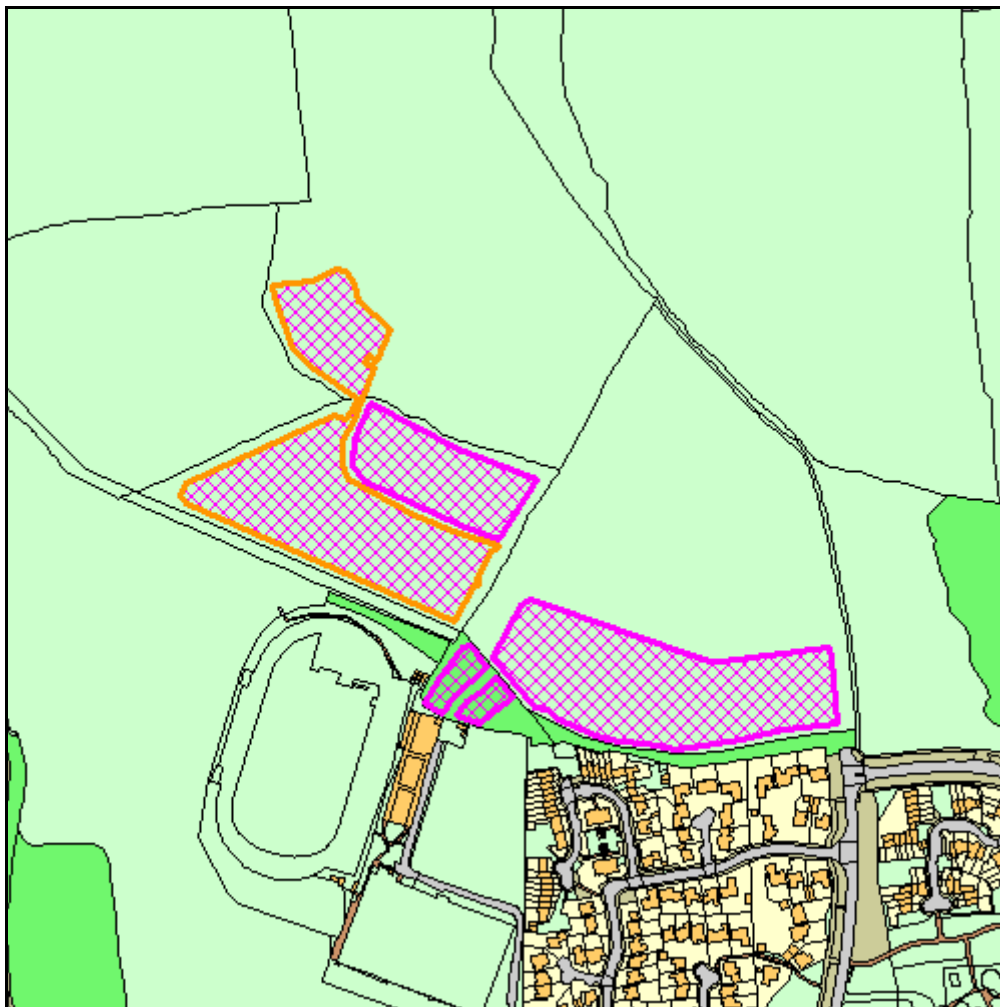
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P22/04365/RM	Approve with Conditions	Parcels PL2, PL4A, PL4B & PL5B Land At North Yate New Neighbourhood South Gloucestershire	Yate North	Yate Town Council
2	P23/00651/PIP	Approve	Land To Rear Of 25A London Road Wick South Gloucestershire BS30 5SJ	Boyd Valley	Wick And Abson Parish Council

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
17/23	12 O'Clock Tuesday 25 April	9am Thursday 27 April	5pm Thursday 4 May	Friday 5 May
18/22	No Circulated due to elections.			
19/22	Normal			
20/22	Normal			
21/22	12 o'clock Tuesday 23 May	9am Thursday 25 May	5pm Thursday 1 June	Friday 2nd June

Dates and officer deadlines for Circulated Schedule May Bank Holiday and Kings Coronation 2023

CIRCULATED SCHEDULE NO. 16/23 -21st April 2023

App No.:	P22/04365/RM	Applicant:	Mrs Sarah Dickenson Barratt Homes Bristol Division
Site:	Parcels PL2, PL4A, PL4B & PL5B Land At North Yate New Neighbourhood South Gloucestershire	Date Reg:	10th August 2022
Proposal:	Erection of 145 no. dwellings with associated landscaping and infrastructure, with access, appearance, landscaping, layout and scale to be determined (Approval of Reserved Matters to be read in conjunction with outline permission PK12/1913/O amended by P19/6296/RVC).	Parish:	Yate Town Council
Map Ref:	371123 184198	Ward:	Yate North
Application Category:	Major	Target Date:	28th April 2023



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 100023410, 2008. **N.T.S.** **P22/04365/RM**

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 because objections have been received from Yate Town Council and six interested parties contrary to the officer recommendation.

1.1 THE PROPOSAL

This application seeks reserved matters consent for the erection of 145 no. dwellings with roads, drainage, landscaping and associated works with appearance, layout, scale, and landscaping to be determined. Approval of Reserved Matters to be read in conjunction with outline permission PK12/1913/O as amended by P19/6296/RVC. This outline consent included details of access into the site off Randolph Avenue and Leechpool Way, with provision for access from Peg Hill. The scheme benefits from an approved design code (North Yate New Neighbourhood Design Code Rev D March 2017) and masterplan (Condition 39 Detailed Masterplan 4739-LDA-00-XX-DRL-0013), as well as a number of framework plans approved at outline stage.

1.2 The application site comprises parcels 2, 4A, 4B and 5B in the North Yate New Neighbourhood, as shown on the approved phasing plan. The site is located on the southwestern edge of the NYNN development bounding the proposed Employment Area, Yate Outdoor Sports Centre (YOSC) and residential properties on Long Croft. The site is wholly within the Yate Woods Character Area.

1.3 The units consist of a mixture 2, 3 and 4 bedroom houses and 1 block of 1 bedroom flats. The majority of housing is 2 stories in height with the exception of a row at the northern edge of Parcel 5b which is 2.5 and 3 storey and the flats which are in a 3 storey block on the north western corner of parcel 4B. Of the 145 dwellings, 55 would be for affordable housing. A statement of compliance has been submitted in support of this application to set out how it complies with the approved parameter plans and Design Code.

1.4 Through pre-application discussions and negotiation during the application process, the following are some of the improvements secured to the scheme:

- The Play Areas have been removed from this proposal and will be considered under a separate RM application. The position of the play areas was previously agreed by DOC19/00314 (see planning history).
- Slight reduction in density in Parcel 2
- Mitigation for noise from Sport's Pitch to be provided to specified plots.
- A lighting assessment undertaken

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance
National Design Guide

2.2 Development Plans

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

The development plan for South Gloucestershire comprises of the following documents:

- Local Plan: Core Strategy (2013)
- Local Plan: Policies, Sites and Places (PSP) Plan (2017)
- West of England Joint Waste Core Strategy (2011)

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

CS16 Housing Density

CS17 Housing Diversity

CS18 Affordable Housing

CS30 Yate and Chipping Sodbury

CS31 North Yate 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

PSP10 Active Travel Routes

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

PSP37 Internal Space and Accessibility Standards for Affordable Dwellings

PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

The South Gloucestershire Residential Parking Standards SPD (adopted)

Waste Collection: Guidance for New Developers SPD (adopted)

Extra Care and Affordable Housing SPD (adopted)

Trees and Development Sites SPD

Emerging planning policy (New Local Plan)

The Local Plan is at an early (Regulation 18) stage in its preparation, and therefore carries little and limited weight (in line with NPPF para 48b).

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/042/SCO, Scoping Opinion for a proposed mixed-use site approximately 104ha in North Yate.
- 3.2 PK12/1913/O, Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Outline application including access with all other matters reserved. Approved on 17th July 2015.
- 3.3 PK15/5230/RVC, Variation of condition 41 of Planning Permission PK12/1913/O to change the proposed wording which related to the need for an Energy Statement and energy targets. Approved on 6th May 2016.
- 3.4 PK16/2449/RVC, Variation of condition 12 attached to planning permission PK12/1913/O to allow for a programme for archaeological investigations across the site. Approved on 15th August 2016.
- 3.5 PK17/0039/NMA, Non-material amendment to Condition 19 of PK16/2449/RVC (Outline planning permission for the North Yate New Neighbourhood) to reflect the updated phasing plan submitted pursuant to Condition 4. Approved on 23rd February 2017.
- 3.6 PK17/4826/RVC Variation of conditions 12, 19 and 41 attached to outline planning permission PK12/1913/O to rationalise and validate amendments to conditions previously granted under application reference numbers PK15/5230/RVC, PK16/2449/RVC, and PK17/0039/NMA. Approved 27th November 2017
- 3.7 P19/6296/RVC, Variation of condition 19 attached to outline planning permission PK12/1913/O (as amended under applications PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA and PK17/4826/RVC) to amend the wording of the condition (19) to "There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. Construction use and residential use are deemed operational". Approved on 13th September 2019.
- 3.8 PK17/4260/RM, Laying out of landscape and infrastructure (Phase 0) including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping. (Approval of reserved matters including appearance, landscaping, layout and scale to be read in conjunction with Outline Planning Permission PK12/1913/O superseded by PK16/2449/RVC). Approved on 21st May 2018.

- 3.9 PK18/1656/RM, Approval of remaining site wide infrastructure including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping in relation to Phase 0 (Reserved Matters application to be read in conjunction with outline planning permission PK12/1913/O) amended by PK17/4826/RVC in regards to landscaping, appearance, layout and scale). Permitted 5th December 2018.
- 3.10 P21/02991/NMA, Non material amendment to P19/6296/RVC to change the description of development as stated in outline planning permission reference PK12/1913/O and subsumed into outline planning permissions reference PK15/5230/RVC, PK16/2449/RVC, PK17/4826/RVC and P19/6296/RVC to Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), residential care home or extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Approved 02nd July 2021.
- 3.11 Reserved matters applications for neighbouring residential parcels including P22/02306/RM for 186 dwellings in Parcels 3 and 14A, B and C to the North of Parcel 2 and P21/02473/RM for the erection of 157 dwellings in Parcels 5c and 6 to the north of Parcel 4B.
- 3.12 PRE22/0236 – Application for the approval of reserved matters to erect 147 residential dwellings and their associated roads, drainage, garages, parking, landscaping and open space.
- 3.13 DOC19/00314 - Discharge of condition 15 (Public open space) attached to permission PK17/4260/RM. Laying out of landscape and infrastructure (Phase 0) including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping. (Approval of reserved matters including appearance, landscaping, layout and scale to be read in conjunction with Outline Planning Permission PK12/1913/O superseded by PK16/2449/RVC).
- 3.14 P22/05330/RVC - Variation of Condition 39 of 19/6296/RVC to amend the Land Use Parameter Plan to allow a mix of B1/B2 to come forward on the northern parcel of employment land (2.4ha) in respect to consented outline application PK12/1913/O (as amended under applications PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA, PK17/4826/RVC and 19/6296/RVC) for Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), residential care home or extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2), provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Outline application including access with all other matters reserved – Under consideration.

4. CONSULTATION RESPONSES

External consultations:

4.1 Yate Town Council

Request a site panel visit before determination if officers are minded to grant consent, so that members and officers can see the Yate Outdoor Sports Complex (YOSC) facilities and assess the impact on YOSC and on the residential amenity of existing and new residents.

Object on the following summarised grounds:

- Excessive density near existing residential properties increasing the impact of development on those adjoining occupiers.
- Ensure that new housing is not on higher ground levels than the existing
- Ensure surface water from site does not increase surface water on sports pitches noting the rhine by the play area flows towards the sports pitches and Plots 88 – 95 drain into the rhine.
- Concern that drainage of the eastern part of the site is draining into an area with known problems.
- Relationship of proposed housing to the sports facility and the potential for complaints from new residents in relation to noise and floodlighting.
- Concern about security of YOSC boundary and request close boarded fencing and high gates
- Space between the development and existing residential should be designed to avoid access by vehicles with risk that these areas will be misused.
- Object to position of the Play Area straddling a road, resulting in loss of woodland and without passive surveillance and suggest that it is relocated in an area designated as grass.(Officer comment: The Play Area element of the scheme has been removed although their location was determined under DOC19/00314)
- Suggest increased planting requested along rhine.
- Concerned about road layout and pedestrian safety.
- Concerned about movement of large vehicles.

4.2 Councillor Chris Willmore – made comments in addition to those of the Town Council objecting to the position of the play area and raising concerns about drainage flows towards the play area and neighbouring sports facility.

4.3 Yate Outdoor Sports Complex (YOSC) – A high fence is required between the development and YOSC. Object to the play area being located so close to the boundary and risk of anti-social behaviour. Existing skate parks could be refurbished rather than providing new.

4.4 Local residents - Six letters have been received from five neighbouring occupiers objecting on the following summarised grounds:

- Density – the plans show an unacceptable increase in density and more tightly packed housing than the masterplan for the site which will have an unacceptable impact on the amenity of residents bordering the site. The layout is not in keeping with existing neighbouring development.
- Deviations from the originally approved plans should be clearly set out and fully justified. It is difficult for residents to review all the relevant documentation
- The council’s website is difficult to follow.
- The overgrown area between Long Croft and the new development is essential for maintaining privacy for existing residents.
- The compliance statement is incorrect and does not identify the increase in density beyond the approved parameter plans.

4.5 National Highways – No objections

Internal consultations:

4.6 Urban Design – Consultation response concentrated on points of detail to individual plots such as means of enclosure, definition of public/private space, material application and use of block paving on shared streets and private drives.

4.7 Public Open Space Officer – Consultation response raised issues with application plans not being consistent and conflicts between proposed drainage runs and trees for example. Clarity sought on areas for private ownership, management company and adoption and appropriate demarcation. Street lighting and bin stores should not be located in public open space or encroach into it.
The detail of the proposed play areas is no longer being considered as part of this application and will be considered under a separate RM application.

4.8 Landscape Officer – Consultation response requested some changes to the layout to increase the distance between some of the proposed housing and existing landscaping on site. The impact of visitor parking design on landscaped areas raised as an issue. Further suggestions made to improve individual plots and increase soft landscaping by rearranging parking, repositioning boundary treatments and reorientating dwellings. Identified that the proposed tree pit detail is not acceptable. Additional measures suggested to improve street lighting and details of lighting in private areas requested. The comments from YOSC requesting a close boarded fence were noted but not supported. Numerous concerns and suggestions made about the proposed play areas but the assessment of the play areas has now been removed from the application.

4.9 Highways Officer – Consultation response highlighted a few areas where the tracking highlighted conflicts and required updating. Also requested additional block paving.

4.10 Affordable Housing Officer – No object subject to confirmation regarding wheelchair units and access arrangements to Block H.

4.11 Environmental Protection – Requested noise survey which was duly provided. Agreed with findings of the submitted noise survey and that mitigation can also be secured by condition. A Lighting Assessment was also requested and provided. This Assessment concluded that light spill and glare was within acceptable levels for the Environmental Characteristics of the Area.

- 4.12 Climate Change Officer – Noted the scheme is intended to comply with Part L1A of the 2021 building regulations.
Encourage applicant to review specification and improve energy efficiency.
Disappointed by the specification of gas boilers and encourage applicants to review their heating and hot water strategy.
Noted will also incorporate roof-mounted PV which is needed to comply with Part L1A of the regulations as gas combination boilers remain in the specification.
Overheating should be considered.
EV charging should be included in energy strategy.
- 4.13 Drainage Officer – No objection
- 4.14 Public Art - No objection
- 4.15 Archaeological Officer - The archaeological work required as part of the outline application has been completed. A small number of archaeological features were identified but these have been interpreted and further work is not necessary. No further archaeological work is required for this RM.
- 4.16 Crime Prevention Design Advisor – find the design to be in order and complies appropriately with the crime prevention through environmental design principles.
- 4.17 Tree Officer – No objection subject to conditions to secure compliance with the submitted Arboricultural Method Statement and plans.
- 4.18 Street Lighting – South Glos were the appointed designers for the proposed road lighting. Therefore, the proposed road lighting is considered to be satisfactory from the Council's Street Lighting Team's perspective. The Street lighting design was amended following input from the council's and applicant's ecologist.
- 4.19 Self Build Officer - The original planning application PK12/1913/O pre-dates policy PSP42. On this basis, policy PSP42 Self and Custom Housebuilding is not relevant to this application.
- 4.20 Listed Building and Conservation Officer – No objection
- 4.21 Ecology – Reviewed the application against the ecological conditions attached to the outline permission and sought clarification on a number of issues where it was unclear whether the requirements had been or would be fulfilled elsewhere on the site.
Requested lighting plan was updated to reduce light spill to sensitive areas.
Requested Management Plan was updated. Requested updates to Bat and Bird Box locations.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

- 5.1.1 North Yate New Neighbourhood is a major development site allocated by policy CS31 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 for a major mixed use development of up to 3000 dwellings. Outline consent was granted

on 17th July 2015 for a mixed use development across 100.76 hectares of land comprising up to 2450 new dwellings, including 4.63 hectares of employment land, a local centre, two primary schools and supporting infrastructure. This approval covers a substantial area of the NYNN allocation. A masterplan and design code for the North Yate New Neighbourhood were subsequently approved by the Local Planning Authority on 20th January 2017 and 12th May 2017 respectively. The principle of the development is therefore, acceptable.

5.2 Environmental Impact Assessment

5.2.2 This Reserved Matters application is a subsequent application in respect of EIA development. It is considered that the proposal is within the scope of the original Environmental Statement and consideration of the reserved matters below sets out how the scheme complies with the principles and parameters secured in the outline permission to avoid and mitigate significant environmental impacts. There are considered to be no new significant effects.

5.3 Layout, landscaping, scale and appearance (The Reserved Matters)

5.3.1 The approved Masterplan and Design Code set out a number of Framework Plans and the proposed form of development is largely consistent with these, and deviations justified as set out in this report.

5.3.2 Residential use is specified for these parcels in the Land Use Framework. The Building Heights Framework suggests building heights of 2 stories to the southern edge where the development bounds Long Croft and increasing to 2.5, 3 storeys to the north and west. The proposed building heights are within this range. The Urban Structure Framework requires a semi continuous frontage for the majority of parcel edges to the remainder of the edges with a looser knit edge specified for the southern edge of Parcel 4 and a rear garden edge for the southern edge of Parcel 2. This has broadly been complied and deviations are discussed later in the report in assessment of compliance with the Design Code.

5.3.3 The Design Code sets out that the consented density parameter plan allows for a range of densities across the plan, distributed in response to the townscape and landscape context as well as proximity to public transport. The density parameter plan indicates higher density around the local centre and this is reflected in the flatted development approved in and around the centre. The density in parcel 2 which adjoins the existing residential properties on Longcroft has been raised as an issue in a number of neighbour responses to the application as it exceeded the recommended range of 25 to 40 dwelling per hectare. The density has been reduced slightly to within the range, but it is acknowledged that it is still at the upper end of the range. Density must be considered alongside other elements of the scheme, such as character of the area and relationship to the existing housing to the south. It is considered that the now reduced density proposed provides an acceptable layout, scale and appearance of the parcel.

5.3.4 The Access and Movement Framework is also relevant to the individual parcel layouts within this RM application and the parcel layouts provide pedestrian and vehicular routes through the site. The proposal responds to the infrastructure approved under separate RMs which in turn responded to the Green Infrastructure Framework, Blue Infrastructure Network and the Access and Movement Framework approved under

separate infrastructure RM approvals. The play areas are no longer being considered as part of this application and will come forward in a separate RM application. However, their location was determined under DOC19/00314.

- 5.3.5 The approved Design Code expands on the principles secured in the parameters plan to provide more detailed guidance on the type of development for each location. Each character area contains specific codes and guidance to ensure that a distinct character emerges through the adherence to simple rules. A Code Reference Plan provided for each character area stipulates which codes must be used when designing at the RM stage. Yate Woods is intended to be shaped and strongly influenced by the original hedgerow and tree corridors extending through the development with a more informal layout including tree planting and soft landscaping within the parcels. The parcels the subject of this application are the last identified residential parcels in the wider site and the previous Reserved Matters approvals also provide context.
- 5.3.6 The Urban Edge Codes specify the setback, the plot rhythm and the plot width that serve to create the character envisaged in the parameters plans such as the Urban Structure Framework and Density Framework.
- 5.3.7 The Design Code for Yate Woods specifies a range of housing for Parcel 2. U1W (2 Storey detached) is specified facing the southwestern edge of the development and detached houses are used here but do extend further to the east than the code suggests. U2W (2 storey semidetached) is recommended for the rest of the western edge and the western half of the northern edge, and this is largely complied with but with two terraces of three also included. U9W (2 storey gable ends) is specified for the remainder of the northern edge. No Urban Edge code is specified for the southern edge as the Urban Structure Framework had indicated that the development edge was parallel to rear gardens. The same edge was specified in Phase 1 for parcels 14D and 22 and in these parcels rear garden boundaries were placed on the parcel edge. The proposed layout positions the houses on the eastern end of the southern edge perpendicular to the southern boundary. Therefore, existing housing within Long Croft would view gables and side boundaries of gardens rather than a back-to-back relationship. It is considered that the proposed relationship would have an acceptable impact on the residential amenity of existing neighbouring occupiers and would not worsen the impact on ecology or landscape and on this basis the deviation from the code is considered to be acceptable. Further east the proposed houses face the southern boundary rather than back onto it and again this is considered to be an acceptable relationship with existing development.
- 5.3.8 The design codes for parcel for 4A specifies U2W (2 storey semi detached) as it follows on from Parcel 2 and this has been complied with. U9W (2 storey gable ends) is specified for the remainder of the parcel and this has been complied with the exception of the south western corner where detached houses face towards the site edge. These dwellings do have outward facing gables or gable features so the effect of change is negligible on the character of the parcel. The design code for parcel 4B specifies U2W (2 storey semi detached) and U3W (2 storey terraced). A notable deviation here is a three storey apartment block on the north western corner. The relationship to the Green Edges also differs from the code and there is not a shared

surface/pedestrian route along the northern and eastern edge of the parcel. It is considered that this is an acceptable change as these edge are enclosed by an existing hedgerow with no permeability. Whilst there is no through route the green edge character is still used.

- 5.3.9 Parcel 5B carries on the 3 storey/2.5 storey semi detached layout approved on the adjacent parcel and this is considered to be acceptable and in keeping with the character and appearance of the area and an acceptable deviation from the 3 storey terrace specified in the code. Two storey semi detached houses are used on the southern edge in place of terraced again and this is also considered to be acceptable.
- 5.3.10 The Boundary Codes specify the type, material and variation of boundary treatment along urban edges to create a consistent character. The specified boundary treatment is consistent with the code and neighbouring approved parcels.
- 5.3.11 The Green Edge Codes specify street/footway dimensions, materials and landscape where development meets a green edge. The development layout and design of streets and paths at the urban edge are consistent with the guidance.
- 5.3.12 The Primary and Secondary Street Codes have been considered under a separate infrastructure Reserved Matters application. The Tertiary Street Guidance has been complied with to the satisfaction of officers and in line with improvements sought on previous parcels to increase the amount of block paving, tree planting and build outs. The design of the tertiary streets in Parcel 2 accommodates the potential for a turning head to serve the vehicular access to YOOSC.
- 5.3.13 The Green Infrastructure Areas separating the parcels the subject of this application have also been considered under a separate infrastructure Reserved Matters application and the submitted layout has demonstrated that it fits comfortably with the approved infrastructure. A section of the Green Infrastructure Corridor was included within this RM to provide the detailed design of the Play Areas but this has now been excluded. The approved Green Infrastructure Areas also separate the Reserved Matters Parcels from YOOSC and the boundary with Longcroft. This includes Tree Protection, Tree removal and additional planting along these boundaries.
- 5.3.14 The Design Code also specifies some architectural detailing and a materials palette. The proposed house types and materials are in keeping with the Design Code and previously approved parcels relevant to the Character Area. The apartments also follow this guidance providing true balconies as required.
- 5.3.15 In addition to complying with the principle and parameters secured in the outline consent the proposal must also comply with the relevant policies contained within the Development Plan and any other material considerations.
- 5.3.16 Core Strategy Policy CS1 seeks to ensure that new development is of the highest possible standard of design and is inter alia of an appropriate scale, form, appearance and layout that respects and enhances the character, distinctiveness and amenity of both the site and its context. Policies Sites and Places Plan PSP 2 requires landscape design to be of a high standard. It is considered that by responding to the parameter plans and Design Code that the layout, scale and appearance of the proposed development complies with Policy CS1 and PSP2

5.3.17 The Reserved Matters have also adequately responded to other requirements such as conditions on the outline consent, housing requirements, highway safety, parking standards, private amenity space standards, back to back distances, tree protection, ecology, public rights of way, energy efficiency, designing out crime and waste collection having regard to The South Gloucestershire Residential Parking Standards SPD (adopted), the Waste Collection: Guidance for New Developers SPD (adopted), Extra Care and Affordable Housing SPD (adopted), Trees and Development Sites SPD and these are discussed in more detail later in the report. Overall, despite the concerns raised by Yate Town Council and local residents it is considered that the layout, landscaping, scale and appearance of the development are acceptable.

5.4 Other Matters

5.4.1 *Residential Amenity* - PSP8 requires development to provide acceptable living conditions for future occupants and not result in unacceptable harm to the amenities of existing residents. PSP21 relates to Environmental Pollution and Impacts and PSP43 provides Private Amenity Standards. There is also guidance on separation distances. Parcel 2 adjoins existing residential development and it is considered that the proposed layout has responded well to the existing residential development ensuring no unacceptable impacts on residential amenity. Sections show that there is no significant change in levels such that the proposed houses would not appear unduly prominent when viewed from the existing residential properties. The proposed houses would be orientated and sited sufficiently distant from the existing residential properties so that they would not result in unacceptable levels of overlooking. Parcel 2 is separated from the boundary with Longcroft by an area of Green Infrastructure approved under a previous RM. That approval shows the existing hedging between Longcroft and the site to be retained.

5.4.2 The impacts of the neighbouring YOSC on future residents have been considered during this application and the applicant has provided a noise and lighting report. Following some clarifications both reports set out that there will be some impact on residential amenity but adequately demonstrate that the proposed layout of the residential development is compatible with the existing use subject to some mitigation. The layout has responded to this neighbouring use by positioning the closest properties with no habitable room windows facing over the sports centre and some additional mitigation is proposed such as solid garden boundaries. This requirement forms a planning condition. It is considered that the development will provide a satisfactory level of amenity for future residents in accordance with the above policies.

5.4.3 *Affordable Housing* - The proposal is for 145 dwellings of which 55 dwellings would be for affordable housing. A site wide affordable housing schedule has been agreed with the Council's Enabling Officer as required by condition 5 on the outline consent to ensure a sufficient quantum, mix and distribution of affordable homes throughout the parcels at the NYNN. The proposal complies with the agreed schedule and there are no clusters exceeding the recommended number of units as set out in the Extra Care and Affordable Housing SPD. Therefore, it is considered that the placement of the units achieves mixed and balanced communities across the development as a whole and does not represent an unacceptable cluster that would warrant refusal of the application. The ground floor flats on the blocks of 9 flats have separate access so the shared access does not exceed 6.

- 5.4.4 *Security*- The design complies with the crime prevention through environmental design principles and therefore, accords with policy CS1 in the Council's Core Strategy. YOSC raised concerns about their site security but the suggested inclusion of close boarded fencing to the boundary would have a harmful impact on the proposed landscape and in any event falls outside the redline of these applications and within the previously approved infrastructure RM.
- 5.4.5 *Sustainability* - The aspirations and requirements of the development in relation to sustainability have already been agreed by virtue of the approval of the outline permission (granted on 17th July 2015), and reserved matters are required to be determined in the context of the conditions attached to the outline permission. Condition 40 on the outline permission requires an energy statement to be submitted to set out how passive solar gains and cooling of buildings and natural ventilation will be maximised, insulation measures to reduce energy demand, and a calculation of energy demand. The wording and requirements of condition 40 reflect the policy requirements of policy CS1 of the South Gloucestershire Core Strategy (2013) and focuses on passive solar gains and insulation measures to reduce energy demand; there is no requirement for any renewable/low carbon technology in this case. The condition pre-dates PSP6 in the Policies Sites and Places Plan Adopted November 2017, which imposes a more stringent energy saving requirement of 20% via renewable/low carbon energy generation sources on major greenfield residential development. The energy statement submitted focuses on a fabric first approach which prioritises improvements to the fabric of dwellings to avoid unnecessary energy demand and consequent CO2 reduction. Applicants have been encouraged to improve energy efficiency and include air source heat pumps rather than gas boilers but officers do not have the scope to insist on these improvements in this RM application, nor do building regulations currently require such measures.
- 5.4.6 *Transportation*- The tertiary streets have been purposely designed for shared surface use with no segregation between pedestrians and vehicles. The streets are almost fully block paved and will have 'buildouts' to reduce vehicular speeds. The various proposed traffic calming measures which include, transition strips located at the entrances to the streets, block paving, the narrow width of the streets, and the absence of any pavements, will indicate to motorists the change in nature of the streets to a shared surface and encourage reduced speeds. The Highway Authority has raised no objections to the proposed layout, nor to the level of allocated parking and visitor parking proposed in the scheme. Therefore, the proposal is considered to be acceptable in this regard and complies with Policy PSP16. Following revisions, the tracking plans submitted show that refuse vehicles and delivery vehicles could manoeuvre safely within the parcels, and the Council's Transportation Officer has raised no objection on this basis. The highway design of the scheme and tracking will be considered again at the S.38 highway adoption stage. An informative note is attached to encourage the developer to make future residents aware of the 20mph speed limit and for this speed restriction to be implemented as soon as practically possible. Accordingly, the design of the road is such that it is not considered that there would be any adverse highway safety issues and the Highway Authority have raised no objections on this basis. Parking has been provided in accordance with the council's adopted parking standards.

- 5.4.7 *Heritage Impacts* - The site is surrounded by existing and proposed built development. The closest heritage assets to the site are the grade II listed Tanhouse Farm and the Grade II Leechpool Farmhouse both located to the north of the wider NYNN application over 600m from the site, and Goosegreen Farm approximately 500m to the south of the site. The principle of residential development in this location has already been accepted in heritage terms by virtue of the approved outline consent. Given the level of separation, the compliance with the parameter plans, as well as intervening development, it is considered that there would not be a harmful effect on the setting of the listed buildings resulting from this reserved matters application. It is considered the layout, scale, appearance and landscaping of the site would not result in harm to the setting of the listed buildings.
- 5.4.8 *Drainage* - The Council's Drainage Officer has raised no objections to the proposal. The Drainage Officer is satisfied that the information submitted demonstrates compliance with the wider Surface Water Drainage Masterplan/Strategy. The concerns raised by the Town Council and YOSC in relation to drainage are noted. The Drainage officer has confirmed that the parcels the subject of this application discharge into piped infrastructure and not the existing ditches although noted that these do form part of the wider drainage strategy for the site.
- 5.4.9 *Waste Collection and Storage* – No objection is raised to the waste collection strategy which is in accordance with the guidance in the Waste Collection – Guidance for New Developers SPD and tracking has demonstrated that the layout can accommodate the council's refuse collection vehicles.
- 5.4.10 *Ecology* - A number of ecological strategies were secured as part of the discharge of conditions on the outline consent. This included a Landscape and Ecological Management Plan, and wildlife mitigation strategies. These strategies were required to help mitigate the impact on, as well as measures to enhance wildlife. An informative note is attached to notify the developer of the requirement to accord with the relevant conditions on the outline permission including the wildlife strategies. Plans have also been provided showing the locations of Bird and Bat boxes and hedgehog gaps in fences and these measures form part of the ecological strategy. Most of the streets within the parcels will be adopted and therefore, will be required to have street lighting and details of this have been provided as part of the application. The Council's ecologist has reviewed the street lighting and made recommendations to minimise light spill to ecological corridors. The street lighting has been revised to reduce light spill to ecologically sensitive areas.
- 5.4.11 *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 consent 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. Whilst there are some deviations from the approved design code it is considered that none of these are to the detriment of the character of the area or residential amenity. The scheme would deliver 145 new homes including 55 affordable homes in a sustainable location and will make a valuable contribution to housing supply.

7. **RECOMMENDATION**

- 7.1 Reserved matters consent is GRANTED subject to the following conditions.

CONDITIONS

1. No development shall commence on site until the trees which are to be retained on site and on adjacent land, have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): Trees in Relation to Design, Demolition and Construction -Recommendations in accordance with the approved Tree Protection Plan and Arboricultural Method Statement BBS23724ams Rev D. After it has been erected, the protective fencing shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas.

Reason: In the interest of the heath and visual amenity of trees and to accord with policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that trees are given sufficient protection and are not damaged by construction activities.

2. Notwithstanding the details submitted, prior to the commencement of the development, the design of tree pits; the location of the tree pits and root support system; and the extent of the adoptable area shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

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. This is a pre commencement condition to avoid any unnecessary remedial work.

3. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, samples of weatherboard cladding shall be

submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed 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.

4. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

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

5. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, sample panels of brickwork, demonstrating the colour, texture, facebond and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panels shall be kept on site for reference until the brickwork is complete. Development shall be carried out in accordance with the agreed samples.

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 construction of development above Damp Proof Course (DPC) level, the detailed design including materials and finishes of the following items on all dwellings shall be submitted to and approved in writing by the local planning authority:
 1. Eaves, verges and ridges
 2. All windows (including cill, reveal and lintels)
 3. All external door hoods, architraves, canopies and porches
 4. Extracts, vents, flues & meter boxes
 5. Dormers
 6. Weatherboard cladding relative to masonry external leaf/window frames
 7. Balconies.

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.

7. Prior to the construction of development above Damp Proof Course (DPC) level, samples of roof tiles to be used shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed 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.

8. The bin storage shown on the drawings hereby approved shall be provided before the corresponding dwellings are first occupied, and thereafter retained for that purpose.

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

9. The residential units hereby approved shall be built to the fabric first/energy efficiency measures as set out in the Energy Statement hereby approved, including units achieving a minimum airtightness of 5.01m³/h.m² @50Pa.

Reason: In the interests of sustainability and reducing the energy demand of dwellings beyond statutory minimum building regulations and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

10. All Affordable Dwellings shown on the approved Planning Layout plan shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2) with the exception of any self-contained accommodation built above ground floor level. Where Wheelchair units are identified on the approved planning layout these units will be constructed to meet South Gloucestershire Council's Specification Requirements for Wheelchair Units.

Reason: To ensure inclusive design access for all in accordance with Policy CS1 of the South Gloucestershire Council Local Plan Core Strategy (adopted) December 2013.

11. The 2025mm screen walls shown on the drawings hereby approved shall be built to the specifications sets out in the noise assessment prepared by Hepworth acoustics and be erected before the corresponding dwellings are first occupied, and thereafter retained for that purpose.

Reason: In the interest of the amenities of future occupants and to accord with policy PSP8 and PSP21 of the Policies Sites and Places Plan (adopted) November 2017

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

0642-14-100 Topographical Survey-A0L, 01st August 2022

0642-14-101 B Location Plan-A1L, 27th March 2023

0642-14-102 C Planning Layout-A0L, 06th April 2023

0642-14-103 B Street Scenes-A0L, 27th March 2023

0642-14-104-1 B External Works Layout-A0L, 27th March 2023

0642-14-104-2 C External Works Layout-A0L, 06th April 2023

0642-14-104-3 C External Works Layout-A0L, 06th April 2023

0642-14-104-4 B External Works Layout-A0L, 06th April 2023

0642-14-105 A Vehicle Tracking Layout-A0L, 20th February 2023

0642-14-106 B External Detailing-A2L, 27th March 2023

0642-14-107 B Adoption Plan-A0L, 27th March 2023

0642-14-108 B Materials Layout-A0L , 27th March 2023

0642-14-109 B Garages, Carports, Bin and Cycle Stores-A1L, 27th March 2023

0642-14-110 B Building Heights Plan-A0L , 27th March 2023

0642-14-111 B Refuse Strategy Layout-A0L , 27th March 2023

0642-14-114 Cycle Storage-A4L , 01st August 2022

0642-14-HTB-ISSUE 3 - Housetype Booklet-A3L, 27th March 2023

0642-14-1 (PL2-PL4) Parking Matrix-Issue 2-A4L, 20th February 2023

0642-14-2 (PL5) Parking Matrix-Issue 2-A4P, 20th February 2023
GL1839- Landscape Management Plan - Parcels PL2, PL4A, PL4B and PL5B , 04th April 2023
GL1839 01D Soft Landscape Proposals, 27th March 2023
GL1839 02D Soft Landscape Proposals, 27th March 2023
GL1839 03D Soft Landscape Proposals, 27th March 2023
468-PH7-010-01-Drainage Strategy_Sheet 1-Rev C, 27th March 2023
468-PH7-050-01-Engineering Layout_Sheet 1-Rev C, 19th April 2023
468-PH7-200-01-Sections_Sheet 1-Rev A, 20th February 2023
468-PH7-200-02-Sections_Sheet 2-Rev A, 20th February 2023
468-PH7-200-03-Sections_Sheet 3-Rev A, 20th February 2023
468-PH7-200-04-Sections_Sheet 4, 20th February 2023
468-PH7-200-05-Sections_Sheet 5-Rev B, 20th February 2023
468-PH7-506-01-Impermeable Area Plan_Sheet 1-Rev _, 01st August 2022
Barratt Homes SWMP - North Yate (Phase 7)
BBS21595-01E Sheet 11 of 15 Tree Survey Plan
BBS21595-01E Sheet 12 of 15 Tree Survey Plan
BBS21596ssE - Tree Survey Schedule
Sustainability Statement North Yate Phase 7 v2, 20th Feb 2023
BBS23724-03E Sheets 1 and 2 Tree Protection Plans, 27th March 2023
BBS23724amsD - Arboricultural Method Statement, 27th March 2023
Phase 7 - Hedgehog_Bat_Bird Layout-Rev C, 05th April 2023
P23-065-R01v3 North Yate Noise Assessment, 27th March 2023
BSB14313 P03 RPS North Yate Phase 7 Lighting Assessment, 05th April 2023
SLD - 586-001 Rev A Street Lighting and Electrical Requirements, 24th Feb 2023

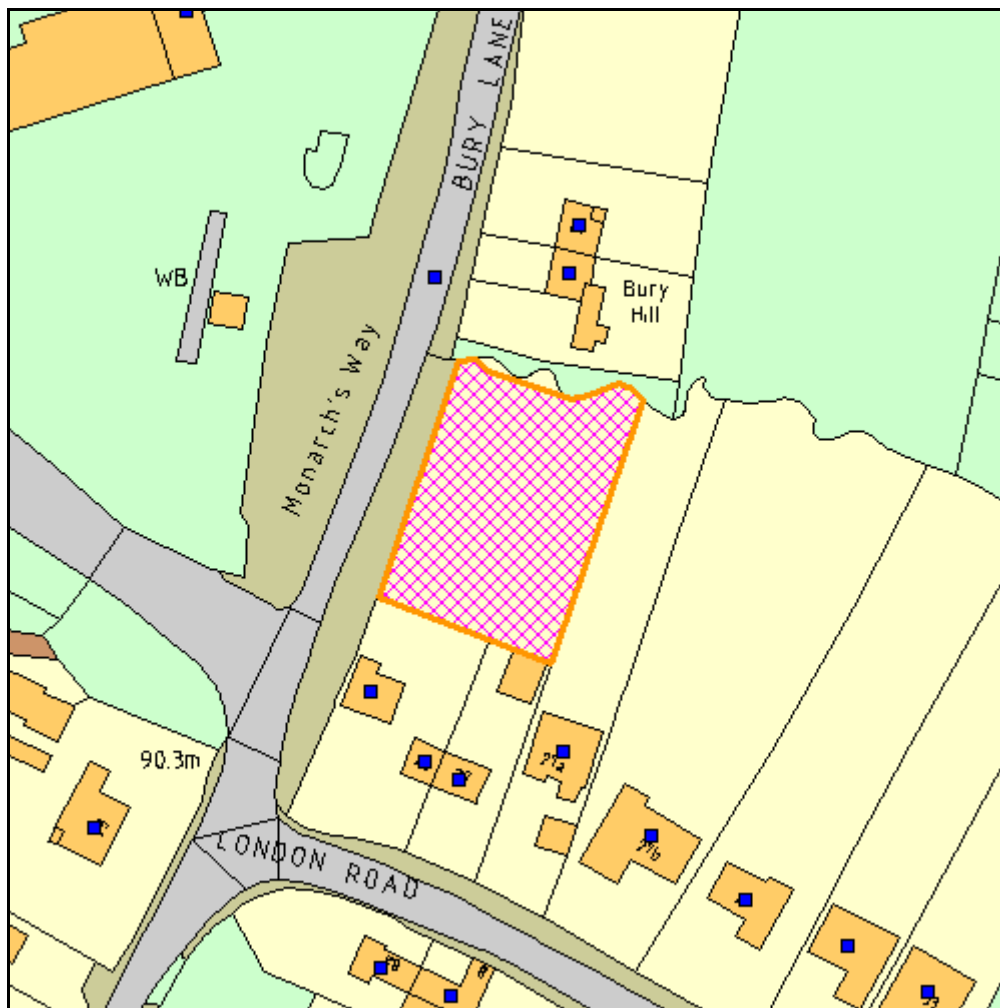
Reason: For the avoidance of doubt.

Case Officer: Eileen Medlin

Authorising Officer: Charmian Eyre-Walker

CIRCULATED SCHEDULE NO. 16/23 -21st April 2023

App No.:	P23/00651/PIP	Applicant:	Mr Tony Ward
Site:	Land To Rear Of 25A London Road Wick South Gloucestershire BS30 5SJ	Date Reg:	20th February 2023
Proposal:	Permission in principle for the erection of 1 to 2 dwellings.	Parish:	Wick And Abson Parish Council
Map Ref:	371087 172802	Ward:	Boyd Valley
Application Category:		Target Date:	21st April 2023



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 100023410, 2008. **N.T.S.** **P23/00651/PIP**

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 REFERRING TO THE CIRCUALTED SCHEDULE

The application appears on the circulated schedule because a response has been received from the Parish Council that is contrary to the findings of this report and officer recommendation.

More than 3no. responses have been received from interested parties contrary to the officer recommendation. However as these are all from the same individual, they are counted as one response overall.

1. THE PROPOSAL

- 1.1 This application is for a Permission in Principle application for land to the North of 25A London Road. The site lies outside of any established settlement boundary and is within the Bristol/Bath Green Belt. The site also falls within the Cotswolds AONB. The proposal is for the erection of up to 2no. dwellings.
- 1.2 The permission in principle (PIP) consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of development. Permission in Principle can be pursued either by inclusion on a LPAs Part 2 Brownfield Register or, on application to the LPA. The latter applies in this instance.
- 1.3 The permission in principle consent route has two stages:
 - The first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and
 - The second stage ('technical details consent') is when the detailed development proposals are assessed.
- 1.4 If the grant of permission in principle is acceptable, the site must receive a grant of technical details consent **before** development can proceed. It is the granting of technical details that has the effect of granting planning permission. Other statutory requirements may apply at this stage such as those relating to protected species or listed buildings. An application for technical details must be in accordance with the permission in principle that is specific to the applicant.
- 1.5 In the first instance a decision must be made in accordance with relevant policies in the development plan unless there are material considerations such as those in the NPPF and national guidance which indicate otherwise.
- 1.6 The scope of a Planning in Principle application is limited to:
 - location,
 - land use and
 - amount of development.

Issues relevant to these 'in principle' matters should be considered at the permission in principle stage.

- 1.7 During the application's consideration, the total no. of dwellings has been reduced, as initially the proposals were for up to 4no. dwellings. A period of public re-consultation was carried out in light of this.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Guidance
Town and Country Planning (Permission in Principle) Order 2017

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
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP40	Residential development in the countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007
Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Landscape Character Assessment SPD (Adopted) November 2014
CIL and S106 SPD (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

3.1 None recent nor relevant.

4. CONSULTATION RESPONSES

4.1 Wick and Abson Parish Council:

Initial response: objection due to intensification and overdevelopment.

Re-consultation: no further comment received.

4.2 Transportation DC

Initial response: no objection in principle subject to provision of footway link and appropriate details being submitted.

Re-consultation: as previous.

4.3 Drainage

Initial response: query foul and surface water dispersal methods.

Re-consultation: as previous.

4.2 Landscape

Initial response: 3 to 4 dwellings would constitute overdevelopment with associated harm to local character and AONB. Further info. Required at TDC stage.

Re-consultation: up to 2no. Dwellings is now more acceptable. If approved, further information would be required at TDC stage.

4.3 Environmental Protection

Initial response: the development site has a potential risk from contamination from unknown filled ground recorded to the West of the site. If minded to approve PIP, further information would be required at the TDC stage.

Re-consultation: no further comments received.

4.4 Local Residents

4no. responses have been received, albeit from the same individual (and so treated as one response). All responses received are in objection, and are summarised as follows.

Initial response

- Please supply further details and take this as a holding objection on behalf of local residents
- PIP is not suitable in this instance
- Should be subject to normal planning application process
- Not an infill site
- Not in the village
- Land is in the open countryside
- PIP route has been pursued to circumvent usual process
- Permission cannot be approved unless land is removed from the Green Belt which needs to be plan led through amendment to the boundary
- Site is not brownfield and so PIP is not applicable
- Please keep Pegasus Group notified of all progress
- Council need to decide if this site is suitable for PIP (appeal referenced)
- Green Belt is relevant to consideration of location
- Development would be inappropriate in the Green Belt
- Similar to appeal site in Essex
- Objections should be on the principle, not amount of development
- Housing supply issue should be dealt with via the local plan as opposed to cumulative release of small sites
- Would set a precedent

Re-consultation

No new issues are raised in the additional 1no. public response received in the re-consultation, which repeats the view that the development is not appropriate in the Green Belt and fails on the basis of location. Objection maintained notwithstanding the reduction in amount.

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The application is to consider the location, the type of development and the amount of development, but must be determined in accordance with the relevant policies listed above unless there are material considerations such as those in the NPPF which indicate otherwise.
- 5.2 The development plan directs residential development to within established settlement boundaries. CS5 of the Core Strategy specifies that new development should be within sustainable locations. Furthermore, new development should be informed by the character of the local area and contribute to the high quality design set out in Policy CS1 which, among other things, stipulate development will be required to demonstrate such issues as 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, and density and overall layout is well integrated with existing adjacent development and ensure soft landscaping forms an integral part of the design and makes a net contribution to tree cover in the locality. PSP43 sets out specific private amenity space standards for all new residential units. Policies CS8 and PSP16 deal with on-site parking, off-site impact on

highway safety and associated cycle parking standards. However, Policies CS34 (Rural Areas), among other things, specifically aims to maintain settlement boundaries and PSP40 (Residential Development in the Countryside) lists a set of criteria to be met and states that development must not have a harmful effect on the character of the countryside or the amenities of the surrounding area.

5.3 The application site is outside of (but adjacent to) the established settlement boundary. However, recent appeals relating to Land West of Park Farm (Thornbury) and Land South of Badminton Road (Old Sodbury)¹ have determined that the settlement boundaries on which CS5 rely are out of date. Following the issuing of the Thornbury appeal decision, the Council has been able to update its authority monitoring report (AMR) and is able to demonstrate a 5-year housing land supply. The most up-to-date figure as of 15th March 2023 is 5.26 years.²

5.4 Whilst the Council has a 5-year HLS, the settlement boundaries being out of date means that, in accordance with paragraph 11(d) of the NPPF, the 'tilted balance' is engaged. This is because the policies such as CS5, CS34 and PSP40 are deemed 'out of date' for decision making purposes. This means in practice that permission should be granted unless:

The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Assessment therefore needs to be made on the above basis.

Location

5.5 As outlined above, the Council's settlement boundaries are out of date and so whilst the development plan is the starting point for any decision making exercise, the fact the policies are out of date mean that they can only be afforded limited weight. To put it another way, whilst the site is outside the settlement boundary, this would not now mean that it automatically follows that the development is unacceptable in principle.

5.6 In this situation, the application should only be refused if the policies of the framework (NPPF) that protect assets or areas of particular importance provide clear reasons for refusal. If they don't, then permission should then only be refused if there are any adverse impacts that clearly and demonstrably outweigh the benefits. In this case and in accordance with footnote 7 of the NPPF, land designated as Green Belt and AONB is covered by 11 (d)(i) (i.e., it

is a 'protected area'). The location of the development therefore needs to be considered primarily in the context of the NPPF policies surrounding Green Belt, and the AONB.

5.7 The site is located within the Bristol/Bath Green Belt where the fundamental aim is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. As per para 134 of the NPPF, the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

5.8 Whilst development in the Green Belt is strictly controlled, the NPPF provides a number of exceptions where new buildings in the Green Belt may not be inappropriate. One such exception is limited infilling in villages.

5.9 The site falls just outside the designated settlement boundary, however, case-law establishes that settlement boundaries are not the only determinative factor as to whether a site can be considered to be in a village. Moreover, the settlement boundaries only carry limited weight as they are determined to be out of date following the appeals noted above.

5.10 The site sits adjacent to the existing settlement boundary and is then bounded to the North by 1 and 2 Bury Hill Cottages. In effect, the land is clearly between buildings and reads as a natural infill within the village, when the on the ground situation is considered. In terms of amount, the development comprises 2no. Dwellings (up to) and so this can be regarded as being 'limited'. Accordingly, the development is limited, would amount to infill and having regard to the out-of-date settlement boundaries and the 'on the ground' saturation, would clearly read as being within a village.

5.11 It therefore follows that the site would accord with the relevant exception in the NPPF in Green Belt terms. The land is currently open and would inevitably be less so once developed. However, in accordance with the Judgement of Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 404, if development is found to be not inappropriate, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land within the Green Belt (see APP/P0119/W/18/3214856 para.12).

5.12 The site is also within the AONB, which requires consideration as a protected area. PSP2 of the SGC local plan as well as the NPPF (chapter 15) both require the preservation and enhancement of the landscape and the natural/scenic beauty of the AONB. The NPPF at para. 177 also asserts that development in such areas should not be major.

- 5.13 A development of 2no. dwellings would be a small-scale development that could not be conceivably considered as major. Concerns were raised initially by the landscape officer and echoed by the case officer that 4no. dwellings (up to) could have a harmful impact on the character of the area and of the AONB in this location. However, the total number has been reduced to 2no. dwellings which would allow for a development more in keeping with the lower density development in the village. Subject to appropriate design to be addressed at the TDC stage, officers are satisfied that the development in this location in principle would not harm the natural and scenic beauty of the AONB.
- 5.14 In terms of location, the site would be within reasonable walking distance of the facilities in Wick, including bus services to higher level facilities elsewhere. There is therefore no locational objection in terms of transport, however, the TDC application would need to demonstrate appropriate parking and access arrangements. That said, officers are content that there would be space available to provide the necessary parking and that safe access could be achieved. A footway link within the adopted grass verge linking the site access to the footway on London Road would be required, which could be secured by a suitable legal agreement and appropriately worded Grampian style conditions. This however falls outside what can be considered at the PIP stage as no conditions can be added, and would need to be addressed at the TDC stage.

Land use

- 5.15 Aerial photography suggests that the land has been associated with 25 London Road, before the construction of 25A London Road. The application form states that the use is unknown and that the land is open with a garage. The land does not appear to clearly form part of the residential curtilage of 25 or 25A, and so could be considered as storage (B8 use). This however is academic as the consideration is whether residential land use is acceptable in this location. As above, the location is deemed acceptable in principle and the proposed residential land use would be between dwellings (i.e., residential uses). This therefore does not pose any concerns and the land use as residential is acceptable (in principle) having regard to current and neighbouring land uses.

Amount of development

- 5.16 The proposal is for up to 2no. dwellings. This would be a limited amount of development commensurate with the location which exhibits a lower density with spacious plots. The amount of development is such that the proposed would not have a harmful impact on the AONB or indeed the character of the local area, having regard to the relevant local plan policies.

Other matters

- 5.17 *Ecology* - Though an ecological assessment is not required at PIP stage, the assessment may find constraints that could delay the technical detail stage or even prevent it, best practice is to fully investigate the site for ecological constraints. As the site does not fall within statutory or non-statutory sites, there are no objections at this stage. Full ecological details would though be required at the TDC stage.

- 5.18 *Arboriculture* – A tree constraints plan, tree protection plan, Arboricultural Impact Assessment and Arboricultural method statement written in conjunction with BS5837: 2012 will be required at TDC stage, noting that there are trees on site and off site that could stand to be affected. There is however no objection in principle.
- 5.19 *Landscape* – Landscape impact aside from the matters of principle above cannot be determined without further detail. Detailed planting plan, landscape management plan and boundary and hard landscaping treatments will be required at TDC stage.
- 5.20 *Drainage* – Details of foul sewage and surface water disposal will be required at the TDC stage. Whilst the LLFA comments are noted, drainage details cannot be insisted up at this stage.
- 5.21 *Contamination* – comments of the EP Team are noted. Requisite details will need to be submitted at the TDC stage but officers note no objection in principle in terms of ground gas.
- 5.22 Comments are noted that PIP is not appropriate in this location and that a full application should be utilised. It is also noted that it is felt that this application circumvents the ‘traditional’ planning process. Whilst officers understand this concern, the applicant is entitled to pursue a PIP application if they so wish and PIP is not only limited to land included on the part 2 brownfield register. Indeed, PIP can be sought either by inclusion on the P2 brownfield register **or** on application to the LPA. The latter being the case in this instance.

Conclusion of assessment for Permission in Principle and Planning Balance

- 5.23 The above has assessed the Permission in Principle for the site in terms of the three set criteria: location, land use, and amount of development,
- 5.24 The proposal to erect up to 2no. dwellings would not be inappropriate development in the Green Belt as the development would amount to limited infilling in villages, and so is appropriate in the Green Belt. The development would not harm the character of the area and nor would it have a harmful impact on the AONB.
- 5.25 The development would result in the addition of further dwellings within the district which would make a small positive contribution to the housing supply. Irrespective of the scale of development, the provision of additional housing would result in a clear public benefit to the scheme. Whilst the Council can demonstrate a 5 year HLS, the settlement boundaries are out of date and so the ‘tilted balance’ as set out in para. 11(d) of the framework is engaged. As set out, the development would not be contrary to the policies of the framework that protect assets or areas of particular importance. In accordance with 11(d)(ii), there are also no adverse impacts that significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. PIP can therefore be granted, and the applicant will need to submit full

details for consideration ('technical details consent') prior to any development taking place.

Impact on Equalities

- 5.26 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities. Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers. The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

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 It is recommended that the application is **GRANTED**.

Case Officer: Alex Hemming
Authorising Officer: David Stockdale