

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: 38/23

Date to Members: 22/09/2023

Member's Deadline: 28/09/2023 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

7) Any applications, except those 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

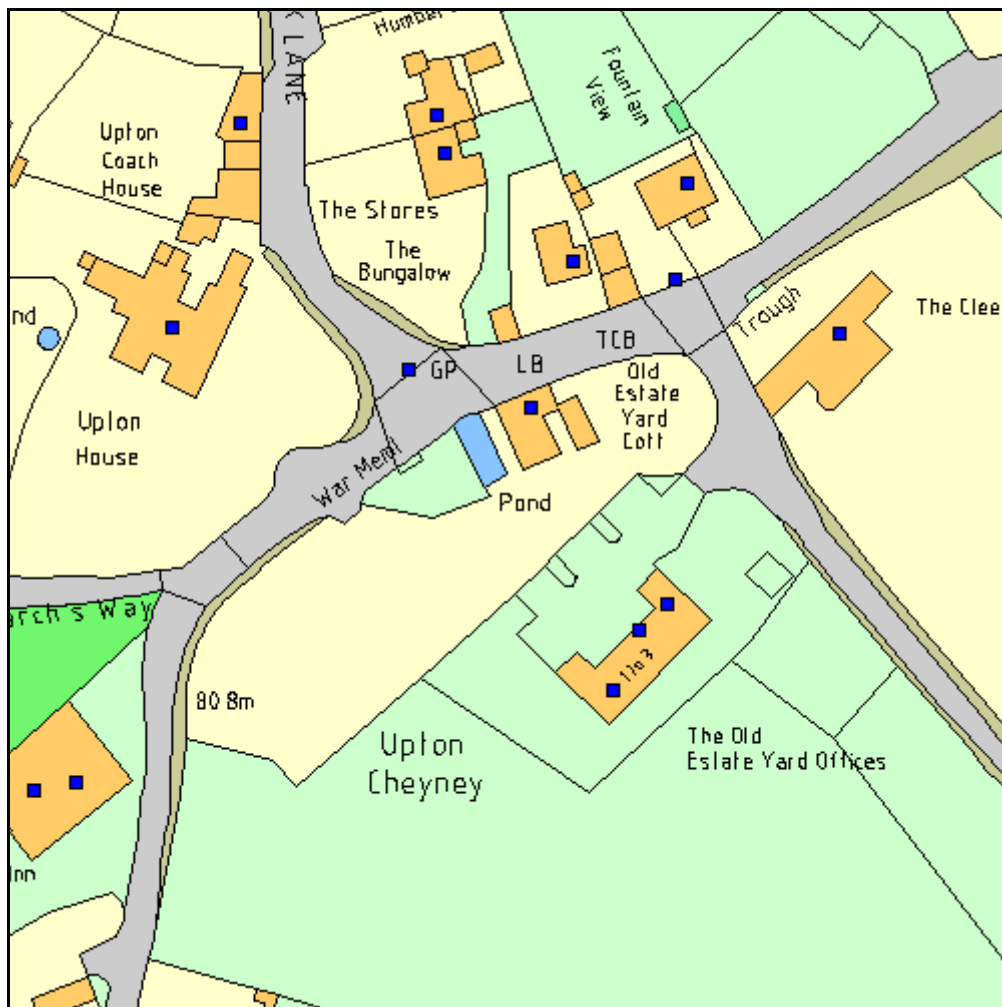
CIRCULATED SCHEDULE 22 September 2023

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/21560/TRE	Approve with Conditions	The Old Estate Yard North Stoke Lane Upton Cheyney South Gloucestershire BS30 6ND	Bitton And Oldland Common	Bitton Parish Council
2	P22/00161/F	Approve with Conditions	Land At Bens Tiles 119 Bristol Road Frampton Cotterell South Gloucestershire BS36 2AU	Frampton Cotterell	Frampton Cotterell Parish Council
3	P23/01547/F	Approve with Conditions	Buckley Wright Severn Road Hallen South Gloucestershire BS10 7RZ	Pilning And Severn Beach	Almondsbury Parish Council
4	P23/01658/HH	Approve with Conditions	Ridgeway Bungalow Broad Lane Westerleigh South Gloucestershire BS37 8QX	Boyd Valley	Westerleigh And Coalpit Heath Parish Council
5	P23/01865/F	Approved Subject to Section 106	Typers Leaze Barn Elm Farm Bristol Road Iron Acton South Gloucestershire BS37 9TF	Frampton Cotterell	Iron Acton Parish Council
6	P23/02151/F	Approve with Conditions	46 Northville Road Filton South Gloucestershire BS7 0RG	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 38/23 -22nd September 2023

App No.:	P20/21560/TRE	Applicant:	Mr. Richard Bryan
Site:	The Old Estate Yard North Stoke Lane Upton Cheyney South Gloucestershire BS30 6ND	Date Reg:	5th November 2020
Proposal:	Works to fell 3 no. Hazel, 1 no. European Larch, 1 no. Ash and 11 no. Goat Willow trees, all covered by SG/TR 117 and dated 28/05/1968.	Parish:	Bitton Parish Council
Map Ref:	369305 169865	Ward:	Bitton And Oldland Common
Application Category:		Target Date:	28th December 2020



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P20/21560/TRE

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.

1. THE PROPOSAL

- 1.1 Works to fell 3 no. Hazel, 1 no. European Larch, 1 no. Ash and 11 no. Goat Willow trees
- 1.2 The Old Estate Yard, North Stoke Lane, Upton Cheyney

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. The Town and Country Planning Act 1990
 - ii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council

Bitton Parish Council strongly object to this application. The felling of these mature trees change the appearance of the centre of this village which is in the heart of a conservation area. The Council are concerned that work has already commenced and T1 and T2 have already been felled. This application has angered local residents who raise strong objections. We strongly object and would be interested to hear what the South Gloucestershire Council Tree Officer has to say

Other Representations

- 4.2 Local Residents

Comments have been received concerned with the removal of mature trees and the screening and wildlife benefits of the trees.

5. ANALYSIS OF PROPOSAL

- 5.1 Works to fell 3 no. Hazel, 1 no. European Larch, 1 no. Ash and 11 no. Goat Willow trees
- 5.2 Principle of Development

The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.

5.3 Consideration of Proposal

- The trees are growing along the boundary of the site in close proximity to the property. They are growing within an area Tree Preservation order. The proposal is accompanied by an Arboricultural assessment for the trees which demonstrates the poor physiological and structural condition of the trees.
- 5.4 The Larch tree has significant dieback in the crown and the Ash tree has Ash dieback therefore there are no objections to their removal.
- 5.5 The Hazel are coppice trees which would not be considered for individual or group tree preservation order and neither would the Goat willow.
- 5.6 Whilst it is true to say there will be a loss from the removal of the trees the trees themselves do not warrant Tree preservation order protection due to species form or condition. Neither can they be easily viewed from Public areas. Therefore there are no objections to the proposal.

6. **RECOMMENDATION**

- 6.1 That consent is **GRANTED** subject to the conditions detailed within the decision notice

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

2. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

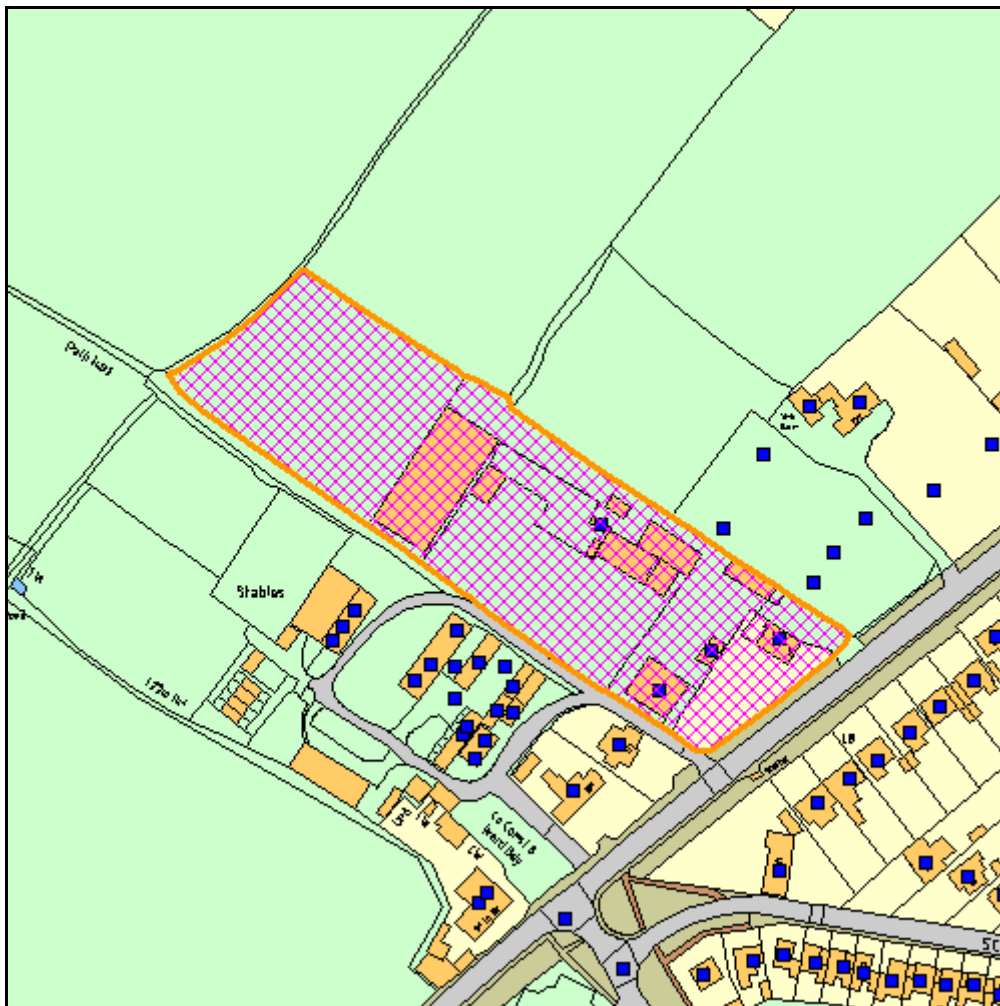
Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Case Officer: Lea Bending
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 38/23 -22nd September 2023

App No.:	P22/00161/F	Applicant:	Prestige Developments (Bristol) Ltd
Site:	Land At Bens Tiles 119 Bristol Road Frampton Cotterell South Gloucestershire BS36 2AU	Date Reg:	21st January 2022
Proposal:	Demolition of commercial buildings. Erection of 25 no. dwellings (C3) including provision of public open space and private allotment gardens and associated works.	Parish:	Frampton Cotterell Parish Council
Map Ref:	365652 182013	Ward:	Frampton Cotterell
Application Category:	Major	Target Date:	29th September 2023



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P22/00161/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 three objection letters from local residents, an objections by Winterbourne and Frampton Cotterell Parish Council, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the demolition of the existing commercial buildings, and the erection of 25 no. dwellings (C3) including provision of public open space and private allotment gardens and associated works.
- 1.2 The application site is located within an open countryside location, however the Frampton Cotterell settlement boundary runs adjacent to the site, south of Bristol Road. The site is also washed over by the Bristol and Bath Green Belt, for which again the boundary follows to the south of Bristol Road.
- 1.3 This application forms an alternative proposal to the approved planning application ref. P23/00101/F, for which provided 9 units.
- 1.4 The application site measures 1.79ha and comprises a commercial yard used for reclamation purposes (buildings and the open storage of material spread across the site). Additional uses on site include that of a vehicle repair garage (to the northern boundary), a car wash (to the rear of the residential bungalow adjacent to the site) and a dog grooming business (to the north of the bungalow). The entirety of the site is surfaced with gravel and tarmac, no soft landscaping is present.
- 1.5 With regards to the surrounding context of the area, livery stables with permission in principle (ref. P22/04212/PIP) for 6-9 dwellings adjoin to the southwest. To the northeast 5 dwellings have recently been built as permitted under application ref P19/0647/F. To the southeast is the Frampton Cotterell Ward, and to the north is agricultural land.

- 1.6 Since the point of submission, further detail has been received regarding ecological, landscaping, drainage matters, public open space and general design amendments.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework

National Planning Policy Guidance

2.2 South Gloucestershire Local Plan Core Strategy (Adopted) 2013

CS1	High Quality Design
CS5	Location of Development (inc. Green Belt)
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-Safeguarded Economic Development Sites
CS23	Community Infrastructure and Cultural Activity
CS25	Communities of the North Fringe of Bristol Urban Area
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport
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 Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

Residential Amenity TAN (Endorsed) 2016

3. **RELEVANT PLANNING HISTORY**

- 3.1 P23/00101/F. Permission Granted, 3/7/2023
Proposal: *Demolition of commercial buildings. Erection of 9 no. dwellings with associated works.*
- 3.2 P20/09143/O. Application Withdrawn, 26/1/022
Proposal: *Demolition of commercial buildings. Erection of 25 no. dwellings (C3) (Outline) with access, layout and scale to be determined, all other matters reserved.*
- 3.3 P20/015/SCR. EIA Not Required, 16/6/2020
Proposal: *Screening Opinion for P20/09143/O. Demolition of commercial buildings. Erection of 13 no. dwellings (C3) and creation of storage facility (B8) (Outline) with access, layout and scale to be determined, all other matters reserved.*
- 3.4 PT02/3716/F. Permission Refused, 22/1/2003
Proposal: *Erection of rear extension to existing industrial building.*
- 3.5 PT03/1650/TMP. Permission Refused, 25/7/2003
Proposal: *Erection of rear extension to existing industrial building.*
- 3.6 PT07/1286/F. Permission Refused, 16/7/2007
Proposal: *Change of use of land to mobile home park to include retention of existing bungalow and shop. Construction of private roadway and parking areas.*
- 3.7 P95/2147/CL. Permission Granted, 3/12/1998
Proposal: *Certificate of Lawfulness. Use of land and buildings as a landscape gardener's depot and operating base for HGV lorries ancillary to said use.*
- 3.8 P95/1463. Permission Granted, 13/12/1995

Proposal: *Application for planning permission to retain a building for aquatic and water gardening use without complying with Conditions (a), (b) and (c) on Planning Permission N3013/6 dated 11 August 1983*

3.9 P95/2220/CL. Permission Granted, 5/2/1999

Proposal: *Certificate of Lawfulness. Use of buildings and yard for repair and maintenance of motor vehicles, storage of parts and equipment, storage of motor vehicles.*

3.10 N3013/6. Permission Granted, 1983

Proposal: *Erection of building for aquatic and water gardening use (in accordance with the layout plan received by the Council on 28th July 1983).*

The neighbouring sites

3.11 P19/09153/F. Permission Granted, 14/8/2019

Proposal: *Erection of 5no. detached dormer bungalows, relocated access, parking and associated works. (Amendment to previously approved scheme P19/0647/F).*

3.12 P22/04212/PIP. Permission Granted, 9/9/2022

Proposal: *Permission in principle for the erection of 6 to 9 dwellings.*

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

Objection.

“It would constitute overdevelopment of the site.

**The site lies outside the defined settlement boundary of Frampton Cotterell and does not meet any of the four types of residential development permitted in the open countryside. If the case officer recommends approval with conditions.*

**FCPC disputes the applicants' proposal to only supply 10% affordable housing rather than the 35% required in the Core Strategy. With the current level of house prices in Frampton Cotterell it is dubious to suggest that, for this application to become economically viable, the applicants can only build a third of the affordable homes they are expected to provide.*

**All properties should be carbon neutral to comply with the targets that South Gloucestershire Council aspired to when it signed the Climate Emergency Declaration (e.g. using ground source heat pumps OR air source heat pumps instead of gas to heat the properties, using a minimum size (suggest 4 kW) of solar panels and battery storage cells to minimise the use of electricity from the national grid, etc.).*

**All properties should come with electric vehicle charging points as standard.*

Cllrs added that this should be a sustainable development to reduce carbon omissions.”

4.2 Cllr Julian Selman
Objection.

“Surveys of Frampton Cotterell residents and discussions with parishioners, have revealed that the overwhelming view is that there should be no more housing developments in the Parish, especially within or near to countryside, including the Greenbelt. I think the site is also overdevelopment as planned, as there are too many houses on the site and not enough space between them to enable an excellent quality environment for residents. The housing would extend much more into the countryside than any other housing along this stretch of the Bristol Road and this makes the development out of character within the area.

“It is not acceptable that there is no social housing planned for the site. The crisis in housing is to do with affordability and many local people are unable to afford to buy or rent houses in the area. It is unreasonable to provide no affordable housing at all in these circumstances and unjustifiable given that this is the primary concern that we have about housing. Building more and more housing developments has driven prices up according to reliable analysts and this compounds the problem of affordability even more.

“There is no biodiversity net gain assessment for the site and there is an increasing expectation that this will be provided nationally, The application is lacking in that respect. Biodiversity matters to local people and along the hedgerow on the public footpath there are nesting sparrows (because of large population declines, the house sparrow is now red-listed as a species of high conservation concern). Beyond the site in the adjacent fields we have also

frequently seen little egrets and herons, along with many other birds such as linnets and thrushes. So a significant human settlement in this area would have an impact on the biodiversity of surrounding land.

“Bats - in the gardens opposite this site we have detected (with a bat detector) 10 types of bat, some in considerable numbers. So this site could disturb the populations of these species if any of them use the surrounding fields for feeding or roosting.

- 1. Noctule*
- 2. Lesser noctule*
- 3. Nathusius' pipistrelle*
- 4. Common pipistrelle*
- 5. Soprano pipistrelle*
- 6. Whiskered myotis*
- 7. Natterer's myotis*
- 8. Serotine*
- 9. Brown long eared bat*
- 10. Leisler's*

“Please see <https://framptoncottesell-pc.gov.uk/climate-nature/> for details of other biodiversity features in the Parish.

“I note section 4.1 Opportunities for enhancement in the ecology report. The adoption of all the measures would be a move in the right direction towards biodiversity gain but I cannot see any evidence that you would adopt them all.

“The purpose of the public open space is not made clear, but it could include enhancements for biodiversity and be designed as a quiet space for nature. The footpath is used regularly by walkers and by the local stables to walk their horses along to fields beyond the site, so access would have to be maintained for both purposes without changing the character of the lane.

“Allotments - how would these operate and what would the tenancy contracts be like? We have a number of council owned plots in the village, and I think the tenancy contracts should be aligned with the council's so that there is consistency of approach and rules. Is there evidence that these plots are needed and if so, where is your evidence?

“I note the recommendation from SGC to revise your plans to use gas central heating on the site. We desperately need to move away from using fossil fuels to combat climate change.”

4.3 Ecology Officer

No objection. The proposed development would result in a significant biodiversity net gain and would increase habitat. Conditions are recommended to ensure appropriate ecological mitigation and enhancement. Full comments incorporated below.

4.4 Tree Team

No objection. The proposed development would increase tree coverage. Full comments are incorporated below.

4.5 Landscape Officer

No objection. The proposed development would provide sufficient levels of soft landscaping which would improve the quality of the site. Subject to detailed design elements, such as surface treatments, drainage arrangements and tree pit design which can be secured via condition, the proposal is policy compliant.

4.6 Lead Local Flood Authority

No objection. Sufficient draining arrangements have been secured via negotiation. Subject to the submission of a detail of the SUDs arrangement, a ditch survey and the pumping station, the proposal complies with policy.

4.7 Housing Enabling

Subject to the findings of the Valuation Office Agency, the site is not viable for affordable housing provision. A clause should be attached to the S106 to require a review of the viability situation if the development has not commenced within five years after the S106 agreement is complete.

4.8 Urban Design Officer

No objection. The proposed development, subject to the appropriate materials would provide a positive street scene – this to form a condition if approved. The initially proposed gated access has been omitted which is a significant improvement. As such the proposal can be considered to represent a high standard of design and would comply with policy.

4.9 Environmental Protection

No objection. Due to the historic use of the site, further investigations and a remediation strategy are required for which can be secured via condition. Subject to achieving acceptable remediation, the proposal would comply with policy. Full comments incorporated below.

4.10 Sustainable Transport

No objection. The proposed development would provide sufficient levels of parking and access. Details of a pedestrian crossing are to be submitted via condition to ensure the development is safely accessible to all users. The proposal would subsequently be policy compliant. Full comments are incorporated below.

4.11 Avon Fire and Rescue

No objection – Fire Hydrants to be included within s106.

4.12 Environmental Policy and Climate Change

No objections. The proposed development would incorporate solar panels and in any event would need to comply with current building regulations.

4.13 Public Open Space

A sufficient amount of public open space, inclusive of recreation and allotments would be provided. Subject to the detailed design of the children's play equipment and details of sheds for the allotments, the proposal is policy compliant. Monitoring and compliance to be secured within a s106. Full comments are incorporated below.

4.14 Valuation Office Agency

As per the findings of the independent review, the proposed development has not been found to be viable for any affordable housing contribution. The full and detailed assessment can be read Stage 2 Viability Report in the case file. Further comments on this matter are detailed below.

Other Representations

4.15 Local Residents

Two rounds of public consultation have taken place due to the prolonged period to resolved technical matters. Two letter of objection has been received from a neighbouring residents, the comments are summarised below:

- Japanese Knotweed on site;
- Should be no more houses in the parish, countryside or Green Belt;
- Overdevelopment;
- No social housing
- Harm to biodiversity, including bats and birds;
- Queries over allotment operation;
- Increased traffic; and
- Harm to privacy.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Full planning permission is sought for the demolition of the existing commercial buildings and the erection of 25 no. dwellings (C3) including provision of public open space and private allotment gardens and associated works. The application site is located within a countryside location and is washed over by the Bristol and Bath Green Belt.

Principle of Development – Location

5.2 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 5.35 years.²

5.3 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:

¹ APP/P0119/W/21/3288019 and APP/P0119/W/22/3303905 respectively.

² Authority's Monitoring Report, March 2022, page 36.

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.

- 5.4 For the purposes of this application, if the site is considered to be in a sustainable location, then it would be in accordance with the provisions of the NPPF. The assessment therefore needs to be made on the above basis.
- 5.5 In this specific instance, the site lies close to the main road, Bristol Road, the local surgery is opposite as well as bus stops and a Tesco (fuel station and shop), dentist and schools are within walking distance of the site. Furthermore the settlement boundary is the other side of Bristol Road. This is coherent with the appeal decision for the application at Old Sodbury (P21/3344/F), for which due to the site being within a close location to key facilities, it was regarded as being sustainably located. The same principles therefore apply, and thus no objections are raised to its rural location.

Green Belt

- 5.6 In the situation described above, 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 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.
- 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 under paragraph 149, g) is for the complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
- 5.9 The application site is covered in a number of structures which scatter through the site, these include a bungalow upon entry, followed by several small units of independent operation. Moving through the site there is a good sized parking area, before entering the main reclamation yard service area. This space is occupied with a reception building, several industrial units behind (appearing empty on the site visit), 2 large hangers and several other storage buildings and containers. The site was free from any kind of soft landscaping, besides the established hedgerows around the boundary perimeter. The site therefore comfortably falls under the definition of previously developed land.
- 5.10 With regards to the assessment of openness, appeals have clarified that both the spatial and visual aspects must be assessed. Looking at the spatial perspective, the application site forms previously development land, sits between areas of existing development on 3 sides, and is well connected to Frampton Cotterell. There would be no extension of built form, or indeed any additional sprawl or encroachment into the countryside/ Green Belt, or any other developed land.
- 5.11 Concerning the visual aspect, on approach along Bristol Road, coming from the north, you are first greeted by 1.5/ 2 storey developments. These have ample set-backs with a degree of landscaping to the frontage. Upon arrival to the entrance to the site, the main view is of hard standing, a bungalow and the industrial (single storey) building beyond – of which obscure any views to the open countryside beyond. A substantial hedgerow and tree line then follow to the west. Beyond this, there are further houses of varying size and scale. It is however noted that the land immediately west of the application site has

planning in principle (PIP) consent (ref. P22/04212/PIP) for the erection of up to 9 dwellings.

- 5.12 The site as existing comprises a range of buildings with different sizes and scales, with large areas available for open and unrestricted storage. When reviewing the site as a whole, the existing development appears sprawled with no green infrastructure except for the site boundaries.
- 5.13 The proposed site layout would retain the existing bungalow (no.119) in addition to the hedgerow fronting the site. A central access road would be created, which would be tree lined and include new native planting. The proposed new dwellings would be 2 stories, comprising detached, and semi-detached properties of varying design. Whilst the built mass of the proposed development would be greater than the existing, the increased visual perspective would be limited given the parameters of the site. It's imperative to make the relative visual assessment from ground level, and not from above observations. In this case, the proposed new access down the centre of the site would provide a greater sight of the development, however this would only be from a passing glimpse and would not be out of character when taking into consideration the surrounding built environment. When taking into account the improved areas of soft landscaping/ planting (for which none currently exists), the new public open space, the neighbouring land uses, the scale of development and visibility points from outside the site area, the proposed development would not result in visual harm to the openness of the Green Belt, nor would there be an encroachment upon it. The proposal is therefore acceptable in locational terms

Principle of Development – Loss of B2/B8 Use

- 5.14 The application site is in use as B2/B8 as part of a reclamation yard, in addition to other smaller businesses operating on site. Whilst policy CS13 seeks to safeguard economic development sites, the policy only protects those sites within the defined settlement boundaries of the urban areas and villages defined on the proposals map. As the site is located outside of any settlement boundary (although now out of date as discussed below), there is no policy consideration for the retention on this site. The second principle of development relates to the sites location within the countryside Green Belt.

Design, Appearance and Landscaping

- 5.15 The general layout follows the previous application, with properties facing towards the central street. There are a good number of street trees proposed

and the arrangement of landscape features, including hedges, would provide a positive street scene.

- 5.16 The dwellings proposed would be a maximum of two storeys in height, which reflects other residential properties nearby. The dwellings would comprise 3 main house types that would reflect the features of local distinctiveness across South Gloucestershire. The dwellings would have grey stonewold slate roofs, with contrasting brick detailing, black upvc rainwater goods and grey upvc doors and windows. The use of these materials are considered acceptable and would help to assimilate the development into the surrounding context. Notwithstanding the submitted information, it is necessary and reasonable that conditions are imposed in relation to the submission and approval of sample panels for all external facing materials to ensure a high quality finish is achieved. Samples of the block paving and paving slabs for paths and patios are less significant but all these materials need to be complimentary and hold together as a collection, as such samples should also be proved for these items.
- 5.17 Overall the revised scheme would comprise a high standard of design which would reflect and respect the character, local distinctiveness and amenity of the site and its context. As such the proposal would be in accordance with Policies CS1 and PSP1. This is subject to a recommended approved plans condition as well as material conditions discussed above. Permitted development rights should also be withheld to ensure that high-quality design is safeguarded.
- 5.18 The proposed landscaping would comprise new boundary planting (hedge with trees) around the NE, NW and SW perimeter of the site, together with an avenue of new trees along the central access road. Proposed tree and hedge species, stock sizes and planting densities are all acceptable and would contribute to a verdant and pleasant setting. Subject to the compliance of the maintenance schedule, the specification of tree-pit details and a drainage scheme to accommodate new tree planting locations, no objections are raised.

Amenity

- 5.19 The nearest dwellings to the application site are located to the northwest and south west boundaries. Starting with the dwellings to the northwest, these form relatively new build properties in a gated development known as Sunbeam Paddock. Plots 21 to 25 would result in the greatest impact to these dwellings, specifically plots 21 and 22. Through negation, the position of the rear returns

have been amended in addition to the dwellings being cited closer to the new access road. As such, a minimum distance from the principle rear elevation of the closets property (plot 22) would be 13.3m to the proposed boundary line and 17.2m to the side elevation of that in Sun Beam Paddock. This boundary treatment consists of a mature hedgerow at c.3m in height. When taking into consideration the separation distance, scale and design, there would not be a level unreasonable harm created to the neighbours amenity so to refuse the development.

- 5.20 Concerning the residential property to the southwest, this faces towards the highway and would be ~19m from the closest neighbouring rear elevation of plot 3. As the neighbouring property would be side-on to the proposal, with no windows to its flanks, the existing levels of privacy would be protected.
- 5.21 Turning to the amenity impact regarding the existing bungalow at no.199 – it is acknowledged that this is under the existing ownership of the applicant. Nonetheless, the future living conditions of the property must still be taken into consideration. With regards to the sitting, scale and design, acceptable outlooks and access to direct light would be retained.
- 5.22 Other than these properties, the nearest properties are located to the south of Bristol Road. Whilst there would be a change to the site, given the separation distance from dwellings in these locations and those properties proposed through this application, there would not be any unreasonable impacts to existing amenity levels.
- 5.23 It is noted that due to the scale of construction consultation and the potential for increased noise, traffic, and disturbance through the construction period. As such it is recommended that a Construction Environmental Management Plan condition is imposed in event of approval to reduce the construction impacts of the development on occupiers to an acceptable level.

Future Occupants

- 5.24 The layout and positioning of the proposed dwellings are such that future occupiers will have an acceptable level of residential amenity in terms of privacy and natural light. In terms of private amenity space, through the course of the application balconies have been introduced for the apartments proposed on site to ensure future occupants have sufficient private amenity space. Garden sizes are considered to comply with policy PSP43. Subject to the

removal of permitted development rights to ensure residential amenity is protected, no objections are raised.

Ecology and Trees

- 5.25 The NPPF sets out that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or compensated for then permission should be refused. Further, that permission should be refused for the loss or deterioration of irreplaceable habitats unless the need for, and the benefits clearly outweigh the loss. This is also reflected in Policy PSP19. Policy CS9 sets out that new development will be expected to conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity or geodiversity.
- 5.26 An Ecological Appraisal (Quantock, July 2020) and Ecological Mitigation and Enhancement Plan (Quantock, January 2023) and a Biodiversity Net Gain Assessment (Quantock, June 2022) has been submitted. The site was originally surveyed in 2020 by Quantock Ecology, with two updated walkover surveys carried out in 2022. Although it is not known when in 2022 the updated walkover surveys were carried out, no notable changes to the site were recorded.
- 5.27 The surveys confirmed that the proposed development would not result in any harm to protected species. Due to the existing development nature of the site when compared to the proposal, the BNG assessment has identified an increase in 590% habitat units and 84% in hedgerow units (now increased slightly due to additional planting). Subject to compliance with the submitted ecological mitigation and enhancement measures, in addition to the detailed location and specification of external lighting in relation to bat boxes, no objections are raised.
- 5.28 Concerning trees, there is very little vegetation on the existing site which will not require protection or the submission of a Tree Report. The submitted landscape proposal is an improvement to the site and the management plan is acceptable.

Environmental Protection

- 5.29 Policy CS9 sets out that the re-use of contaminated land should be promoted subject to appropriate mitigation. Policy PSP21 also states that proposals for development on land, which may be affected by contamination, will be

acceptable where adequate remedial measures are taken, to ensure that the site is suitable for the proposed use and will remain so.

- 5.30 The majority of the site has previously been used for commercial purposes. Records show that previous land uses include a reclamation yard; vehicle repair garage; and car wash. There is therefore a potential for contamination which could give rise to unacceptable risks to the proposed development.
- 5.31 A Desk Study and Ground Investigation report has been submitted (ref P0637/CS-J-1363, dated 6.5.22, by T&P Regeneration Ltd)). The desk study identifies the risk to end users from near surface contamination caused by historical and current site uses including a vehicle repair workshop. The site investigation included eighteen window sample borehole providing good coverage of the external areas of the site. Chemical testing of near surface soils from 14 samples of near surface soils was undertaken, including asbestos testing.
- 5.32 The report states that no investigation was undertaken within the structures onsite. Further consideration and risk assessment is required particularly in respect of the vehicle repair workshop. No walkover information specific to this source was presented, nor intrusive investigation/chemical testing targeting any pollutant linkage undertaken.
- 5.33 The conceptual site model should be revised to provide information specific to the vehicle workshop, and appropriate further investigation carried out in accordance with the risks identified, with additional regard to the allotment area and whether suitable conditions are provided for the growing and eating of fruits and vegetables. Therefore, the inclusion of a contaminated land condition is reasonable and necessary.
- 5.34 With regards to the noise, the proposed development would result in a betterment for the neighbouring occupiers when compared to the existing situation. Whilst it's noted that there would be some degree of noise disruption during the construction phase, this would be for a short period of time and would be restricted to standard working days and hours.

Flooding and Drainage

- 5.35 The site is located in Flood Zone 1 where there is the lowest probability of flooding. The NPPF advises that when determining any planning applications,

Local Planning Authorities should ensure that flood risk is not increased elsewhere.

- 5.36 Following discussions, it is accepted that discharging to the ditch network via gravity is not feasible due to site levels and therefore consideration is given to a pumped surface water discharge to the ditch network. Subject to a standard SuDS Condition, Ditch Survey, and Surface Water Pumping Station Details, so to ensure a sufficient drainage programme is achieved, no objections are raised.

Affordable Housing, Mix and Density

- 5.37 With regards to the provision of affordable housing provision, a viability assessment was submitted by the applicant and independently reviewed by the Valuation Office Agency. The development was assessed with regards to full planning policy requirement (comprising 9 affordable housing units and CIL/S106 contributions of £72,534), it was found that the development was unavailable for any contribution. Following this review, the VOA provided the following commentary which gives a simplified explanation to their findings:

“Although the Government has set an inflation target of 2%, as at the valuation date of this report, the current rate of inflation (CPI) is 10.5%. Consumer price inflation has risen sharply in recent months. This was largely driven by food and non-alcoholic beverages, transport and housing, water, electricity, gas and other fuels.

“The cost of living has been increasing across the UK since early 2021. In May 2022, the annual rate of inflation was the highest it has been since 1982 affecting the affordability of goods and services for households. The Bank of England’s Monetary Policy Committee (MPC) sets monetary policy to meet the 2% inflation target, and to help sustain growth and employment. In December 2022 it was 3.5%.

“Increased construction costs, inflation and supply chain disruption are key issues around the country and impacting on the operating environment for housebuilders/ developers but particularly in areas where house price growth has been less strong, such as in London. This will make development more challenging due to rising costs compounded by red tape from Brexit, the conflict in Ukraine, and labour shortages. At the

valuation date demand for new homes had fallen since the summer with house builders being forced to offer incentives to maintain sales.”

- 5.38 The proposed housing mix would comprise 14no 4bed (Type B) properties, 9no 3bed (Type C) properties, and 2no 2bed (Type D) properties. Whilst the proposed mix is tilted for larger dwelling, it is not unreasonable to assume that the proposed development could free-up smaller houses in the local area for those looking to upsize.
- 5.39 Upon reviewing the density, the development would amount to 29.2 dwellings per hectare (including the existing bungalow but excluding the allotments). This is towards the middle scale and is suited for its edge-of-village location and makes efficient use of land.

Transport

- 5.40 The proposed development would utilise a central access road, which provides suitable access to the highway with clear visibility splays in either direction. The proposed access road would have a footway along one side and would have a permeable tarmac surface. This design would not be suitable for adoption and as such it is proposed that the road remains private.
- 5.41 The Council's standard waste collection vehicle can access and turn within the site. It should be noted that prior arrangements with either the Council Waste Collection Team or a private contractor would be required to access a private road, as such a waste management plan should be submitted for which can be secured via condition.
- 5.42 Following negotiations with the applicant's Transport Consultant an agreement has been reached to condition a central refuge pedestrian crossing facility on Bristol Road to provide a suitable walking route between the site and the key local facilities to the east of Bristol Road.
- 5.43 The type of crossing facility has been discussed with the Council's Road Safety Manager and it's concluded that a central island refuge is the most appropriate given the speed of traffic on Bristol Road is above that required for a zebra crossing. A minimum width central island of 1.3m can be provided within the existing carriageway alignment. This is consistent with the minimum standard set out in Chapter 6 of the Traffic Signs Manual. The exact location and details

of the central refuge would need to be secured with a suitable condition prior to commencement of the development.

- 5.44 Two car parking spaces would be provided for each dwelling plus a total of six visitor spaces. This is consistent with the council's car parking standard. The dimensions of the spaces are consistent with the minimum sizes set out in the Council's car parking standards. Each dwelling has a garden shed which provides suitable space for cycle parking. Electric Vehicle Charging Points will be secured for each dwelling through current Building Control Regulations. Residential developments between 10 and 50 dwellings require a Travel Plan Statement, this can be secured with a suitable condition. Subject to the recommended conditions, no objections are raised.

Public Open Space

- 5.45 It is reasonable to expect the residents of the proposed new residential development to require access to a full range of open spaces. Provision of a range of good quality and easily accessible open spaces is important to assist in the promotion of healthy lifestyles. It is estimated that the proposed development would generate a local population increase of 60 residents. An audit of existing provision has demonstrated a sufficient supply of outdoor sports facilities accessible from the proposed development but a shortfall or absence of all other typologies of public open space.
- 5.46 Policy CS24 requires provision to be delivered on site unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal. The proposed development would provide excess policy compliant open space at the rear of the site, inclusive of a furnished children's play area, informal recreational open space, natural and semi-natural open space and allotments. Nonetheless, it is considered detailed design and specification of the proposed play equipment is required and be secured via condition. Further details are also required for the provisions of sheds/ bases to serve each allotment plot, this again can be secured via condition. The provision and maintenance of the public open space will be secured through a S106 agreement.
- 5.47 It has been indicated that the proposed open space will be maintained by a private management company. As such, the LPA will request inspection fees of £63.96 per 100 square metre plus £615.90 core service fee.

5.48 It is further noted that the applicant wished for the road to remain private, as such a deed of dedication would be required to ensure that the public open space remains publicly accessible, again this can be secured via a S106 agreement.

Planning Balance

5.49 Section 38 (6) of the 2004 Act requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

5.50 The NPPF is an important material consideration. An objective of the NPPF is to significantly boost the supply of homes and it carries a presumption in favour of sustainable development. The NPPF sets out in para. 11 the situations where the balance is tilted in favour of approving development.

“d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. 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*
- ii. 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.”*

5.51 The Council are able demonstrate a 5 Year Housing Land Supply of 5.26 years, albeit due to the recent appeal outcomes (as discussed in the beginning of the report) the associated settlement boundaries have been found to be out of date. Therefore the tilted balance is engaged in favour of the application unless in approving the application would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

5.52 In concluding the assessment as discussed above, the proposed development would provide 25 new market dwellings. With reference to the Park Farm appeal, the inspector awarded significant weight to housing delivery in the overall balance. This was because the Inspector considered that the Council's

5-year land supply was marginal, and the proposal provided an opportunity to increase the surplus and strengthen the position in the context of the Government's objective to significantly boost the supply of housing (NPPF para.60) and that an identified 5-years' worth of housing is only a minimum state (NPPF para.74). Officers can see no reason as to why this significant allocated weight should not be applied in regards to this proposal.

- 5.53 The development would re-use an existing brownfield site which benefits from sustainable access to the local amenities in Frampton Cotterell. The NPPF is clear under paragraph 120 that substantial weight should be given to using brownfield sites within settlements for homes. Whilst the settlement boundaries are out of date, when assessed both visually from the ground and spatially, the site reads as part of the wider settlement and is within a sustainable location. Again, substantial weight can be afforded to this element.
- 5.54 With regards to the Green Belt designation, the proposed development would comply with the provisions provided under paragraph 149 of the NPPF. The proposal would redevelop a brownfield site and would not have a greater impact on the openness of the Green Belt, both visually and spatially. Sufficient levels of design, ecological gains, transport measures and drainage would be provided, all of which attract a neutral weight as these are the standard requirements in any event.
- 5.55 When considered together, these benefits are considered to hold significant weight in favour of the proposal. No adverse impacts of approving the development have been found which would significantly and demonstrably outweigh the benefits of the proposal.

Consideration of likely impact on Equalities

- 5.56 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. 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 It is recommended that the application be **APPROVED** subject to the conditions written on the decision notice.
- 7.2 That authority be delegated to the Executive Director of Place to grant planning permission, subject to the conditions set out below and the applicant voluntarily entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

1. Public Open Space

On-Site provision for Children and Young People (equipped play area), as indicated in purple on the POS and Management Company Areas Plan, Rev E, and comprising a minimum of 154 sq.m.

On-site provision of Public Open Space, as indicated in light and dark green on the POS and Management Company Areas Plan, Rev E, and comprising a minimum of 1710 sq.m.

POS Inspection Fees charged at £63.96 per 100sq.m. plus £615.90 core service fee.

A deed of dedication shall be included to ensure the public open space remains fully accessible for the public, with a right of access retained on the private road.

The reason for this:

To accord with Policy CS24 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

2. Fire Hydrants

Installation and 5 years maintenance of Fire Hydrants (x2) charged at £1500.00 +VAT per hydrant.

The reason for this:

To ensure a safe development in accordance with the provisions of the NPPF.

CONDITIONS

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

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

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

Plans

- 3188 199 Existing Site Plan (received 12/1/2022)
- 3188 200 Rev G Proposed Site Plan (received 14/9/2023)
- 3188 201 Rev E Proposed Site Sections (received 8/09/2023)
- 3188 203 Rev C Revised house Type B Plans and Elevations Plots 3, 5, 7, 9, 12, 15, 19, 21 (received 8/09/2023)
- 3188/204 Rev B Proposed House Type C, Plans and Elevations Plots 1 and 13 and 2, 10, 14, 16, 17, 20 and 23 handed (received 8/09/2023)
- 3188 205 Rev A Proposed House Type D (received 08/09/2023)
- 3188 206 Rev H Proposed Site Plan Materials (received 6/9/2023)
- 3188 207 Rev A Revised Location Plan (received 1/8/2023)
- 3188 208 Rev C Type B Plans and Elevations Plots 4, 6, 8, 11, 18 & 22 (received 8/09/2023)
- 3188 900 Rev H Proposed Drainage Plan (received 12/09/2023)

Drainage Information

- Soakaway Test, David Cahill Design Consultants Ltd (received 28/6/2022)
- Polystorm -R- Data Sheet (Issue 6 - June 2021)
- Private Drainage OM Manual, - 25 Units, Craddys (received 22/6/2023)
- Polystorm-R Modular Form Data Sheet (received 6/6/2023)
- Micro Drainage Calculations (received 02/6/2023):
- T-MD-79030-DR MD1 (1 in 30 years) Rev B
- T-MD-79030 SHH MD1 (100 years 45%)

Landscape Plans

- 1434-02 Rev E Soft Landscape Plan (received 12/9/2023)
- 1434-03 Rev E Hard Landscape Plan (received 12/9/2023)
- 1434-05 Rev E POS Proposals (received 19/8/2023)
- 1434-06 Rev E POS and Management Company Areas (received 19/8/2023)
- 1434 Rev D Residential at Ben's Yard LMMP July 2023 (received 23/7/2023)
- 1434 Rev A POS at Ben's Yard LMMP(received 21/7/2023)

Supporting Documents

- Planning Supporting Statement prepared by Stokes Morgan, January 2022
- Landscape Visual Appraisal, prepared by Stokes Morgan, January 2022
- Design and Access Statement, prepared by Stokes Morgan, January 2022
- Affordable Housing Statement, prepared by Stokes Morgan, January 2022
- Flood Risk Assessment, prepared by Stokes Morgan, January 2022
- Updated 0% Affordable Housing Development Appraisal, prepared by JLL, 14 April 2023
- Updated 35% Affordable Housing Development Appraisal, prepared by JLL, 14 April 2023
- Stage 2 Viability Letter prepared by JLL (sent to Simon Croft 14 April 2023)
- Residential Planning Noise Assessment prepared by Ion Acoustics, January 2022
- Transport Statement Addendum, prepared by Highgate Transportation, January 2022
- Sustainable Energy Statement and 3 no. SAP worksheets, prepared by Complete Energy Consultancy, 18 January 2022
- Ecological Appraisal, prepared by Quantock Ecology Environmental Consultants, 01/07/2020
- Ecological Mitigation and Enhancement Plan, prepared by Quantock Ecology, 16 August 2022
- Biodiversity Net Gain Metric Statement, prepared by Quantock Ecology, 30 June 2022 and supporting BNG Metric
- Archaeology Desk Based Assessment, prepared by Cotswold Archaeology, September 2020
- Arboricultural Report, prepared by Silverback Arboricultural Consultants Ltd, January 2022
- VOA Stage 2 Report, Valuation Office Agency (29/6/2023)
- Desk Study and Ground Investigation Report, prepared by T & P Regen Ltd, 6/5/2022
- Remediation Strategy, prepared by T & P Regen, 27/05/2022
- Lighting Plan, prepared by DFL, 16 May 2022
- Lighting Strategy, prepared by DFL, May 2022

Reason: To define the terms and extent of the permission.

3. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F) and no development as specified in Part 2 (Classes A and B) other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

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

4. Notwithstanding the submitted information, prior to the relative stages of development, sample panels for all roofing and all external facing materials (inclusive of paving) shall be erected on site and reviewed by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.

Reason: To prevent remedial action and 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; Policy PSP1 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; The National Design Guide and the provisions of the National Planning Policy Framework.

5. Notwithstanding the submitted details, prior to the relative stages of development, the following shall be submitted to the council for approval:
 1. Plans specifying all proposed boundary and hard landscape surface treatments, all finished ground levels and the presence of any retaining structures;
 2. Detailed drainage scheme designed to accommodate new tree planting locations;
 3. Details of tree pit details to demonstrate appropriate volumes of soil to allow for successful tree establishment.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed by the Local Planning Authority.

Any new trees or shrubs which die, are removed, or become severely damaged or diseased, shall be replaced with a like-for-like species and size, unless further specific permission has been given by the Local Planning Authority.

The proposed development must proceed in accordance with the approved details (including those within the maintenance schedule, with all planting taking place prior to first occupation or within the first planting season (whichever is first)).

Reason

To prevent remedial action and 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.

6. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Appraisal (Quantock, July 2020), Ecological Mitigation and Enhancement Plan (Quantock, June 2022), Biodiversity Net Gain Assessment (Quantock, June 2022) and the Lighting Strategy (DFL, May 2022).

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).

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

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

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

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

Reason

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

8. Prior to the commencement of development (excluding demolition and clearance), drainage detail proposals incorporating Sustainable Drainage Systems SUDS within the development shall be submitted for approval to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

For the avoidance of doubt, we would expect to see the following outstanding details when discharging the above condition:

- A clearly labelled drainage layout plan showing:
- all pipe networks (including highway drainage);
- pipe node numbers (including pipe diameter, length, slope and invert level) and manhole numbers (including cover and invert level) referred to within the drainage calculations;
- location of all source control features (eg water butts);
- exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding (where applicable).

- Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer); and confirmation that the drain down in 24 hours provides room for a subsequent 1 in 10 yr event.

Note: Either the MDx model will need to be submitted for review, or a full summary of results including: Network Details, Design Criteria, Pipe and Manhole Schedule, Outfall Details, Simulation Criteria, Online and Offline Controls, Storage Structures and Simulation Results for 1 in 1, 1 in 30 and 1 in 100 plus an allowance for Climate Change.

- Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event (winter and summer).
- The hedge should be located a minimum of 3m from the attenuation tank. If this is not possible then the attenuation tank will require root protection membrane to prevent root ingress.
- If the surface water drainage pipework is kept at the rear of the properties, as this is the prime location for extensions, we will require confirmation that all owners are made aware of this upon purchase of their property.

Reason

To prevent remedial action and to ensure sufficient means of drainage are achieved in compliance with policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the NPPF.

9. Prior to commencement of development (excluding demolition and clearance), a Ditch Condition Survey (including a long section and photos) clearly showing the fall of the ditch from the site outfall to the pond (ideally including the invert level of the pond outfall) will need to be undertaken and submitted to the LPA for review. This will need to provide detail of any mitigation requirements to ensure a clear flow of water. Development shall be carried out in accordance with the approved details.

Reason

To prevent remedial action and to ensure sufficient means of drainage are achieved in compliance with policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the NPPF.

10. Prior to commencement of development (excluding demolition and clearance), the following details relating to the Surface Water Pumping Station must be submitted in writing to the LPA for review:
 - a) pump specification;
 - b) details of who will own, and be responsible for maintaining the pump, setting out who (Contact name, address and telephone number of the proposed management company) will receive notifications and respond when pump failures occur;

- c) any incorporated notification alarm systems, backup methodologies for exceedance and/or extended failure periods; and
- d) confirmation that the maintenance and ownership document is given to all owners upon purchase of their property making them aware of their responsibilities for the structures.

Development shall be carried out in accordance with the approved details.

Reason

To prevent remedial action and to ensure sufficient means of drainage are achieved in compliance with policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the NPPF.

11. No development above the damp proof membrane level shall commence until details of a pedestrian central refuge crossing on Bristol Road between the site access and Court Road have been submitted to and approved by the Local Planning Authority. The details shall include:

- A 1.3m width island.
- 3m wide carriageway running lanes either side.
- A completed Stage 1 / 2 Road Safety Audit.

The approved central refuge shall be completed before occupation of any dwelling.

Reason

To prevent remedial action and in the interest of highway safety. To accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the NPPF.

12. The development shall not commence (excluding demolition and clearance) until construction details for the internal access road including, drainage, lighting and road markings have been submitted to and approved by the Local Planning Authority. The approved details shall be completed before occupation of any dwelling.

Reason

To prevent remedial action and in the interest of highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017) and the provisions of the NPPF.

13. Prior to the commencement of development, a site specific Construction Environmental Management Plan (CEMP), must be submitted to the Local Planning Authority for approval. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall include but not necessarily be limited to:

- (i) Measures to control the tracking of mud off-site from vehicles.
- (ii) Measures to control dust from the demolition and construction works approved.
- (iii) Adequate provision for the delivery and storage of materials.
- (iv) Adequate provision for contractor parking.

- (v) A lorry routing schedule, to include access from the Bristol Road and Church Road only.
- (vi) Temporary access arrangements for construction traffic.
- (vii) Details of Main Contractor including membership of Considerate Constructors scheme or similar.
- (viii) Site Manager contact details.
- (ix) Processes for keeping local residents and businesses informed of works being carried out and dealing with complaints.

Reason

To prevent remedial action and in the interests highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) 2017.

14. The dwellings shall not be occupied until the respective car and cycle parking facilities have been provided in accordance with the approved details.

Reason

In the interest of highway safety and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) 2017.

15. All boundary hedges abutting the carriageway shall be maintained at a height not exceeding 1m.

Reason

In the interest of highway safety and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) 2017.

16. No dwelling shall be occupied until a Travel Plan Statement has been submitted to and approved by the Local Planning Authority. The Travel Plan Statement shall be implemented thereafter in accordance with the details therein.

Reason

To promote and encourage sustainable travel to and from the development and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (adopted (2013) and Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) 2017.

17. Prior to first occupation of the approved development, details of sheds and bases for the allotments must be submitted to the Local Planning Authority for review. These must be fully installed prior to first occupation in accordance with the approved details.

Reason

To prevent remedial action and to ensure a satisfactory level of amenity and appearance, to comply with policy CS16 of the South Gloucestershire Local Plan: Core Strategy (adopted) 2013.

18. Notwithstanding the detail within the approved plans, prior to first occupation of any of the approved dwellings, details and specification for the children's play equipment are to be submitted for review by the Local Planning Authority. The play equipment is to

be fully installed in accordance with the approved details and fully installed prior to first occupation of the dwellings.

Reason

To prevent remedial action and to ensure a satisfactory level of amenity, to comply with policies CS1, CS16 and CS24 of the South Gloucestershire Local Plan: Core Strategy (adopted) 2013.

19. Notwithstanding the details with the LMMP, routine inspections of the children's play area shall occur on a weekly basis. If the play area is heavily used or prone to vandalism, inspections will be required on a more frequent basis as directed by the local planning authority.

Reason

To ensure a high quality of development and that the functionality and usability of spaces and facilities are suitable for their intended purposes. To comply with policies CS1 and CS24 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

20. A) Desk Study - Previous historic uses(s) of the site may have given rise to contamination.

No development (excluding demolition and clearance) shall commence until an assessment of the risks posed by any contamination has been carried out and submitted to and approved by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's guidance - Land Contamination Risk Management (LCRM)*, and shall assess any contamination on the site, whether or not it originates on the site.

B) Intrusive Investigation/Remediation Strategy - Where following the risk assessment referred to in (A), land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of the works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed.

The approved remediation scheme shall be carried out before the development (or relevant phase of development) is occupied.

c) Verification Report - Prior to first occupation, where works have been required to mitigate contaminants (under condition B) a report providing details of the verification undertaken, demonstrating that all necessary remediation works have been completed

satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

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

*Note: Replacement of CLR11 with LCRM (Land contamination Risk Management) Guidance document CLR11 was replaced by LCRM (Land contamination Risk Management) in October 2020. LCRM can be found at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>. For Planning purposes a competent person is expected to follow this guidance when managing risks from land contamination. A competent person must meet the definition given in the National Planning Policy Framework at Annex 2 - <https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary> The relevant British Standards expected to be referenced are given in the LCRM document.

Reason

To prevent remedial action and to ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework.

21. Prior to the first laying out of the allotments within the site, details of the method of laying out and providing topsoil/ growing medium suitable for growth of human food, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the first use of the allotments.

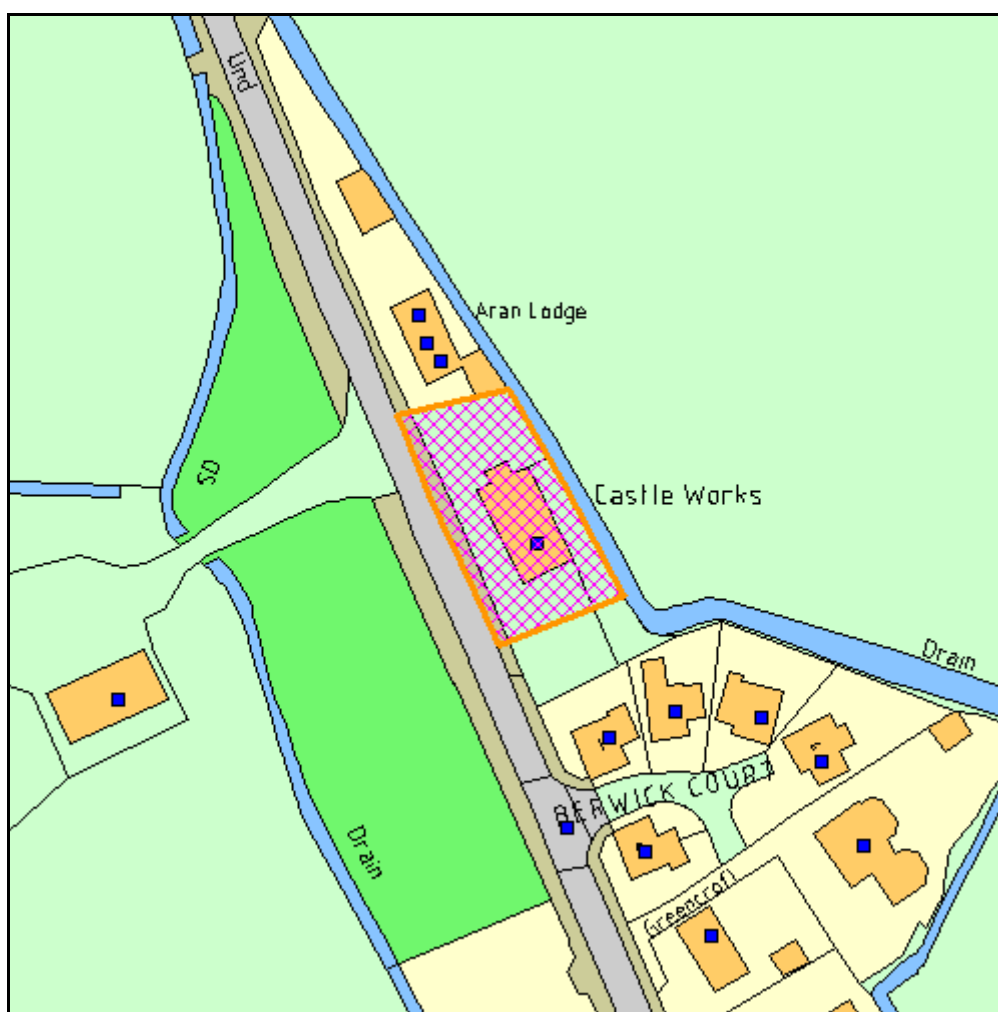
Reason

To ensure a safe environment for recreation and food growth is provided, to comply with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework.

Case Officer: Thomas Smith
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 38/23 -22nd September 2023

App No.:	P23/01547/F	Applicant:	RSS Property Ltd
Site:	Buckley Wright Severn Road Hallen South Gloucestershire BS10 7RZ	Date Reg:	12th May 2023
Proposal:	Alterations to existing commercial building to facilitate conversion to 3no dwellings.	Parish:	Almondsbury Parish Council
Map Ref:	354941 180310	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	29th September 2023



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N.T.S.

P23/01547/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 REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from the Parish Council and 2no. local residents which are contrary to the Officer's recommendation.

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for alterations to an existing commercial building to facilitate conversion into 3no. dwellings.
- 1.2 The application site relates to Buckley Wright, Severn Road, Hallen. This is an existing light industrial commercial site which comprises of a storage unit and ancillary office space. The site is located within the defined settlement of Hallen and is washed over by the Bristol and Bath Green Belt. The majority of the site is located within Flood Zone 2, with a small area in the north-west corner in Flood Zone 3.
- 1.3 During the course of the application, a proposed side extension to form a 4-bay car port and single storey rear addition to plot 3 were removed from the scheme. In place of the car port, a communal garden area was included in the north-east corner of the site.

2 POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
National Design Guide

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
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	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP13	Non-Safeguarded Economic Development Sites
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Impacts and Pollution
PSP28	Rural Economy
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Waste Collection SPD (Adopted) 2015 (Updated 2017)

3 RELEVANT PLANNING HISTORY

3.1 **P21/08133/F**

Erection of 2 no. semi-detached dwellings with integral garage, access, parking and associated works.

Refusal: 11/08/2022
Appeal in Progress

3.2 **PT14/0462/F**

Erection of 1 no. detached dwelling with garage, new access and associated works.

Refusal: 03/04/2014

3.3 **P85/2158**

Change of use of existing building to light industrial and related office accommodation. Change of use of existing vacant land to associated parking area.

Approved: 09/10/1985

4 CONSULTATION RESPONSES

4.1 **Almondsbury Parish Council**

Object- insufficient parking. Fear that visitors parking would block access to the rear of the shared properties.

4.2 **Transportation DC**

No objection subject to addressing layout details.

- Tandem parking for plot 3 is a bit short, should be 10.3m in front of any fence, wall or hedge.
- Two covered and secure cycle parking spaces are required for each dwelling.
- EV charging points required.
- Condition could also secure the 2m wide footway across the site frontage. A Highway Works legal Agreement (S184 Licence) will be required for this work.

4.3 **Environment Agency**

Provided the Local Planning Authority (LPA) is satisfied that the proposed development constitutes a change of use, such that the Sequential Test and first part of the Exception Test do not apply, the proposed development will only meet the National Planning Policy Framework's (NPPF) requirements in relation to flood risk subject to the suggested planning conditions.

4.4 **Lead Local Flood Authority**

No objection in principle. Flood Risk Assessment is accepted. Please consult Environment Agency and Lower Severn Internal Drainage Board.

4.5 **Lower Severn Drainage Board**

No comments received.

4.6 **Landscape Officer**

No landscape plan has been submitted for review. A landscape plan should be submitted, illustrating proposed planting and palette of planting species proposed. A detailed 1:200 scale planting plan should then be submitted as a condition of planning.

4.7 **Tree Officer**

No objection- There is a hedge to the rear of the site which would benefit from some additional tree standards planted within it but there are no arboricultural objections to the proposal.

Other Representations

4.8 Objection comments received from 2no. local residents, summarised as follows:

- Parking space near shared access point could pose problems if vehicles are not parked correctly. May cause an obstruction to our property/driveway.
- Overlooking into garden- would no longer have a quiet and private garden.

5 **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

Policy CS5 of the South Gloucestershire Core Strategy outlines the locations at which development is considered to be appropriate; new development is directed towards the existing urban areas and defined rural settlements. The site is located within the defined rural settlement of Hallen. As such, the proposal accords with the locational strategy and in this regard is acceptable in principle. However, being located on commercial land, within the Green Belt and in an area at risk of flooding, the proposal must also comply with the relevant policy in regard to these constraints to be acceptable overall in principle.

5.2 **Green Belt**

As stated by the NPPF, inappropriate development is by definition harmful to the Green Belt and should not be approved unless very special circumstances can be demonstrated. However, paragraphs 149 and 150 of the NPPF outline the types of development which are considered appropriate within the Green Belt. One such form is *'the re-use of buildings provided that the buildings are of permanent and substantial construction'*. It also allows for *'the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building'*.

5.3 The proposal would convert the existing commercial building into a terrace of 3no. dwellings, it would retain a similar footprint while modestly altering the roof pitch and introducing wall dormers on the front and rear elevations. The existing building is constructed of stone blockwork with timber framed windows and a dual pitched, corrugated metal roof. It is accepted that the building is of permanent and substantial construction, and the proposed alterations are proportionate additions to the original building.

5.4 Therefore, the proposed works are considered to be acceptable forms of development in the Green Belt, in accordance with the NPPF and policy PSP7 of the PSP Plan.

5.5 **Flood Risk**

The application site is located mainly with flood zone 2 where flooding is a medium probability, a small area on the western side of the plot is located in Flood Zone 3 where flooding is a high probability. Residential development is identified within the National Planning Practice Guidance (NPPG) as 'more vulnerable' to flooding. In accordance with the NPPF, inappropriate development at risk of flooding should be avoided. Ordinarily, a proposal for residential development in flood zones 2 and 3 should first satisfy the requirements of the 'Sequential Test'; this aims to steer development to areas at lowest risk of flooding (i.e. Flood Zone 1). However, development that involves a change of use (e.g. from commercial to residential) does not need to do a Sequential Test. As the proposed works involve the conversion of an

existing commercial building into residential properties there is no requirement to satisfy the sequential test. The Exception test is not applied to proposals exempt from the Sequential Test.

5.6 It is acknowledged that a site-specific flood risk assessment has been submitted and accepted by the Council's drainage engineers. The Environment Agency have raised also raised no objections to the scheme subject to appropriate conditions. Any potential contamination risks at the site are the responsibility of the applicant and an informative will be included to ensure this is understood.

5.7 **Loss of employment land**

The land is currently occupied by a commercial premises called Castle Works which is a light industrial unit comprising of storage with ancillary office space. The building is currently being used by the applicant's business for the storage of cable and equipment as well as a hobby venture relating to the construction of a shepherds hut. This is a temporary measure as the premises are not occupied by a tenant.

5.8 Policy CS13 of the Core Strategy states that proposal for change of use on economic development sites not safeguarded in Policy CS12 will not be allowed unless it can be demonstrated that all reasonable attempts have failed to secure a suitable economic re-use. Where these circumstances occur, then priority will be given to alternative uses in the following sequence:

- A mixed use scheme
- A residential only scheme.

5.9 In support of the application, a Marketing Report has been submitted which states that the building is dated in condition and in need of substantial renovation to be suitable for modern commercial user requirements. It was marketed in May 2021 for 14 months as a commercial unit with a reasonable guide price. 14 enquires were received of which 4 were deemed suitable. However, they were unwilling to facilitate the repair costs required. A common feedback from interested parties was that considerable sums of money would be required to be invested into the property to make it compliant with minimum energy efficiency standards.

5.10 The application is proposing to convert the building into 3no. dwellings with associated parking and garden spaces. There is also an area of land south of the building under the same ownership/use (outlined in blue on the Site Location Plan) which would be retained as such. No indication has been provided in regard to its intended future use, at this stage we can only assume the site as a whole would technically remain under mixed use. Though, an appeal is currently in progress for a pair of semi-detached properties on this land and it is acknowledged the modest size of the remaining commercial land and proximity to residential properties would not lend itself to light industrial

- use. The building remains in need of repair; weight is given to the restoration of the site that would otherwise, on the balance of probability, continue to deteriorate in condition to the detriment of the surrounding area. Give the above, the loss of Castle Works building for residential purposes is considered acceptable in this instance.
- 5.11 The development has been found to comply with the locational strategy, to be an acceptable form of development in the Green Belt, an acceptable loss of commercial land and an acceptable in regard to flood risk. As such, the principle of development is acceptable subject to the material considerations below.
- 5.12 **Design and Visual Amenity**
The application is proposing a straightforward conversion of the existing building into a terrace of 3no. dwellings; a similar conversion has been implemented at the neighbouring Aran Lodge. The properties would be 1.5 storey in height with wall dormers facilitating bedrooms in the roof space. The terrace would consist of a dual pitched roof design with a tiled roof; render will be used to cover the existing stone blockwork of the building and white uPVC windows and doors will be inserted. The dwellings would not be overly prominent within the streetscene and their appearance would be generally consistent with residential properties along this part of Severn Road. To ensure a high quality finish, details of materials will be required by condition.
- 5.13 In terms of layout, the properties would be set back from, and appropriately front, Severn Road. Parking for plots 1 and 2 would be located to the side of plot 1, while parking for plot 3 would be to the immediate front/side of the associated dwelling. Each property would be afforded a private amenity space to the rear, while an additional communal amenity area would be located in the north-east corner of the site.
- 5.14 Overall, subject to details of the materials being agreed by condition, the proposed design and layout is deemed, in accordance with policy CS1 of the Core Strategy and PSP1 of the PSP Plan.
- 5.15 **Residential Amenity**
Some concern has been raised by a local resident in regard to a loss of privacy to their garden. However, the proposed windows would face onto Severn Road to the front and an open expanse of countryside to the rear, no side elevation windows are proposed. The distance and angle to any neighbouring dwellings would mitigate for any potentially detrimental overlooking or inter-visibility issues. Given the separation distances and scale of development there are also no concerns with overbearing or loss of light impacts to neighbouring properties.
- 5.16 Policy PSP43 states that all new residential units will be expected to have access to private amenity space. As a guide, minimum standards are provided.

Each dwelling would include 3 bedrooms which would require 60m² of private amenity space. However due to the restrictive shape of the site, the space to the rear of the properties is limited and as such, the private amenity space provided for each dwelling would fall well short of the guidance. However, the policy also states that in terms of usability, the size of external space should, as a minimum, accommodate a table and chairs suitable for the size of the dwelling and provide space for a garden shed. This could easily be achieved within the private spaces provided at the rear. In addition, a larger communal amenity area will be provided for use by the occupiers of all 3 dwellings. It is likely that these dwellings would be occupied by families and this area would provide a much needed usable space for play. The inclusion of this communal area is considered to overcome the somewhat substandard private amenity space provision.

5.17 Taking into account the context of the development, the proposed amenity space is compliant with Policy PSP43 of the PSP plan.

5.18 **Transportation**

Policy PSP16 requires 3-bedroom properties to provide a minimum of 2 off street parking spaces, an additional 1 visitor parking space would also be required. 5 parking spaces would be provided to the side of the dwellings, in front of the communal amenity space. This would adequately satisfy parking for plots 1 and 2, and visitor parking. Parking for plot 3 would be on the opposite side of the site, adjacent to the dwelling. The transport officer raised concern over the length of the parking area. Although the site plan shows this area accommodating 3 vehicles, it is only required by policy to provide 2 spaces for the dwelling. Notwithstanding this, the case officer measured the length of the parking area to be 10.3m which is policy compliant. Secure bicycle storage and recycling storage would also be provided.

5.19 A concern has been raised by the neighbouring occupier over the potential blocking of the shared access by the visitor parking space. However, this is an existing parking area for the commercial unit and the shared access is already in place. There is no reason to assume that the shared access would be blocked by vehicles as the proposed parking space would not impact on accessibility any more than the current situation. It is therefore not a valid reason to refuse the application.

5.20 The application is also proposing to improve the pedestrian access to the site by forming a footpath between the properties and the road. This is a necessary improvement that would require a legal agreement between the applicant and the Local Highway Authority. A suitable condition to secure these works will be included on any decision.

5.21 **Landscape and Ecology**

The proposed landscape plan indicates that proposed planting would include low level hedgerow and apple trees in the front gardens with a further 3no.

apple trees within the communal garden area. A new hedgerow would separate the communal garden area from the off-street parking. 1.8m lapboard fencing would be used as boundary treatments separating the private garden areas. The front gardens and communal area would be lawn, which would be important both visually and practically, while the private areas would be permeable paving. The landscaping is deemed to be acceptable and will be secured by an appropriately worded condition.

- 5.22 In terms of the management and maintenance of the communal amenity area, it has been confirmed by the agent that should the dwellings be retained as rental properties the landlord would be responsible for this. If they are sold as individual properties the sale would include a service charge to provide for a management company to maintain, repair and replace items, planting and surfacing.
- 5.23 In terms of ecology, the site is currently covered by a hardstanding area used in connection with a light industrial unit and is of little ecological value.
- 5.24 **Equalities**
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.25 With regards to the above this planning application is considered to have a neutral impact on equality as it does not impact on any protected characteristics.

6 CONCLUSION

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

7 **RECOMMENDATION**

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

CONDITIONS

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

Reason

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

2. Prior to the first occupation of the dwellings the applicant must enter into an appropriate S184 agreement to carry-out the highway works as shown in principle on the approved Proposed Block Plan, plan no. B7/230712 (received by the Council on 17th July 2023) and to secure all necessary approvals, Regulation Orders and fees as required to achieve this; and shall construct and complete the road works to the approved adoptable standard in accordance with the highway layout hereby approved. For the avoidance of doubt, the scheme of works include the formation of a pavement/footpath to the front to the site.

Reason

In the interests of highway safety and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

3. Prior to the first occupation of the dwellings hereby approved, the proposed car parking facilities for that dwelling are to be completed in accordance with the approved plans and retained as such thereafter.

Reason

In the interests of highway safety, and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The proposed soft landscaping works shall be implemented no later than the first planting season following completion of construction works, in accordance with the approved Landscaping Plan (drawing no. B8/230724). The communal amenity area, as shown on the Proposed Block Plan (drawing no. B7/230712), shall be satisfactorily maintained as such thereafter.

Reason

To protect the character and appearance of the area, and provide suitable amenity space for the future occupiers, to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP2 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and, the National Planning Policy Framework.

5. Prior to the commencement of the relevant works, details of the external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

6. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) ('Flood Risk Assessment, Castle Works, Severn Road, Hallen', dated April 2023, Lyndon Brett Partnership) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 7.55 metres above Ordnance Datum (AOD).

- Flood resilience measures to be incorporated as listed on page 8.

These mitigation measures shall be fully implemented prior to occupation and retained as such thereafter.

Reason

To reduce the risk of flooding to the proposed development and future occupants, to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

7. The development hereby permitted shall take place in accordance with the following plans:

Received by the Council on 5th May 2023:
EXISTING PLANS AND ELEVATIONS

Received by the Council on 11th May 2023:
SITE LOCATION PLAN

Received by the Council on 17th July 2023:
PROPOSED BLOCK PLAN (B7/230712)
PROPOSED ELEVATIONS AND FLOOR PLANS (C8/230712)

Received by the Council on 25th July 2023:
PROPOSED LANDSCAPING PLAN (B8/230724)

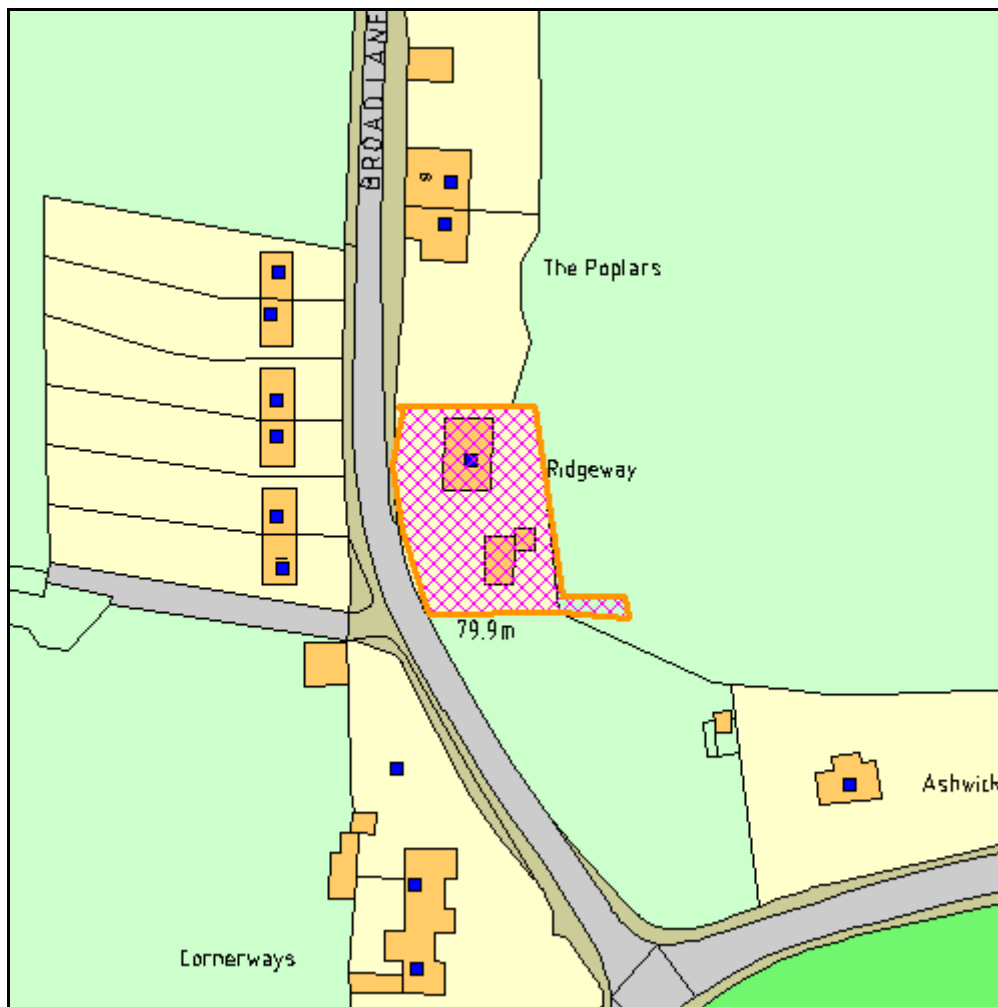
Reason

To define the terms and extent of the permission.

Case Officer: James Reynolds
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 38/23 -22nd September 2023

App No.:	P23/01658/HH	Applicant:	T And H Bryant
Site:	Ridgeway Bungalow Broad Lane Westerleigh South Gloucestershire BS37 8QX	Date Reg:	23rd May 2023
Proposal:	Demolition of existing conservatory, garage and outbuildings. Erection of two storey front and rear extension and raising of roofline to form additional living accommodation. Erection of detached garage with workshop.	Parish:	Westerleigh And Coalpit Heath Parish Council
Map Ref:	369428 179662	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	14th July 2023



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P23/01658/HH

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

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to the receipt of a letter of objection from the Parish Council.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a two storey front and rear extension at the dwelling to include the raising of the existing ridgeline. The application includes the demolition of an array of outbuildings and extensions.
- 1.2 The application site is a 3no. bedroom detached dwelling, located off Broad Lane in a rural area of Westerleigh. The property is set in a generous plot.
- 1.3 The site is washed over by the Bristol/Bath green belt, which has been taken into account during this assessment. During the course of the application, revised plans have been received to notably reduce the size of the proposed garage to help ameliorate the impact on the green belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
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
CS9	Managing the Environment and Heritage

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
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007
Design Checklist SPD (Adopted) August 2007
Householder Design Guide SPD (Adopted) March 2021
Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 P92/2611 Erection of rear conservatory
Approved January 1993
- 3.2 P89/1776 Erection of timber building for use as cattery
Approved June 1989
- 3.3 P84/2271 Erection of stable
Approved November 1984
- 3.4 P84/2643 Erection of 2 storey rear extension
Approved December 1984

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
Objects to the application on the grounds that the extension does not comply with the Householder design SPD as it is not subservient. The Parish also raise concern with the % increase in the Green Belt.
- 4.2 Highway Officer
No objection providing sufficient off street parking is retained.
- 4.3 Residents
One letter has been received objection to the application because of the amount of development that has taken place along the lane 'Broad Lane is almost being turned into a housing estate!'

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which 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. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

5.2 Green Belt

The purpose of the green belt is to prevent urban sprawl by keeping land permanently open, and serves 5 purposes, according to Section 13 of the NPPF:

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

On that basis, local planning authorities have a responsibility to ensure substantial weight is given to any proposal which is likely to harm the green belt.

5.3 The NPPF states that:

- *Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is 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.*
- *A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are... the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

5.4 The requirements of the NPPF are backed up by policy PSP7 and the Development within the Green Belt Supplementary Planning Document (Adopted 2007). PSP7 states that additions and alterations will be allowed provided they do not result in a disproportionate addition to the original building. As a general guide, an addition resulting in a volume increase less than 30% of the original building would likely be acceptable, additions which exceed 30% will be given careful consideration with regards to whether the proposal would appear out of scale to the existing building and additions resulting in a volume increase of 50% or more of the original building are likely to be inappropriate and disproportionate and are therefore likely to be refused.

5.5 For avoidance of doubt, the term 'original dwellinghouse' refers to the volume of the dwelling as it was when the original planning permission for its construction was granted, or the volume of the dwelling on 01 July 1948 (when the Town and Country Planning Act was introduced). Additions which have occurred since then will be considered cumulatively and will count against the overall increase in the volume of the dwelling when new additions are being assessed.

5.6 In this instance, the Council holds no planning records for the historical extensions property. It is clear however that the dwelling has been extended in the past – mostly to the rear and in the form of outbuildings. The application includes the demolition of the existing rear conservatory (para 3.1) and outbuildings (paras 3.2 and 3.3). The two storey rear extension (para 3.4)

would be retained and incorporated into the extended dwelling. The proposed block plan shows the extent of the outbuildings to be removed to make way for the new garage and the removal of these outbuildings would be conditioned.

- 5.7 Given the lack of accurate records for the historical applications, the volume increase is as accurate as possible but caution must be exercised. The volume of all existing built form on the site (dwelling and outbuildings) is circa 850m³. The volume of all proposed built form on site (dwelling and garage) is circa 1000m³. Taking into account the existing rear extension at the dwelling, the extensions would result in a cumulative increase of between 30 and 40% over and above the volume of the 'original dwelling'. On that basis, the extension would not result in a disproportionate addition to the dwelling within the green belt and there are no objections in this respect. Notwithstanding this, Permitted development rights for extensions, dormers and outbuildings will be removed to ensure that any further extension to the dwelling protects the openness of the green belt.
- 5.8 Design & Visual Amenity
Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. The householder SPD sets out the design approach that should be taken to extensions – including that they should normally be subservient.
- 5.9 The proposed changes are not subservient to the host dwelling and will change the character of the dwelling. At present, the building appears as a large dormer bungalow with a flat roofed two storey extension. As proposed, the dwelling will appear as a two storey dwelling with front and rear gables – the flat roofed element will be removed.
- 5.10 Whilst the extensions will completely alter the character of the host dwelling, this is considered to be acceptable in this instance. The surrounding built form is very varied being a mix of two storey semi-detached dwellings and two storey detached dwellings. Front gables are prevalent and there is a mix of materials including render, stone and pebble dash. The new dwelling as proposed would integrate successfully with the surrounding street scene. Whilst being substantially different to what is there currently, no harm can be identified from the proposed extensions. The design and visual impact of the proposed extensions and alterations to the existing dwelling are considered to be acceptable.
- 5.11 The proposed garage will replace an array of outbuildings. During the course of the application the scale of the garage has been significantly reduced including a reduction in depth and height, the removal of the workshop element and the removal of the external staircase. Subject to the attachment of a condition to ensure the use of materials to match those of the main dwelling, the design of the garage is considered to be wholly acceptable.

5.12 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. Similarly, policy PSP43 reinstates the requirement for the provision of sufficient private amenity space standards and that private and communal external amenity space should be; functional, safe, accessible, of sufficient size and should take into account the context of the development and, including the character of the surrounding area. The proposal has been assessed and is found to accord with policies PSP8 and PSP43 of the development plan.

5.13 Parking Standards

PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-s ample parking would be provided both on the driveway and in the proposed garage to meet the needs of the extended dwelling. The proposal is therefore found to comply with PSP16 of the development plan.

5.14 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 is considered to have a neutral impact on equality.

6 CONCLUSION

6.12 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.

6.13 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 permission is **APPROVED**.

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 development hereby permitted shall take place in accordance with the following plans:

Received by the Council on 20th May 2023:

Existing Block and Location Plan

Existing Elevations

Existing Floor Plan

Proposed Elevations

Proposed Floor Plan

Received by the Council on 19th September 2023:

Proposed Block and Location Plan

Proposed Garage Plans and Elevations

For the avoidance of doubt, any outbuildings not shown on the approved plans must be demolished and removed from the site prior to the first occupation of any part of the extension or garage.

Reason:

To define and clarify the permission

3. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, and E) other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

Any further extension to the property would require further assessment to ensure the openness of the green belt is protected. To comply with the requirements of Policies CS5 and PSP7 of the Adopted Development Plan.

4. The materials to be used in the construction of the external surfaces of the extensions and detached garage hereby permitted shall match those used in the existing building.

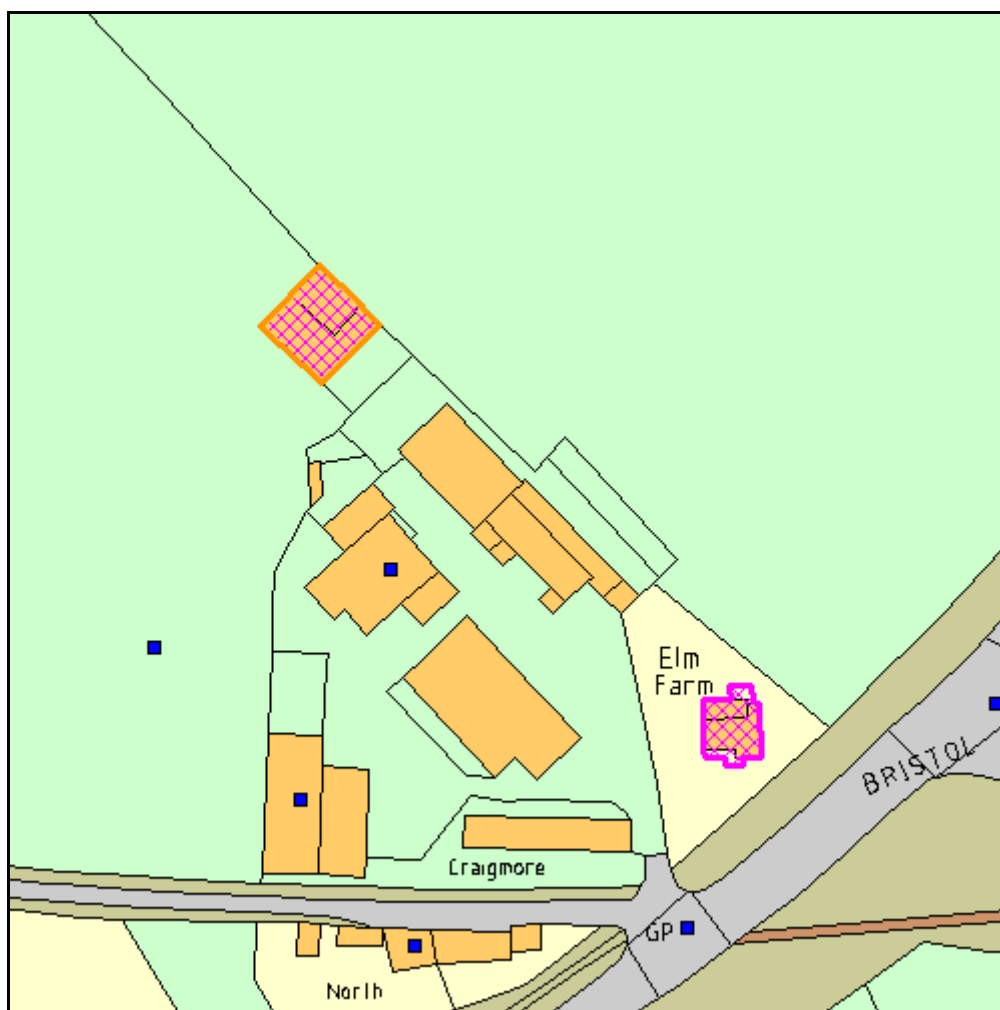
Reason

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.

Case Officer: Ben France
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 38/23 -22nd September 2023

App No.:	P23/01865/F	Applicant:	Mr & Mrs J & S Shepherd
Site:	Typers Leaze Barn Elm Farm Bristol Road Iron Acton South Gloucestershire BS37 9TF	Date Reg:	3rd July 2023
Proposal:	Change of use of barn to 1no. agricultural workers dwelling with associated works (retrospective).	Parish:	Iron Acton Parish Council
Map Ref:	367114 183429	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	28th August 2023



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P23/01865/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.

1. THE PROPOSAL

- 1.1 This application is for full planning permission for the retrospective change of use to a barn to 1no. agricultural workers dwelling with associated works.
- 1.2 The site relates to a former steel framed agricultural building located outside of any defined settlement boundary and within the Bristol/Bath Green Belt.
- 1.3 The application is fully retrospective and the property is occupied. The building gained consent for conversion under P21/02359/PNGR, and the proposals are physically identical to those granted consent and carried out. The purpose of this application is to apply a restriction to the property restricting occupation to an agricultural worker.

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
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP40	Residential Development in the Countryside
PSP41	Rural Workers Dwellings
PSP43	Residential Amenity Space Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P23/01096/F - Removal and re-installation of 43no. ground mounted solar panels from an existing building to another location at Elm Farm. – Approved 05.06.2023
- 3.2 P23/00389/RVC - Removal of agricultural occupancy condition c attached to permission SG.1908. (SG.1908-Use of land for the erection of a dwelling in connection with a farm holding (approx. 60 acres). New vehicular access. Outline application). – Pending consideration
- 3.3 P22/05298/RVC - Variation of condition 12 attached to P21/07136/F to submit amended drawings for building 3, to change the appearance of the converted dwelling. Partial demolition of 1 no. dog kennel building (building no. 4) to facilitate its conversion into 1 no. dwelling. Demolition of 1 no. garage building (building no. 6) to facilitate the conversion of 1 no. former agricultural building (building no. 3) into 1 no. dwelling. Formation of new trackway, parking areas and other associated works (resubmission of previously approved scheme P20/17297/F). – Approved 04.11.2022
- 3.4 P21/02359/PNGR - Prior notification of a change of use from 1 no. agricultural building to 1 no. residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include operational development. – Prior Approval Granted 19.05.2021
- 3.5 P21/06235/PNGR - Prior notification for the change of use from agricultural (ClassQ) to 1 no. dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1985 as amended. – Prior Approval Granted 12.11.2021
- 3.6 P21/07136/F - Partial demolition of 1 no. dog kennel building (building no. 4) to facilitate its conversion into 1 no. dwelling. Demolition of 1 no. garage building (building no. 6) to facilitate the conversion of 1 no. former agricultural building (building no. 3) into 1 no. dwelling. Formation of new trackway, parking areas and other associated works (resubmission of previously approved scheme P20/17297/F) – Approved 10.03.2022
- 3.7 PK14/0697/F - Installation of solar panels to roof of 3no. buildings. – Approved 02.05.2014
- 3.8 PK07/1983/F - Change of use of agricultural building to dog kennels (sui generis) as defined in The Town and Country Planning (Use Classes) Order 1987 (as amended). – Approved 20.08.2007

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council – No comment
- 4.2 Transport – No objection subject to conditions relating to provision of parking and EVCP

4.3 Drainage – Query relating to foul sewage

4.4 Highway Structures – No comment

Other Representations

4.5 Local Residents – No comments received

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 This proposal relates to an existing barn conversion located at Elm Farm, Iron Acton. Prior approval for the barn conversion was granted under P21/02359/PNGR, and the conversion is now complete and the property occupied. This application does not propose any amendments to the barn itself, and has been submitted with the intention of applying a condition to the property restricting occupation to agricultural workers.
- 5.2 The main farmhouse at Elm Farm is restricted to agricultural occupancy under application ref: SG.1908. Application P23/00389/RVC was recently submitted to remove this condition, and remains pending consideration. The officer preliminary analysis of that application is that the current agricultural activity on the farm is limited and many of the buildings (including the one subject to this application) have been converted to residential use, however there remains around 100 acres of land available for agricultural use. Much of this land is subject to an appeal for a solar farm (P23/01865/F). The appeal was submitted in March 2022 and remains undetermined. The future need for such a property is therefore uncertain at this time.
- 5.3 The baseline market value of the existing tied property- the farmhouse- is £850,000, offered at a reduced rate of £625,000 due to the agricultural tie. The property is a fairly large four bedroom, and due to the size and price is unlikely to be attractive or achievable for purchase by the average agricultural worker. However, the potential need for such a tied dwelling still remains.
- 5.4 The applicant is therefore proposing that an agricultural tie is attached to a different property in the complex - the barn conversion property the subject of this application, to fulfil the potential need with a more suitable property. The applicant then intends to continue with application P23/00389/RVC to remove the tie from the larger farmhouse. A legal agreement would be required to avoid two properties within the farm having an agricultural tie unnecessarily.
- 5.5 The subject property is a modern single storey barn conversion, containing two bedrooms, an office, separate hall area, bathroom and en-suite, living room, and open plan kitchen/dining room, and potentially more suitable for an agricultural worker.
- 5.6 The premise of the above is justifiable, however the proposal must also be considered against the Development Plan.

Location

- 5.7 As the proposal building has already been converted and is occupied lawfully, the principle of development in terms of location and Green Belt have already been considered, and are acceptable.

Ecology

- 5.8 A Preliminary Bat Survey (CTM Wildlife, February 2021) has been submitted. The site is not covered by any designated sites.
- 5.9 All buildings on site were found to have negligible potential for bats, though this application only refers to building 1. There is limited foraging habitat around the buildings.
- 5.10 Nesting house sparrows were recorded in the building, and mitigation and enhancements were conditioned as part of the decision for P21/02359/PNGR. These have been carried out. There is no ecological objection.

Residential amenity

- 5.11 Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed and has found to be in compliance with these policies. Concerning the provision of private external amenity space, 120m would be provided to the rear of the property. The proposed amenity area is acceptable and would on balance comply with the provisions of policy PSP43.

Drainage

- 5.12 The drainage team have requested further detail on the proposed drainage due to conflicting information within the submission. However, as the proposal is already in use, has gone through the Buildings Regulation procedure and drainage information was not required under P21/02359/PNGR, it is not considered necessary to request clarification on this matter.

Access and parking

- 5.13 This proposal will not create a significant amount of new traffic, nor will it produce any highways or transportation issues which could be considered to be severe. The proposal also broadly conforms to policy PSP28 relating to the re-use of redundant agricultural buildings, and as such there is no objection to the proposal in principle.
- 5.14 2no. parking spaces are to be provided to the dwelling, in accordance with PSP16.
- 5.15 The proposal will utilise the existing access, which is tarmacked and concreted.

- 5.16 The transport and highways impact of the proposal are considered to be acceptable.

Planning Balance

- 5.17 The proposal has been found to be acceptable in terms of conversion of the building, impact upon the Green Belt, design and visual impact, landscape, residential amenity, ecology, access, parking and drainage.
- 5.18 The fallback position must also be taken into account, i.e. the fact that the building is already within residential use, and the refusal of this scheme would not alter that. Overall, the proposal is considered to be acceptable.

Consideration of likely impact on Equalities

- 5.19 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. 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 Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following;

1. The occupation of the dwelling (known as Typers Leaze Barn) shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

2. Clause 1 shall not apply unless condition c attached to permission SG.1908 relating to agricultural occupancy of Elm Farm farmhouse is granted consent for removal.

CONDITIONS

1. The off-street parking facilities shown on the plan hereby approved shall be retained in perpetuity.

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.

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

26 Jun 2023	50453-11-006	B	PROPOSED COMBINED
26 Jun 2023	50453-11-009	A	EXISTING COMBINED
26 Jun 2023	50453/11/102	A	PROPOSED BLOCK PLAN

Reason:

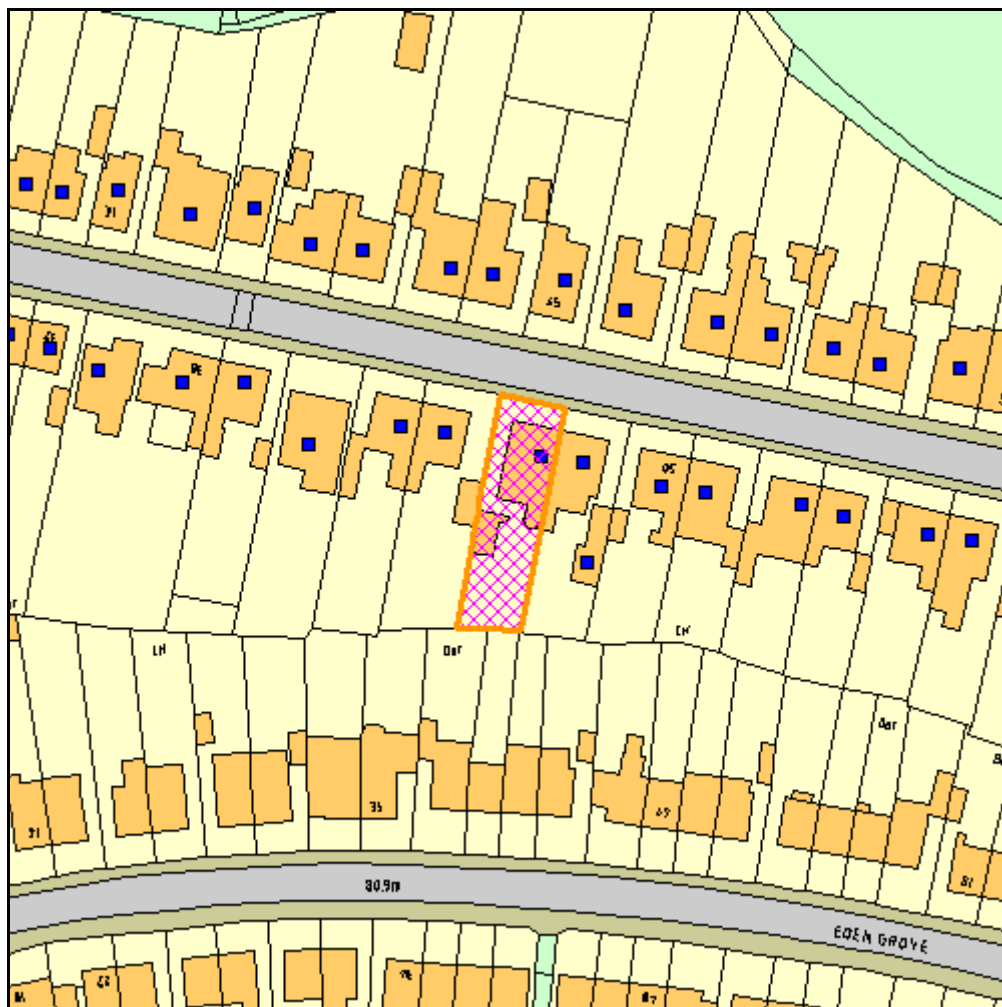
To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 38/23 -22nd September 2023

App No.:	P23/02151/F	Applicant:	Indurain Property Ltd
Site:	46 Northville Road Filton South Gloucestershire BS7 0RG	Date Reg:	21st July 2023
Proposal:	Change of use from a small dwellinghouse in multiple occupation (Class C4) to a large house in multiple occupation for up to 9no. people (sui generis), including a hip-to-gable and rear dormer roof extension. Conversion of existing garage into ancillary living accommodation.	Parish:	Filton Town Council
Map Ref:	360133 178167	Ward:	Filton
Application Category:	Minor	Target Date:	29th September 2023



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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 over 3no local resident objections contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the change of use from a dwelling house currently in use as a small house in occupation (C3a) to a large dwelling house in multiple occupation (*sui generis*) for up to nine people, including the erection of a hip-to-gable and rear dormer roof extension at 46 Northville Road, Filton.
- 1.2 The application site is not covered by any restrictive designations.
- 1.3 Since the point of submission, revised plans have been submitted detailing the proposed cycle parking arrangements.

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
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
CS25	Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivision, and HMOs

- 2.3 Supplementary Planning Guidance
Householder Design SPD (Adopted 2021)
Residential Parking Standards SPD (Adopted) 2013
Waste Collection: Guidance for new developments SPD (Adopted) 2015
Houses in Multiple Occupation SPD (Adopted) 2021

3. **RELEVANT PLANNING HISTORY**

- 3.1 P23/01123/CLE. Certificate Granted, 11/5/2023
Continued use as small House in Multiple Occupation (HMO) for 4 tenants (Class C4).
- 3.2 Further history is available however not relevant to this application.

4. **CONSULTATION RESPONSES**

- 4.1 Filton Town Council – Objection
-Overdevelopment of site in excess of 50%
-Insufficient onsite parking for number of occupants and removal of 1 on road parking spot.
- 4.2 Transport Officer – No objection.
Parking surveys have demonstrated that sufficient on-street parking is available for the increased demand. Revised cycle storage details has been received since the point of submission. As such, the proposal is acceptable in transport terms. Full comments incorporated below.

Other Representations

- 4.3 Local Residents
11no objections have been received, the key points are summarised below:
- Too many HMO's in local area;
 - Harm to local character;
 - Harm to parking;
 - Vulnerable adults living next door;
 - Harm to highway safety;
 - Harm to amenity (excessive noise/ nuisance/ anti-social behaviour);
 - Harm to outlook;
 - Harm to security;
 - Harm to local and residential amenities; and
 - Increased litter

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
Policy PSP39 within the adopted Policies, Sites and Places Plan (2017) states that where planning permission for an HMO is required, this will be acceptable,

- provided that this will not prejudice the amenity of neighbours. Supporting text states that the term “neighbours” should be taken to mean properties adjacent to, and surrounding, the application site which have a reasonable potential to be directly affected by harmful impacts arising from the proposal(s).
- 5.2 In addition, Policy PSP8 maintains that development proposals will only be acceptable provided that they do not ‘have unacceptable impacts on residential amenity of occupiers of the development or of nearby properties’. Unacceptable impacts could result from noise or disturbance, amongst other factors, which could arise from HMOs functioning less like traditional single households on a day-to-day basis.
- 5.3 Prejudicing the amenity of neighbours can arise at a localised level when developments of such HMO uses are inappropriately located, or become concentrated, particularly at an individual street level. Additional Explanatory Guidance 1 of the Houses in Multiple Occupation SPD (adopted 2021), sets out that the following factors should be taken into account when determining if the proposal would prejudice the amenity of adjacent neighbours:
- Whether any dwelling house would be ‘sandwiched’ between two licensed HMOS; or
 - Result in three or more adjacent licensed HMO properties.
- 5.4 For the purposes of the SPD, an ‘adjacent property’ is any property that shares one or more boundaries with the application boundary. For example, in any streets, this would include the immediate neighbouring property or those where the rear garden is adjoining. ‘Sandwiching’ situations can occur even where there are limited breaks in the building line, including across private or unadopted adjacent access tracks within the curtilage of properties. ‘Sandwiching’ is unlikely to occur across separating roads.
- 5.5 **In the case of this application, no licenced HMOs are located either side of the site, and none share any direct boundary. This test is therefore passed.**
- 5.6 As set out in Policy CS17, providing a wide variety of housing type and sizes to accommodate a range of different households, will be essential to supporting mixed communities in all localities. Sub-division of existing dwellings and non-residential properties to form flats or HMOs can make a valuable contribution suitable for smaller households and single people as part of these mixed communities.
- 5.7 Policy CS17 does not define what is meant by ‘mixed communities’ in all localities. Instead, it acknowledges that implementation of this policy, and PSP39, will be made on a case basis through the development management process. Therefore, the HMO SPD aims to acknowledge that some intensification, if carried out sensitively, and where it would not adversely affect the character of an area, can contribute to the local mix and affordability of housing, viability of local services, vitality of local areas and contribute to the Council’s housing delivery targets.

- 5.8 As there are localities which are already experiencing concentrations of HMOs, the SPD requires consideration of existing localities that are already experiencing levels of HMOs which harm the ability to support mixed communities and preventing impact on character and amenities, and applications which would result in a level of HMOs that could contribute towards harmful impacts.
- 5.9 SPD Additional Explanatory Guidance 2 sets out that the following factors should be taken into account when determining if the proposal would contribute to harmful impacts in respect of a mixed community and the character and amenity of an area:
- **An additional HMO in localities where licensed HMO properties already represent more than 10% of households, or,**
 - **More than 20% of households within a 100m radius of the application property.**
- 5.10 For the purposes of this assessment, a 'locality' is defined by a statistical boundary known as a Census Output Area.
- 5.11 In the case of 46 Northville Road, licenced HMO properties currently represent:
- **5.8 Percent of households in the Census Output Area; and**
 - **9.5% of properties within a 100m radius**
- 5.12 The principle of change of use to an HMO is therefore complies with policies PSP39, PSP8 and CS17 and the SPD.

Design

Hip to gable and rear dormer

- 5.13 The proposed development includes the provisions of a full hip to gable alteration and a full width box type dormer. Whilst policy PSP38 and the Householder Design Guide expressly reject this form of development, the surrounding development forms an important material consideration.
- 5.14 In this specific instance the area is characterised by detached and semi-detached bungalows with varying roof forms and extensions. There is no distinct rhythm when it comes to the rear elevations, with numerous dormers and deep extensions apparent. As such, the provision of a gable end and box dormer in this location would not appear out of character or indeed harmful in relation to the site and its context. To facilitate the proposed dormer, the existing rear gable would be removed and replaced with a small section of flat roof, albeit given the single storey scale and location to the rear of the property. The existing side dormer would also be removed, thus providing a visual enhancement from the street scene. No objections are raised for the proposed skylights on the front roof slope, these are small in scale and evenly placed. Following the assessment above taking into balance the material considerations, no objections are raised. Moreover, the property has extant permitted development rights for which a hip to gable and box dormer could be provided. The proposed development would therefore respect the host dwelling and its context in accordance with policy PSP38.

Residential Amenity

- 5.15 With regards to the amenity levels for the future residents, each room would be provided with suitable levels of natural light and outlook.
- 5.16 In terms of outdoor amenity space, policy PSP43 sets out minimum standards for private amenity space, however there is no set standards for HMOs. Using this policy as a reference, a 1no. bed flat should have access to a minimum for 5m² amenity space. Using this standard, 9 x 1bed. flats would require 45m² amenity space. The rear garden would be able to accommodate this providing ~196m², and thus would provide a sufficient private amenity space would be provided for future occupants.
- 5.17 With regards to the impacts on the neighbouring residents, as already set out, the principle of the change of use is not considered to significantly impact upon residential amenity.
- 5.18 Turning to the amenity of the neighbours, the properties to the rear are located c.40m away from the rear dormer, thus exceeding the minimum recommended distances within the adopted Amenity Tan Note. Whilst it's acknowledged that the neighbouring gardens would be subject to an increased amount of overlooking as a result of the proposed dormer, the property is located within a built-up residential area where such levels of overlooking is not uncommon – indeed many of the properties along Northville Road are subject to an equal degree of overlooking. It is also acknowledged that a dormer window could be erected by virtue of permitted development rights, thus beyond the control of the councils own local plan policies.
- 5.19 With regards to noise, there is no reason why the proposed intensification of the residential use would lead to unacceptable levels of noise and disturbance. Nonetheless, should neighbours find the harm unacceptable, action can be implemented by the Council's Environmental Protection team. In terms of litter, there is no evidence to suggest the use of a property as a HMO results in increased litter. Nonetheless, bin and recycling stores are being provided, thus providing appropriate means for external waste storage. A condition can be attached to the decision to ensure these are fully installed prior to first occupation. The application is therefore acceptable in terms of residential amenity.

Parking

- 5.20 The existing 4 bed HMO which has previously received a certificate of lawful development would require 2 car parking spaces and the 9 bed HMO would require 5 spaces. The conversion of the garage removes one of the existing spaces. Therefore the on-street additional car parking demand could be up to 4 spaces.
- 5.21 Parking surveys have previously been carried out for earlier change of uses to HMO's in the vicinity of the site. The most recent being for P21/00420/F 25 Northville Road. The surveys for that planning application were carried out in March 2021.

- 5.22 These parking surveys were carried out during Wednesday and Thursday evening and Saturday day time and were supported with photographs in accordance with the Council's guidance on residential car parking surveys. They show that there was a minimum of 19 spaces available on Northville road on the Wednesday evening survey and more on Thursday and Saturday. The surveys show that there is sufficient on-street parking spare capacity to accommodate the demand from earlier HMO applications at 25, 58 and 64 Northville Road plus the up to 4 additional spaces associated with this proposal.
- 5.23 The site is in a very sustainable location with good access to public transport and it is within walking and cycling distance of UWE and Southmead Hospital. In summary there is sufficient on-street car parking to accommodate the parking demand associated with the proposal and earlier approved HMO's yet to be occupied as such at the time of the surveys.
- 5.24 With regards to the provision of cycle storage, a revised plan has been received for which demonstrates that sufficient storage would be provided. Subject to this being secured prior to first occupation, the proposed development is policy compliant.
- 5.25 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. This planning application 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 planning permission be **GRANTED**.

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

Received by the council on 7th September 2023: Existing and Proposed Block Plan (Rev C). Received by the council on 17th July 2023: Location Plan, Proposed Garage Plans and Elevations, Proposed Plans and Elevations.

Reason

To define the terms and extent of the permission.

3. Prior to first occupation, the bin and bike stores must be fully installed and retained at all times thereafter.

Reason: In the interests of public health, highway safety, visual amenity, to comply with policies PSP1 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017, policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013, and the provisions of the NPPF.

Reason: To ensure sufficient levels of cycle parking is provided and to comply with policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017, policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013, and the provisions of the NPPF.

Case Officer: Thomas Smith
Authorising Officer: Marie Bath