

# 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: 39/23**

**Date to Members: 29/09/2023**

**Member's Deadline: 05/10/2023 (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](mailto: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](mailto: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](mailto:MemberReferral@southglos.gov.uk)

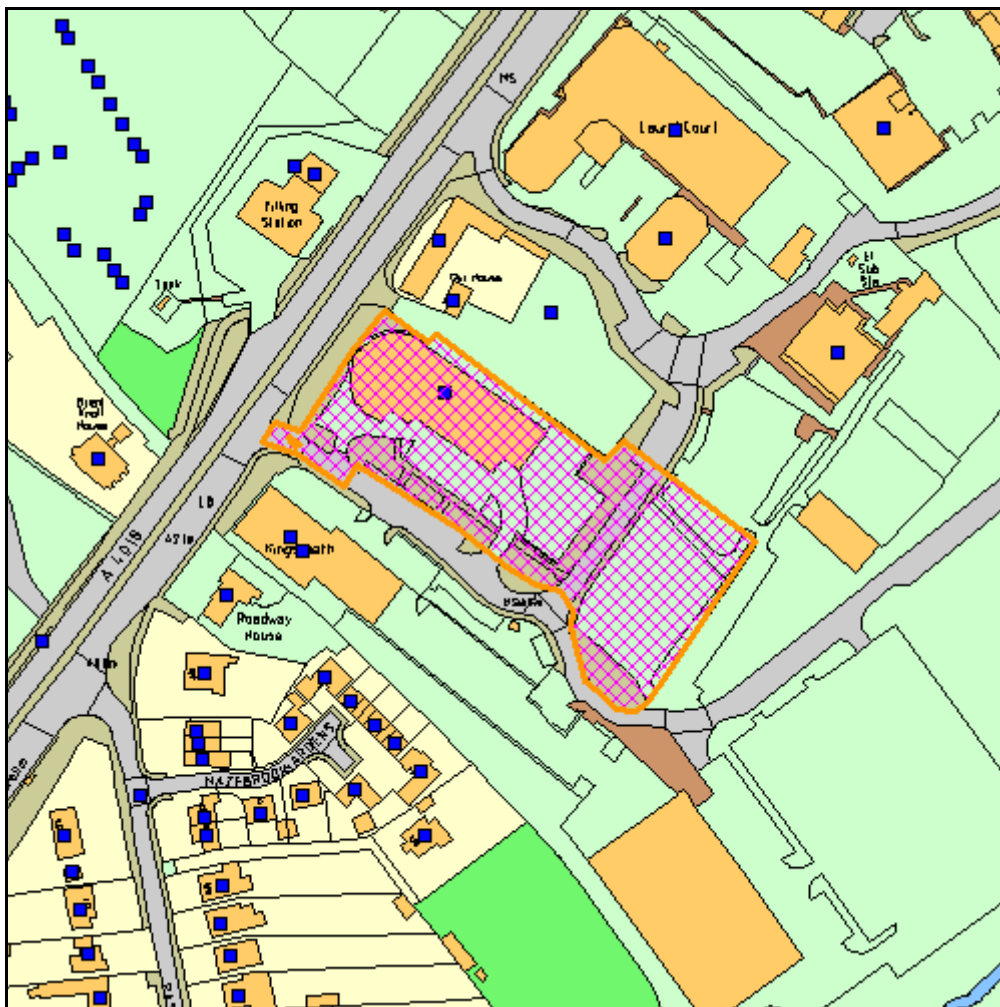
# CIRCULATED SCHEDULE 29 September 2023

-

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>P23/00993/F</b>	Approved Subject to Section 106	The Paddock The Laurels Almondsbury South Gloucestershire BS10 7UH	Charlton And Cribbs	Almondsbury Parish Council
2	<b>P23/02062/HH</b>	Approve with Conditions	25 Foxglove Close Thornbury South Gloucestershire BS35 1UG	Thornbury	Thornbury Town Council
3	<b>P23/02273/HH</b>	Approve with Conditions	Castle Cottage 44 Willsbridge Hill Willsbridge South Gloucestershire BS30 6EY	Longwell Green	Hanham Abbots Parish Council
4	<b>P23/02356/ADV</b>	Advert Approve with Conditions	Farmhouse Inn Wellington Road Yate South Gloucestershire BS37 5UY	Yate North	Yate Town Council

**CIRCULATED SCHEDULE NO. 39/23 -29th September 2023**

<b>App No.:</b>	P23/00993/F	<b>Applicant:</b>	Dick Lovett Ltd
<b>Site:</b>	The Paddock The Laurels Almondsbury South Gloucestershire BS10 7UH	<b>Date Reg:</b>	23rd March 2023
<b>Proposal:</b>	Demolition of existing building. Erection of 1 no. building for form car dealership with car parking, landscaping and associated works.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	357122 180358	<b>Ward:</b>	Charlton And Cribbs
<b>Application Category:</b>	Major	<b>Target Date:</b>	21st June 2023



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

P23/00993/F

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

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application is reported to the Circulated Schedule as it requires a new planning agreement.

### **1. THE PROPOSAL**

- 1.1 The site is currently in use as a Porsche dealership. It is sited within the Filton Enterprise Area and the Cribbs Patchway New Neighbourhood. It is sited amongst other car showroom/garage uses as part of the Dick Lovett campus.
- 1.2 This is a full application for the erection of a new Porsche dealership, following the demolition of the existing building. The building will be sited in a broadly similar position to the existing building. The proposed building would be part two storey, at a height of approx. 9.1m, and part single storey, at a height of approx. 4m. The footprint in total is 40m by 96.5m. It will be constructed of aluminium panels and cladding.
- 1.3 Additional information has been received through the processing of the application to amend the landscape details and address the points made in the initial round of consultations.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

#### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design  
CS2 Green Infrastructure  
CS4A Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS6 Infrastructure and Developer Contributions  
CS7 Strategic Transport Infrastructure  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS12 Safeguarded Areas for Economic Development  
CS13 Non Safeguarded Economic Development Sites  
CS14 Town Centres and Retail  
CS23 Community Infrastructure and Cultural Activity  
CS25 Communities of the North Fringe of Bristol Urban Area  
CS26 Cribbs Patchway New Neighbourhood

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

PSP2 Landscape  
PSP3 Trees and Woodland  
PSP5 Undesignated Open Spaces within Urban Areas and Settlements  
PSP8 Residential Amenity  
PSP11 Transport Impact Management  
PSP16 Parking Standards  
PSP17 Heritage Assets and the Historic Environment  
PSP19 Wider Biodiversity  
PSP20 Flood Risk, Surface Water and Watercourse Management  
PSP21 Environmental Pollution and Impacts  
PSP26 Enterprise Areas

### 2.3 Supplementary Planning Guidance

Cribbs Patchway New Neighbourhood Development Framework SPD  
The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.  
The South Gloucestershire Council Waste Collection: guidance for new Developments (SPD) Adopted Jan. 2015  
Planning and Noise Specific Guidance Note 1 March 2015  
Trees and Development Sites: Guidance for New Development SPD (adopted April 2021)  
South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014) - Site lies within Patchway & Filton Landscape Character Area (area 15)  
Green Infrastructure: Guidance for New Development SPD (adopted April 2021)  
Sustainable Urban Drainage; Guide for New Development SPD

## 3. **RELEVANT PLANNING HISTORY**

The Dick Lovett complex has a long and varied planning history. The most relevant and recent applications are listed as follows:

- 3.1 P95/0051/145 - Development of 2.52 hectares of land (6.2 acres) for the erection of used car sales office, workshops, canopy and car parking. Construction of new vehicular and pedestrian access.  
Approved 14<sup>th</sup> July 1995
- 3.2 PT02/2706/F - Erection of car showrooms and associated offices, service workshops, parking and landscaping.  
Approved 5<sup>th</sup> Nov. 2003
- 3.3 PT10/1949/F - Erection of replacement single-storey building to form car body repair centre and PD1 use with car parking, car storage and associated works.  
Approved 19<sup>th</sup> Nov. 2010
- 3.4 PT11/3298/F - Erection of BMW Motorrad showroom including sales and service areas and associated works (sui generis).  
Approved 29<sup>th</sup> Dec. 2011



- 3.5 PT12/0593/F - Erection of BMW Motorrad showroom including sales and service areas and associated works (Sui Generis).(Re\_submission of PT11/3298/F)  
Approved 18<sup>th</sup> April 2012
- 3.6 PT14/029/SCR Mixed use development on 3.15ha of land comprising offices (Use Class B2) Storage (Use Class B8) car showrooms (sui generis) and all associated ancillary facilities. Outline application including access with all other matters reserved. Screening Opinion for PT14/2646/O.  
EIA not required 11.09.2014
- 3.7 PT14/2646/O - Mixed use development on 3.15ha of land comprising offices (Use Class B2) Storage (Use Class B8) car showrooms (sui generis) and all associated ancillary facilities. Outline application including access with all other matters reserved. Approved 11<sup>th</sup> Sept. 2014
- 3.8 PT15/1415/RM - Erection of a new car dealership including workshop, compound and a new car park including appearance, landscaping, layout and scale. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT14/2646/O).  
Approved 31<sup>st</sup> July 2015
- 3.9 P23/00872/F - Erection of 1 no. building to be used as car show room and workshop (Sui Generis) with associated car parking, access roads, and landscaping. Re-cladding of existing storage shed. – Pending consideration

#### 4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council  
Neutral – no comments
- 4.2 Other External Consultees  
**Wessex Water** – No comments received  
**Health and Safety Executive** – Does not advise against the granting of planning permission on safety grounds  
**Avon Fire** - No comments received  
**Avon and Somerset Police** – No objection  
**National Grid** - No assets will be affected by the development  
**NHS** – No comments received  
**Avon Wildlife Trust** – No comments received
- 4.3 Internal Consultees  
**Sustainable Transport** – Offer the following comments  
- Masterplan should be updated to reflect the changes made to the travel plan  
**Highway Structures** – No comments received  
**Economic Development** – No comments received  
**Public Art** – No comment  
**Lead Local Flood Authority** – No objection, subject to condition  
**Environmental Policy and Climate Change** – Offer the following comments  
- Welcome the intention to go above the building regulations

- Further detail should be incorporated at this stage to allow proper assessment of future energy use and resultant carbon dioxide emissions
- This would allow any alterations to be incorporated
- Confirmation that the capacity of the power supply to the site will be sufficient to meet projected demands from EV charging and heat pumps

**Landscape Architect** – No objection

**Ecology** –

**Urban Design** – No comments received

**Archaeology** – No objection

### **Other Representations**

- 4.4 Local Residents  
None received

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The site is located within the Filton Enterprise Area and Cribbs Patchway New Neighbourhood (CPNN). The site is currently in used for car sales and this application seeks to replace the building rather than change the use of the site. In view of this, the proposed development is considered to be acceptable in principle, subject to other material considerations.

### 5.2 Design and Visual Amenity

The site is primarily viewed in the context of the wider Dick Lovett campus that consists of a variety of car showrooms within the Dick Lovett brand. The proposed building would be of an appropriate scale and massing in relation to the adjacent buildings. It would have an appearance typically associated with uses of this sort and therefore the design is considered to be acceptable.

- 5.3 The proposed materials have been set out in the Design and Access Statement. These would be consistent with the adjacent buildings in the wider campus. As the specific panel colours have been set out, flat silver (RAL 9006) panels for the showroom with a glass bases and dark grey composite cladding (RAL 7021) for the workshop, there would be no need for conditions requiring additional details of the materials beyond compliance.

### 5.4 Landscape

The existing site has mainly ornamental tree and shrub planting. The proposed development shows the replacement building moving further back into the site, which results in existing trees, including a row of original limes, to be removed. Following the original submission of the application, the landscape details have been revised on two occasions.

- 5.5 The proposed new planting is considered to be acceptable. There would be replacement tree planting to replace the 5 lime trees that will be felled to accommodate the new building. This would allow for a light canopy that would allow for views through to the building. Additional tree planting would be introduced into the side car parking areas. Overall the levels of landscape

- proposed are considered to be acceptable and would be appropriate for the proposed location.
- 5.6 Highway safety  
The proposed development would utilise the existing access. A Transport Assessment has been submitted that set out the level of additional trips, which have been generated following surveys from a similar dealership in Cardiff. The results are at the lower end of TRICS data but there is a long dedicated left turn lane on the A40128, which can accommodate higher traffic flows. The proposed development would not therefore have a significant impact on the highway network.
- 5.7 The site is well connected to pedestrian, cycle and public facilities. Sufficient cycle parking would be provided. There would be sufficient car parking and electric vehicle charging points to serve the development. A travel plan has been submitted and the applicants have agreed to enter into a unilateral undertaking for monitoring the travel plan. It is therefore considered that there would be no adverse impacts on highway safety as a result of this proposal.
- 5.8 Ecology  
An Ecological Impact Assessment has been submitted that sets out there is a low potential for bats on the site. There is no suitable habitat for great crested newts on site. There is no evidence for other protected species on site, other than some potential for nesting birds. To ensure that there would be no adverse impacts on nesting birds, provision would be made for this in the CEMP.
- 5.9 Impact on residential amenity  
Given the existing uses of the site, the scale and nature of the proposal and the distance to the nearest residential properties, there would be no adverse impact on residential amenity.
- 5.10 Drainage  
The Lead Local Flood Authority has not raised an objection to the proposed development. The LLFA has requested a condition to require that the proposal reduces the surface water discharge from the site to the Greenfield Qbar. It is not considered that this condition would meet the tests of planning conditions as it is insufficiently precise.
- 5.11 A condition would be imposed to require the submission of details for the drainage, which needs to be prior to commencement to ensure that the proposed drainage arrangements would be adequate. As this is a pre-commencement condition, agreement has been gained from the agent.
- 5.12 Archaeology  
The Council's Archaeologist has confirmed that there is unlikely to be any intact archaeology and no additional archaeological work is required.
- 5.13 Sustainability  
The comments of the Environmental Policy Team are noted, however the proposed development complies

#### 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**

- 6.1 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 Executive Director of Place Department to grant planning permission, subject to the conditions set out on the Decision Notice 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:

(i) A financial contribution of £5,000 (£1,000 per year for 5 years) to the Council toward its cost of monitoring the combined Travel Plan for this site and the Porsche Site (see P23/00872/F).

The reasons for this Agreement are:

(i) To mitigate the increased numbers of employees and cars travelling to the site to promote sustainable forms of transport, and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

- 7.2 It is recommended that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.

- 7.3 It is recommended that should the Agreement not be completed within 6 months of the date of any consent being granted; that delegated authority be given to the Director of Environment and Community Services to refuse the application.

## 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 proposed development shall be carried out in accordance with the following drawings

Existing Site Plan - 0054-102

Existing floor plans and elevations - 0054-103

First floor plan - 0054-109

Proposed elevations - 0054-111

Cycle Store - 0054-113

Drainage Strategy Sheet 1 - 9030/502/01 Rev B

Drainage Strategy Sheet 2 - 9030/502/02 Rev B

Tree Protection Plan - TC1

Received by the Council on 8th March 2023

Site location plan - 0054-100 Rev A

Received by the Council on 22nd March 2023

Landscape Plans - LANDP001 & LANDP003 Rev 006

Received by the Council on 12th July 2023

Site and ground floor plan - 0054-107 Rev A

Campus master plan - 0054-101 rev B

Received by the Council on 14th September 2023

### Reason

To define the terms and extent of the permission

3. The proposed development shall be carried out in accordance with the Arboricultural Impact Assessment and Method Statement and associated Tree Protection Plan, received by the Council on 8th March 2023.

### Reason

To protect the health of existing trees and vegetation and 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, and Policies PSP2 and PSP3 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017.

4. The development shall not be brought into use until the accesses, internal road and footway layout, car (including Electric Vehicle Charging Points and ducting) and cycle parking arrangements have been provided in accordance with the submitted details in the Transport Assessment Issue 3 by Cole Easdon, received 5th May 2023.

Reason

In the interest of highway safety and to promote sustainable forms of travel and to accord with Policy CS8 of The South Gloucestershire Local Plan: Core Strategy adopted Dec 2013 and Policies PSP11 and PSP16 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan adopted Nov. 2017 and the NPPF

5. Upon the first occupation of the development hereby approved, the submitted Revised Travel Plan Issue 3 by Cole Easdon received 5th May 2023, shall be implemented in accordance with the details and timetable therein.

Reason

To promote sustainable forms of travel and to accord with Policy PSP11 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013

6. All soft landscape works shall be carried out in the first available planting season following completion of the built development and in full accordance with the approved Landscape Plan (drawing numbered LANDP001 Rev 006) and Plant Schedules and Specification (drawing numbered LANDP003 Rev 006).

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP2 of the South Gloucestershire Policies, Sites and Places Plan (adopted) Nov. 2017 and the National Planning Policy Framework July 2023

7. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Impact Assessment (Ethos Environmental Planning, August 2023)

Reason

In the interests of protected species and the bio-diversity of the location, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

8. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The LEMP shall be written in accordance with BS42020. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity

objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details. The LEMP is also to include ecological enhancement plan detailing location and specification of the ecological enhancements detailed within the Ecological Impact Assessment (Ethos Environmental Planning, August 2023)

**Reason**

In the interests of protected species and the bio-diversity of the location, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

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

Full planning application - A detailed development layout showing surface water and SUDS proposals is required as part of this submission.

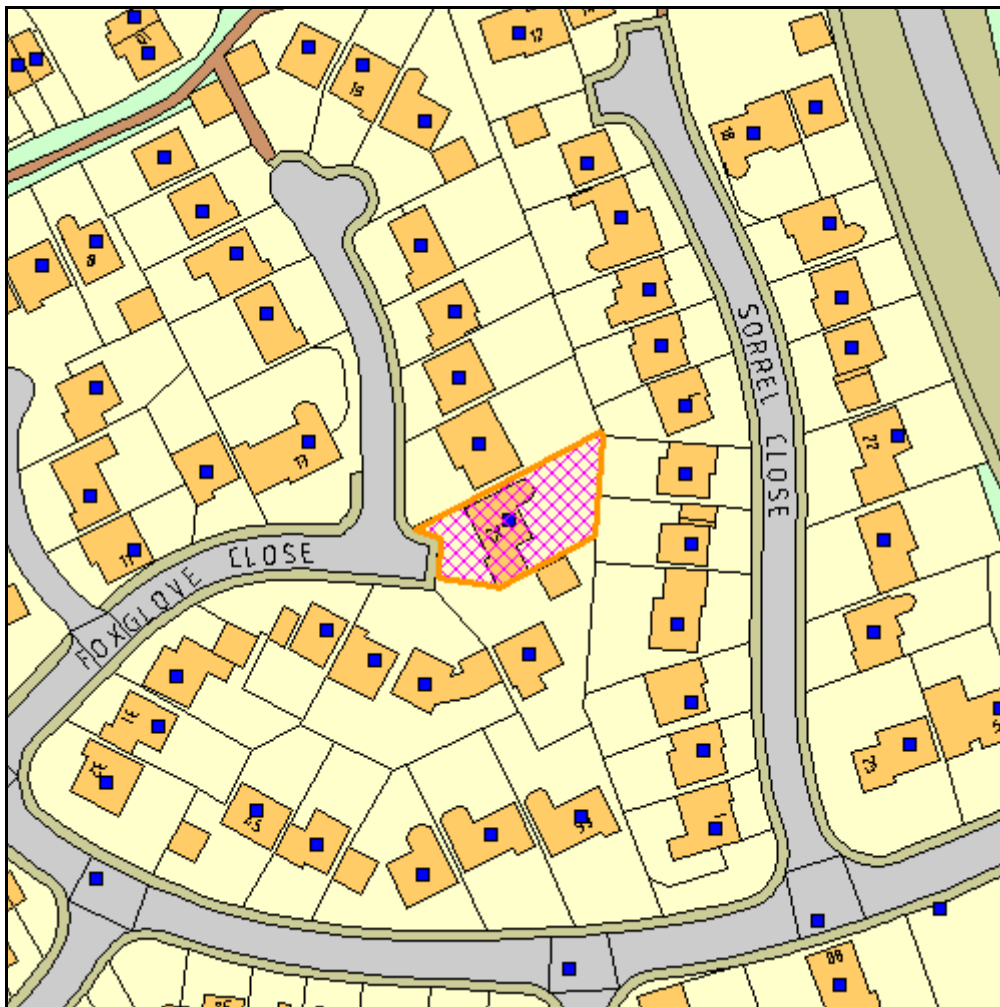
**Reason:**

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2018. This is a pre-commencement condition to prevent the need for above ground changes needing to be made post construction to facilitate the drainage.

**Case Officer: Suzanne D'Arcy**  
**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 39/23 -29th September 2023**

<b>App No.:</b>	P23/02062/HH	<b>Applicant:</b>	Mr D Fulker
<b>Site:</b>	25 Foxglove Close Thornbury South Gloucestershire BS35 1UG	<b>Date Reg:</b>	10th July 2023
<b>Proposal:</b>	Demolition of existing conservatory. Erection of single storey rear extension to form additional living accommodation. Erection of first floor extension over existing garage to form two storey Granny Annexe.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	364814 190584	<b>Ward:</b>	Thornbury
<b>Application Category:</b>	Householder	<b>Target Date:</b>	27th October 2023



© South Gloucestershire Council 2007.all rights reserved.  
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 100023410, 2008. N.T.S. P23/02062/HH



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

### **Reason for Referral to Circulated Schedule**

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

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of a single storey rear extension and for a first floor extension over the existing garage to form two storey granny annexe, as detailed on the application form and illustrated on the accompanying drawings. This application also includes the demolition of the existing conservatory.
- 1.2 The application site can be found at 25 Foxglove Close, which is set back from the adopted highway and is found within a good sized plot. It is located within the established built up residential area of Thornbury.
- 1.3 The detached properties of Nos 21 around to No 29 Foxglove Close, are sited in a gradual stepped form, curved around the half hammer head adopted highway, with Nos 25 and 26 being the furthest properties set back into the corner.
- 1.4 During the course of the application, amended plans were received to make the below following changes. It was not considered necessary to re-consult on the application as the changes are minor in nature.
  - *Additional main access external door to the two storey granny annexe removed;*
  - *Access door re-instated to ground floor;*
  - *A high level window inserted into the south east, side elevation (at the request of neighbouring residents; and*
  - *Proposed off-street parking information illustrated.*

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework July 2021  
National Planning Policy Guidance
- 2.2 Development Plans  
South Gloucestershire Local Plan Core Strategy (Adopted December 2013)  
CS1 High Quality Design  
CS4a Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007  
Residential Parking Standards (Adopted) 2013  
Householder Design Guide (Adopted) March 2021

3. **RELEVANT PLANNING HISTORY**

3.1 P86/0200/9. Erection of 92No dwellings and associated garages & screen walls. Construction of associated estate roads & parking areas (in accordance with the revised plans received by the council on 26th February 1986). (Details following outline.) (To be read in conjunction with n.70/29.). Approval of Reserved Matters. 16.03.1986.

3.2 N70/29. Residential and ancillary development together with the construction of the Primary Distributor Road on 14.4ha. (35.5 acres) of land. (Outline). Approved. 25.09.1984.

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council

1No letter of Objection Comments received –

- *Due to the scale of the extension and the direct access to the road, this application cannot be considered as ancillary to the main building and therefore does not fit the criteria of an annexe.*

4.2 Other Consultees

Sustainable Transport – Transportation DC

- *Comments received: clarification required on the proposed off-street parking.*

Archaeology Officer

No Comment.

4.3 Local Residents

No Comments received.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings

- and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.
- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.
- 5.3 Annexe Test  
By definition, an annexe must be ancillary to the main dwellinghouse and should have some form of physical and functional reliance upon it. Ultimately, the resultant development should be one planning unit i.e. one household rather than two separate dwellings. In this instance, the proposal has some of the elements of principal living accommodation (a kitchen, living room, bedroom and an en-suite bathroom) that could enable it to be used as an independent unit of residential accommodation.
- 5.4 Clarification has been provided in terms of the proposed use of the granny annexe via the submitted Planning Statement. The annexe would be occupied by the existing owners. Their son and his family would then occupy the main dwellinghouse.
- 5.5 It has also been clarified that there is no intention for the annexe to be used independently or for it to have its own parking and private amenity space. The originally submitted proposal has now been revised slightly and the additional entrance door into the ground floor has been removed to extenuate this point.
- 5.6 Although the annexe would need to continue to share the existing garden, off-street parking and vehicular access to the public highway of Foxglove Close, the proposal does demonstrate physical reliance on the host dwellinghouse. Although the two storey side extension does include several doorway links at ground floor and first floor level, ensuring continued connectivity with the property, the annex would also share the existing front door of the dwellinghouse.
- 5.7 In conclusion, it has been considered that, in terms of its physical relationship, that this proposed two storey annexe does appear as an addition to the host dwellinghouse, as opposed as a new dwelling in its own right. Therefore, and in terms of its functional relationship, a sufficient degree of dependency between the annexe and the host dwellinghouse is evident. There is no intention for the annexe to have its own off street parking; vehicular access or private amenity space. A condition will be attached to the decision notice to ensure that the annex can never be a unit separate of the host property and that it will remain ancillary to it.
- 5.8 Design and Visual Amenity

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

5.9 *Single Storey Rear Extension*

Annotated as the 'garden room', this extension is proposed to extend from the existing rear elevation by almost 4.0 meters in depth and extend to a width of approximately 3.6 meters. This is proposed within the footprint of the existing conservatory. It will feature a gable end pitched roof, extending to a height of 2.2 meters to the eaves from ground level.

5.10 *Garage Conversion*

To the ground floor, the garage conversion will reflect the existing footprint, in maintaining the existing width of approximately 5.5 meters and depth of 5.6 meters.

5.11 *Single Storey Rear Extension (to garage conversion)*

To the rear, a further extension will extend the ground floor out into the rear amenity space by approximately 4.5 meters in depth and 4.7 meters in width out from the existing side elevation. This element of extension will protrude from the existing rear elevation by approximately 1.6 meters. It will feature a lean to roof with 2No rooflights, maintaining the existing eaves height of the single storey rear extension, as described in paragraph 5.8 above.

5.12 *First Floor Side Extension*

This will maintain the width of the combined garage conversion and single storey rear extension attached, but will align with the existing principal and rear elevations, extending to a depth of approximately 7.6 meters. The first floor side extension will continue the existing gable end pitched roof, but will feature a step down to the eaves and a more significant step to the existing ridge.

5.13 However, as the first floor extension will be sited over the garage conversion and due to the additional rear extension off the back of the garage conversion, a step in, of approximately 0.9 meters, will be created in the proposed side elevation to the host dwellinghouse.

5.14 This is due to several points (i) the garage conversion featuring within the footprint of the existing garage and (ii) the rear extension off it avoiding building almost up to the existing boundary with No 26 Foxglove Close and its associated garage. This proposed design therefore continues to maintain a maintenance buffer and access between these residential curtilages.

5.15 Whilst this is not generally an acceptable design, given the specifics of this particular application site; it's siting, location and setback from the streetscene and the public highway of Foxglove Close, that in general terms, as the development is proposed subserviently and it is proportionate to the host dwellinghouse, that this does not warrant refusal.

5.16 Overall, the proposals in their design, scale, form and mass, do all respect the proportions and character of the host dwellinghouse and its surrounding neighbouring properties, and therefore this development does meet the

requirements of policy PSP38 and subsequently meets the requirements of policy CS1 and the Householder Design Guide SPD.

5.17 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance.

5.18 Although there would be overlooking of the neighbouring rear gardens from the additional first floor window to the rear elevation, this would be no more significant than that of the surveillance already afforded by the existing windows to the first floor.

5.19 In addition, as no windows are proposed to the first floor side extension elevation, it will not project beyond the existing building line, it remains subservient to the existing ridge, and as it will be sited approximately 11.5 meters from the front elevation of No 26 Foxglove Close, it has been considered that this first floor side extension will not create any significant detrimental additional overbearing or overshadowing impacts sufficient to justify the refusal of the application.

5.20 Overall, the siting and mass of this proposal does not create any significantly unacceptable level of overbearing, overshadowing, nor dominant impacts upon the streetscene or neighbouring dwellinghouses. Therefore, these proposals would not be harmful to the amenities of the neighbouring properties and the application is therefore compliant with the requirements of Policies PSP8 and PSP38.

5.21 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. Following initial comments made by Sustainable Transport colleagues on the provision of off-street parking, further information in the form of a Proposed Parking Plan has now been submitted. Although the proposal does include 2No additional bedrooms, 4No off-street parking spaces will be provided. Therefore the application is acceptable in transportation terms.

5.22 Private Amenity Space

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

5.23 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must

have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

## 6. **CONCLUSION**

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

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

## 7. **RECOMMENDATION**

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

### **CONDITIONS**

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

Reason

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

2. The first floor extension over the existing garage to form a two storey granny annexe hereby permitted shall not be occupied at any other time other than for ancillary purposes as part of the main residential use of the main dwellinghouse known as 25 Foxglove Close, Thornbury, BS35 1UG.

Reason

To protect the residential amenity of the host dwelling to accord with policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side (south east) elevation of the property at 25 Foxglove Close, Thornbury, BS35 1UG .

Reason

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

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

2579 Site Location Plan (Date received 07/07/23)

2579 Rev A Block Plan (Date received 01/09/23)

2579-01 Rev A Existing Combined Plan (Date received 07/07/23)

2579-02 Rev C Proposed Combined Plan (Date received 18/09/23)

Planning Statement (Date received 07/07/23)

Reason

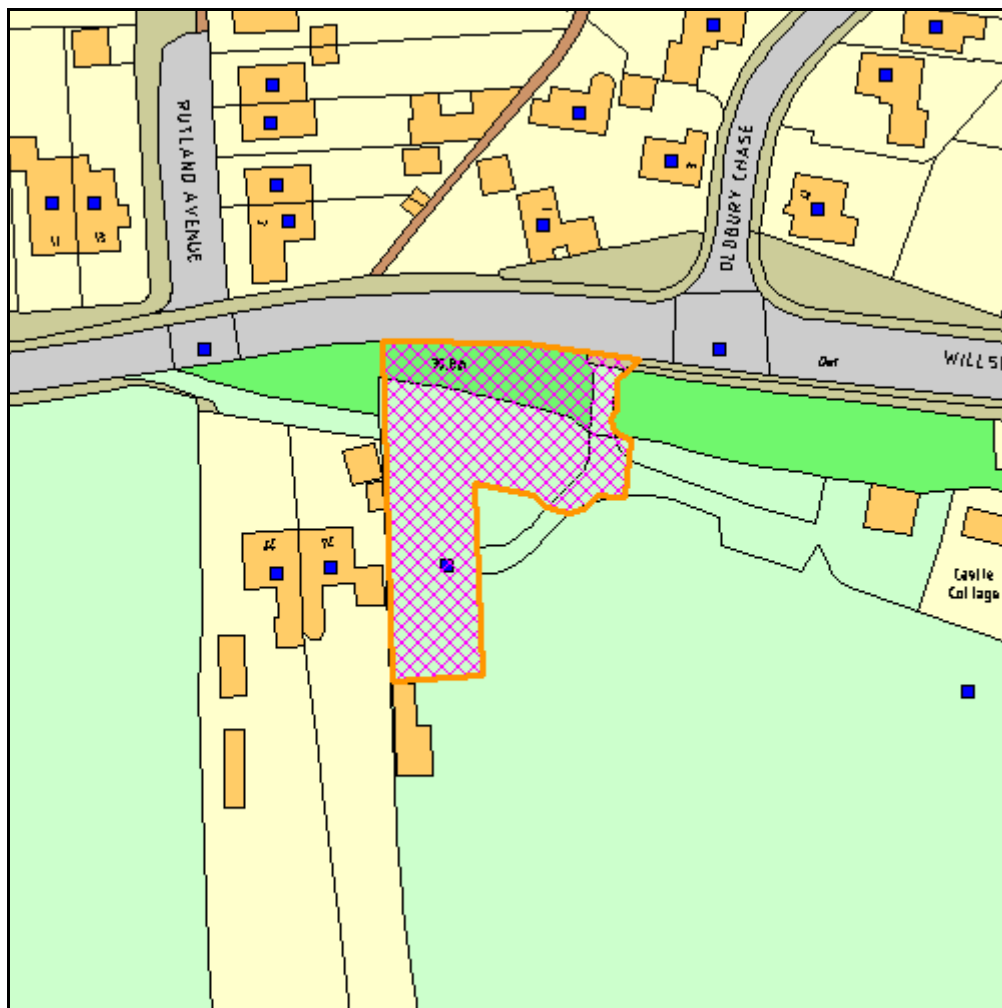
To define the terms and extent of the permission.

**Case Officer: Helen Turner**

**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 39/23 -29th September 2023**

<b>App No.:</b>	P23/02273/HH	<b>Applicant:</b>	MT A FRANCIS
<b>Site:</b>	Castle Cottage 44 Willsbridge Hill Willsbridge South Gloucestershire BS30 6EY	<b>Date Reg:</b>	2nd August 2023
<b>Proposal:</b>	Erection of detached single storey garage (retrospective)	<b>Parish:</b>	Hanham Abbots Parish Council
<b>Map Ref:</b>	366328 170632	<b>Ward:</b>	Longwell Green
<b>Application Category:</b>	Householder	<b>Target Date:</b>	29th September 2023



© South Gloucestershire Council 2007. all rights reserved.  
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 100023410, 2008. N.T.S. P23/02273/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.

## **CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule following the objection to the proposal by Hanham Abbots Parish Council, which is contrary to the officer's recommendation for approval.

### **1. THE PROPOSAL**

- 1.1 The application seeks to regularise the constructed detached garage, which is of a different size and positioning to that approved on 09 March 2022, under planning application reference P21/07579/F at the property known as Castle Cottage, 44 Willsbridge Hill, in the area of Willsbridge.
- 1.2 The application site is washed over by the Bristol/Bath Green Belt and affects the setting of the nearby Grade II listed Willsbridge Castle and its lodge. The site is also outside of the defined settlement boundary.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework  
National Planning Policy Guidance July 2021

- 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  
CS9 Managing the Environment and Heritage

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

PSP1 Local Distinctiveness  
PSP3 Trees and woodland  
PSP7 Development in the green belt  
PSP8 Residential Amenity  
PSP11 Transport Impact Management  
PSP16 Parking Standards  
PSP17 Heritage Assets and the Historic Environment  
PSP38 Development within Existing Residential Curtilages  
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted August 2007)  
Development in the Green Belt SPD (Adopted 2007)  
Residential Parking Standards (Adopted December 2013)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P23/01531/NMA - Non material amendment to P21/07579/F to change the positioning and size of garage. Refused. 23.05.2023
- 3.2 P21/07579/F - Erection of detached single storey garage. Approved. 09.03.2022

### **4. CONSULTATION RESPONSES**

#### **4.1 Hanham Abbots Parish Council**

Comments were received on 11.08.2023 and are summarised below:

- We note this is retrospective but would like it noted that any development here might have a detrimental effect on the area.

#### **4.2 Other Consultees**

Comments were received from the Listed Building and Conservation officer on 03.08.2023 and are summarised below:

- The amendment to the location of the garage has no impact on the setting or significance of the listed Willsbridge House, located over 100m to the east and not inter-visible or co-visible with the application site.
- No objection.

Comments were also received from sustainable transport on 08.08.2023 and are summarised below:

- The site is already in residential use and that the new garage will be accessed via the existing driveway which will not be changed in anyway, we do not wish to object to this application in principle.
- The garage meets the dimensions outlined in PSP16 and a large driveway means there is sufficient off road parking
- Recommend that the applicant provide electric vehicle charging facilities in accordance with the Councils emerging policy. This matter may be covered by the latest version of the Building Regulations, if not, we would also recommend that an appropriate condition is imposed on any planning permission.

Comments were also received from the tree officer on 18.08.2023 and are summarised below:

- No comment

#### **Other Representations**

4.3 One neighbouring representation has been received and is summarised below:

- Believes the site location plan is incorrect
- Disagreement over the ownership of land

- Does not consent to the applicant using any of the commenters land for access to the garage

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 is relevant to this application. The policy indicates that residential extensions are acceptable in principle subject to considerations of visual amenity, residential amenity and highway safety. The proposal therefore accords with the principle of development subject to the following considerations.

5.2 Notwithstanding the above, the NPPF and policy PSP7 set out strict criteria to avoid inappropriate development in the green belt. A key issue to assess is, whether the proposed development would be considered inappropriate having regard the NPPF and local plan policies.

### 5.3 Green Belt

Development is strictly controlled within the greenbelt for the purpose of ensuring that its fundamental aims are protected, which are to prevent urban sprawl by keeping land permanently open. Green belts are considered to have two key characteristics, which are their openness and their permanence. Per the NPPF, inappropriate development is by definition, harmful to the greenbelt and should be refused unless there are very special circumstances that clearly outweigh the harm caused by inappropriate development. Unless there are very special circumstances, there is a presumption against granting permission for development that is inappropriate.

5.4 A limited number of exception categories exist in which development is considered appropriate in the greenbelt. One such exception is the extension or alteration of existing buildings, provided they are proportionate. The NPPF does not expand on proportionality, however PSP7 sets out criteria in which proportionality is assessed. Under PSP7, additions which result in a volume increase of up to 30% over and above the volume of the original dwelling will be acceptable. Additions that are between 30% and 50% stand to be carefully assessed and additions that are over 50% are likely to be unacceptable by virtue of being disproportionate.

5.5 The dwelling for which the garage will serve has recently been constructed and it replaced an existing single storey building. Since the 'original' building has been demolished the volume calculations are reset. The new dwelling has an (approx.) volume of 417m<sup>3</sup> and the garage is proposed to have an (approx.) volume of 191m<sup>3</sup>. The resulting total volume is 608m<sup>3</sup>, a 45.8% increase on the original.

5.6 As advised by PSP7, additions exceeding 30% volume will be carefully assessed, with particular regard to whether the proposal would appear out of scale and proportion to the existing building. The garage is built is greater in depth and has an altered roof form when compared to the approved plans, despite these alterations the overall height of the garage remains the same as

previously approved. The alterations are not seen to have a substantial impact upon the subservient nature of the garage, the location of the garage has also been altered from what was previously approved, however it remains within close proximity to the main dwelling, retaining its ancillary nature. The development has resulted in a proportionate addition to the original building and therefore falls into an exception category of the NPPF. The development is appropriate development in the green belt, complying with the requirements of the NPPF and PSP7.

#### 5.7 Heritage Assets

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.8 The proposal remains a small scale development despite its enlargement over the previously approved application. It is noted by the conservation officer that the amendment to the location has no impact on the setting or significance of the listed Willsbridge House. The comment also states the proposal is not inter-visible with the application site.

5.9 It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard. By virtue, the proposed development compliant with CS9 and PSP17.

#### 5.10 Design and Visual Amenity

Policies CS1, PSP38 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.

5.11 The garage as built measures 7.4m deep, 6.2m wide, with an eaves height of 2.75m and a ridge height of 5.1m. The materials used include a cream render, stone walling and bath stone lintel and cills.

5.12 The detached single storey garage is situated to the north of the dwelling, it is well screened from the public highway by existing trees. It is noted the garage as built is closer to the entranceway of the drive, however remains well screened, which aids in reducing the impact of the proposal. The garage shall utilise 1 large garage door and one window to the rear elevation.

5.13 Overall, the proposed development would not detract from the appearance of the building or negatively impact the visual amenity of the street scene of character of the area. Accordingly, the development is deemed to comply with policies CS1 and PSP38.

#### 5.14 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan relates specifically to residential amenity in which it states development proposals are acceptable, provided that they do not create unacceptable living conditions or result in unacceptable impacts on the residential amenities of occupiers of the development or of neighbouring properties. These are outlined as follows (but not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.

5.15 The siting of the garage has not resulted in any overbearing or overshadowing impacts. Additionally given the non-habitable nature of a garage, and the potential views screened by the boundary vegetation, the proposed window presents no overlooking issues. Overall, the proposal is deemed to comply with PSP8

5.16 Private Amenity Space

Policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible.

5.17 The proposal does not increase the number of bedrooms. The site benefits from a large rear garden, the construction of the garage does not prejudice the availability of amenity space. The proposal therefore complies with PSP43.

5.18 Parking Standards

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. There are sufficient off-road parking spaces at the dwelling, as such the proposal accords with the above policy.

5.19 Other Matters

Regarding the comments received from Hanham Abbots Parish Council, they have been noted and considered. However the case officer believes that the changes when compared to the originally approved application (P21/07579/F) are not significantly greater in its impact upon the area.

5.20 Regarding the comments received from a neighbour, the agent has confirmed that access to the garage will be through land owned by the applicant, as such the applicant or agent have not served notice on any neighbouring dwellings. Regardless, any planning permission does not enable the applicant to travel across land not within their ownership, and an informative will be placed upon any subsequent permission further reiterating this. The comments received also explain that they believe the site location plan is incorrect and have provided evidence, the case officer has looked at the previously approved scheme and the evidence provided and has found no indication that the site location plan has been altered, or that the site location plan (the red line) appears to not show encroachment. As such the LPA is satisfied.

5.21 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act, the public sector equality duty

came into force. Among other things, those subject to the equality duty must have due regard to: eliminate unlawful discrimination; harassment and victimisation; advance equality of opportunity; and, foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.22 With regards to the above, 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 It is recommended that permission is **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/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

The following plans were received by the LPA on 31.07.2023

Proposed Block Plan (Drawing No. 21.028-102a)

Proposed Plans (Drawing No. 21.028-103a)

Site Location Plan (Drawing No. 21.028-100)

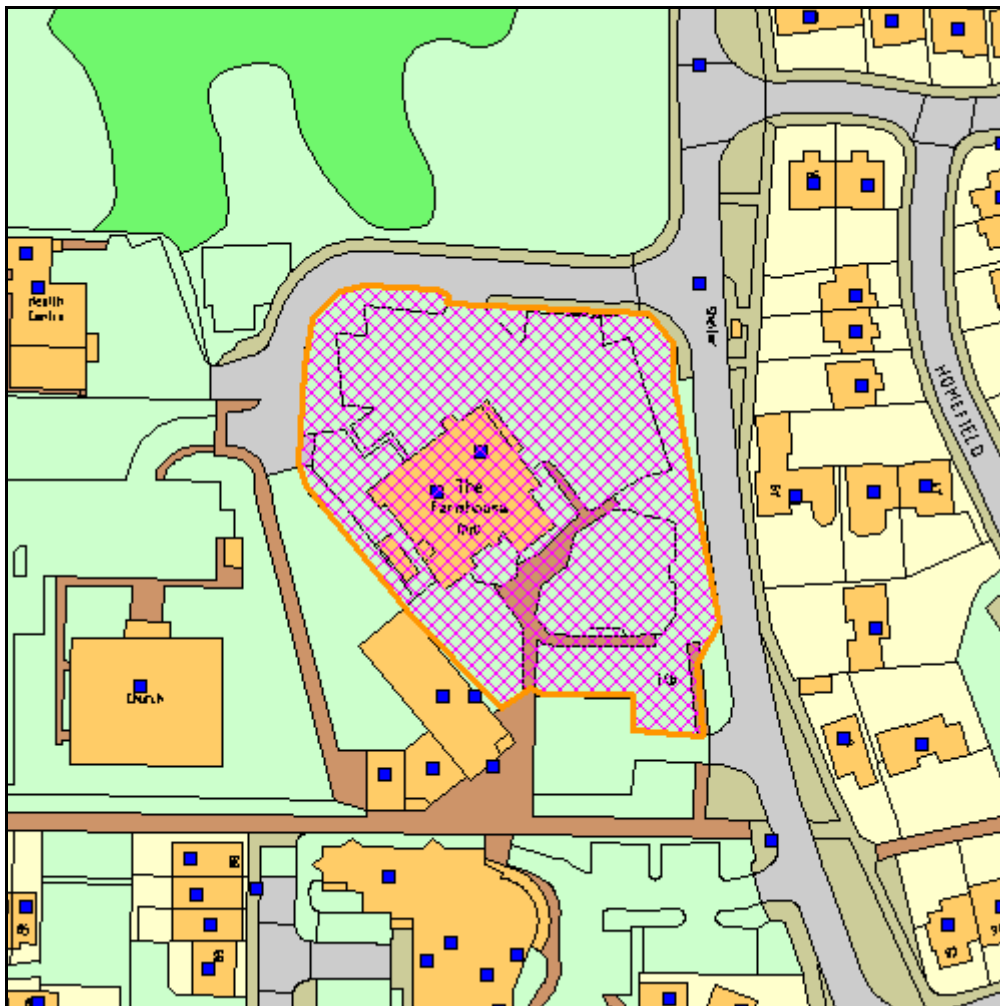
Reason:

To define the terms and extent of the permission.

**Case Officer: Thomas Servini**  
**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 39/23 -29th September 2023**

<b>App No.:</b>	P23/02356/ADV	<b>Applicant:</b>	Greene King
<b>Site:</b>	Farmhouse Inn Wellington Road Yate South Gloucestershire BS37 5UY	<b>Date Reg:</b>	12th August 2023
<b>Proposal:</b>	Display of 1no. externally illuminated free standing totem sign, 3no. externally illuminated fascia signs, 1no. double sided externally illuminated totem sign, 1no. non illuminated car park sign, and 2no. non illuminated wall mounted directional signs.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371129 183418	<b>Ward:</b>	Yate North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	6th October 2023



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

P23/02356/ADV



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

## **REASON FOR APPEARING ON CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

1.1 Advertisement consent is sought for the display of signage to the building and site as follows:

- Item 01 – Double sided pictorial sign to the existing gibbet and post positioned to the east of the site adjacent to Wellington Road, static illuminated to 250cd/m<sup>2</sup> from above by 2no. slimline LED trough lights.
- Item 02A and 02B – 2no. brass lanterns, each width 450mm, height 750mm and depth 450mm, static illuminated to 250cd/m<sup>2</sup>.
- Item 03 – 1no. plaque of width 325mm, height 226mm and depth 30mm, non-illuminated
- Item 04A, 04B and 04C – 3no. single sided nameboard signs, each width 2,400mm, height 950mm and depth 40mm, static illuminated to 250cd/m<sup>2</sup> from above by 2no. slimline floodlights.
- Item 05 – 1no. double sided corex sign to width 1,520mm, height 1,020mm and depth 170mm, static illuminated to 250cd/m<sup>2</sup> from above by 2no. slimline LED trough lights.
- Item 06 – 1no. single sided directional sign to width 1,400mm, height 1,100mm and depth 40mm, non-illuminated
- Item 10A and 10B – 2no. wall mounted directional signs, each width 800mm, height 520mm and depth 40mm, non-illuminated

1.2 The application site can be found at The Farmhouse Inn, Wellington Road, Yate. The site comprises a public house together with car parking to the north, seating area to the south-east, and site landscaping.

1.3 The site is adjoined by a mix of neighbouring uses. Residential dwellings lie to the east on the opposite side of Wellington Road. Playing fields are located immediately to the east. Health Centre and Church to the west, along with commercial to the west.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework

National Planning Policy Guidance.

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Town and Country Planning Act 1990 section 220

Outdoor Advertisement and Signs: a guide for advertiser (June 2007)

## 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

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

PSP1	Local Distinctiveness
PSP5	Undesignated Open Spaces within Urban Areas/Settlements
PSP8	Residential Amenity
PSP11	Transport Impact Management

## 2.3 Supplementary Planning Guidance

Shopfronts and Advertisements SPD (Adopted April 2012)

## 3. RELEVANT PLANNING HISTORY

- 3.1 **P93/2311**. Single storey extension and alterations to form "bowlingo" game room. Alteration of access. (In accordance with the amended plans received by the council on 11 January 1994). **Approval Full Planning**. 12/01/1994.
- 3.2 **N593/82**. Erection of public house and car park, and construction of vehicular and pedestrian accesses (in accordance with the amended site plans received by the Council on 3rd December, 1982). **Approve with Conditions**. 20/01/1983.
- 3.3 **N593/21**. Erection of public house and car park; construction of vehicular and pedestrian access (Outline). **Approve with Conditions**. 25/10/1979.

## 4. CONSULTATION RESPONSES

### 4.1 Sustainable Transport – Transportation DC

*We do not believe that the proposal will create any severe or unacceptable highways or transportation issues and we have no comments about this application*

### 4.2 Yate Town Council

*Yate Town Council accept the signage has to be replaced but have concerns with regards to the new signage size and illumination mainly with regards to the signs closest to the houses in the residential area opposite.*

*Please can consideration be taking in to how the signs are illuminated and for how long on an evening.*

*This information is required prior to determination. Once received, please re-consult.*

### 4.3 Local Residents

1no. comment of objection has been received from local resident, the following points and concerns have been raised.

- The Farmhouse Inn has done nothing in the past to managed its excessively inebriated patrons which cause noise and litter issues
- Fail to manage their car using patrons from meeting in the car park to rev their engines and perform dangerous motoring acts
- To further attract more users to its premises is something I wholly oppose in principle
- Excessive illumination
- Illuminated signage detracts from the character of the area
- Promotes a meretricious environment
- Attract negative detrimental activity

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The National Planning Policy Framework paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve with good design cited as a key aspect of sustainable development and thereby positively contributing to making places better for people. The NPPF stipulates in paragraph 136 that the quality and character of places can suffer when advertisements are poorly sited and designed. These should therefore be controlled in the interests of amenity and public safety, taking into account cumulative effects. Core Strategy Policy CS1 requires the siting, form, colour and materials of proposals to be informed by and respect and enhance the character, distinctiveness and amenity of both the site and its context.

5.2 The application proposes updating of existing signage to the building and its curtilage, in connection with an established public house. It is therefore considered acceptable in principle subject to amenity and public safety considerations below.

### **5.3 Visual and Residential Amenity**

The proposed advertisements would be contained to the building and its immediate curtilage, refurbishing and replacing existing signs with some additional and others removed, however are not considered to be overly dominant nor create an unacceptable cumulative impact.

5.4 Low illuminance levels, as stated in the application form, are proposed to majority of signs but within the recommended limits set out by the Institution of Lighting Professionals for illuminated advertisements.

5.5 Residential properties lie within the immediate vicinity, however with separation provided by roads and parking areas, and the signage proposed is of the type and appearance to be expected for the property as an established public house with food provision. One public representation was received referring to noise and anti-social behaviour issues from the public house, which are outside the scope of consideration for this application.

5.6 Overall, the proposed advertisements would not detract from visual amenity nor residential amenity of the area.

5.7 Public and Highway Safety

The main public safety consideration is that of highway safety. The signage is positioned to the building and site curtilage and statically illuminated to an appropriate level. The proposals would therefore not cause unacceptable or severe highways or transportation issues a view supported by comments received from Sustainable Transport.

5.8 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

6.1 The recommendation to **GRANT** advertisement consent has been taken having regard to the provisions of the of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007; the policies and proposals in the local development plan, the NPPF and to all relevant material considerations set out in the report.

## 7. RECOMMENDATION

7.1 It is recommended that advertisement consent is **APPROVED** subject to conditions.

## CONDITIONS

3. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below (received 10th August 2023):

Application Form  
Advert Pack  
Block Plan  
Location Plan

Reason

To define the terms and extent of the permission.

**Case Officer: Chloe Summerill**

**Authorising Officer: Suzanne D'Arcy**