

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: 10/23

Date to Members: 10/03/2023

Member's Deadline: 16/03/2023 (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

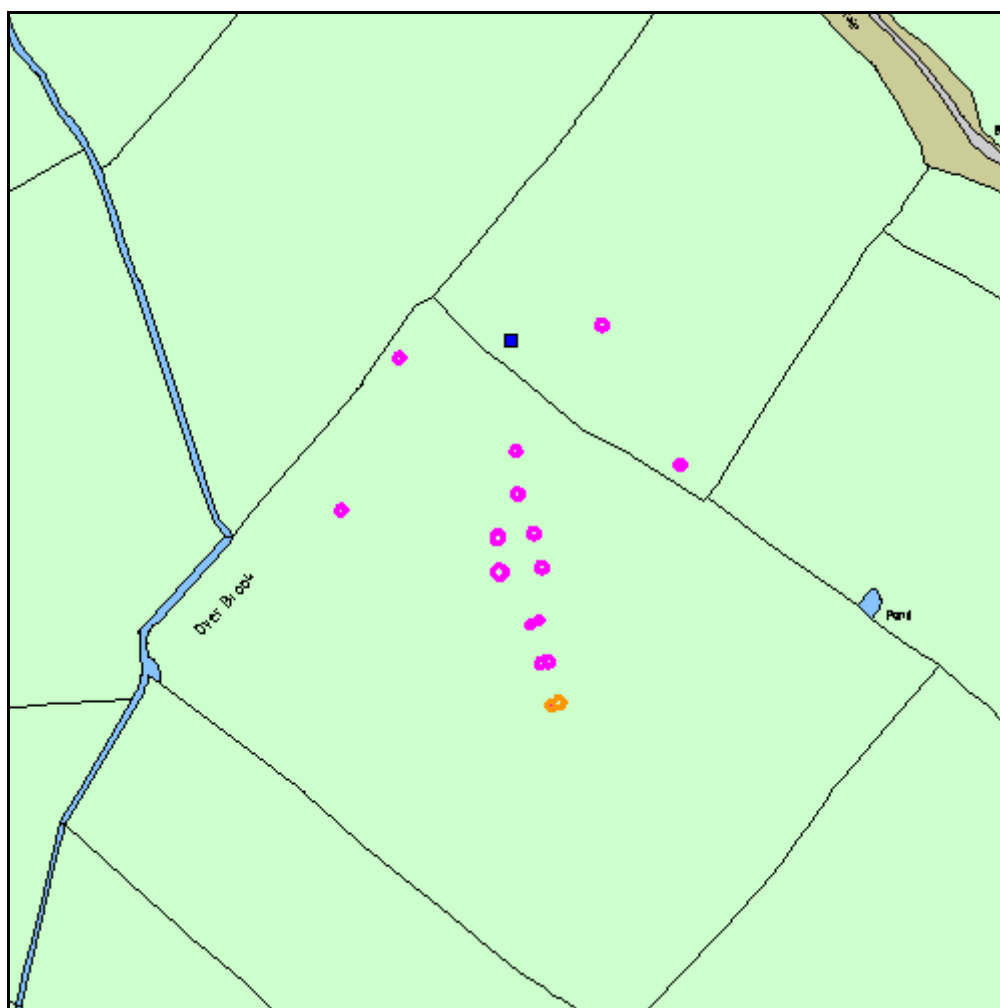
CIRCULATED SCHEDULE 10 March 2023

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/07126/F	Approve with Conditions	The Wave Bristol Main Road Easter Compton South Gloucestershire BS35 5RE	Pilning And Severn Beach	Almondsbury Parish Council
2	P22/03780/F	Approve with Conditions	Land At The Willow Brook Centre Savages Wood Road Bradley Stoke South Gloucestershire BS32 8BS	Bradley Stoke South	Bradley Stoke Town Council
3	P22/04462/RM	Approve with Conditions	Land Rear Of 15 Greenhill Alveston Bristol South Gloucestershire BS35 3LS	Severn Vale	Alveston Parish Council
4	P22/06246/HH	Approve with Conditions	35 Stevens Walk Bradley Stoke South Gloucestershire BS32 8SW	Bradley Stoke South	Bradley Stoke Town Council
5	P22/06408/F	Approved Subject to Section 106	Land At Unit 1190 Park Avenue Aztec West Almondsbury South Gloucestershire BS32 4FP	Patchway Coniston	Patchway Town Council
6	P22/06946/F	Refusal	Oakley House Washingpool Hill Rudgeway South Gloucestershire BS35 3SD	Severn Vale	Olveston Parish Council
7	P22/07055/HH	Approve with Conditions	668 Southmead Road Filton South Gloucestershire BS34 7RD	Filton	Filton Town Council
8	P23/00122/HH	Approve with Conditions	12 Clyde Road Frampton Cotterell South Gloucestershire BS36 2EA	Frampton Cotterell	Frampton Cotterell Parish Council
9	P23/00267/F	Approve with Conditions	18 Crowthers Avenue Yate South Gloucestershire BS37 5SZ	Yate North	Yate Town Council
10	P23/00272/HH	Approve with Conditions	The Old Vicarage 85 High Street Wick South Gloucestershire BS30 5QQ	Boyd Valley	Wick And Abson Parish Council

CIRCULATED SCHEDULE NO. 10/23 -10th March 2023

App No.:	P21/07126/F	Applicant:	Surf Bristol Ltd
Site:	The Wave Bristol Main Road Easter Compton South Gloucestershire BS35 5RE	Date Reg:	23rd November 2021
Proposal:	Installation of 4no. 25m lighting columns and 14no. 3m lighting columns to illuminate the existing surf lake.	Parish:	Almondsbury Parish Council
Map Ref:	358160 182980	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	17th January 2022



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P21/07126/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection from Almondsbury Parish Council, which is contrary to the officer recommendation detailed in this report. There has also been 10 representations contrary to Officer recommendation.

The application has been published on the Circulated Schedule prior to the consultation expiry date, which expires on the 28th February. Should any additional concerns be raised during this period, the application will be re-circulated.

1. THE PROPOSAL

- 1.1 The application is for installation of 4no. 25m lighting columns and 14no. 3m lighting columns to illuminate the existing surf lake, The Wave, Easter Compton. To support the proposal, a detailed landscaping visual impact assessment was submitted.
- 1.2 During the course of the application, revised plans were submitted to increase the height of the lighting columns from 12m to 25m. The revised plans were reconsulted on though the description was not changed. This reconsultation is underway at the time of writing the report and any additional comments will be noted.
- 1.3 The site is within the Green Belt and outside the settlement boundary in the open countryside

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
CS5	Location of Development (Inc. Green Belt)
CS24	Green Infrastructure, Sport and Recreation Standards

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

PSP4	Designated Local Green Space
PSP7	Development in the Green Belt
PSP8	Residential Amenity

3. RELEVANT PLANNING HISTORY

The site is subject to a number of planning applications in the past. The most relevant applications are

- 3.1 P21/06877/RVC Variation of condition 34 attached to permission P20/02386/RVC to amend (extend) the opening hours of the surfing lake. Approved 24.03.2022
- 3.2 P22/05208/RVC Variation of condition no. 38 attached to planning application PT17/1730/RVC to amend drawings and documents. Pending consideration

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council – objection
 - Impact on wildlife and the ecological aspects of the site
 - Application is well within the green belt, and will have a marked and negative effect on the openness of the green belt
 - There is no convincing justification for such high columns (12m tall is excessive);
 - Note should be taken of conditions recommended in the ecological report, and the impact assessment should be reconsidered

Following the 2nd reconsultation on the application, Almondsbury Parish Council objected with the following comments;

- Would like to see documentation of the emitted on the spotlight area
- Alternatives to using a 40 foot lighting structure

4.2 Consultees

Environmental Protection Team – no objection. “The EP team notes the comprehensive lighting report which properly refers to the CIE 150:2017 Guidance; it identifies the E1 class in the application site to protect Dark Skies. There is no sustainable objection to this aspect or otherwise to the application.

Highway Officer – no comments

Drainage Engineer – no objection

Ecology Officer – no objection subject to conditions

Landscape Officer – no objection

Lighting Engineer – No objection

Other Representations

4.3 Local Residents / Businesses

A total of 7 no. letters of objection have been received and residents' comments are summarised as follows:

- absolutely no need for 12m high lighting poles
- cause unnecessary light pollution in a dark area of the countryside
- Will impact on wildlife and the residents of Badger Lane too.
- The 3m lighting poles will make the site visible over a wide area
- The gradual erosion of our open countryside continues
- We are already affected by light pollution in the area so that most stars are no longer visible and the proposal will both significantly worsen this this set an unsatisfactory precedent.
- This building already stands out like a beacon both morning and night when their multiplicity of existing lights come on
- will significantly increase its presence to the detriment of both the local Community and the Green Belt location- level of external lighting is completely inappropriate for a rural location.
- The impact appraisal has selected specific locations of minimal impact and not included locations where the impact would be more significant.
- Please could the impact assessment be required to extend to include the impact from higher locations such as Ash Lane that overlook the lake
- Make it a condition that proper protection against light pollution is imposed. NPPF is being amended. Information from the Bat Conservation Trust on artificial lighting, and Eurobats guidelines for consideration of bats in lighting projects The Chartered Institution of Building Services Engineers (CIBSE) - Society of Light and Lighting (SLL) Code for Lighting The Chartered Institution of Building Services Engineers (CIBSE) - Society of Light and Lighting (SLL) Lighting Guide 6: The Exterior Environment The Chartered Institution of Building Services Engineers (CIBSE) - Society of Light and Lighting (SLL) Lighting Guide 15: Transport Building
- I believe the ecological issues can be dealt with by ensuring that the light produced is of suitable wavelength and lux values, so as not to interfere with insects , bats & birds .
- This development damages the openness of the Greenbelt
- The height of the taller poles will be seen for some distance and there is no suggestion that these will be retractable
- The Wave is in open countryside with clear views in many directions.

Following the second round of consultation, 1 additional letter of objection was received, raising the following points;

- The hedgerows have grown since the photos in the lighting report were taken.
- Photograph 4 gives the impression that the Wave is visible and it isn't.
- The effect of the lighting poles would be even more out of keeping with views, which from this perspective are very rural.
- Lighting report is flawed as the distances seem to be focused on the gatehouse rather than the actual lighting point
- No photos taken of Easter Compton
- Structures are nearly 4 times the height of existing structures and totally out of place
- Lighting is compared with the existing access road. Commitment was given that this would be turned off during operating hours (often not complied with)
- The access hours are to be extended, so the comparison is flawed

- Report says the impact will be high but for a limited time. In the winter, this would be up to 7 hours for 6-7 days a week, this is not a limited time.
- Would have a major adverse impact on the openness of the Green Belt
- Unable to find any examples of such height with such regularity of use in the Green Belt elsewhere in the UK

Following the 3rd round of consultation, 3 letters of objection received, raising the following points;

- 82 foot lighting poles is totally inappropriate in the Green Belt
- Light pollution would be detrimental to the environment and out of character with the area
- The business works with the existing facilities and should be able to continue without additional support
- There is only one reason for this to extend the working hours
- Motives are financial gain and no other reason
- Minimal concerns for local area
- Wave should be happy with their lot
- Inclusion of bat boxes and beaver facilities is an obvious and condescending attempt at altruism
- How long until we get requests to hold open air concerts
- It's in the open countryside so it's a no
- Application should be refused
- Previous objections magnified
- Harmful to openness
- Submitted information doesn't not represent a true view of a rural location
- Unable to find any examples of such height with such regularity of use in the Green Belt elsewhere in the UK
- Wave permission is recent and there was no mention of night-time use
- Gives the impression of moving the goalposts further down the line

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is part of an existing sport and recreational area. No change of use is proposed. The issue for consideration is whether the proposed replacement lighting would give rise to any additional material impact in the vicinity.

5.2 Green Belt

Development in the green belt is by definition inappropriate development, unless it constitutes specific types of development which are considered acceptable within this designated area as set out in the NPPF. The NPPF states that one of these exceptions can be for the 'provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

5.3 This proposal involves the installation of four 25m high lighting columns and fourteen 3m high lighting columns. The floodlight would be installed around the perimeter of the surfing lake and would have no impact on the trees. Given the site is existing, and the principle of the scheme is acceptable and considered

as continuing to be appropriate facilities for outdoor sport. The proposal would not conflict with the purposes of including land in the Green Belt.

- 5.4 The impact on openness must now be considered. There is no formal definition of openness though it is generally accepted to be an area free from built form. The smaller columns would not be visible from outside of the site and would be viewed in the context of the existing site. These are not considered to be harmful to the openness of the Green Belt.
- 5.5 The 25m columns would be visible in the wider landscape. They would be grey in colour, similar to electricity pylons that are a feature of the landscape. Due to the colouring, it is not considered that the proposed columns would in themselves have an impact on the openness of the Green Belt.
- 5.6 In view of the above, the proposed lighting columns are not considered to represent inappropriate development in the Green Belt nor would they be harmful to openness. It would therefore comply with Policy PSP7 and the aims of the NPPF.
- 5.7 Landscape
As set out previously, the smaller columns would not be visible in the wider landscape and as such, are considered to be acceptable in landscape.
- 5.8 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA), which includes a night-time montage. Officers are satisfied that this is accurate and representative of the current situation on the ground. The majority of the lake's surface and resultant reflecting glare would be screened by the intervening vegetation. This would not result in a significant adverse impact on the wider landscape due to reflections.
- 5.9 The proposed lights would be baffled to ensure that they are directed towards the water rather than causing light spill to the wider area. This will reduce the impact on the wider area. It is therefore considered that the proposal would comply with the requirements of Policies CS9 and PSP2.
- 5.10 Design
The proposed lighting columns have been designed to meet the functional needs to the site. The proposals are considered acceptable in design terms.
- 5.11 Residential Amenity
Due to the relationship with the adjacent neighbours and the directional nature of the lights, it is not considered that there would be a significant adverse impact on the residential amenity of any nearby residential properties.
- 5.12 Highways
The site is located away from the public highway. It is not considered that it is likely to create any severe or unacceptable highways or transportation issues.
- 5.13 Ecological matters
The proposed lighting has been amended and now would illuminate a corner of the eastern boundary and part of the south western boundary. The bat activity

survey shows these areas are not significant in comparison to foraging along the other boundaries.

- 5.14 Recommendations have been made in the ecological submission for the enhancement of unimpacted hedgerows and boundaries by using additional hedgerows and tree planting to provide higher value foraging opportunities and additional bat boxes. Conditions will be imposed to ensure these enhancements are secured.
- 5.15 The ecologist has recommended various conditions. A condition for a post installation survey will be imposed to ensure that the resultant lighting reflects the information submitted as part of this application. Various other conditions have been suggested to request a CEMP, a mitigation plan and a site visit to confirm all the enhancements have been implemented. These conditions are not considered to meet the six tests of conditions and as such, they will not be imposed on the decision.
- 5.16 Other matters
Concerns have been raised that this is an attempt to increase the opening hours of the Wave. The hours of use were granted in the original application and subsequent variation applications, most recently P22/06877/RVC. This application does not seek to vary the hours of use, nor would it be able to as it is solely for the lighting poles. A condition will be imposed to ensure the lighting is only used during the opening hours.
- 5.17 Concern has been raised about potential future uses and requests. Any future proposals outside of the scope of the existing planning permission are likely to require additional permissions and would be subject to an assessment at that time.
- 5.18 It should also be noted that all planning applications are considered on their own merits and the lack of other similar proposals in a Green Belt location does not necessarily mean that this is unacceptable in this location. The report above sets out the full assessment as to why it is acceptable.
- 5.19 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is granted, subject to the following conditions.

CONDITIONS

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

Reason

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

2. Operating Hours

The lighting poles hereby approved should not be used outside of the approved operating hours of the wave, unless there is a danger of a person(s) in the water outside of this time.

Reason

In the interests of the amenity of the occupants of nearby residential dwellings and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

3. The development shall proceed in strict accordance with the Mitigation Measures provided in the Phase 1 Habitat Survey and Assessment (Alder Ecology, November 2021) and Bat Activity Survey and Assessment (Alder Ecology, September 2022)

Reason

To protect the wildlife habitat and amenity of the nearby residents, and to accord with Policy PSP8, PSP19 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. Within 6 months of the installation of the lighting hereby approved, a post lighting monitoring survey is to be completed to ascertain new baseline lighting levels for the site. This is to ensure that lighting levels do not exceed those agreed and that local wildlife and habitats are not adversely affected. If the installed lighting is found to

exceed agreed lux levels across the site, then remedial action will be taken. The lighting survey must be carried out by a suitably qualified lighting engineer and the report will be submitted to the local authority for review.

Reason

To protect the wildlife habitat and amenity of the nearby residents, and to accord with Policy PSP8, PSP19 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

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

Drawings numbered 1061-002, Rev C, -003 rev C, LS24778_17 and _17A, received by the Council on 8th September 2022.

Reason

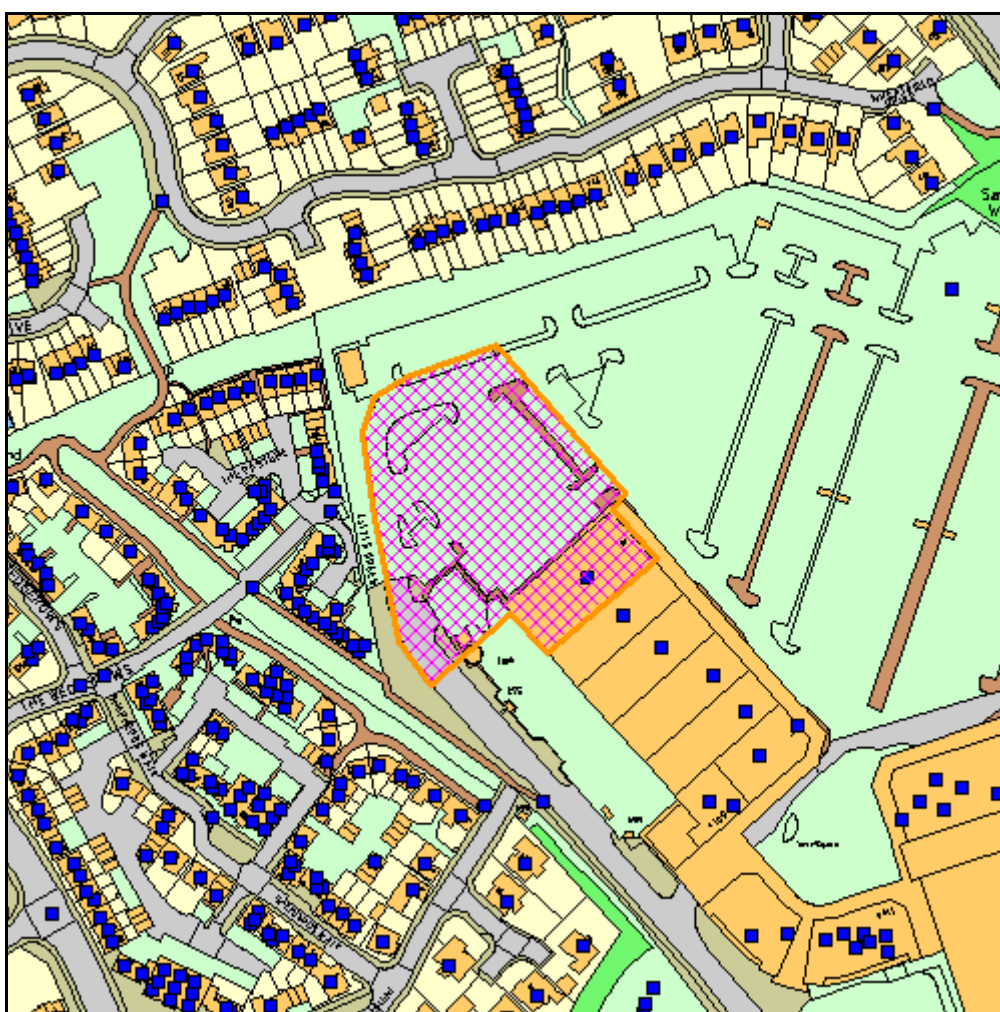
To define the approved development in planning terms.

Case Officer: Suzanne D'Arcy

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 10/23 -10th March 2023

App No.:	P22/03780/F	Applicant:	The Brookmaker Limited Partnership
Site:	Land At The Willow Brook Centre Savages Wood Road Bradley Stoke South Gloucestershire BS32 8BS	Date Reg:	22nd July 2022
Proposal:	Extension to retail terrace to form food store (Class E), alterations to existing car park, extension to service yard, landscaping, and other associated works.	Parish:	Bradley Stoke Town Council
Map Ref:	362020 182011	Ward:	Bradley Stoke South
Application Category:	Major	Target Date:	22nd March 2023



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P22/03780/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 the Circulated Schedule

This application has been referred to the Circulated Schedule following the receipt of 3no. objection letters from the general public, the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The Willow Brook Centre is located within Bradley Stoke Town Centre and comprises the main retail area for the town. The Willow Brook Centre is predominantly made up of retail units with a large Tesco Extra store and a mix of other large format stores and smaller stores within The Mall. The centre also has several restaurants, cafés and food outlets as well as several estate agents, a learning centre and a gym.
- 1.2 The area surrounding the Centre is predominantly residential low rise housing. To the north-east of the Centre is Savages Wood (a large area of green space), Bradley Stoke Leisure Centre, Library and Bradley Stoke Community School. This northeast edge of the Centre runs along Bradley Stoke Way, a primary transport route through the area.
- 1.3 The Development Site is located to the north-west corner of the Willow Brook Centre. It currently accommodates car parking and is directly accessed by the main car park access road. It is separated from existing housing to the north and west by a significant green buffer of trees and vegetation.
- 1.4 The application seeks permission for the extension of the existing retail terrace to provide additional space for discount food retail use and alteration to the car park adjacent to the proposed extension. The scheme proposes to extend the existing retail building by circa 24m to provide an additional 1140sqm of Class E convenience and food retail space, at ground floor i.e. a net total of 2114sqm including an existing 974sq.m. of unit 6. In addition, the proposal includes circa 114sqm of mezzanine, above the back of house and office areas. Reconfiguration of the car park will be required and the extension of the service yard to the west.
- 1.5 This application follows a previous outline consent for a very similar scheme via. Application PT18/1491/O and a subsequent appeal to provide two retail units (up to 3,100 sq.m.), the consent is still extant. The current scheme has come about because the form of the consented development would not meet the ideal requirements of the proposed operator.
- 1.6 The application is supported by the following documents:

Design & Access Statement
Planning Statement
Transport Assessment
Travel Plan

Below Ground Drainage Strategy
 Ecological Impact Assessment
 Geo-Environmental Study
 Sustainability and Energy Statement
 Noise Assessment
 Tree Survey
 Utilities Statement
 Lighting Plan
 Transportation Technical Notes

2. **POLICY CONTEXT**

2.1 National Guidance

The National Planning Policy Framework July 2021
 The National Planning Practice Guidance 2014

2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Accessibility
CS14	Town Centres and Retail

The South Gloucestershire Local Plan: Policies, Sites & Places Plan (Adopted) Nov. 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourses
PSP21	Environmental Pollution and Impacts
PSP31	Town Centre Uses
PSP33	Shopping Frontages

2.3 Supplementary Planning Guidance

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 LCA 15: Patchway & Filton and the Stokes
 Green Infrastructure: Guidance for New Development SPD (adopted April 2021)

3. **RELEVANT PLANNING HISTORY**

The Willow Brook Centre has an extensive planning history. The most relevant planning applications are set out below:

- 3.1 PT18/1491/O - Hybrid planning application seeking full planning permission for the erection of 2no. food and drink units each incorporating a drive-through and outline planning permission to extend the existing retail terrace to provide 2no. retail units up to 3,100sq.m. including mezzanine) and rearrangement of existing car park. (Outline) Access, layout and scale to be determined, all other matters reserved.

Refused 22nd March 2019 for the following reason:

1. *The proposed development, if permitted, would result in a harmful concentration of food and drink uses resulting in a prejudicial impact on residential amenity due to noise, general disturbance, fumes, smells, and late night activity. The proposed development is therefore contrary to policy PSP8 and PSP35 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017. Furthermore, the application is contrary to the 3 objectives in paragraph 8 of the NPPF (Feb. 2019) in that the development fails to promote the economic, social and environmental character of the area.*

Appeal APP/P0119/W/19/3232136 allowed 16th Jan 2020

- 3.2 PT13/2281/F - Installation of a customer collection pod with canopy. Re-submission of PT13/0939/F).
Approved 23rd August 2013
- 3.3 PT15/2243/F - Installation of mezzanine floor at Pets At Home, Unit 5 Willow Brook Centre.
Approved with Conditions July 2015.
- 3.4 PT12/1142/F - Change of use of land from car parking to hand car wash and valeting area (Class Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include erection of canopy and 1 no. cabin with associated works.
Approved with Conditions May 2012.
- 3.5 PT11/2490/F - Installation of mezzanine floor at Unit 3 Willow Brook Centre.
Approved with Conditions September 2011.
- 3.6 PT10/3271/F - Change of use of vacant garage (Sui Generis) to hot food takeaway (Class A5) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of shop front and extract duct and compressors to rear.

The application was refused in February 2011 for the following two reasons:

1. The subject building is located in an isolated position away from the main retail shopping frontage associated with Bradley Stoke Town Centre (Willow Brook Centre). The proposed hot food takeaway would introduce new retail frontage and activity into an area of the town centre that would not adequately cater for such activity in respect of visual amenity and vitality. The proposed retail use would therefore jar with the character of the town centre and the underlying vision for the town centre. The proposed development is therefore contrary to Policy RT1 of the South Gloucestershire Local Plan (adopted) January 2006 and would undermine the principles of Policy RT4 of the South Gloucestershire Local Plan (adopted) January 2006.

2. The subject building is located in close proximity to existing residential dwellings on The Pasture and Dewfalls Drive. The proposed change of use of the subject building would introduce new activity that would exceed the current low level of activity from this building. The cumulative impact of the activities associated with the proposed use as a hot food takeaway would have a detrimental impact upon the residential amenity of the occupants of nearby dwellings and as such the proposed development is contrary to Policy RT1 of the South Gloucestershire Local Plan (adopted) January 2006.

- 3.7 PT10/1877/F - Installation of mezzanine floor and provision of fire exit/office entrance door (in accordance with amended plans received on 4 October 2010) at Unit 1 Willow Brook Centre. Approved with Conditions October 2010.
- 3.8 PT10/0131/F - Installation of air conditioning and erection of mezzanine floor on first floor within existing retail unit at Unit 4 Willow Brook Centre. Approved with Conditions April 2010.
- 3.9 PT05/1949/F – Demolition of existing buildings to facilitate mixed use development to include retail, leisure, community facilities, bus station, petrol filling station, car parking. Approved with Conditions October 2007.

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

Bradley Stoke Town Council
No objection

4.2 Other Consultees

Sustainable Transport - Transportation DC
No objection

Wessex Water
No response

Highway Structures
No response

Avon Fire And Rescue

No response

Police Community Safety

No objection

Economic Development

No response

Arts and Development

No comment

Lead Local Flood Authority

No objection subject to an informative relating to surface water drainage.

Housing Enabling

No response

The Landscape Officer

No landscape objection subject to the agreement of the following as a condition of planning:

- AIA and tree protection plan – compliance condition as advised by Tree Officer.
- Detailed landscape plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting (to be implemented in the first season following completion of construction works); together with details of all proposed new hard landscape surface treatments.

The Ecology Officer

No objection subject to standard conditions.

Avon Wildlife Trust

No response

Public Health And Wellbeing

No response

Planning Policy

No response

Env. Protection (Noise)

No objection subject to condition relating to plant type and location.

Env. Protection (Contaminated Land)

No objection subject to condition.

The Tree Team

The existing trees will be protected in accordance with BS:5837:2012. Provided that all works are carried out in accordance with the submitted Arboricultural report there are no objections to this proposal

Environmental Policy And Climate Change Team

No response

The Archaeology Officer

No response

Other Representations

4.3 Local Residents

One local resident responded, neither objecting or supporting the application i.e. a neutral response. Two other local residents objected to the proposal. The concerns raised are summarised as follows:

- Overdevelopment
- Loss of parking spaces
- There is a vacant unit on the site
- Already insufficient parking resulting in queues outside the centre
- McDonalds has made traffic worse
- What will happen at Christmas
- The parking survey is flawed
- No need for another supermarket
- Already congestion on driveway due to McDonalds
- Additional unit will attract even more cars to the Centre

4.3 MRPP on behalf of Tesco's

We act for Tesco Stores Limited who operate out of the anchor store serving this development. We are making objections on their behalf to this application.

Our representations concern the inappropriate and incorrect assessment of parking demand. This includes, amongst other considerations: that there appear to be critical errors in the methodology used to upscale the May 2022 weekend surveys to reflect a more 'average period'; that use of an average or normal period is, in any event, wholly inappropriate to assess parking demand in a primarily superstore led development (and conflicts with Departmental Technical Guidance in this regard); that data for Sunday - one of the busiest days - has not been presented; that the input data for the application proposal (discounter food store) is unrepresentative since such stores (in individual settings) are now typically served by over 100 parking spaces and this is evidenced by these retailers' own store requirements material, and that the McDonald's 'split' between parking and drive thru custom is likely to be inaccurate and misleading and should now be supported by real time surveys.

There are also important conflicts with planning policy relating to the type of retail provision not addressing policy-led requirements for comparison goods needs and that no assessment has been undertaken of the risk to protected species that are known to exist locally.

- 4.4 A subsequent objection letter was also received. The conclusions of which are as follows:

The applicant has admitted that the proposal would conflict with the development plan, which requires provision of comparison goods floorspace on this site under the allocation. However, this conflict is not limited to a minor breach with Policy PSP31, as the applicant attempts to assert; the proposed development would constitute a fundamental contradiction with the strategic objectives of CS14 and PSP31 and would thus undermine the ability of the development plan to meet the needs identified.

The relevant development plan policies should not be considered “out of date”, and the applicant has not provided any material considerations which would outweigh the substantial policy conflicts.

The need for “appropriate provision for parking and servicing” and to “not give rise to unacceptable levels of vehicular traffic to the detriment of the amenities of the surrounding area and highway safety” is enshrined within PSP31, the very policy with which the applicants admit conflict and seek to portray as “out of date”.

The applicants have not provided any clarity on their assertion that only 50% of users of the drive-through units would have previously or would subsequently park up to use some of the other wide range of facilities. In fact, the limited information provided in terms of the locations used for the underlying survey indicates that the 50% figure is not appropriate to apply to this application due to its town centre location.

The data underlying the parking accumulation has also been impacted by shopping habits altered by the immediate post-pandemic context. It is considered that these habits are unlikely to endure and thus the assessment of the parking provision’s adequacy is not representative of the situation during the proposed development’s lifetime.

It has not been satisfactorily demonstrated that the proposal will not have an unacceptable highway safety impact at the main road junction in light of the underestimated parking demand and the lack of consideration of the peaks in the use of the access road.

For the reasons set out above, further information and clarification is requested; in the absence of this, the application is contrary to local and national policies and should be refused.

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 Paragraph 2 of the NPPF requires (in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and Section 70(2) of the Town and Country Planning Act 1990), that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

- 5.2 The Development Plan consists of the South Gloucestershire Core Strategy (2006-2027) and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted Nov 2017).
- 5.3 The NPPF supports sustainable development and Paragraph 8 provides the three overarching objectives of sustainable development, which are:
- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 5.4 Chapter 6 of the NPPF promotes support for building a strong, competitive economy. More specifically Chapter 7 seeks to ensure the vitality of town centres, stating at para. 86 that:
- “Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.”
- 5.5 The Framework paras 88 and 89 sets out a sequential test to guide main town centre uses towards town centre locations first, then if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of town centre locations. It should be noted at this point that the NPPF glossary of terms defines main town centre uses and includes retail development. This proposal therefore meets the sequential test and would support sustainable economic growth of an existing town centre and as such is acceptable in principle, as was established under hybrid application PT18/1491/O and the subsequent appeal. It is material that a similar scheme to that now proposed was previously allowed on appeal and that the Council did not in fact object to the extension at either the hybrid application stage or at the appeal.
- 5.6 It is noted that in allowing the appeal, the Planning Inspector did not seek to impose planning conditions restricting the future retail use of the floorspace permitted (up to 3,100 sq.m.) at that time to just comparison goods, nor any conditions restricting the internal division of the retail floorspace, this weighs heavily in favour of the current proposal.

- 5.7 The extension now proposed would be to the north of the existing retail terrace (Class E) adjoining the unit formerly occupied by 'Poundworld', providing an additional 1140sq.m of what is now Class E convenience and food retail space, at ground floor level and utilising 974sq.m. of the existing unit to create a single larger unit with net retail floor space of 2114 sq.m. In addition, the proposal includes circa 114sqm of mezzanine, above the back of house and office areas.
- 5.8 The NPPF and Policy CS14 also sets out the requirements for when a retail impact assessment is necessary. Paragraph 90 of the NPPF is clear that a retail impact assessment is only required when retail or leisure development is proposed outside of a town centre. Given the application site falls within the Bradley Stoke Town Centre, there is no requirement to undertake an impact assessment for the current proposal
- 5.9 Policy CS14 seeks to consolidate the Town Centres and in doing so enhance the vitality and viability of existing centres such as Bradley Stoke. Policy PSP31 para. 12 lists the general assessment criteria for all main town centre uses, including retail, against which development proposals are to be assessed. Such developments are expected to:
- i. positively respond to any centre specific health check or locally prepared and endorsed vision (see also CS1 criteria 4); and
 - ii. be in proportion to the role and function of the location; and
 - iii. ensure any shopfront(s), sign(s) or advertisement(s), are of a scale, detail, siting and type of illumination appropriate to the character of the host building, wider street scene and avoids a harmful effect on amenity of the surrounding area; and
 - iv. have convenient, safe and attractive access to and from surrounding residential areas for pedestrians and cyclists; and
 - v. have appropriate provision for parking and servicing; and
 - vi. not give rise to unacceptable levels of vehicular traffic to the detriment of the amenities of the surrounding area and highway safety; and
 - vii. where possible and viable include and make positive use of upper floors; and
 - viii. demonstrate a positive contribution towards the public realm and non-car circulation; and
 - ix. be well served by public transport.
- 5.10 The delivery of a convenience discount food-store in the designated Town Centre would provide additional choice for local residents, complementing existing retailers in the centre. The development will undoubtedly strengthen the vitality and viability of the designated Town Centre. In principle the development of a convenience discount food-store on the application site is acceptable, respects the retail hierarchy and aligns with the development plan, notably Policy CS14 and guidance in the NPPF. Indeed, the acceptance in-principle of the proposed development was previously established under application PT18/1491/O and the subsequent appeal.

- 5.11 It is noted that representations have been received on behalf of Tesco's raising objections to the proposal. The objector has raised concerns that the proposal seeks planning permission for convenience (food) retail floorspace, but that the adopted local plan, notably Policy PSP31 seeks the further growth of the town centre on this site to provide further comparison goods floorspace. The objector also notes that the proposal would result in the loss of part of an existing unit 'primarily and historically intended for comparison goods retail purposes'.
- 5.12 Policy CS14 states that investment in new town centre uses consistent with the NPPF will be directed into the town and district centres, reflecting the scale and function of the centre, including making provision for 34,000 sq.m. net of new comparison floorspace by 2026 to meet the needs of the communities in South Gloucestershire. The policy goes on to advise that the distribution of such floorspace will be through the Policies, Sites and Places DPD (PSP).
- 5.13 Policy PSP31 – Town Centre Uses, confirms that development proposals for main town centre uses will be directed to town and district centres identified on the policies map. Large scale retail proposals are identified as being acceptable in primary shopping areas identified on the proposals map. Proposals for significant additional comparison retail floorspace to meet identified need to 2021, is directed to primary shopping areas in listed centres, including 4,000 sq.m. to Bradley Stoke Town Centre.
- 5.14 The Policies Map shows the application site as falling within the PSP31 Primary Shopping Area for Bradley Stoke Town Centre and within the A1 retail designation; with the existing terrace shown as Primary Shopping Frontage.
- 5.15 A Town Centre Summary for Bradley Stoke is provided at Appendix 3 to the PSP. This notes that the vision is, that Bradley Stoke town centre will grow and diversify to meet the changing needs of the town. As a larger town centre there is thought to be physical capacity and future retail demand, to provide in the order of 4,000 sq.m. of comparison floor space within the town centre by 2021. A location to the north of the existing large format stores is included on the policies map as part of the Primary Shopping Area to accommodate this growth (within which the application site lies).
- 5.16 The supporting text to PSP31 goes on to say at para. 7.58 :

"The identified need for comparison floor space is 34,000sq.m. net by 2026/27. This is based on a retail study, which demonstrates needs arising from within the district of 18,000sq.m. by 2021, and a possible further 16,000sq.m. by 2026/27. However, floor space needs beyond 2021, have been identified as far less certain. Therefore, a revised retail need figure for the period after 2021 will be established and confirmed as part of the new Local Plan for South Gloucestershire which is scheduled for adoption in 2019."

The new Local Plan has however stalled and is not likely to be adopted until 2024 at the earliest. As such a revised retail need figure for the period after 2021 has not yet been established.

- 5.17 PSP31 para. 7.58 goes on to say that: "... in the interim. any proposals to meet the retail need post 2021 will be considered against the strategy for retail development and investment for centres set out within this policy and national policy related to sequential and impact test requirements."
- 5.18 It is noted that the evidence base for the above was prepared over 10 years ago i.e. The South Gloucestershire Town Centre and Retail Study the latest version of which was published in December 2011. It is now 2023 and there does not appear to have been any take-up of units at Bradley Stoke in the plan period for the sale of comparison goods. This is despite the fact that units have been vacant within the terrace in recent years.
- 5.19 It should be noted that the former Argos unit within the retail terrace of the town centre is currently vacant. Argos has been unable to assign their lease to another retailer since vacating the unit. In addition, the Poundstretcher unit in the centre is currently subject to a rolling landlord break and has been since 2020. This has not been exercised as there has been no interest in the unit from other prospective retailers. This is reflective of the suppressed market, and provides evidence of the lack of demand for comparison retail floorspace in the town centre. It should be noted that in the event the foodstore does come forward, that would still leave the existing Argos Unit as a vacant unit in the centre for other town centre occupiers.
- 5.20 Indeed, at the officer site visits, comparison goods were noticeable only by their absence, the 6 units within the terrace being occupied as follows:
1. Boots Chemist & Pharmacy
 2. Food Warehouse (Iceland)
 3. Empty former Argos Unit
 4. One Below £1 store
 5. Pets at Home
 6. Former Poundstretcher Unit selling Christmas Lights/Decorations etc.
- 5.21 Furthermore, the applicant has submitted evidence to suggest that Covid has significantly impacted shopping habits. Experian in their latest Retail Planner Briefing Note (No.19 Jan 2022) identify that there has been a marked increase in online shopping since the Covid-19 crisis, this has lifted the share of internet shopping to a peak of just over 30% of total retail sales at the peak of the November 2020 lockdown.
- 5.22 Internet sales' share in total retail expenditure surpassed 20% in 2019 before increasing to around 28% in 2020 against less than 5% in 2008. After easing in 2021 Experian expect internet market share to continue to grow strongly in the mid-term, hitting above 30% in 2025. The pace of e-commerce growth is anticipated to be moderate over the longer term, reaching 36.5% of total retail sales by 2040 (Page 18)
- 5.23 These changing shopping habits have clearly had an impact on the demand for retail floorspace, with a weakening in demand for additional floorspace, particularly in secondary locations and weaker centres. In this regard, whilst Bradley Stoke Town Centre is a well-established centre, in terms of comparison

goods it is in competition with both Bristol City Centre and The Mall Cribbs Causeway, both of which are strong regional centres for comparison retailing.

- 5.24 These changing shopping habits and strong competition from other retail destinations appears to have depressed the demand for comparison retailing in Bradley Stoke Town Centre. In addition to weaker demand for comparison retailing, consumer shopping habits in the convenience market have also changed over recent years, with discount foodstores increasing their market shares.
- 5.25 The evidence therefore suggests that there is unlikely to be a significant resurgence in demand for further non-food retail floorspace in the town centre in the medium to short term. The vitality and viability of the Town Centre would therefore be best served by the proposed convenience discount food-store.

Scale and Design

- 5.26 The A1 retail extension would merely continue the existing scale and form of the existing terrace. The development would closely reflect the existing façade and maintain the same layout principles as the existing units, with the existing footpath and pedestrian access route continued along the front elevation. The design of the existing retail terrace would be replicated. The proposed elevation treatment utilises a mix of panels and glazing continuing the pattern of the existing retail terrace. The proposal also continues the high level canopy to the main elevation. The canopy is also wrapped around the northern end of the extension to the terrace to provide further cover for shoppers and also to create a feature on this elevation. The palette of materials chosen complements the existing materials in the Town Centre and would match the existing retail terrace to which it would be attached.
- 5.27 Any advertisements or signs would be the subject of a separate application for advertisement consent. Officers are satisfied that the proposal is acceptable in terms of scale and design and would integrate adequately within the existing built form of the Town Centre.

Security Issues

- 5.28 The food-store would be located within the Town Centre which is well lit, covered by CCTV and subject to significant natural surveillance by visiting members of the public as well as the Centre Management Team. The siting of the proposed extension would not compromise the operation of the existing CCTV coverage. Moreover, the existing CCTV locations are adequate to cover the additional development, providing coverage of the front and rear of the building as well as the adjacent reconfigured parking area. Given this, it is not considered necessary for further CCTV installations to be provided external to the building.
- 5.29 The location of the proposed cycle parking would be covered by the existing centre CCTV locations to the north and east, as demonstrated by the submitted CCTV layout. In addition, it is noteworthy that the cycle parking is also prominently located by the store entrance where pedestrian activity would be high. The location of the motorcycle parking is in a prominent and visible

location and covered by the existing Centre CCTV. Details of the cycle and motor-cycle parking can be secured by a condition.

- 5.30 The building mounted luminaires on the north elevation are shown indicatively over final exits and on escape routes. This matter can be adequately managed by a planning condition that requires all external, building and car park lighting to meet the minimum requirements of CIBSE Lighting Guide 06 and BS 5489-1:2020 with an average of 10 lux for both parking and walkways. The final specification of the building mounted luminaires can only be confirmed when an operator is known.

Transportation Issues

- 5.31 The Willow Brook Centre has a primary vehicular access to the south-west of the site. This access leads to a primary route that loops round the car park and back to the primary access point, which allows for easy navigation of the large car park. In terms of pedestrian traffic, the primary access points are to the north-east of the site from Bradley Stoke Way and through the Retail Centre Square to the south of the site. These lead to routes through the site as well as across the site to the existing retail units. The proposal would maintain the simple navigation strategy and re-configure the parking arrangement to the proposed convenience extension.
- 5.32 In terms of public transport The Willow Brook Centre is well connected within the local public transport system, with its own bus stop with a designated bus lane entrance off Bradley Stoke Way. The Centre is also on the new Bristol Metrobus North Fringe Route.
- 5.33 The vehicular primary access to the site is from the roundabout between Savages Wood Road and Three Brooks Lane. This provides access to the large car park situated at The Willow Brook Centre. The proposal includes the reconfiguration of the car park immediately adjacent the proposed extension, which includes provision for 5no. disabled and 7no. parent and child spaces, plus motorbike parking.
- 5.34 The existing service yard would be extended to accommodate the proposed extension, works would include a graded loading dock. Refuse & recycling collection vehicles can access the service yard for collection.
- 5.35 The proposed discount food store would replace the bigger 3,100m² of non-food retail floorspace previously consented on the site.

Proposed Access

- 5.36 Vehicular access to the car park would remain unaltered as a result of the proposed development, with access achieved via the roundabout off the Willow Brook Centre access road with Savages Wood Road and Three Brooks Lane. From this point customers to the store would utilise the existing access road to the west of the site to access the car parking areas.

Car Parking Provision

- 5.37 To accommodate the proposed development, the level of car parking available across the site would be reduced. The proposed development now seeks to

reduce the total car parking provision from 927 to 872 car parking spaces within the town centre (the previously consented scheme did not reduce the number of spaces beyond the 80 spaces lost to the McDonalds/Starbucks development).

- 5.38 A Framework Travel Plan and Transport Assessment were submitted with the original application. The figures for the car park usage contained within the Transport Assessment were not however considered to be robust enough for the Transportation Officer to comment on, the figures having been taken over only a weekend period in May 2022.
- 5.39 Following concerns relating to the lack of information detailing existing car park usage against historical usage, together with the impact of Covid 19 on travel patterns to the site, the applicant was requested to provide additional justification and information. As a result, a subsequent Transport Technical Note was submitted following consultation with the Transportation Officer. The technical note uses historical ANPR data which shows car parking demand from 2018 to present day.
- 5.40 The Technical Note concluded that:
- There is a long-term reduction in traffic flows entering the car park, which has persisted following the COVID pandemic.
 - This reduction of traffic flows into the town centre, clearly evidenced by the provided ANPR data, and corresponding reduction in vehicles parking in the car park in relation to 2019 levels, has continued even after the opening of the McDonalds restaurant. The reduction in customers visiting the Tesco Store due to the growth in internet.com shopping is the most reasonable explanation for the long-term and sustained reduction in vehicles noted to be accessing the town centre.
 - It is recognised that the May 2022 car parking surveys did correspond to a period where car parking demand was somewhat reduced in relation to the average that has been experienced across the whole of the year.
 - To provide additional information to the highway authority and be robust, the May 2022 surveyed arrivals and departures in to and out of the car park have been scaled to the 85th percentile value observed throughout the year. This has been carried out by applying a 17% scalar to the surveyed traffic flows.
 - The car park occupancy has been recalculated using the scaled traffic flows and a maximum accumulation of 763 spaces has been forecast, which represents an occupancy of 87.5%, leaving 110 car parking spaces available at peak times.
 - The proposed Travel Plan which will be implemented at the District Centre will also further reduce the demand in the car park by encouraging staff and customers to consider sustainable modes of transport.
- 5.41 Applying the ANPR data to the existing information, the Transportation Officer is confident that the changes proposed as a result of this planning application can be accommodated on site without causing a severe highway safety hazard or queuing back onto the local highway network. The scheme is not considered

to give rise to unacceptable levels of vehicular traffic that would result in an unacceptable impact on highway safety. The scheme would retain appropriate levels of parking provision. Furthermore the residual cumulative impacts on the road network would not be severe.

- 5.42 Having noted the objections from Tesco's and others regarding this matter, your case officer visited the site at mid-day on Sat. 17th Dec. 2022, reputedly the busiest shopping day before Christmas, to view matters first hand. It is acknowledged that at the time of the visit, traffic was backing up along the access road to as far as the public highway. The traffic was however not stationary but moved steadily into the site and once in the car park proper, readily dispersed. Your officer had no problem finding a parking space.
- 5.43 It was also noted that at the time of the site visit, McDonalds restaurant and drive thru was doing a very brisk trade, with no back-up of traffic out into the main car park. Furthermore, traffic was observed circulating the main car park with no conflict with shoppers pushing trolleys, of which there were numerous.
- 5.44 Following the original submission there has been a round of submissions relating to Tesco's objection to the planning application and the response from the applicant in relation to those matters. These matters have broadly speaking focused on the influence of the Drive-Thrus, Car parking reduction and highway safety, all of which have been set against the impact of Covid on shopping patterns.
- 5.45 Officers have assessed the concerns raised by Tesco, and whilst their narrative raises valid points, they do not provide evidence or analysis through alternative traffic information to substantiate said points to the effect that an alternative recommendation could be defended.
- 5.46 Having considered the evidence before them, on balance officers raise no objection on transportation grounds.
- 5.47 It is also noted that in his Decision Letter para.21 for the previous appeal, the Inspector in addressing issues regarding highway safety and car parking matters, including concerns about queuing traffic in the car park and on the adjoining highway network; pedestrian safety within the car park; and the car park capacity; commented as follows:

"...the evidence before me, including the consultation response from the Council's highway engineer, concludes that the proposal would not have an adverse effect upon the road network, highway safety or pedestrian safety within the car park. Accordingly, in the event that the development would result in additional vehicle movements in the area or queuing during busy periods, this would be an inconvenience but would not lead to a harmful effect upon pedestrian and highway safety; nor would it be a reason to withhold planning permission."

Impact on Residential Amenity

- 5.48 The proposed foodstore would be confined within the Town Centre and would be enclosed by the parking areas and service yard, beyond which loops the access road. The nearest residential properties lie to the west but the proposed retail unit is considered to be sufficiently distant i.e. minimum of 35 metres, as to have any adverse impact on the residential amenities of these properties. Whilst the application proposes no restriction on the opening hours of the E Class unit, it is envisaged that the likely opening hours of the unit would be 08.00hrs–20.00hrs Mon to Sat, and 10.00hrs-16.00hrs Sun, which would be commensurate with existing retail units within the Shopping Frontage, although it is noted that Tesco is open 24 hours and the inspector for the previous appeal did not impose a condition restricting opening hours.
- 5.49 The nature of the proposed development is such that there will be no high level windows that would result in any overlooking or loss of privacy to adjacent residential properties. The limited first floor windows to the staff area would be orientated to look north across the car park. The proposal would therefore be in accordance with this aspect of Policy PSP8.
- 5.50 The change resulting from the development would not fundamentally alter the outlook for the occupiers of nearby properties neither would it be overbearing. As such, the proposal would not be detrimental to the residential amenity currently enjoyed by those properties. It is also noteworthy that the footprint of the proposed development is not dissimilar to that granted outline planning permission previously. The proposal would therefore be in accordance with this aspect of Policy PSP8.
- 5.51 In considering loss of light, the siting of the development and its juxtaposition with neighbouring properties, noting the existing significant acoustic fence between them, would have no impact on the levels of daylight or sunlight enjoyed by adjacent residential properties. In addition, in considering artificial lighting, the service yard is already lit, as is the access road and existing car park between the site and the residential properties. Lighting in the service yard would be angled down. Car parking lighting is to be relocated but will be of a style and nature to match that existing. A lux plan showing the spread of lighting from the replaced columns accompanies the planning application. The proposal would not result in any glare or excessive light levels to existing residential occupiers. The proposal would therefore be in accordance with this aspect of Policy PSP8.
- 5.52 Alterations are proposed to the existing service yard accessed off the vehicular access to the town centre. These alterations are to facilitate the servicing of the proposed food-store. The alterations are limited and do not result in servicing being undertaken any closer to existing residents than would already be the case. The delivery dock has been designed so that vehicles reverse onto it with the servicing doors facing in a southerly aspect, away from residential properties. A screen is also proposed alongside the docked area to further reduce noise associated with deliveries. Given the arrangements proposed it can be readily concluded that there will be no adverse impacts on adjacent

occupier in terms of noise or disturbance. The proposal would therefore be in accordance with this aspect of Policy PSP8.

- 5.53 Officers are satisfied that careful consideration has been given to the potential impact of the development on the amenity of adjacent residential occupiers. As discussed above, there will be no adverse impact to the amenity of adjacent residential occupiers arising from the proposed development. The proposal therefore accords with Policy PSP8 of the Policies, Sites and Places Plan.

Landscape & Tree Issues

- 5.54 The proposed development area lies within the NW corner of the Willow Brook Centre, which lies north of Savages Wood Road and west of Bradley Stoke Way within the urban area of Bradley Stoke, and is overlooked by residential development from the N and W. The site comprises some 0.6ha of car park that is associated with the existing retail building. Trees line either side of the main car park circulation route, which also serves the wider parking area to the NE of the building. Public footpath LSG/3/20 follows the access road adjacent to the SW side of the building.
- 5.55 No existing trees would be affected by the proposal. The proposed landscape approach to the extension would be to reflect the existing hard surface landscaping to provide a seamless extension of the existing public realm. As indicated on the proposed Site Plan -PL101 Rev. A there is the opportunity to enhance the existing frontage line of trees with complementary planting, replacing areas that are past their aesthetic best, which can be agreed as a condition of any planning permission.

Ecology

- 5.56 An Ecological Impact Assessment (Ramboll June 2022) has been submitted in support of this application. The site is not covered by any ecological designations. The building was assessed as being negligible for roosting bats as no features were recorded. None of the trees supported potential roost features. The site holds poor foraging habitat for bats due to the lack of vegetation and artificial illumination. There is limited terrestrial habitat for Great Crested Newts. There are limited opportunities for nesting birds being confined to the introduced shrub. Suitable mitigation has been recommended. The majority of the site being hardstanding and well managed grassland is not suitable for reptiles, however habitat off-site on the western boundary may support a low number of reptiles. Due to the hardstanding and lack of vegetation it is unlikely that badgers would use the site frequently. There are limited opportunities for hedgehogs, being confined to the introduced shrubs and habitat off site to the western boundary.
- 5.57 Sufficient survey effort has been undertaken and no further information is required at this time. There are opportunities to improve the ecological value of the site and two nesting bird boxes are to be installed as advised by the ecologist. Subject to appropriate conditions to secure ecological mitigation as recommended in the EIA, a construction environmental management plan

(CEMP) and the location and specifications of ecological enhancements; there are no objections on ecological grounds.

Drainage and Environmental Issues

- 5.58 The site lies within Flood Zone 1 and is not prone to flooding. The Council's Drainage Engineer raises no objection subject to a condition to secure a SUDS Drainage Scheme. The site is previously developed and is not prone to subsidence; neither has it been the subject of past Coal Mining. There would inevitably be some disturbance during the construction phase but the hours of working can be appropriately controlled by condition. The proposed Retail Units are not considered to be a significant generator of noise or light pollution.
- 5.59 Officers have reviewed the Noise Impact Assessment report prepared by Ramboll (dated June 2022). The report identifies mitigation that is required to ensure that the amenity of the location is not adversely affected by the proposed development. However the final selection and location of plant items has not yet been defined at this stage in the design as the end user is not yet known. A further report needs to be submitted that specifies the exact plant and locations of equipment, and detailed requirements for the mitigation measures to be installed to ensure that there is not undue impact on local amenity. A condition can be placed on any permission granted to require no plant other than those prescribed are installed, and that all equipment should be maintained in accordance to the manufacturer's instruction in perpetuity. The mitigation measures should be installed as per the agreed plan prior to operation of the equipment.
- 5.60 Officers have reviewed the Desk Study report prepared by Ramboll (ref dated June 2022). The risk assessment identifies sources of potential contamination on site such as a former petrol filling station on the site and a car wash. The Risk Assessment however does not identify any significant pollutant linkage resulting. However the report does go on to recommend further site investigation. Therefore in order to ensure that the site is suitable for its proposed use and in accordance with the National Planning Policy Framework, a suitable condition is recommended for inclusion on any permission granted.

Sustainability

- 5.61 Policy PSP6 states that all development will be encouraged to minimise energy requirements and maximise the potential for the use of solar technology. The food-store has been designed to have the lowest possible environmental impact and in particular to reduce the energy demands of the building. This includes designing the roof to be suitable for the installation of a PV system. The submitted Energy Statement demonstrates that the proposal will exceed the requirements set out in Part L of the 2013 Building Regulations and as such be in accordance with Policy PSP6 of the Policies, Sites and Places Plan.

Location of the Building, Vitality and Viability

- 5.62 Although now implemented, Policy RT4 of the now superseded South Gloucestershire Local Plan 2006, informed the vision for what was then the

new town centre at Bradley Stoke. In particular, the policy ensured that the new town centre would properly integrate with adjoining uses in terms of layout, design, external appearance and access. Core Strategy Policy CS14 is consistent with this approach and Policy PSP31 is now the principal tool in considering new retail development in the town centre.

- 5.63 The Class E retail use proposed is acceptable within the Town Centre and the location of the building is appropriate. The Willow Brook Centre provides a broad range of shopping and service facilities, to which the proposal would provide variety and increased employment opportunities. It is likely that the additional unit would enhance both the vitality and viability of the Centre.

5.64 Consideration of likely impact on Equalities

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

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

Overall Planning Balance

- 5.66 The proposed convenience discount foodstore is a retail unit (Class E formerly A1) and a Main Town Centre use, which would be appropriately located within a designated Town Centre. As such it does not require a Retail Impact Assessment. The store would undoubtedly make a positive contribution to the vitality and viability of the Town Centre. It would increase choice to the consumer and provide competition to the existing uses within the centre, all of which is in the public interest. This weighs substantially in favour of the scheme.
- 5.67 The unit would provide additional employment and in the shorter term work for local construction workers. This can also be afforded moderate weight in favour of the scheme.
- 5.68 On balance the scheme is not considered to give rise to unacceptable levels of vehicular traffic that would result in an unacceptable impact on highway safety. The scheme would retain appropriate levels of parking provision. Furthermore the residual cumulative impacts on the road network would not be severe. As this would be expected this carries neutral weight in the planning balance.
- 5.69 It is acknowledged that under a strict interpretation of Policy PSP31 the proposal is non-compliant with the policy, which earmarks the site for future

sales of comparison goods. Officers are however mindful of the fall-back situation where two units with an overall larger retail floor space could be erected under the extant permission, which was allowed on appeal. There is nothing within that consent which restricts sales from the units to comparison goods only.

- 5.70 It is also material that none of the existing units within the terrace sell comparison goods; there has been no uptake of the 2 approved units for non-food retail since being approved in Jan 2020; there has been a long-term availability of an existing empty unit within the terrace; the outdated evidence base for future comparison floor space needs beyond 2021; and the changing shopping habits as a result of covid lockdown whereby more people are buying comparison goods on-line. All of these matters combined outweigh any conflict with PSP31 and justify a departure from the Local Plan Policy in this case, which would protect the vitality and viability and economic development of the Town Centre.
- 5.71 On balance therefore the scheme is sustainable development that should be approved without delay.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission be **GRANTED** subject to the conditions listed 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 development hereby approved shall be carried out in accordance with the following approved plans:

Existing Roof Plan Drawing No. 8535/P033 Rev A received 07th July 2022

Site Location Plan Drawing No. 8535/PL001 Rev A received 07th July 2022

Existing Block Plan Drawing No. 8535/PL002 Rev A received 07th July 2022

Existing Site Sections Drawing No. 8535/PL003 Rev A received 07th July 2022
Existing Elevation Plans Drawing No. 8535/PL031 received 07th July 2022

Proposed Block Plan Drawing No. 8535/PL101 Rev A received 07th July 2022
Proposed Site Sections Drawing No. 8535/PL102 Rev A received 07th July 2022
Proposed Ground Floor Plan and Site Layout Drawing No. 8535/PL201 Rev A received 07th July 2022
Proposed First Floor Plan (1:200) Drawing No. 8535/PL201 Rev B received 07th July 2022
Proposed Roof Plan Drawing No. 8535/PL202 Rev A received 07th July 2022
Proposed Elevation Plans Drawing No. 8535/PL301 received 07th July 2022
Lighting Assessment Drawing No. WBC-TFT-XX-XX-DR-E-001 Rev P01 received 07th July 2022

Proposed Ground Floor Plan (1:100) Drawing No. 8535/PL203 received 14th July 2022
Existing Floor Plan (1:100) Drawing No. 8535/PL034 received 14th July 2022
Proposed GA Building Plan Drawing No. 8535/PL201 Rev C received 18th July 2022
Proposed GA Building Plan (1:100) Drawing No. 8535/PL203 Rev A received 18th July 2022

Reason

For the avoidance of doubt.

3. The hours of construction work shall be limited to 07.30hrs to 18.00hrs Monday to Friday; and 08.00hrs to 13.00hrs on Saturdays. No construction work shall take place on Sundays or Public Holidays. Construction work includes the use of any plant or machinery (mechanical or other), the carrying out of any maintenance or cleaning work on any plant or machinery; deliveries to the site; and the movement of vehicles within the curtilage of the site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

4. The development hereby approved shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Impact Assessment (Ramboll, June 2022).

Reason

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

5. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall be written in accordance with BS42020, including mitigation details on existing habitats, nesting birds, reptiles, great crested newts and hedgehog, as well as any pollution prevention measures. The approved CEMP shall be adhered

to and implemented throughout the construction period strictly in accordance with the approved details.

Reason

In the interests of protected species and to accord with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and Policy PSP19 of The Policies, Sites and Places Plan (Adopted) Nov. 2017. This is a pre-commencement condition to ensure that protected species are not harmed.

6. Prior to commencement of works a plan detailing the location and specifications of ecological enhancements detailed within Ecological Impact Assessment (Ramboll, June 2022) and is to be submitted to the local authority for review. This includes, but not limited to bird boxes and soft landscaping.

Reason

In the interests of protected species and to accord with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and Policy PSP19 of The Policies, Sites and Places Plan (Adopted) Nov. 2017. This is a pre-commencement condition to ensure that protected species are not harmed.

7. Prior to the first use of the building hereby approved, a further report shall be submitted to and approved in writing by the Local Planning Authority, that specifies the exact plant and to be installed and locations of equipment, and detailed requirements for the mitigation measures to be installed to ensure that there is not undue impact on local amenity.

Thereafter no plant other than that prescribed shall be installed, and all equipment should be maintained in accordance with the manufacturer's instruction in perpetuity. The mitigation measures should be installed as per the agreed details prior to the first operation of the equipment.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PS21 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

8. A) Desk Study - Previous historic uses(s) of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination has been carried out and submitted to and approved in writing 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 written 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 ensure that adequate measures have been taken to mitigate against possible ground contamination and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and Policy PSP21 of The South Gloucestershire Local Plan Policies Sites and Places Plan (Adopted) 8th Nov. 2017. This is required prior to commencement in the interest of public health.

9. Prior to the first occupation of the development for the use hereby approved, the revised car parking layout and servicing areas shall be completed in accordance with the approved Proposed Site Plan drawing number 8535/PL01 Revision A received 7th July 2022.

Reason

In the interest of highway safety and the amenity of the area, 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 and the requirements of the NPPF.

10. No development shall commence until surface water 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.

Reason

In the interests of flood risk to accord with Policies CS1 and CS5 of The South Gloucestershire Local Plan Core Strategy (Adopted), Policy PSP20 of The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

This is a pre commencement condition to ensure that the site can be adequately drained

11. The development hereby approved shall be occupied in accordance with the approved Travel Plan by Transport Planning Associates June 2022 received 07th July 2022.

Reason

To encourage no car modes of transport and in the interest of highway safety and the amenity of the area, and to accord with Policy PSP11 of the 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 and the requirements of the NPPF.

12. Prior to the commencement of the development hereby approved a construction environmental and transportation management plan (CETMP) shall be submitted to and approved in writing by, the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved transportation CETMP.

Reason

In the interest of highway safety and the amenity of the area, 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 and the requirements of the NPPF.

This is a prior to commencement condition to ensure that the entire development is carried out in an appropriate manner.

13. Details of the proposed cycle and motorbike parking facilities, shall be submitted to and approved in writing by, the Local Planning Authority. Thereafter the cycle and motorbike parking facilities shall be implemented in accordance with the approved details and prior to the first use of the building for the purposes hereby approved,

Reason

In the interest of highway safety and the amenity of the area, 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 and the requirements of the NPPF.

14. The development hereby approved shall be carried out in full accordance with the submitted Arboricultural Report by Silverback dated July 2022 and received 07th July 2022.

Reason

In the interests of protecting trees and 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 Local Plan Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the National Planning Policy Framework.

15. Prior to the first occupation of the building hereby approved, a detailed landscape plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting (to be implemented in the first season following completion of construction works); shall be submitted to and approved in writing by the Local Planning Authority.

Reason

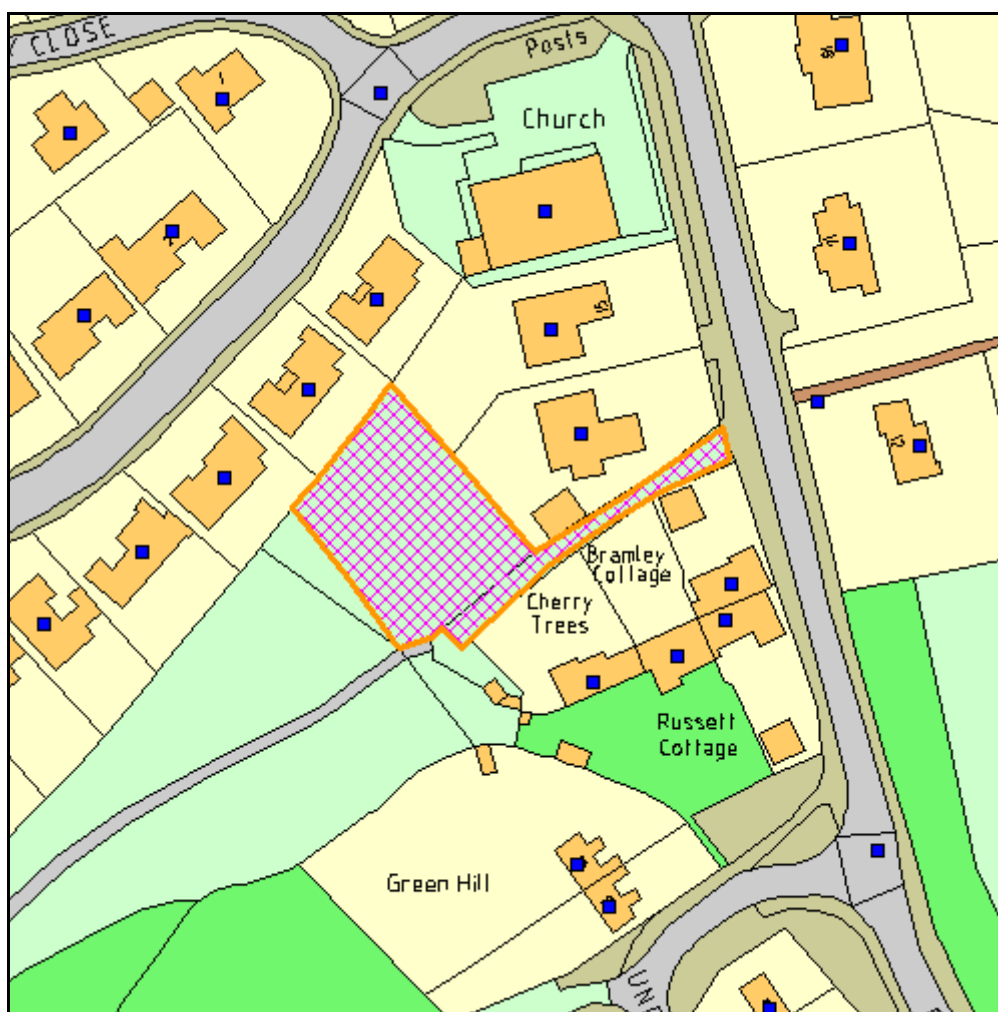
To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP2 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and the National Planning Policy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

Case Officer: Roger Hemming

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 10/23 -10th March 2023

App No.:	P22/04462/RM	Applicant:	Mrs Gardner
Site:	Land Rear Of 15 Greenhill Alveston Bristol South Gloucestershire BS35 3LS	Date Reg:	5th August 2022
Proposal:	Erection of 2 no. dwelling with appearance, landscaping, layout, scale and access to be determined (Approval of Reserved Matters to be read in conjunction with outline permission P19/5000/O).	Parish:	Alveston Parish Council
Map Ref:	363217 187958	Ward:	Severn Vale
Application Category:	Minor	Target Date:	29th September 2022



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 100023410, 2008. N.T.S. P22/04462/RM

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the

Development Management or Strategic Sites Delivery Committees for determination.

INTRODUCTION

This application appears on the Circulated Schedule, as a result of comments received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 This proposal is a reserved matters application for the erection of 2 no. dwellings. The initial description stated that the appearance, landscaping, layout, scale and access was to be determined, to be read in conjunction with outline permission P19/5000/O. The outline consent was however for the erection of 2 no. dwellings on land to the rear of 15 Greenhill, Alveston, with access to be determined, and all other matters reserved. This is reflected in conditions 1 and 2 of the outline permission which require details of layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters").
- 1.2 The site is outside of, but adjacent to, the established settlement boundary of Alveston, and is within the Bristol/Bath Green Belt. The site is accessed initially from Greenhill and then the access to the site incorporates a bridleway and Public Right of Way which runs between the site and Greenhill.
- 1.3 An Ecological Survey has been submitted with the application. During the consideration of the application revised plans and further information have been received updating the ecological survey, providing a landscaping scheme and amending slightly the dimensions and positioning of the garages and bin stores. These plans were fully reconsulted.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
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
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PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Green Belt SPD 2007
Residential Parking Standards SPD (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 P19/1040/O Withdrawn
Erection of 2no. dwellings (Outline) with access to be determined and all other matters reserved.
- 3.2 P19/5000/O - Erection of 2no. dwellings (Outline) with access to be determined and all other matters reserved. (Resubmission of P19/1040/O). Approved 30.08.2019

4. **CONSULTATION RESPONSES**

- 4.1 Alveston Parish Council
Objection – encroaching onto the Green Belt. Vehicular access is over the bridal path and is clearly marked on the plans and details within the application are misleading.

Upon reconsultation of revised plans, further comments were received:

Object to the application and raise the following issues / concerns –

Councillors are concerned with aspects of safety relating to the construction process should permission be granted and request that the developer pay due attention to the following matters to prevent accidents (particularly as the intended construction site is so close to a primary school).

1. Suitable safety barriers and footpath diversions will need to be created. Delivery times to be restricted to avoid clashes with school drop of and pick up times and construction vehicles are not to reverse onto the road from the bridal way unless a third party is available to give adequate guidance to the driver of the reversing vehicle, even better to ensure there is enough room at the construction site so vehicles may turn around prior to pulling out. Cllrs appreciate that the access to the construction site is extremely narrow.

2. The access to the site is via a bridal way and Cllrs would ask you to check with SGC footpaths / bridal ways that this is appropriate and that landowner permissions have been granted. Councillors are also concerned that it is inevitable that the bridal way would become blocked to users and as this is a public right of way what will the council do to mitigate this issue.
3. No pavement parking should be permitted as developers are required to make a provision for parking on site or to arrange mini-bus transport on and off site for development workers.
4. Finally councillors ask SGC to take into account the wildlife that inhabits the bridal way / construction site and surrounding areas and asks what mitigations is being introduced?
5. The Planning Committee agree that this application is “over development” upon a small footprint and note that parking spaces (although permissible within the SGC parking specification of a development) there is no provision for visitors to the developments and street parking beyond the bridal way is restricted and extremely limited.

4.2 Lead Local Flood Authority

No Objection in principle subject to conditions to secure sustainable means of drainage within the site (SuDS)

Upon reconsultation, the comments remain the same.

4.3 Sustainable Transport (Highway Authority)

No objections, condition to secure vehicle charging recommended.

Upon reconsultation of revised plans, further comments were received:

The revised details show that the garages have been increased in size consistent with the Council's minimum standard. There are no transport objections raised. A condition is again recommended to ensure the provision of electric charging points.

4.4 Public Rights of Way

Maintain the previous objection to the proposals on the basis of the use of the public right of way, extensively used by horses and cyclists, dog walkers and children and it's further vehicular use will compromise its safety.

4.5 Archaeology

No comment.

No further comments were sought to be made following reconsultation

4.6 Landscape

No detailed hard and soft landscape plan has been submitted and will be required

Upon reconsultation it was considered that certain improvements and clarification on matters would be required, including planting specification, boundary treatments and ecological management.

4.7 Ecology

An updated ecological appraisal is required to ensure up to date information.

Following reconsultation a further response was received:

No objections, subject to conditions securing compliance with measures, mitigation and enhancement contained in the report

4.8 Environmental Protection

No comments received

Other Representations

4.9 Local Residents

10 letters of objection have been received, raising the following summarised points:

- the turning circle is insufficient
- the proposals affect the bridleway
- the bridle path is not wide enough
- the bridle path should not be used for access to properties
- there are no passing places
- visibility will be poor

- the site will be overdeveloped
- the walls of the proposed dwellings run almost to the plot boundaries
- there is a different proposed layout and design to that at outline
- it will lead to overlooking and will be overbearing
- it will affect natural light of nearby properties

- impact upon visual amenity
- design is out of keeping with the area
- it is in the Green Belt and should be protected

Upon reconsultation a further 7 letters were received:

- concerns remain that the proposals continue to be different from the layout considered and approved at outline stage
- appears to be over development if two houses cannot be reasonably laid out in the plot
- very close to existing properties
- it could devalue other properties
- views could will be impacted
- still a lack of detail on the plans – trees are not shown and landscaping therefore not adequately addressed
- appears to show land on the verge, not under the applicants ownership
- insufficient drainage information
- lack of services (water points, gas, drainage, electric, internet cabling) on the revised plans, not clear if this will affect bridleway or surrounding properties
- The plans do not address vehicular access which is on a public bridleway, connecting the access to the main highway. This is not wide enough to fit a car and pedestrian, and pose a visibility risk especially to users already on the bridleway.

- the grass verge should be kept and the garages put in their original place to allow safe passing place
- there is no demonstration that permission has been granted and the proposed access will be illegal to use without this.
- doesn't appear to be room for visitor parking, visibility
- nowhere for builders to park and materials deliveries will block bridleway
- visibility is restricted from the bridleway to the road by parked cars
- not clear how bridleway will be maintained
- horse riders and vehicles will not be able to pass on the bridleway at a safe or legal distance

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Detailed consideration has been given to the principle of the proposals of two houses at this location. The principle was considered acceptable and the principle established under the existing outline consent reference P19/5000/O.

- 5.2 The issues for consideration are therefore the reserved matters, which in this instance are details of layout, scale and appearance of the building(s), and the landscaping of the site. Whilst comments have been received regarding differences in plans/layout submitted at outline stage, only access was determined in the outline application. This essentially determined whether the site is in principle capable of successfully accommodating the proposed residential units. Further details relating to the layout, scale, design and finish of the proposed dwellings and any landscaping would therefore need to be submitted at reserved matters stage for further consideration.

5.3 Green Belt

The site is located within the designated Green Belt. This has been acknowledged and addressed at outline stage and the principle established for the proposals for two residential units and associated curtilage. The proposal remains as two detached bungalow dwellings. Garages have also been added, however given the residential principle of the plot, this is not an unacceptable addition to the original plans on these approved residential plots. The reserved matters application remains to be for two residential units and the principle of development remains acceptable, subject to detailed development control considerations relating to the matters reserved.

5.4 Design and Layout

These proposals are for 2 detached bungalows, as per the outline application. Whilst the outline plans were at that point indicative, they have been widened slightly within their plots and the gable feature is now rear facing. A bungalow was and remains to be considered to be an appropriate scale for the development, and in order to ensure this is followed through to the reserved matters stage, a condition restricting the ridge height of the building to 5.5 metres was attached to the outline consent. The proposals remain within these required parameters to reduce the height and bulk and to stop the development competing with the row of stone cottages to the south-east, and help protect any impact on the visual amenity of the area.

- 5.5 In terms of layout, the site is of an adequate size for 2 no. detached units, and the submitted plans show there is adequate space for parking, turning, bin storage and adequate private amenity space.
- 5.6 In terms of materials and finishes, the plans illustrate that the roof tiles would be a low-profile slate-effect concrete interlocking tile, dark grey, the walls of the house would be a facing red brick with windows & doors. Powder-coated dark aluminium. The garage walls would be a natural random locally sourced stone and similar tiles. This would be acceptable in context with the site and surroundings.
- 5.7 Landscape
A landscape scheme has been provided with the application. This provides details of hard and soft landscaping. The colour finishes to paving for the frontage of both properties, demarcating parking and turning areas are acceptable.
- 5.8 Mixed border planting and screening around bin stores is provided.
A nature corridor/ecological area is proposed along the north west boundary of the site, containing native grassland seeding and wildflower meadow mixture, and trees, this is referred to in more detail in the relevant ecology section.
- 5.9 Some clarity was considered to be required by the Councils Landscape Officer regarding boundary treatments, it is noted that the details state that ship lap timber fencing will form the boundary between the two new properties and the boundary to the west. The smaller fence to the bottom of the gardens is also indicated on the scaled drawings. The existing timber-panel fence to north-east boundary would remain, the architects survey points indicate that its height is at 1.91m – 1.96m.
- 5.10 Some alternative native planting species are recommended and stock sizes required. The principle of the proposals in landscape terms are considered acceptable and it is therefore considered that these details can reasonably be secured by condition on an amended landscape plan.
- 5.11 Residential Amenity
The site is considered large enough to accommodate 2 no. three-bedroom bungalows whilst still providing the necessary amenity space per dwelling that is required by policy PSP43. This amenity space will be good quality and useable and not overlooked by any of the surrounding units, as those with the potential for long distance views are also bungalows.
- 5.12 Garages have been added to the front of the plots. Their layout is reflective of other garages and outbuildings located in side and front elevations in the area and along the access track. These are positioned and orientated so as they are accessible from the residential driveways and turning area within the residential curtilage. Whilst they are located to the front elevation and in relative proximity to the front facing wall of the proposed dwellings of the two garages, the nearest is the single garage on the western plot. This is approximately 3.80 metres away from the dwelling at single storey level with pitched roof above sloping away from the house. There are habitable room windows on the front of

the dwellings. The distances would however be sufficient to provide light and outlook for future occupiers. Notwithstanding this, and in the case of the dwelling on the western plot, this window represents only one opening to the wider room, and there is another window and large patio doors additionally providing light and outlook.

- 5.13 Turning to the amenities of the surrounding occupiers, the bungalows will be restricted to 5.5metres in height. The proposals will be slightly more elongated than the indicative outline plans with the gable element extending to the rear, the ridge of the roof of this element is however lower than the main ridge. To the north east the property borders the bottom of gardens of properties on Greenhill Road. At the nearest point the proposed dwelling would be approximately 12.5m from the main rear wall of this property, although it is noted that there is a conservatory protruding further out beyond part of the property, this distance increases as the proposal extends away following the boundary to towards the north west. It is not considered that the addition of the garages give rise to any additional residential amenity issues due to their scale and location. Whilst the proposed dwelling is near to the boundary, at single storey level, it is not considered that this would give rise to significant or material overbearing impact or loss of light on the adjacent properties and associated curtilages such as to warrant objection and sustain objection on this basis.
- 5.14 There would be one doorway and two further openings/windows on this north east elevation, these windows would be for a bathroom and one of the bedrooms. The existing timber-panel fence serving as the boundary/privacy treatment to the adjoining curtilage to north-east boundary would remain. At single storey level matters of potential overlooking would be limited by boundary treatments and not be a material or insurmountable issue that would warrant refusal of the application on this basis.
- 5.15 To the north, the nearest properties are located along Wolfridge Rise. The rear of the proposed dwelling would be approximately 16 metres from the nearest point of these dwellings, through the curtilage areas of each property. Again at single storey level this would be sufficient to prevent material impact by way of overbearing impact and issues of intervisibility.
- 5.16 The development therefore accords with PSP8 and PSP38.
- 5.17 Highways, Parking and Public Rights of Way
Access for the two dwellings was determined as part of the outline application. Whilst the ongoing concerns previously raised from residents and the Public Rights of Way Officer remain with this reserved matters application and are noted, the matters were highlighted and addressed in the previous considerations for the site.
- 5.18 Public Rights of Way:
In terms of the rights of way/bridleway it was noted that:

'The applicant does not own the bridleway known as Green Hill Lane (OAN/12) which is proposed for access to the proposed development. The applicant

requires permission from the landowner of the bridleway in order to use it to access the site. Without that permission, the use of the bridleway to access the development would be unlawful. Whilst it is fully acknowledged that the Public Rights of Way team objected on this basis, land ownership is a civil matter that falls outside of the remit of the planning legislation.'

- 5.19 *Irrespective of that (ownership) position, (or even in the event that ownership was proven) this is a factor that attributes limited weight in the determination of this application. In the event that this planning is approved, it is the responsibility of the applicant to establish the lawful right to access the site using the public right of way. An informative can be added to a decision to approve this application highlighting the obligations of the developer.*
- 5.20 *The assessment of this application in relation to the use of the public right of way for access relates only to the amenity of it, in respect of safety and enjoyment of the recreational route. This is appropriate and forms part of the planning merit of the proposal. In this instance, officers acknowledge that the development would introduce additional vehicular movements along the public right of way and this would occur in the context of a well-used recreational route for horse riding, walking and cycling. However, for the reasons set out further in this report, officers are satisfied that this impact is not severe and the proposed development acceptable in that regard. Officers also acknowledge that the development will alter the character of the landscape and the context of this part of the public right of way. However, officers are satisfied that the introduction of dwellings can be mitigated in landscape terms and that the impact on the enjoyment of the public right of way would not be significant.'*
- 5.21 *The development remains to be for two detached bungalow dwellings and the matters have been addressed and approved at outline stage in this respect.*
- 5.22 Highway Safety and Parking
'The bridleway proposed to be used for access is 4m wide when used to access Greenhill, then narrows down to 2.2 metres wide for most of its length up to the application site and is surface with a loose material (gravel and stone).
- 5.23 *The bridleway is already in use as an access to three existing garages serving the adjacent cottages and also two areas of hardstanding, so the use of the bridleway as an access is existing (in planning terms – the applicant would still need to establish they have the legal right to use it as such). The proposal for 2 no. dwellings is likely to result in around 8-10 additional vehicles trips per day, and one of these is likely to occur during the morning rush hour and another during the evening rush hour. There is a passing place at the junction of the bridleway and Greenhill and also outside of the proposed dwellings, and this is approximately 45m between the two along a straight line where one vehicle can easily see the other approaching. Therefore in the unlikely event that two vehicles wish to pass on this very lightly trafficked bridleway, then they would be able to.*
- 5.24 *There are grass verges for pedestrians to step in should a vehicle approach, and as only 45m of the bridleway is affected, their wider experience of using*

the Public Right of Way would still be traffic free on the most part. Should a horse and a rider come along the bridleway at the same time as a vehicle, then there is sufficient inter-visibility between horse riders and drivers along the straight bridleway to allow for the passing places to be utilised.

- 5.25 *The future residents would be required to bring their waste to Greenhill for collection. This is in excess of the maximum carry distance recommended within the Council's Waste Collection SPD, however would not result in a severe highway safety impact that means the application should be refused. In terms of parking, two off-street parking spaces per dwelling can easily be accommodated within the site, although the exact layout is subject to the reserved matters application.*
- 5.26 *A condition requiring a Construction Environmental Management Plan to be submitted prior to commencement is required in order to reduce the impact of the construction period on the surrounding occupiers and users of the bridleway. The Transport officer has also requested conditions to ensure that development is not occupied until parking and turning areas, cycle parking and electric vehicle charging points are implemented, however as these relate more to layout the need for these conditions will be assessed under the necessary reserved matters application*

The development remains to be for two detached bungalow dwellings, off-site parking provision is acceptable and in accordance with the Council's adopted standards and the access, referred to above, matters addressed and approved at outline stage in this respect. The granting of planning permission does not grant rights to use, develop access land not within the applicants control nor does it grant rights to block or park unlawfully on highways and public rights of way.

5.27 Ecology

An Ecological Appraisal was submitted with the application, this was required to be updated due to dates of some of the initial surveys and information. The information and surveys are considered acceptable and no further surveys are required. Ecological enhancement will be sought by condition securing the mitigation and enhancement measures identified in the appraisal, including using part of the curtilages as a wildlife area with a pond and hibernaculum, hedgehog fences and bird nest boxes. Subject to this, the development is in accordance with policy PSP19.

5.28 Drainage

Clarity on the method of foul sewage disposal to a public foul sewer has now been received which is acceptable. Surface water and foul drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), should be required by condition.

5.29 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.

- 5.30 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. Conditions that remain relevant from the previous outline application will be added along with any other conditions considered necessary for this application.

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the conditions recommended.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:
Location Plan, Block Plan, Existing Plans and Elevations and Proposed Floor Plans (Refs 1711 02 and 03), received by the Council on the 3rd August 2022 and Proposed Elevations and 3D views (1711 04 A), Proposed Elevations (Garages) (1711 05 A), Ecological Survey and Proposed Landscape Plan (1711-06), received by the Council on the 9th January 2023.

Reason

To define the terms and extent of the permission.

3. The dwellings shall not be occupied until the access, car and cycle parking arrangements have been completed in accordance with the approved details with the addition of a 7Kw 32 Amp Electric Vehicle Charging Point for each dwelling. Such provision shall thereafter be retained.

Reason:

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

4. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Smart Ecology, September 2018).

Reason:

In the interests of the ecology of the site and in accordance with PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan.

5. Prior to commencement of works, details of all proposed external lighting are to be submitted to the local authority for review and is to include the location and specification. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason:

In the interests of the ecology of the site and in accordance with PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan.

6. Prior to commencement of works an Ecological Enhancement and Mitigation Plan is to be submitted to the local authority for review. This is to include reasonable avoidance measures/mitigation to safeguard wildlife such as bats birds badgers amphibians and reptiles and to include an annotated plan detailing the locations and specifications of ecological enhancements as detailed within Preliminary Ecological Assessment (Smart Ecology, September 2018). This should include but not limited to details of bird boxes, hedgehog holes, wildlife pond and hibernaculum.

Reason:

In the interests of the ecology of the site and in accordance with PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan.

7. Prior to the completion of the development hereby approved an amended landscape plan, illustrating native tree planting, including stock sizes, shall be submitted for written approval of the Local Planning Authority. Such approved scheme shall thereafter be implemented in accordance with the approved details in the next available planting season following approval.

Reason:

In the interests of visual amenity and in accordance with PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

8. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory),

for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority for written approval. Development shall then commence in accordance with the agreed details.

Reason

To prevent flooding and risk of pollution and to comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012. This information is required prior to commencement to prevent remedial works later on.

9. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority.

Where land affected by contamination is found which could pose unacceptable risks, no development shall commence 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 written approval of the local planning authority prior to commencement of development 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 also 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 prior to first occupation of the development, and a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority, prior to first occupation of the development.

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

Reason:

In order to identify and mitigate against potential contamination risks, in order to accord with policy PSP21 of the Policies Sites and Places Plan (Adopted) 2017, policy CS9 of the Core Strategy (Adopted) 2013 and the National Planning Policy Framework. This information is required prior to commencement in order to prevent remedial works later on and in the interests of public safety.

10. A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of development. The CEMP as approved by the Council shall be fully complied with at all times. The CEMP shall address the following matters:
- (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) Measures to ensure vehicles do not reverse along the bridleway without a banksman.
 - (v) Measures to ensure the bridleway is kept free of obstruction at all times.
 - (vi) Measures to keep local residents and users of the Bridleway informed of deliveries and other activities affecting the Bridleway.
 - (vii) Contact details of the Site Manager.

Reason

In the interests of highway safety and to protect the users of the public right of way during the construction period, in accordance with policy CS8 of the Core Strategy (Adopted) December 2013, policy PSP10, PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the National Planning Policy Framework. This information is required prior to commencement as it relates to the construction phase.

11. The maximum height of the dwellings hereby approved will not exceed 5.5m from ground level.

Reason

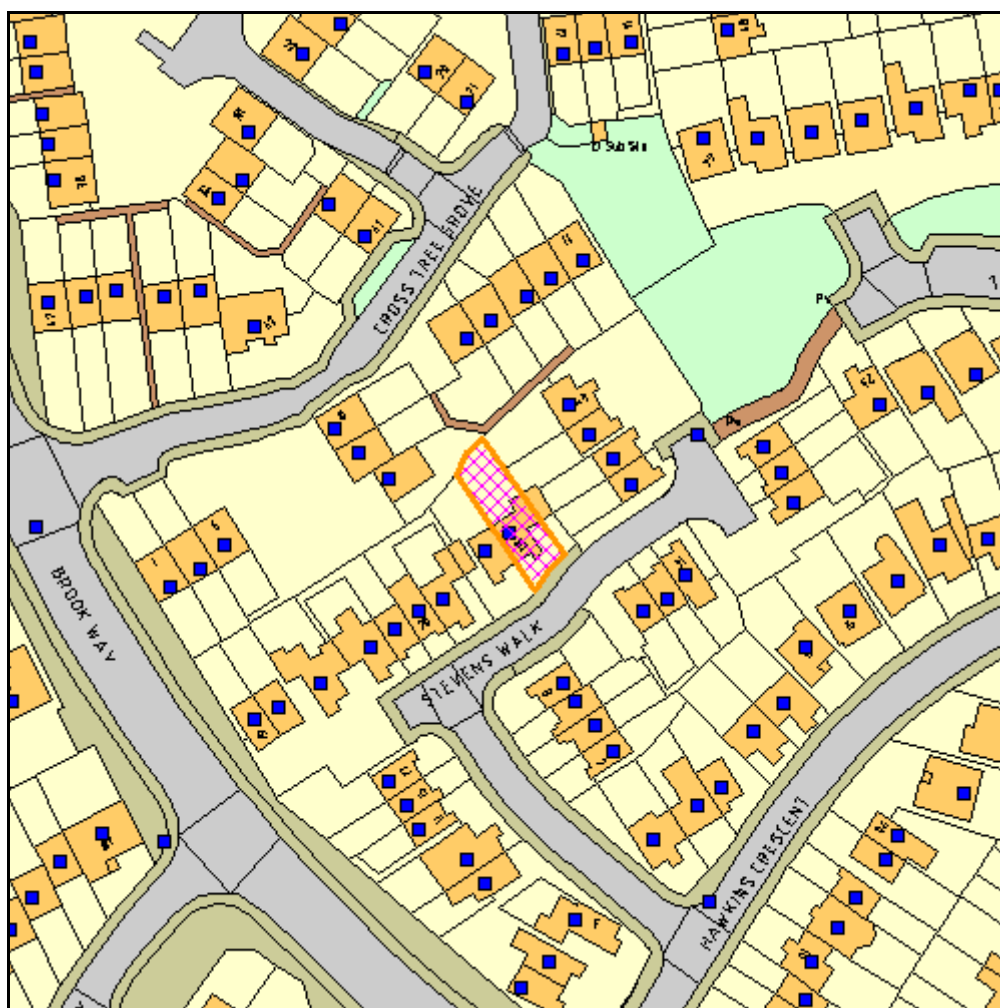
To ensure the development is a similar scale to the surrounding bungalows, in the interests of visual amenity and to protect the rural character of the adjacent countryside and Green Belt and to accord with Policy CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP1, PSP2, PSP7 and PSP40 of the Policies Sites and Places Plan and the National Planning Policy Framework.

Case Officer: Simon Ford

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 10/23 -10th March 2023

App No.:	P22/06246/HH	Applicant:	Dr Girish Boggaram
Site:	35 Stevens Walk Bradley Stoke South Gloucestershire BS32 8SW	Date Reg:	2nd November 2022
Proposal:	Erection of a single storey side and rear extension to form additional living accommodation.	Parish:	Bradley Stoke Town Council
Map Ref:	361887 181641	Ward:	Bradley Stoke South
Application Category:	Householder	Target Date:	20th March 2023



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P22/06246/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 REFERRING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection from Bradley Stoke Town Council and 4no. Objections from local resident's contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey side and rear extension to form additional living accommodation at 35 Stevens Walk, Bradley Stoke.
- 1.2 The application site is a two-storey semi-detached dwellinghouse located within the North Fringe of Bristol settlement boundary. Planning permission is required as conditions attached to the original consent restrict permitted development rights. The site is not subject to any other restrictions.
- 1.3 The proposal has been significantly revised following officer feedback from the initial two-storey side extension to a smaller single storey side and rear extension. Accordingly, several rounds of re-consultation have been undertaken.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 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
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPS (Adopted) 2013
Residential Amenity TAN (Endorsed) 2016
Householder Design Guide SPD (Adopted) 2021

3. **RELEVANT PLANNING HISTORY**

3.1 P96/2922 - Erection of 108 dwellings and associated works

Approve with conditions 01.05.1997.

Condition 6.

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, as amended, (or any Order revoking and re-enacting that Order), the dwellinghouse shall not be extended without the prior permission of the Local Planning Authority.

Reason.

In view of the size of the plots any extensions to the dwellings would require further detailed consideration in order to safeguard the amenities of the area.

Condition 7.

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, as amended, (or any Order revoking and re-enacting that Order), the garage(s) forming part of the dwelling(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles, and ancillary domestic storage, without the prior permission of the Local Planning Authority.

Reason.

To ensure that the garage is retained for its prime purpose of providing parking for a domestic vehicle, to ensure that sufficient off-street parking is retained to serve the development in the interests of highway safety.

4. **CONSULTATION RESPONSES**

4.1 Frampton Cotterell Parish Council

Objection.

4.2 Transportation DC

No objection.

4.3 Public comments

Several comments of objection received from 4.no parties. As the proposal has been revised the comments are split between two-storey and single storey proposals.

Original two-storey side extension:

- Extension too large, overbearing, and not in keeping with the houses.
- Reduction in parking.
- Parking in street already problematic.
- Incorrect plans detailing party wall.

Revised single- storey side extension:

- Still only provides 1.no parking space.
- Householder application but applicant does not live at address.
- Snug to be used as a bedroom.

- Looks different to neighbour.
- Unnecessary to have 2.no bathrooms.

5. **ANALYSIS OF PROPOSAL**

5.1 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.2 The proposal would extend and convert the existing attached garage into a living/snug/ dining room and a single storey rear extension would provide an additional bathroom. The garage would be extended 1.33 metres to the front and the ridge height raised by 0.25 metres. To the rear of the garage, the bathroom extension would extend 3 metres in length, be a width of 2.67 metres, and feature a 3.2-metre-high dual pitched roof. Along the boundary with 41 Stevens walk a 2.6 metre parapet wall would be erected. The proposal remains subservient to the host building and external materials and detailing are to match.

5.3 Overall, the proposal has been carefully assessed and is in compliance with the above policies.

5.4 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 outlines the types of issues that could result in an unacceptable impact.

5.5 Due to the scale of the proposed development and the separation distances between the neighbours to the east there would be no unacceptable impact upon residential amenity. The proposal has been carefully assessed and has found to be in compliance with this policy.

5.6 Private Amenity Space

Supplementary to this, 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. The proposal does not increase the number of bedrooms in the property and adequate amenity space will be provided post development to comply with the above policy.

5.7 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal does not increase the provision of bedrooms in the dwelling however would result in the loss of the existing garage. PSP16 requires two-bedroom dwellings to provide 1.no parking space. The minimum

length of a parking space in front of a garage and on curtilage is 5.5m. Post development a parking space to the required size would be provided. The proposal has been carefully assessed and has found to be in compliance with this policy.

5.8 Other considerations

The submitted comments raised several other matters that will be discussed below. Firstly, the claimed defect with portrayal of the party wall on some plans is not material to this planning assessment and would be civil matter between the parties. Secondly, the householder application type is the appropriate planning application for extending a single dwellinghouse, it does not require the applicant to be living at the address.

5.9 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 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. 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 planning 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:

Site location plan

Existing ground and first floor plan (01)

Existing front elevation (03)

Existing side elevation (05)
Existing rear elevation (07)
Existing side elevation (09)
Existing section (11)
Existing block plan (13)
(Above plans received 01/11/2022)

Proposed ground floor plan (02 Rev B)
Proposed first floor plan (03 Rev B)
Proposed front elevation (04 Rev B)
Proposed side elevation (06 Rev B)
Proposed rear elevation (08 Rev B)
Proposed side elevation (10 Rev B)
Proposed block plan (16 Rev B)
(above plans received 13/02/2023)

Reason

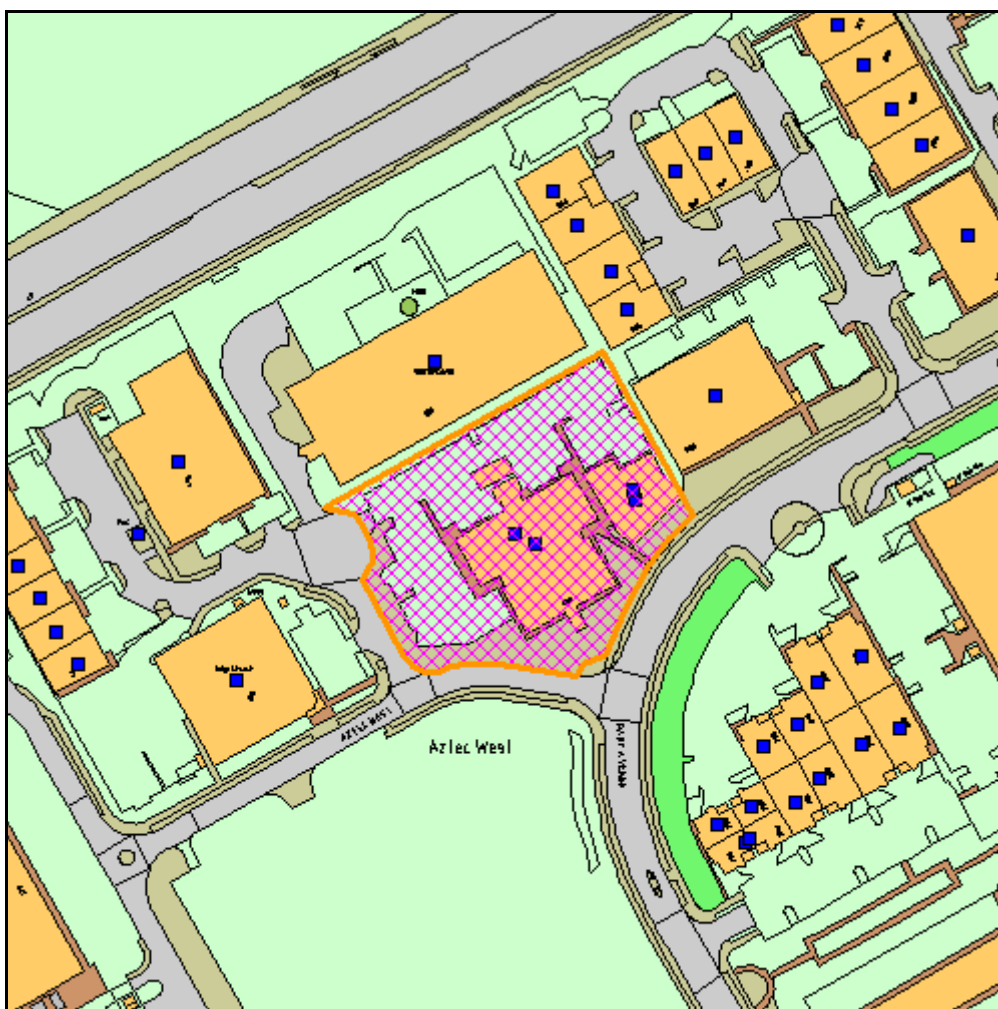
To define the terms and extent of the permission.

Case Officer: Charlie Morris

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 10/23 -10th March 2023

App No.:	P22/06408/F	Applicant:	BGF5 (Bristol Aztec) LLPBGF5 (Bristol Aztec) LLP
Site:	Land At Unit 1190 Park Avenue Aztec West Almondsbury South Gloucestershire BS32 4FP	Date Reg:	23rd November 2022
Proposal:	Erection of industrial/warehousing building (Use Class E(g)(iii), B2, B8) with ancillary office floorspace; creation of new vehicular access; associated parking and landscaping.	Parish:	Patchway Town Council
Map Ref:	359935 182708	Ward:	Patchway Coniston
Application Category:	Major	Target Date:	17th February 2023



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P22/06408/F

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

INTRODUCTION

This application appears on the Circulated Schedule as a result of the recommendation for a legal agreement to secure contributions for off-site tree planting

1. THE PROPOSAL

- 1.1 The application is for the erection of an industrial/warehousing building (Use Class E(g)(iii), B2, B8) with ancillary office floorspace; creation of new vehicular access; associated parking and landscaping.
- 1.2 The site is on Park Avenue, at Aztec West, Almondsbury, South Gloucestershire. The site is located on the Aztec West, a designed Safeguarded Employment Area in the Local Plan.
- 1.3 The proposals are essentially a redevelopment of the existing site, replacing two buildings on the site with associated car parking. The existing buildings are two storey, and currently in office use, providing a total 3,750m² of office floorspace, although both units are currently vacant and have been for some time. A separate consent for demolition has been approved under P22/06713/PND.
- 1.4 The application is accompanied by an Energy and Sustainability Statement, Flood Risk Assessment, Transport Assessment, Framework Travel Plan, Landscape Management Plan, Preliminary Ecological Assessment and Stage 1 and 2 Arboricultural Impact Assessment. During the course of the application revised plans were received providing amendments to aspects of the materials and design finishes of the proposed building.

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

CS7 Strategic Transport Infrastructure

CS8 Improving Accessibility

CS12 Safeguarded Area for Economic Development

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP 27 B8 Storage and Distribution Uses

2.3 Supplementary Planning Guidance

- South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014)
Site lies within LCA 15: Patchway and Filton and the Stokes
- Green Infrastructure: Guidance for New Development SPD (adopted April 2021)
- Trees and Development Sites: Guidance for New Development SPD (adopted April 2021)

3. RELEVANT PLANNING HISTORY

3.1 Wider Site:

N2580/5 – Warehousing development with not more than 15,000 sq ft of industrial building, together with offices, a local centre and ancillary works on approximately 170 acres. Approved 1979.

Site Specific

P84/0050/3 - Erection of fresh food distribution centre and ancillary offices totalling approx. 5,110 m2 together with accesses and parking areas. Approved 1984 (unimplemented)

P85/0050/15 - Erection of warehousing and ancillary offices, totalling approx. 3,452 m2, construction of access and parking. Approved 1985 (unimplemented)

P89/0050/58 - Erection of two storey building providing 3,000 m2 office floorspace. Approved 1989

PT07/2045/F - Refurbishment and external alterations to existing office unit, reconfiguration of existing car park, new office development, landscaping and ancillary works. Approved 2007

PT08/1612/F - Refurbishment and external alterations to existing office unit, reconfiguration of existing car park, new office development, landscaping and ancillary works. Amendment to PT07/2045/F. Approved 2008.

P22/06713/PND - Prior notification of the intention to demolish 2 no. office buildings. Approved 22/12/22

4. CONSULTATION RESPONSES

4.1 Patchway Town Council
No objections

4.2 Other Consultees

Urban Design Officer

Recommended some amendments to the materials and design finishes. These were subsequently addressed. No objections

Arts and Development

No objection

Environmental Policy and Climate Change

Additional information was initially required for the energy statement. This was subsequently provided. No objections, subject to recommended conditions.

Sustainable Transportation

The proposed industrial / warehouse building would have a lower vehicle trip rate than the existing offices on the site resulting in a reduction in traffic flows on the surrounding highway network. Access to the site and volumes of charging points should be reviewed. Conditions are also recommended.

Landscape

No objection in principle, further landscaping/planting and tree protection details recommended

Tree Officer

No objection in principle, conditions recommended

Lead Local Flood Authority

No objection in principle. Condition recommended

Police and Community Safety

No objection or comments

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is located within Aztec West. This is a Safeguarded Employment area in the Local Plan, as identified by policy CS12. This policy identifies Aztec West as a Safeguarded Employment Area, where land will be safeguarded for economic development. Within these areas, priority will be given to uses which fall within B Use Classes. It should be noted that Offices were formally within the B Use Classes prior to the change in the Use Class Order, and Office use is considered acceptable and in accordance with the requirements of the site and its designation through CS12. In this respect the principle of both the site and the proposals for development are therefore considered to be in accordance with the provisions of CS12 and the site as part of a Safeguarded

- 5.2 PSP27 is also relevant to the principle of the proposals and relates specifically to storage and distribution uses in safeguarded economic development areas.

This policy can be broken down into separate parts, and states that:

a)

Proposals for B8 storage and distribution uses of any size, including those above

3000m², will be acceptable at the following safeguarded economic development

areas, identified in Core Strategy Policy CS12 as defined on the Policies Map:

i) Severnside;

ii) Cribbs Causeway and Land off A38 Filton/Patchway; and

iii) Emersons Green (excluding the Science Park).

b)

Proposal(s) for B8 storage and distribution uses up to 3,000m² in size will be acceptable in other safeguarded economic development areas identified in Core

Strategy Policy CS12 where it is demonstrated that they:

i. would not significantly conflict with neighbouring land uses; and

ii the maximum density compatible with the site's location, its accessibility and its surroundings is achieved.

c)

Development proposals for Class B8 uses over the 3,000 m² floorspace threshold will be acceptable in safeguarded economic development areas, provided that:

i. Sites within the preferred areas of Severnside, Cribbs Causeway and Emersons Green have been adequately considered and discounted; and

ii it would represent an efficient and effective extension to existing facilities or re-use of existing buildings or previously developed land; and

iii it would not significantly conflict with neighbouring land uses; and

iv proposals demonstrate that they contribute to the sustainability of the local economy and jobs market, by submitting an economic development assessment.

- 5.3 Looking, pragmatically, at the individual requirements of the parts of the policy above, in terms of part b) above, this provides for storage and distribution use of up to 3000m² for new development proposals. The storage and distribution element on the proposals would be 3,012m², slightly over this figure. Notwithstanding this, and taking into account the amount by which this exceeded, the figure is marginal. Further to this and in applying points (i) and (ii) it is not considered that the proposals would significantly conflict with neighbouring land uses, given the context of the site and it is considered that the density achieved is acceptable given the size of the site, location of the site and in comparison with the previous use.

- 5.4 There have been a number of significant changes in the economic climate in recent times which has led for a reduced demand for office space and

increased demand for Class B2/B8 space which will need to be adapted to and accommodated.

- 5.5 In this instance, the proposed B2/B8 space is only very marginally above the threshold and the floorspace proposed is required to make the proposal work from a viability perspective. Notwithstanding this, the proposal will significantly increase the levels of employment and economic activity at the site given it seeks to replace vacant buildings which are providing no employment generation or contribution to the local economy.
- 5.6 On the basis of part c), this refers to storage and distribution uses over 3000m². The site is outside of the three 'preferred areas' referred to, however it is felt that the existing character of the area immediately around the site is not sufficiently different to those at Severnside, Cribbs Causeway or Emersons Green to suggest that they are preferable locations for warehouse development of this particular scale and these location often relate to much larger scale sites than the applicants seek in this instance. It is also understood that one of the drivers behind this policy restriction was in relation to HGV traffic and impact upon neighbouring land uses.
- 5.7 The site is in very close proximity to motorway access and located on a safeguarded employment area, surrounded by similar uses and is clearly previously developed land which contributes, and would continue to contribute, once reconfigured and redeveloped, to the local economy. It is therefore considered that the proposals would accord with the principles of this part of the policy.
- 5.8 The policy text goes on to state that Policy PSP27 aims to create flexibility for businesses requiring storage and distribution facilities (B8 uses) of all sizes and aspirations, whilst ensuring that the highway network and the local environment is protected from adverse impacts. This accords with Core Strategy Policy CS12 which safeguards areas in South Gloucestershire for economic development and in particular B Use Classes and National Policy which seeks to support sustainable economic development in a globally competitive market.
- 5.9 Given the above considerations, the aims to create flexibility for businesses requiring storage and distribution facilities, of all sizes and aspirations and the wider general needs to boost economic growth, particularly pertinent at the present time, it is considered that the proposal can be considered acceptable at this location and therefore given support in principle.
- 5.10 The final part of the policy goes on to state that in terms of traffic generation:
Development proposal(s) for B8 storage and distribution uses will be acceptable where they can demonstrate that traffic generation, particularly from HGVs, does not either create or exacerbate adverse movement issues for reasons of:
i. unacceptable environmental impacts, in accordance with Policy PSP21 environmental pollution and impacts; and/or
ii impacts on the Strategic Road Network, including trunk roads and motorways, and the local road network, in accordance with Policy PSP11 traffic impact management.

Transportation matters are discussed in more detail in the relevant section below.

- 5.11 The additional issues for consideration are therefore whether the development proposed would in its own right give rise to any significant or material impacts over and above the existing site and established uses. In particular, the key additional issues for consideration are considered to be any changes or increased impacts resultant from the new industrial/warehousing building and any additional environmental impacts from - noise, traffic, landscape/visual amenity etc.
- 5.12 Local Amenity
The site must be viewed in context with its existing use as an employment site, located within an existing wider employment site. The application site is entirely within this site and surrounded by other associated employment uses and buildings serving this purpose. The nature and extent of the use as proposed of the site is unlikely to alter greatly such as to give rise to additional or increase levels of amenity impact.
- 5.13 Design
The site and any proposals must be viewed in context with the wider site and its status as a Safeguarded Employment Site and its existing use. The application site is entirely within this site and surrounded by other associated employment uses and buildings serving this purpose.
It is noted that the site is in the middle of an area characterised by various employment uses and largely functional type buildings and there is no particular design aesthetic to the site or surroundings. The redevelopment of the site does however provide scope for redesign and aesthetic improvement.
- 5.14 During the course of the application, potential design improvements were identified with regards to details of materials and finishing and revised plans were subsequently submitted. The design of the building is considered to be acceptable and the building would be a suitable addition to the site and surrounding area.
- 5.15 Landscape/Trees
The site and any proposals must be viewed in context with the wider site and its status as a Safeguarded Employment Site and its existing use.. The application site is entirely within this site and surrounded by other associated employment uses and buildings serving this purpose.
- 5.16 The building is located close to the northern corner of the site, set back from the main highway and broadly maintain the current building line on the southern boundary. There is a small area where it becomes closer to the roadside. The new building would be protruding out further towards the road, but only in one corner. In the same respect the building is set back further than the building it replaces which was set further forward in other areas. It is noted that the site is in the middle of an area characterised by various employment uses and largely functional type buildings and there is no particular design aesthetic to the site or surroundings. The redevelopment of the site does however provide scope for

redesign and aesthetic improvement. In this respect a landscape scheme has been submitted.

- 5.17 In terms of trees, the proposal to expand the site requires a number of tree removals. Some effort has been made to retain some of the existing trees which provide higher amenity such as the group of pines. Several of the retained trees have RPA's that will be impacted by the proposal such as those in conflict with proposed parking spaces. Proposed planting to the front of the site will provide amenity to the locality and the species selections are adequate. For the protection of the trees all proposed works will need to be in accordance with the submitted Arboricultural documents and BS:5837:2012. It has been noted and acknowledged that there will be tree removals and that there is only scope for a specified amount of replacements. In accordance with the Councils Trees and Development SPD, the applicants have acknowledged the shortfall and would therefore seek to off-set this in accordance with the requirements of the Council's Tree guidance with a contribution for off-site tree provision. It has been calculated that this amounts to 55 trees for which a contribution will be sought. In accordance with the SPD this would amount to £44,000. This is recommended to be secured through legal agreement. Further to this a detailed arboricultural method statement will be required for the protection of those trees with conflicted RPA's. This, combined with the landscape scheme for the site is considered acceptable in landscape and visual amenity terms.

5.18 Ecology

Through the reconfiguration and redevelopment, there would be some loss of vegetation. A planting scheme is proposed. An Ecological Assessment has also been provided in support of the application. Consideration has been given to replacement planting and Biodiversity Net Gain. The biodiversity calculations conclude that there would be, there will be a positive gain of + 0.14 biodiversity area units (+30.89%) from the planting within the site, this is likely to increase with any additional tree planting.

5.19 Transportation/Highways

The proposed industrial/warehouse building would have a lower vehicle trip rate than the existing offices on the site resulting in a reduction in traffic flows on the surrounding highway network. There is also proposed to be a reduction in the number of on-site car parking spaces. The site is in a sustainable location on a private business park where on-street car parking is strictly controlled. The Application is supported by a Framework Travel Plan which promotes and encourages sustainable travel to and from the site. A new vehicular access is proposed across the landscaped area. HGV swept paths have been submitted demonstrating the sufficiency of the service access. Conditions are recommended to secure additional vehicle charging points and the retention of satisfactory visibility splays.

- 5.20 It was considered necessary to review options regarding pedestrian access to the site. There is an existing access off Park Avenue which served the site between two buildings. This would no longer exist as the site is rebuilt and the main entrance to the site would be on the west. Highways originally commented that the pedestrian access to the site should be directly off Park Avenue (as it currently is) and suggested including a new footpath from Park Avenue to

where the proposed cycle store will be located. Alternatively, they suggested the footpath continued from Park Avenue along the southern part of the site (adjacent to the road) and to the new site entrance.

- 5.21 Due to the finished floor levels of the proposed building being raised slightly this means that the levels difference from Park Avenue to the site would not allow for a level footpath directly connecting Park Avenue with the site in this location. Instead, it would require steps or a switch back path would be needed. This would result in the loss of a large amount of landscaping. The applicants state that this would be very costly to create and is likely to impact the viability of the scheme and as such the applicant states that they are unable to include this.
- 5.22 Similarly, the applicants state that including a path all the way round the south of the car park to link the existing footpath on Park Avenue with the new site entrance would also be too costly and have a negative impact on the viability of the scheme. Furthermore, it would result in the loss of a large section of landscaping which would be detrimental from a visual perspective.
- 5.23 The current path which runs directly off Park Avenue runs in-between the buildings and provides access to the entrances would no longer exist as the single building proposed would be over this area. However, the entrance of the new building will be at the western elevation. Therefore, to introduce a path here as a potential option put forward by highways would simply create a path to the rear of the car parking area. The applicant's position is that this also would not be ideal from a security/safety perspective.
- 5.24 There is already an existing pedestrian route from Park Avenue to the south western corner of the site with dropped kerbs marking this route. Highways officers however consider this to be somewhat of a diversion, which should be able to be resolved with a simpler option. The alternatives and the issues these raise are discussed above, and the applicant does not wish to pursue these options. The issue is therefore whether pedestrian access to the site is, on balance, acceptable. As stated above a new path direct from Park Avenue would not now provide direct access to the main entrance to the site as the new building would be re-orientated, and would only lead to the side/car par areas. Formal access, on foot, can be gained from Park Avenue across and whilst this would involve crossing the highway the points are dropped kerbs for the purposes of pedestrian access. Therefore whilst the path crossing adjacent to the site access leads directly out into a carriageway the crossings are designed for pedestrians. There is already a small footway off the western side of the site and this can be improved and extended to provide access, separated from the vehicular access into the new front of the building. The applicants are in agreement for a scheme of footway improvements at the entrance to the site which is recommend through condition. On this basis it is not considered that the access to the site is unacceptable such as to warrant an objection and sustain a refusal on this basis.
- 5.25 Sustainability/Energy Use
An Energy and Sustainability Statement has been submitted in support of the application. The proposals are considered acceptable in this respect. A condition is recommend to secure the solar photo-voltaic panels.

5.26 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, subject to a legal agreement as set out below, has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

- 7.1 That authority be delegated to the Director of Place to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into a legal agreement under Section 106 of the Town and Country Planning act 1990 (as amended), to secure the following:
- i) A sum of £44,000 payable to the Council for the purposes of replacement tree planting
 - ii) Should the Legal Agreement not be completed within 6 months from the date of this decision, then a further recommendation, on the basis of the requirements of the Section 106 Agreement not having being met, be made.

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:
- Site Location Plan (Drg. No. 22109-300 Rev P01); received by the Council on the 9th November 2022
 - Existing Site Plan (Drg. No. 22109-301 Rev P01); received by the Council on the 9th November 2022
 - Existing Elevations (Drg. No. 22109-302 Rev P01); received by the Council on the 17th November 2022
 - Proposed Site Plan (Drg. No. 22109-350 Rev P05); received by the Council on the 9th November 2022
 - Proposed Floor Plans (Drg. No. 22109-310-P02); received by the Council on the 9th November 2022
 - Proposed Roof Plan (Drg. No. 22109-311-P02); received by the Council on the 9th November 2022
 - Proposed Elevations (Drg. No. 22109-312-P04); received by the Council on the 17th January 2023
 - Proposed Site Sections (Drg. No. 22109-313-P02); received by the Council on the 17th January 2023
 - Proposed Visual (Drg. No. 22109-360-P01); received by the Council on the 17th January 2023
 - Swept Path Analysis Sheet 1 (Drg. No. 6836-BCL-XX-XX-DR-C-0100); received by the Council on the 9th November 2022
 - Swept Path Analysis Sheet 2 (Drg. No. 6836-BCL-XX-XX-DR-C-0101); received by the Council on the 9th November 2022
 - Framework Travel Plan
 - Stage 1 and 2 Aboricultural Impact Assessment Report (RSK Biocensus - BGF5 (Bristol Aztec) LLP - dated 2nd November 2022
 - Hard and Soft Landscaping Proposal (Drg. No. LAS 508 01 Rev A). received by the Council on the 9th November 2022
 - Landscape Management Plan, received by the Council on the 9th November 2022
 - Tree Retention Plan, received by the Council on the 9th November 2022
 - Energy Statement Rev A, received by the Council on the 6th February 2023

Reason:

To define the terms and extent of the permission.

3. Prior to the occupation of the building hereby approved details of the solar photovoltaic array described in the approved Sustainable Energy Statement shall be provided to the local planning authority for approval. These shall include drawings showing the location of PV panels, technical specification of the panels and inverters, peak capacity (kW) of the system as it will be installed, and projected annual yield (kWh/annum) of the system taking account of orientation, tilt and shading. The PV system shall be installed in accordance with the specification provided and retained in an operational state thereafter.

Reason:

To ensure sustainable energy provision and to understand to contribution of roof-mounted solar to meeting annual electricity demand and emission reductions through

the displacement of grid electricity, in accordance with policies CS1 South Gloucestershire Local Plan Core Strategy Adopted December 2013 and PSP6 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

4. All proposed works shall be undertaken in accordance with the submitted Arboricultural documents and BS:5837:2012. In addition to this a detailed arboricultural method statement, for the protection of those trees with conflicted RPA's, shall be submitted to the Local Planning Authority for written approval, prior to works being carried out within the RPA's. The development shall thereafter be carried out in accordance with the approved details.

Reason:

In the interests of the protection of the trees and in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

5. No development shall commence until surface water 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. Such details shall thereafter be implemented prior to the use of the building and thereafter retained.

Reason:

In the interests of satisfactory drainage and to comply with Policy PSP20 South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 ; Policy CS1 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 ; and the provisions of the National Planning Policy Framework.

This is a precommencement condition to ensure that drainage is adequately addressed within the scheme at an early stage.

6. Prior to the occupation of the buildings hereby approved details of the provision of 8 7Kw 32 Amp Electric Vehicle Charging Points (i.e. 20% of parking spaces), including provision for at least one on the disabled parking spaces, along with the cycle parking stands being set 1m metre apart, to allow cycles to park on both sides, shall be provided to the Council for written approval. The approved details shall thereafter be implemented prior to the use of the site and retained thereafter.

Reason:

In the interests of sustainability and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

7. Prior to the occupation of the buildings hereby approved details of footway improvements into the entrance of the site for pedestrian access shall be submitted to the Local Planning Authority for written approval. Such approved details shall be implemented prior to the occupation of the site and thereafter retained.

Reason

In the interests of pedestrian access into the site and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

8. Visibility splays of 2m x 20m to the vehicular access point, maintained to a height of less than 1metre, shall be retained on site at all times.

Reason:

In the interests of highway safety and in accordance with PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

Case Officer: Simon Ford

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 10/23 -10th March 2023

App No.:	P22/06946/F	Applicant:	Mr & Mrs James & Kate Butler & Rowell
Site:	Oakley House Washingpool Hill Rudgeway South Gloucestershire BS35 3SD	Date Reg:	12th December 2022
Proposal:	Conversion and single storey extension of existing stone barn to form 1no. detached dwellinghouse and associated works	Parish:	Olveston Parish Council
Map Ref:	361999 186185	Ward:	Severn Vale
Application Category:	Minor	Target Date:	6th February 2023



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100023410, 2008.

N.T.S.

P22/06946/F

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

INTRODUCTION

This application appears on the Circulated Schedule as a result of consultation replies received in support of the application, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a single storey rear extension to facilitate conversion of barn to 1 no. self-build dwelling (Class C3) with associated works at Oakley House, Washingpool Hill, Rudgeway. It is noted from the plans that the roofline on part of the building would also require to be heightened slightly. The application follows a recent refusal, for application reference P21/08128/F. This was similarly for the erection of a single storey rear extension to facilitate conversion of the barn to 1 no. self-build dwelling (Class C3) with associated works (a resubmission of P21/02142/F). This application was refused for the following grounds:

'1. The proposed development, by reasons of its new residential use, intensification, movements, and associated paraphernalia would encroach upon and harm the openness of the Green Belt. Whilst the level of harm could be seen as limited, the NPPF attaches great importance to the protection of the Green Belt. Similarly, the harm identified has not been found to be outweighed by 'Very Special Circumstances'. Due to this, the development proposal is contrary to paragraph 137 and 138 (c) of the NPPF.

2. The proposed development if built, by reasons of form, proportions and openings would fail to respect the character and appearance of the existing building and would have a negative impact upon the surrounding context. Therefore, the development proposal fails to comply with the Traditional Buildings SPD (2021), policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted 2006), policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted 2017), and paragraph 134 of the NPPF.'

- 1.2 The application site comprises a barn within a plot of approximately 375m² set within the wider grounds of Oakley House, the area is characterised by an open agricultural landscape. The structure to be converted is itself a disused barn of single-storey extent that is located outside a defined settlement boundary and is also within the designated Green Belt. No other restrictive designations are associated with the site.
- 1.3 The main differences between the applications appear to be the revision in the roof shape and roof angles on the proposed extension to the building and use of timber cladding.
- 1.4 A Structural Survey, Biodiversity Survey and Report and Tree Survey have been provided with the application.

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
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
CS1	High Quality Design
CS3	Renewable and Low Carbon Energy Generation
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP7	Development in the Green Belt
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
PSP37	Internal Space and Accessibility Standards for Dwellings
PSP40	Residential Development in the Countryside
PSP42	Custom Build Dwellings
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Traditional Rural buildings SPD (Adopted 2021)
Residential Parking Standards SPD (Adopted) December 2013
Development in the Green Belt SPD (Adopted) June 2007
Design Checklist SPD (Adopted) 2007
Community Infrastructure Levy and Section 106 Planning Obligations Guide
(Adopted) March 2015

3. **RELEVANT PLANNING HISTORY**

- 3.1 P21/08128/F - Erection of a single storey rear extension to facilitate conversion of barn to 1 no. self-build dwelling (Class C3) with associated works (Resubmission of P21/02142/F). Refused 8/4/22.

Reasons for refusal:

1. The proposed development, by reasons of its new residential use, intensification, movements, and associated paraphernalia would encroach upon and harm the openness of the Green Belt. Whilst the level of harm could be seen as limited, the NPPF attaches great importance to the protection of the Green Belt. Similarly, the harm identified has not been found to be outweighed by 'Very Special Circumstances'. Due to this, the development proposal is contrary to paragraph 137 and 138 (c) of the NPPF.

2. The proposed development if built, by reasons of form, proportions and openings would fail to respect the character and appearance of the existing building and would have a negative impact upon the surrounding context. Therefore, the development proposal fails to comply with the Traditional Buildings SPD (2021), policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted 2006), policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted 2017), and paragraph 134 of the NPPF.

P21/02142/F - Raising of roofline and erection of single storey extension to facilitate the change of use of redundant agricultural building to 1 no. dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Withdrawn 3/8/21

4. **CONSULTATION RESPONSES**

- 4.1 Alveston Parish Council
No comments received

Lead Local Flood Authority

We query the proposed methods of both foul and surface water disposal and would require clarity and confirmation before we may comment further

Ecology

Insufficient ecological information has been provided to support the planning application.

Landscape

No landscape objection subject to agreement on a condition for landscaping

Sustainable Transportation

Comments remain very similar to that of the previously assessed applications and consequently do not wish to object but recommend conditions relating to the surfacing of parking area as well as electric charging facilities.

Tree Officer

No objections, subject to compliance with arboricultural report

Archaeology

No objection

Other Representations

4.3 Local Residents

11 letters of support have been received. Support reasons are summarised as follows:

- Current barn is an eyesore and derelict
- Proposals will be an improvement
- The design will be sympathetic to the site and surroundings
- It will be in keeping with the environment
- There would be no impact on the Green Belt
- It would not be widely visible
- The scheme would bring the building back into use and ensure its retention
- It will provide an additional home, close to family

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

5.2 The NPPF emphasis is on sustainable growth, including boosting housing supply and building including through windfall development. The NPPF indicates a presumption in favour of sustainable development except where adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the framework indicate development should be restricted. The site is located outside a defined settlement boundary that is in the open countryside. The site is located within the Green Belt.

5.3 PSP40 states that the residential development in the form of conversion and re-use of existing buildings, outside of settlement boundaries, will be acceptable, where the building is of permanent and substantial construction, it would not adversely affect the operation of a rural business or working farm any extension would not be disproportionate, and if the building is redundant or disused the proposal would lead to an enhancement of its immediate setting. A structural survey has been provided in support of the proposals and the building remains to be considered permanent. The building is capable of conversion without significant re-construction and would therefore not represent a new build. The

development would be compliant with subparagraph 4, part (i) of PSP40.

- 5.4 It is not considered that rural business would be impacted by use of the barn for residential purposes. Whilst apparently a former agricultural barn, the barn is disused and has been for some time. The barn is located amongst an agricultural landscape, however given the scale and siting of the proposed works, it is unlikely the activity in either field would be adversely affected by the development proposal, demonstrating compliance with subparagraph 4, part (ii) of PSP40.
- 5.5 The site is also located within the Green Belt, so in addition special consideration will need to be given in this respect. This is discussed in more detail below.
- 5.6 Of strong material note is the recent planning history and previous proposals to facilitate the barns conversion, as highlighted above. The reasons for refusal are also highlighted. The main matters for consideration on this application are whether the application satisfactorily overcomes the previous reasons for refusal.
- 5.7 The main differences between the applications appear to be the revision in the roof shape to more of a lean-to or cat-slide design on the proposed extension to the building and use of timber cladding.
- 5.8 Green Belt
The NPPF states that the re-use of buildings in the Green Belt would not be inappropriate, provided they preserve its openness and do not conflict with the purposes of including land within it and the buildings are of permanent and substantial construction.
- 5.9 The footprint of the proposals and the extension remain similar to that considered under the previous application and it was concluded that they did not represent a disproportionate addition to the 'original structure'. The roof shape has been altered slightly which would effectively reduce the volume slightly and the proposals therefore remain to be considered proportionate to the building in this respect.
- 5.10 The NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, paragraph 149 makes clear the forms of development that are not inappropriate within the Green Belt, to which subparagraph (c) states that the extension or alteration of a building should be considered acceptable, provided it does not result in a disproportionate addition over and above the size of the original building. Further to this, paragraph 150 notes that other forms of development are not inappropriate but only where they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, with the most applicable in this circumstance outlined under subparagraph (d): the re-use of a building provided it is of permanent and substantial construction.

- 5.11 Further to this, policy PSP28 provides guidance on the special circumstances that permit development (through the conversion or re-use of an existing building) within the Green Belt. It states that the existing structure must be of permanent construction in which the completed development would represent a building that is reflective of its surrounding in terms of character and bulk as well as having a scale consistent to its function and rural location.
- 5.12 The proposed scheme would introduce a single storey rear extension as well as increasing the roofline to facilitate the conversion to a two-storey structure that would have sufficient space to be occupied as a detached 2-bedroom dwelling. Associated works also include the formalisation of a rear garden and a parking area towards the frontage, along with planting plans.
- 5.13 Further to the above and as stated by paragraph 137 of the NPPF, great importance is attached to the Green Belt with the fundamental aim to keep land permanently open. Of specific note is subparagraph (c) of 138 which confirms the one of the five purposes of the Green Belt is to assist in safeguarding the countryside from encroachment.
- 5.14 As per the previous consideration and conclusions and although compliance with elements of PSP7 have been demonstrated, the proposed development would increase the footprint, subsequent massing and prominence of the host structure within the Green Belt. Additionally, the informal change of use from barn to residential dwelling would also require an area of outdoor amenity space, which indicates there would likely be a domestic intensification and spread of residential paraphernalia within this otherwise undisturbed landscape. Case law previously quoted of *Smith v SSCLG* [2017] which demonstrates that planning inspectorate officers confirmed the impact on the openness of the Green Belt was not confined to the building, but also represented the visual impact of domestic paraphernalia and should be included within openness assessments, and this remains relevant. Similarly, the dismissed appeal decision of APP/P0119/W/21/3280870 (February 2022), previously reported, confirms that the change of building to an intensive residential use, as well as the land around it (making specific note of private amenity spaces and associated paraphernalia) would have resulted in the encroachment into the countryside, which is understood to materially affect the openness of the Green Belt.
- 5.15 Drawing similarities between this application, previous applications and the above appeal, concerns remain that the development proposal would act to intensify the residential prominence within this agricultural landscape through the inclusion of new domestic paraphernalia and general residential movements, ultimately leading to the loss of open land. The existing building itself represents an incidental feature within the wider context, with chief concern that should the works be approved, then an adverse effect on the openness of the Green Belt, through means of encroachment, is likely to be created. The use is as previously assessed on previous schemes and the conclusion therefore remains as before. On this basis the reason for refusal in this respect is not overcome

5.16 Residential Amenity

Given the location of the building and its relationship with the properties around, it is not considered that its conversion as proposed and use as a dwelling would give rise to material or significant local amenity impact.

- 5.17 In terms of the dwelling itself, the building is of sufficient scale with sufficient provision for room space. There is sufficient private amenity space provided, to accord with the Councils adopted amenity space standards.

5.18 Design

Policies CS1, PSP1 and PSP38 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.

- 5.19 Further to this, the recently adopted Traditional Buildings SPD (March 2021) confirms that conversions to residential units must demonstrate an understanding of the form and historical function of the host building to ensure any proposed changes are sensitive to its character and interest. Generally speaking, this is achieved by the suppression of domestic features whilst reusing existing openings, helping to maintain original proportions and thus reflect its historic character. The Traditional Buildings SPD also states that the scale and form of the subject building will often convey how it was previously used, with any extension or remodelling likely to result in a loss of character and interest. In such eventualities, the proposal should not be supported

- 5.20 Previous considerations and assessment made on the development proposals for the site were as follows:

‘The development would include the provision of a single storey rear extension as well as the raising of roofline to facilitate a first-floor extension to create a compact dwelling. Whilst the case officer does concede some elements of the proposal could be suited to an agricultural landscape, significant concern is raised regarding the impact the development would have on the existing building and the consequential effect on the surrounding context.

As an overview, the proposed design does not respond to the aesthetic qualities of the barn. Specifically, the existing building is characterised by a solidity which is derived from stone elevations with fairly limited openings. Additionally, it is the simple construction method of the barn which gives this structure a utilitarian character, something which is typically expected within a working agricultural landscape.

Unfortunately, the proposed extension would result in the loss of traditional form as the impression of ‘an extension on an extension’ would be created, indicating the works would not respect nor integrate with the existing barn. Similarly, a significant amount of glazing in new opening is sought to be installed, which as identified above would not maintain proportions of the original building and thus detracts from its historic appearance. Although such

additions would be needed to provide a functional residential space, it does suggest the subject building itself is not capable of conversion without significant harm to its character.

Therefore, the proposed works would fundamentally change the appearance of this vernacular building, which in essence conveys how it was historically used. Due to this, the proposed rear extension, raising of roof line and introduction of domestic features would adversely affect the experience of this building as to create a comprehensive scheme of remodelling rather than a considered and sensitive conversion. The case officer is satisfied the development proposal fails to adhere to the adopted SPD, policy CS1 and policy PSP1.'

- 5.21 There appear to be some design alterations over the scheme previously considered, including materials and roofshape/roofslope on the single storey extension, although the depth of the extension remains similar. It is considered that these changes represent a slight improvement with regards to roof shape and how it is perceived, particularly from the side elevation, however this is not sufficient to overcome the overall concerns raised with regards to the site and development proposals and the principle of the refusal reason on these grounds remains.

5.22 Ecology

The ecology comments are noted and point to reliance and inclusion of insufficient/out of date survey information. In this respect and on the basis of the information submitted with the application the proposals are considered unacceptable in ecology terms.

5.23 Highways

The site is in a relatively remote location, however access exists to the site and the proposals would not create a significant number of new vehicular movements (only around 7 to 10 per day) nor would it create any severe or unacceptable transportation impacts on the adjoining public highway network. There is sufficient parking space within the site.

5.24 Drainage

Further clarification on methods of foul and surface water drainage would be required.

5.25 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 refuse permission has been taken having regard to the policies and proposals in the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission is refused for the reasons provided.

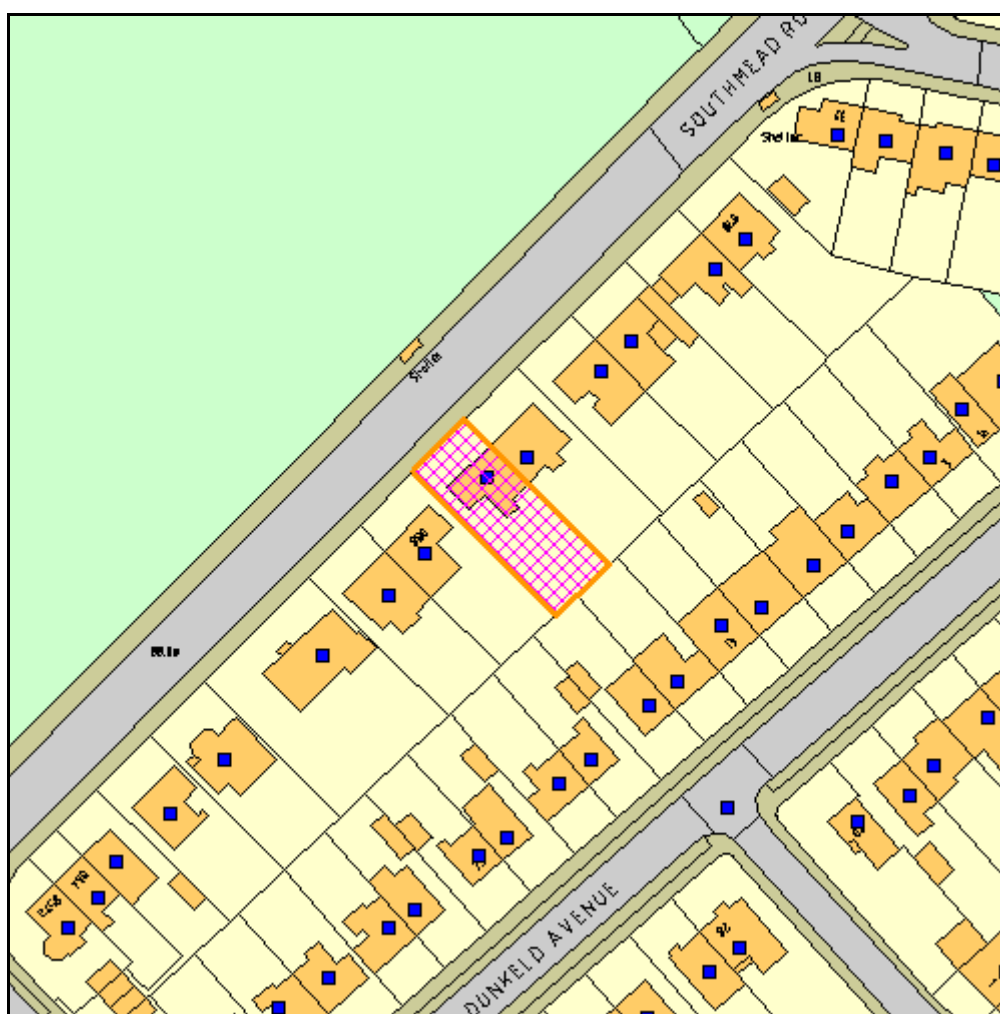
1. The proposed development, by reasons of its new residential use, intensification, movements, and associated paraphernalia would encroach upon and harm the openness of the Green Belt. Whilst the level of harm could be seen as limited, the NPPF attaches great importance to the protection of the Green Belt. Similarly, the harm identified has not been found to be outweighed by 'Very Special Circumstances'. Due to this, the development proposal is contrary to paragraph 137 and 138 (c) of the NPPF.
2. The proposed development if built, by reasons of form, proportions and openings would fail to respect the character and appearance of the existing building and would have a negative impact upon the surrounding context. Therefore, the development proposal fails to comply with the Traditional Buildings SPD (2021), policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted 2006), policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted 2017), and paragraph 134 of the NPPF.
3. Insufficient information has been provided to demonstrate that the proposals would be acceptable in ecological terms and the proposals would therefore be contrary to PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan Adopted November 2017 and the principles of the NPPF.

Case Officer: Simon Ford

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 10/23 -10th March 2023

App No.:	P22/07055/HH	Applicant:	Whitehorse Homes Ltd
Site:	668 Southmead Road Filton South Gloucestershire BS34 7RD	Date Reg:	16th January 2023
Proposal:	Erection of a two storey side extension to form additional living accommodation.	Parish:	Filton Town Council
Map Ref:	359640 178704	Ward:	Filton
Application Category:	Householder	Target Date:	10th March 2023



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P22/07055/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 REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of a representation from Filton Town Council objecting to the proposal, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a two storey side extension to form additional living accommodation.
- 1.2 The application site is a 3no. bedroom semi-detached dwelling, located at 668 Southmead Road, and is set within the area of Filton.
- 1.3 It is noted that there is an extensive planning history on the site, including both approved and refused schemes. It is therefore acknowledged that some works have/are starting to take place under applications which were previously approved. A full planning history will be set out within section 4 of this report.
- 1.4 Throughout the course of the application process, revised plans have been submitted to the Council following concerns raised by the case officer. This assessment is therefore made on the basis of these amended plans and will be discussed further within this report.

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
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

3. RELEVANT PLANNING HISTORY

- 3.1 **P22/07025/F (Pending consideration)**
Enlargement of vehicular access onto Southmead Road, a classified B highway.
- 3.2 **P21/06718/F (Refused - 26 January 2022)**
Appeal Dismissed - APP/P0119/W/22/3294641 – 30 August 2022
Demolition of existing garage. Erection of 1 no. dwelling, creation of new access and associated works (Resubmission of P21/04649/F).
- 3.3 **P21/04649/F (Refused - 16 September 2021)**
Appeal Dismissed - APP/P0119/W/22/3294010 – 30 August 2022
Demolition of existing garage. Erection of 1 no. dwelling, creation of new access and associated works.
- 3.4 **P21/00159/F (Approved – 30 April 2021)**
Erection of a Two Storey Rear Extension (Ground Floor part retrospective).
- 3.5 **P20/15500/PNH (Prior Approval Granted – 01 October 2020)**
Erection of single storey rear extension which would extend beyond the rear wall of the original house by 5.6 metres for which the maximum height would be 4 metres and for which the height of the eaves would be 3 metres.
- 3.6 **P20/13858/CLP (Refused – 28 September 2020)**
Erection of first floor rear extension to form additional living accommodation.
- 3.7 **P19/16960/PNH (Approved – 12 December 2019)**
The erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.5m, for which the maximum height would be 3.9m, and for which the height of the eaves would be 3m.
- 3.8 **P19/15644/CLP (Approved – 26 November 2019)**
Installation of hip to gable roof extension and 1 no. rear dormer.
- 3.9 **P19/13917/PNH (Refused – 11 November 2019)**
Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.5m, for which the maximum height would be 3.9m, and for which the height of the eaves would be 3m.
- 3.10 **P19/11098/PNH (Refused – 19 September 2019)**

The erection of a single storey rear extension which would extend beyond the rear wall of the original house by 6.0 metres, for which the maximum height would be 3.0 metres, and for which the height of the eaves would be 3.0 metres.

4. CONSULTATION RESPONSES

4.1 Filton Town Council

OBJECTION. Removing the wall would mean not in keeping with the neighbouring properties. Original Footprint over 50% increased. Over development approx. 50% curtilage is now building. Loss of garden. Loft room not included in any plans or elevations. Potential extra bedrooms. Overloaded on drainage a sewage system. Suitable drainage under the parking spaces needed. Drop kerb only suitable for parking spaces 3 and 4, 1 and 2 not appropriate Parking SPD. Being directly opposite the bus stop may interfere with access.

4.2 Sustainable Transport

The applicant seeks to erect a two storey side extension to form additional living accommodation. The proposals would make 668 Southmead Road a 5 bed dwelling. SGC minimum parking standards state that a 5 bed dwelling requires 3 off street parking spaces. The submitted plans show adequate parking to satisfy this requirement. Subject to this level of parking remaining maintained, there are no transportation objections. Note: The applicant will need to speak with SGC StreetCare department in order to obtain specifications for dropping the kerb. If recommended for approval, we would require the development to provide electric vehicle charging in line with our emerging EV policy, which is for all individual dwellings with one or more dedicated parking spaces or garage to include provision for 7Kw (32 amp) charging infrastructure suitable for charging an electric or other ultra-low emission vehicle. These items should be fully approved by this Council before use. To this end, we would recommend that appropriate conditions are imposed on any planning permission granted for this site to ensure that this takes place.

4.3 Archaeology Officer

No comment.

4.4 Residents

1no. letter of objection has been received, as summarised below:

- Extension will bring property close to neighbouring dwelling
- Loss of light to house and garden at No. 666
- Footprint similar to a previously refused application
- Not in keeping with local area
- Application misleading as it will require alterations to the existing parking arrangements
- Front wall of No. 668 has already been removed, despite applicant stating work has not started
- Removal of front wall not in keeping with neighbouring properties, spoiling the look of this part of Filton
- Extension is large and unacceptably high

- Fully agree with objection from Filton Town Council
- Very large increase in original footprint of the property
- Loss of front garden undesirable for nature and environmental reasons
- No consideration for impact to drainage
- Extra bedrooms being planned which are not shown on the plans

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 The proposal is relatively simple in what it seeks to achieve. It is proposed to erect a two storey extension to the side of the application dwelling. The plans show that the extension would measure 4m in width and would span 14.4m in depth on the ground floor and 11.8m in depth to the first floor. The extension would be finished with a hipped roof, measuring 6m at the height of the eaves and 9.4m at ridge height, stepping down gradually to where it would meet the side and rear of a previously approved rear extension at the property. All materials would match the host dwelling.

5.3 The extensive planning history on site remains an important consideration, taking into account any previous reasons for refusal, previous appeals, previous approvals and works carried out to date, as well as the Inspector's and other planning officer's conclusions. Whilst appreciated that the appeals were in relation to an attached new dwelling, matters relating to the principle of development, character, appearance and design, impact to residential amenity and parking and transportation standards remain at the forefront of this officer assessment. Furthermore, it is noted that there are previous approvals and refusals on site for minor householder development, to which this type of application would also fall under.

5.4 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.

- 5.5 The application dwelling sits to the northern end of Southmead Road, in between the adjoining residential streets at Rannoch Road and Charborough Road. The application site is therefore predominantly surrounded by residential properties to the north, east and south, with open green space and playing fields to the west. The B4056 Southmead Road is a major arterial route with links to Gloucester Road, UWE, Airbus and Southmead Hospital, all within relatively close distance.
- 5.6 When considering two storey side extensions, essential guidance is set out within the Householder Design Guide SPD which outlines general design principles and best practice for design when considering proposals for side extensions. This accompanying guidance supports the core design and visual amenity policies within the local development plan. In this instance, the SPD clarifies that side extensions, particularly in the case of two storey proposals, should be subservient, well-balanced and reflect characteristics and features of the existing property. To be in true proportion, the SPD therefore confirms that side extensions should be no more than half the width of the principal elevation of the existing dwelling, ideally keeping its width at a 1/3 of that of the principal façade.
- 5.7 From the submitted revised plans, it is shown that the principal elevation of the property measures at 6.5m, not including the existing garage, which is to be demolished, and the proposed side extension measures at 4m. Whilst this would be slightly greater than half the width of the principal elevation, it is clear that the extension has been designed in this way in order to be able to incorporate some of the characterful features that the dwelling presents, and also mirror with its attached neighbour. This includes symmetry between the windows and doors of the proposed double frontage and the addition of squared bay windows on the ground and first floors. A width slightly greater than half the width of the existing principal elevation is therefore not found to be significantly harmful in this instance when balanced with the architectural merit of the proposed development.
- 5.8 The officer also acknowledges that the attached neighbour at No. 670 has a two storey side extension which is generally similar in design, form and scale. However, a substantial consideration with regards to this extension to the neighbouring dwelling is that this was approved in the late 1980s. This extension would not have been assessed against current or up to date local planning policy and guidance and therefore the relevance, currency and weight that can be afforded to this extension is substantially reduced. That being said, the revised plans now show that the extension as part of this application is now of a similar size, scale and design to that of its attached neighbour, thus it is considered that the proposed development would not negatively impact on visual amenity in that respect and that the principle of an extension of this type is acceptable. A site visit to the property and the locality also demonstrated that a number of properties on this stretch of Southmead Road have carried out similar two storey extensions, some of which still under construction.
- 5.9 The revised plans go on to show that the roof of the extension would be hipped, rather than gabled off. This is found to sit much more harmoniously and would

integrate much better within the context of the street scene, given that pairs of semi-detached properties with hipped roofs are a strong and characterful feature along this part of Southmead Road.

- 5.10 It is noted from some of the comments raised that there is concern regarding the loss of the boundary wall and the impact that this will have on the character and appearance of the area. The case officer acknowledges these concerns however, the extension of vehicular access, which includes the removal of the front boundary wall, is currently subject to a separate planning application which is pending consideration by the Council.
- 5.11 On that basis, the revised plans now show an extension to the property which presents characterful features representative of this part of Southmead Road, including symmetry, bay windows and a hipped roof, demonstrating an element of subservience and integration with the main dwelling and its surrounding neighbours. The proposal is therefore found to satisfy the relevant policies within the development plan and the accompanying guidance within the Householder Design SPD.
- 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.
- 5.13 The dwelling forms one half of a semi-detached pair and is attached to its neighbour at No. 670. There is an approximate separation distance of 4.2m from the side walls of existing garages at the application property and the neighbour at No. 666, and an approximate distance of 11m from one side elevation to another with the same neighbour. There are no neighbours to the front or rear which are likely to be affected by the development, therefore these two neighbours have been given consideration within this assessment. Concerns raised as part of the consultation process relating to residential amenity will also be addressed within this section of the report.
- 5.14 It is unlikely that the proposal would result in any harmful impact to the neighbour at No. 670, given that the siting of the proposed extension is to the southern side of the property. The main consideration has therefore been given to the impact on neighbouring amenity to No. 666.
- 5.15 The addition of a two storey extension at the property would ultimately reduce the separation distance between the application dwelling and its neighbour at No. 666 and a site visit confirms that there are side elevation windows to this neighbouring dwelling on the ground and first floors. From the revised plans, the side elevation of the extension would measure approximately 3.4m away from the side of the neighbouring garage and 7m from the side elevation of the

neighbouring dwellinghouse. The plans also show that the extension would include the addition of 1no. external door to ground floor and 1no. window to the first floor of the side elevation. This window would, however, be obscurely glazed and fixed, as annotated on the plans, therefore reducing any impact of overlooking or loss of privacy to the neighbour at No. 666.

- 5.16 In terms of loss of light and overshadowing, it is reasonable to determine that, given the separation distances between the two side elevations of the main dwellings, that any harmful impact would be minimal in that respect. Furthermore, by altering the form of the roof to a hipped design, this allows more natural light to reach the windows of the side elevation of the neighbouring property, than it would have by gabling off the roof.
- 5.17 The extension has also been designed in such a way which steps the height and depth, whereby the ground floor has the greatest footprint, and steps up and inwards as it increases in height. This mitigates impact which may be of appear overbearing or dominant to the neighbour at No. 666 and reduces any feeling of an oppressive nature, as would be the case if this were a stretching, blank side elevation.
- 5.18 Taking into account the revised and reduced scheme, it can be determined that the impact of the proposal on the neighbouring amenity of No. 666 would be minimal for the reasons set out above. The proposal is therefore found to accord with policies PSP8 and PSP43 of the development plan.
- 5.19 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-street parking can be provided to accommodate increase in demand.
- 5.20 It is not proposed as part of this application to make any amendments to the existing driveway however, it is proposed to demolish the existing attached garage. Due to dimensional constraints, the garage itself is found to be too small for suitable parking of a vehicle. The loss of the garage is therefore not considered to be a loss of a parking space.
- 5.21 It is also proposed to increase the number of bedrooms and, in line with PSP16, the property would be expected to provide 3no. off-street parking spaces. It is noted that there is a separate application pending consideration by the Council for an extension to the dropped kerb which currently provides access on to an area of hard standing at the front of the dwelling however, as no grant of permission has yet been secured for these works, the case officer has made an assessment based on what the property is currently able to offer in terms of parking provision.
- 5.22 A site visit confirmed that the remaining section of boundary wall has been removed and work has begun on creating hardstanding to the front of the property. The plans show that, completed with the extended dropped kerb, the driveway would be able to offer 4no. parking spaces, which would conform to the requirements of PSP16. That being said, this would be dependent on

whether permission for an extension to the dropped kerb can be secured. As existing, the kerb is only dropped in part however, the driveway itself does offer suitable capacity for parking of 3no.+ vehicles, which would also conform to PSP16.

5.23 It is therefore considered appropriate to attach an informative to any grant of permission that there are no fundamental concerns with the proposal however, permission will be required as the works would involve the creation of access onto a classified highway. The applicant is also reminded that any works must be carried out in accordance with the Council's standards of construction, with all details and methods of construction to be agreed by the Council's StreetCare Team.

5.24 Therefore, as existing, the property currently possess a dropped kerb with vehicle crossover onto a driveway which is found to be adequate for the parking of 3no. vehicles. The proposal is therefore in accordance with PSP16 of the development plan and the Residential Parking Standards SPD.

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. 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 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/works hereby permitted shall only be implemented in accordance with the following plans:

Received by the Local Authority on 19 December 2022:

Location Plan (3149/204)

Existing Site Plan (3149/200)

Existing Floor Plans and Elevations (3149/201)

Received by the Local Authority on 03 March 2023:

Proposed Site Plan (3149/203 - Revision A)

Proposed Plans and Elevations (3149/202 - Revision A)

Reason

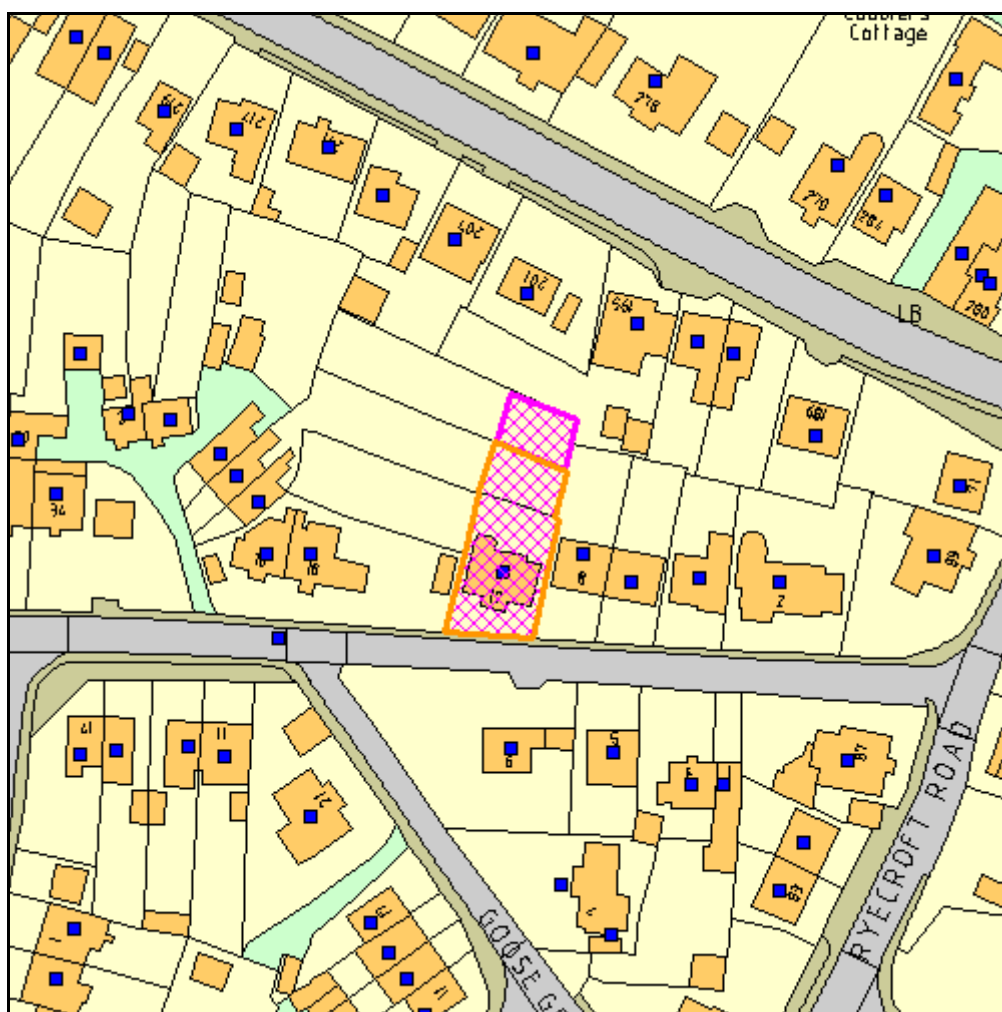
To define the terms and extent of the permission.

Case Officer: Lucie Rozsos

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 10/23 -10th March 2023

App No.:	P23/00122/HH	Applicant:	Mr Barry Whitehead
Site:	12 Clyde Road Frampton Cotterell South Gloucestershire BS36 2EA	Date Reg:	16th January 2023
Proposal:	Demolition of existing conservatory. Erection of two storey and single storey rear extension to provide additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	367032 181701	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	20th March 2023



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P23/00122/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 REFERRING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following 3no. objections from local resident's contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of existing conservatory. Erection of two storey and single storey rear extension to provide additional living accommodation at 12 Clyde Road, Frampton Cotterell.
- 1.2 The application site is a two-storey detached dwellinghouse located within the Frampton Cotterell settlement boundary. The site is not subject to any planning restrictions or designations.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 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
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPS (Adopted) 2013
Residential Amenity TAN (Endorsed) 2016
Householder Design Guide SPD (Adopted) 2021

3. RELEVANT PLANNING HISTORY

- 3.1 P97/1797 - Demolition of existing building and erection of detached dwelling (approval of reserved matters to be read in conjunction with P96/1779).
Approval of reserved matters 08.07.1997.

- 3.2 P96/1779 - Demolition of existing building and erection of detached dwelling (outline).
Approve of outline permission 17.06.1996.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection.

- 4.2 Public comments
3 comments of objection received. Comments summarised below:

- Number of windows to side elevation including a dormer. Due to elevated position, would introduce overlooking into neighbouring garden leading to loss of privacy.
- Proposal does not adhere to design guidance as per Household SPD.
- Overbearing and dominate nature.
- Not subservient in scale to existing property.
- Loss of light to neighbouring side window. Side window to serve a bedroom.

5. ANALYSIS OF PROPOSAL

- 5.1 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.2 The proposal would replace the existing ground floor conservatory with a part two-storey and part single-storey rear extension. The two-storey element would protrude approximately 4 metres in depth from the original rear projection, span 5.3 metres in width, and would match the existing eave and ridge height. The proposal would feature a dual-pitched gable end roof to reflect the character, pitch, and form of the host. 1.no dormer window would be located in the west side elevation and would match the existing dormers on the building. The side dormer would serve to break up the otherwise blank side façade.
- 5.3 The adjoining single-storey element would largely infill the space where the conservatory previous stood. It would feature a pitched roof containing 2.no rooflights and 2.no high-level horizontal windows to the west side elevation. External materials are to match the existing building. The windows proposed to the side elevation of the single-storey extension would be set approximately 0.8m away from the boundary and replace an existing conservatory that is fully glazed. The proposal adheres to the Design Principles prescribed by the Householder Design Guide SPD, including the maximum extension length.
- 5.4 Overall, the proposal has been carefully assessed and is in compliance with the above policies.

5.5 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 outlines the types of issues that could result in an unacceptable impact.
- 5.6 Firstly, the site is bordered by several boundaries including No.8 Clyde Road to the east, No.16, No.18 and No.20 Clyde Road to the west, and No.195 Church Road to the north. Due to the separation distances the proposal would not impact upon the amenity of No.195 Church Road. Several objection comments have been received raising residential amenity concerns, these will now be addressed.
- 5.7 An objection has been received regarding the perceived loss of light and outlook to the side elevation window of No.8 Clyde Road. No.8 has previously erected a two-storey side extension which included a first-floor side window. The comments indicate that this window, which was originally intended to serve a landing area, is in the process of being altered to serve the master bedroom. Post development a separation distance of 4.3m would remain between the window and the side elevation of the proposed extension. The household design guide SPD stipulates where a window of a primary room faces out onto the blank elevation of another building a separation distance of 12 metres should be achieved. However, in this case the bedroom would also be served by the main front and rear windows so adequate outlook and light would still be achieved. Furthermore, the roof of the extension pitches away to the roof so some light and outlook would still be provided to this window. Whilst there would be an impact to this side window it would not be to such a detriment to warrant a refusal of planning permission.
- 5.8 To the west, the gardens of No's 16, 18, and 20 run perpendicular to the application site. As such the proposed first floor side dormer would be positioned in line with the garden of No.18. Comments have been received objecting to the proposal due to side windows and the subsequent perceived increased overlooking and loss of privacy. The SPD states that the best way of ensuring privacy is to ensure that windows do not look out onto private areas. Private areas can be regarded as both rooms within a house and the garden area immediately to the rear of a house, as this part of the curtilage tends to make the biggest contribution to the enjoyment of the property. The proposed windows would not look onto any rooms within a house but would overlook the rear of No.18's garden. No.18 benefits from a large rear garden which is over 30 metres in length. The area of garden immediately to the 'rear' would be over 20 metres from the proposed side window so would be afforded adequate amenity. The far end of the neighbouring gardens would receive some overlooking however this is commonplace in residential areas and would not be to such an extent to warrant an amenity objection.
- 5.9 The submitted comments have raised the development's potential conflict with the "7 metre rule". The SPD states this rule is to help protect the privacy levels of neighbouring properties by ensuring existing levels of overlooking are not increase materially or by perception, any two-storey rear extension with primary

habitable rooms should be located no less than 7 metres from any facing garden boundary. Fig.35 goes onto explain that any first-floor proposed rear facing windows, must be located no less than 7 metres from any facing boundary gardens. As noted above, the gardens to the west run perpendicular to application site. Whilst the side window would be located less than 7 metres from the boundary, as found above in 5.8 it would not create an unacceptable level of overlooking.

- 5.10 To conclude, the proposal has been carefully assessed and has found to be in compliance with this policy.

5.11 Private Amenity Space

Supplementary to this, 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. The proposal does not increase the number of bedrooms in the property and adequate amenity space will be provided post development to comply with the above policy.

5.12 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal does not increase the provision of bedrooms in the dwelling nor impact upon the parking arrangements. The proposal has been carefully assessed and has found to be in compliance with this policy.

5.13 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 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. 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 planning 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:

Existing ground floor plan (01 A)

Existing first floor plan (02 A)

Existing elevations (03 A)

Proposed ground floor plan (04 A)

Proposed first floor plan (05 A)

Proposed elevations (06 A)

Proposed site plan (07 A)

Site location plan (08 A)

(above plans received 12/01/2023)

Reason

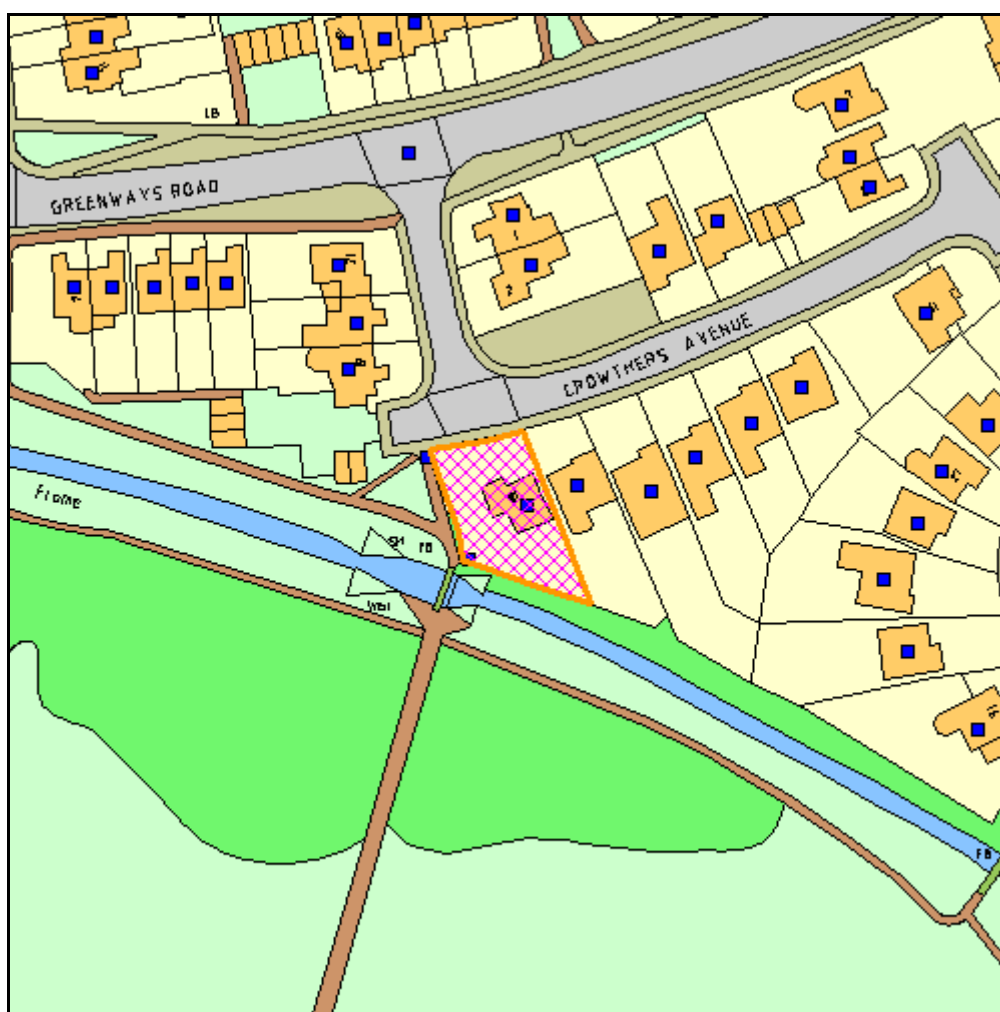
To define the terms and extent of the permission.

Case Officer: Charlie Morris

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 10/23 -10th March 2023

App No.:	P23/00267/F	Applicant:	Mr Tom Worrall
Site:	18 Crowthers Avenue Yate South Gloucestershire BS37 5SZ	Date Reg:	25th January 2023
Proposal:	Erection of first floor extension to facilitate subdivision of existing dwelling into 2no. dwellings with associated works.	Parish:	Yate Town Council
Map Ref:	371318 183061	Ward:	Yate North
Application Category:	Minor	Target Date:	21st March 2023



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P23/00267/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a first floor side extension to facilitate subdivision of an existing dwelling into 2no. dwellings with associated works.
- 1.2 Planning permission has already been granted by virtue of P21/08155/F for erection of a two storey and single storey side extension. This previous approval has been built out, and the current application is to further extend the property over the single storey part to facilitate subdivision to 2no. dwellings. It is noted that the as-built extension off the back of the P21 consent has been constructed differently to the approved plans in regards to the single storey side part, which has a flat roof as built as opposed to a mono-pitch roof as approved.
- 1.3 The application site is a detached dwelling on a residential cul-de-sac within the Yate and Chipping Sodbury settlement boundary. The site is bounded to the North by the road (Crowthers Avenue), to the East by residential dwellings, to the South by the river Frome and St Mary's play area, and to the West by residential garages.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS30	Yate and Chipping Sodbury

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
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) August 2007
Local List SPD (Adopted) March 2008
CIL and S106 SPD (Adopted) March 2015
Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. RELEVANT PLANNING HISTORY

- 3.1 P21/08155/F (approved 02/03/2022):
Erection of two storey side extension to form additional living accommodation.
- 3.2 *Other history is available that is neither recent nor relevant to this application.*

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Objection due to:
- Overdevelopment and out of keeping.
 - Access will lead to manoeuvring adjacent to a busy public footpath
 - Flood risk concerns. Not in flood zone 3 but land immediately opposite is flood zone 3.
- 4.2 Transport
No objection. Condition recommended if minded to approve.
- 4.3 Highway Structures
No comments have been received.
- 4.4 Drainage (LLFA)
No objection. Informative recommended.
- 4.5 Local Residents
2no. responses have been received in objection to the proposed development, summarised as follows:
- Obstruction to highway
 - Busy turning point for more than 10 properties
 - Issues with previous development at the property
 - Existing works do not meet original plans
 - Vehicles parked on footpaths etc.
 - Impact on pedestrian safety

- Previous renovations rejected due to proximity to public access routes
- Proposed new dwelling on a bend
- Already issues with parking
- Vans often parked on the pavement
- As extension just completed not according to plan, assume the first application was just a stepping stone to dividing the property into two.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Planning permission is sought for the erection of a first floor extension to facilitate subdivision of an existing dwelling into 2no. dwellings with associated works.

Principle of Development

- 5.2 The application site is within a designated settlement boundary, as outlined by the policies map. CS5 directs new development to urban areas and settlement boundaries as designated by the policies map. PSP38 permits new dwellings within existing urban areas and settlements, subject to considerations of design, amenity and transportation. Recent appeal decisions at Land West of Park Farm and Land South of Badminton Road have found that the settlement boundaries within the Core Strategy (policy CS5) are however out of date and so carry less weight. That said, the site is within an existing settlement and so in any event the development is acceptable in principle in this location.

- 5.3 PSP39 is also relevant. PSP39 permits conversion or subdivision of existing residential units into smaller units provided they do not harm the character or amenity of the area; do not prejudice the amenity of neighbours; provide adequate amenity space provide parking in accordance with the Council's standards.

- 5.4 The main issues to consider beyond principle of development are accordingly design/visual amenity, residential amenity, transportation and drainage.

5.5 Design and Visual Amenity

Policy CS1 is the Council's principal design policy. CS1 requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by respect and enhance the character, distinctiveness and amenity of both the site and its context. PSP1 instructs that development proposal(s) will be acceptable where the proposals demonstrate an understanding of, and respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area / locality.

- 5.6 The development would see a first floor added above the current ground floor projection to the existing extension, to create what would appear as a new attached dwelling. The new dwelling would be set down by c.200mm from the ridge of the original dwelling, as it would follow the ridgeline of the existing extension, which would have been set down to ensure appropriate subservience as an extension. The front and rear would be sub-divided to form 2no. parking areas, and 2no. areas of amenity space respectively.

- 5.7 Comments are noted in respect of the existing extension not being erected in accordance with the plans. The case officer notes from visiting site that the ground floor projection has a flat roof instead of the approved mono-pitch roof. What has been built is a parapet flat roof, which given the single storey nature would not result in any significant or appreciable harm to the street scene. This point is somewhat academic however, as the flat roofed section would see a first floor extension added and so the offending flat roof section would cease to exist, should permission be granted.
- 5.8 The area is characterised by a mix of detached and semi-detached dwellings with the character of a modern, high density late 1970s housing estate. Such is the case therefore that a further semi-detached pair would not appear out of character with the locality. The stepped ridge line would appear slightly different to other semi-detached pairs on Crowthers Avenue, however stepped ridge lines are not completely alien to the area and in any case, the overall appearance would not be a harmful one.
- 5.9 The case officer is mindful that the approved scheme of extension was amended to reduce the size of the side extension. This was an appropriate response to ensuring a subservient side extension. However, an independent dwelling should not appear subservient in the way an extension should and so given that the proposal is to create a further dwelling, the increased scale of the side projection is acceptable and indeed what would be expected.
- 5.10 Comments regarding overdevelopment are noted, however the situation on the ground and on plan do not suggest this to be the case. The new dwelling can be accommodated without appearing cramped, and the plot is big enough to provide the necessary parking, amenity space and servicing.
- 5.11 Overall, there is no objection to the proposed development on design grounds. Should permission be granted, conditions should be applied to ensure that materials match, to ensure that the new dwelling successfully integrates with its host.
- 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.
- 5.13 The new dwelling created in the extension would have two bedrooms and would accord with the nationally described space standard (NDSS) for a 2 bed, 4 person dwelling. The existing dwelling would have no less internal space than it did pre-extension (excluding the original garage). Internally, the layout of the new and existing dwelling do not give rise to any concerns of amenity for future occupants. Both dwellings would be afforded sufficient light and outlook through front and rear ground and first floor windows.

- 5.14 In terms of neighbours, the new dwelling is not situated close to any neighbouring dwellings (other than the attached neighbour). Accordingly, there would be no issues of overlooking, overshadowing, loss of outlook, etc.
- 5.15 The existing dwelling would be 3 bed, and would retain c.100sqm private amenity space, which exceeds the PSP43 standard for a 3 bed dwelling (60sqm). The new dwelling would have two bedrooms, and so would require 50sqm private amenity space to accord with PSP43. Plans show 60sqm as being provided, which is numerically acceptable. The amenity space for the new dwelling would be triangular and so appears a degree awkward, however it would on balance provide sufficient usability as to be acceptable. Both areas of private amenity space would be sufficiently private, when considering the prevailing character of the area.
- 5.16 Transportation
The site is within a settlement boundary and so broadly accords with PSP11 in terms of proximity to key services and facilities by means of travel other than the private motor car.
- 5.17 In terms of parking, the existing dwelling is required by PSP16 to provide 2no. parking spaces as it has three bedrooms. The new dwelling would have two bedrooms, and so to accord with PSP16 would require 1no. space. Both dwellings are allocated correctly with the required level of parking so as to accord with PSP16. The new dwelling in-fact provides 2no. spaces and so exceeds the policy requirement. The parking arrangements have been reviewed by the local highway authority, who deem them to be acceptable. Should permission be granted, a condition should be applied to ensure provision of parking, and to ensure provision of electric vehicle charging facilities for the new dwelling, in the interest of sustainability.
- 5.18 Access would be via an existing dropped kerb onto Crowthers Avenue. Concerns are noted in respect of access. To the West of the access is a parking area with garages that is not part of the adopted highway, and running South along the Western boundary of the site is a public footway leading over the river towards St Mary's Play Area. The road is a residential cul-de-sac and so it is not the case that vehicle movements from the new access would pose any safety concerns given the quiet nature of the vehicular no through road. Interaction with pedestrians is also noted as a concern. It is not the case that there would be any greater risk to pedestrians than the existing situation when considering proximity to the footpath. Moreover, manoeuvres in and out of a driveway tend to be low speed and drivers have a responsibility to ensure they look where they are going before commencing any manoeuvre.
- 5.19 Drainage
Comments of the town council are noted regarding flood risk. The site is in flood zone 1, which is an area with the lowest risk of flooding. The new dwelling would be no more at risk than the existing dwelling in terms of flooding. The site is close to flood zone 3, however it is not in flood zone 3 and so there are no grounds to resist the development or indeed require the application of the sequential/exception tests. The LLFA have reviewed the proposals and raise

no objection in terms of flood risk or indeed the surface water dispersal method, the detailed design of which would be best addressed through building control.

Impact on Equalities

- 5.20 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.
- 5.21 With regards to the above this planning application is considered to have a neutral impact on equality.

Other Matters

- 5.22 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.23 Comments are noted concerning existing parking issues. The development mitigates its own impact and is policy compliant in that regard (parking provision). This planning application is therefore not the appropriate forum to discuss wider parking issues in the locality. Contractors have a responsibility to ensure that they park safely and legally. Concerns about dangerous parking should be reported to the Police.

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. Parking and access arrangements for the new and existing dwelling shall be provided in accordance with the submitted plans (01, location & block plan, as received 24th January 2023) prior to first occupation of the dwelling and shall be retained thereafter.

Reason

To ensure a satisfactory provision of parking in accordance with PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

3. Prior to occupation, the new dwelling hereby approved shall be provided with 1no. electric vehicle charging socket rated at 7kw, 32amp minimum, which shall be installed and maintained in working order thereafter.

Reason

To ensure provision of sustainable travel and to accord with CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. The materials to be used in the construction of the external surfaces of the extension 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.

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

03 – existing elevations

02 – existing plans

05 – proposed elevations

04 – proposed floor plans

As received 23rd January 2023

01 – location and block plan

As received 24th January 2023

Reason

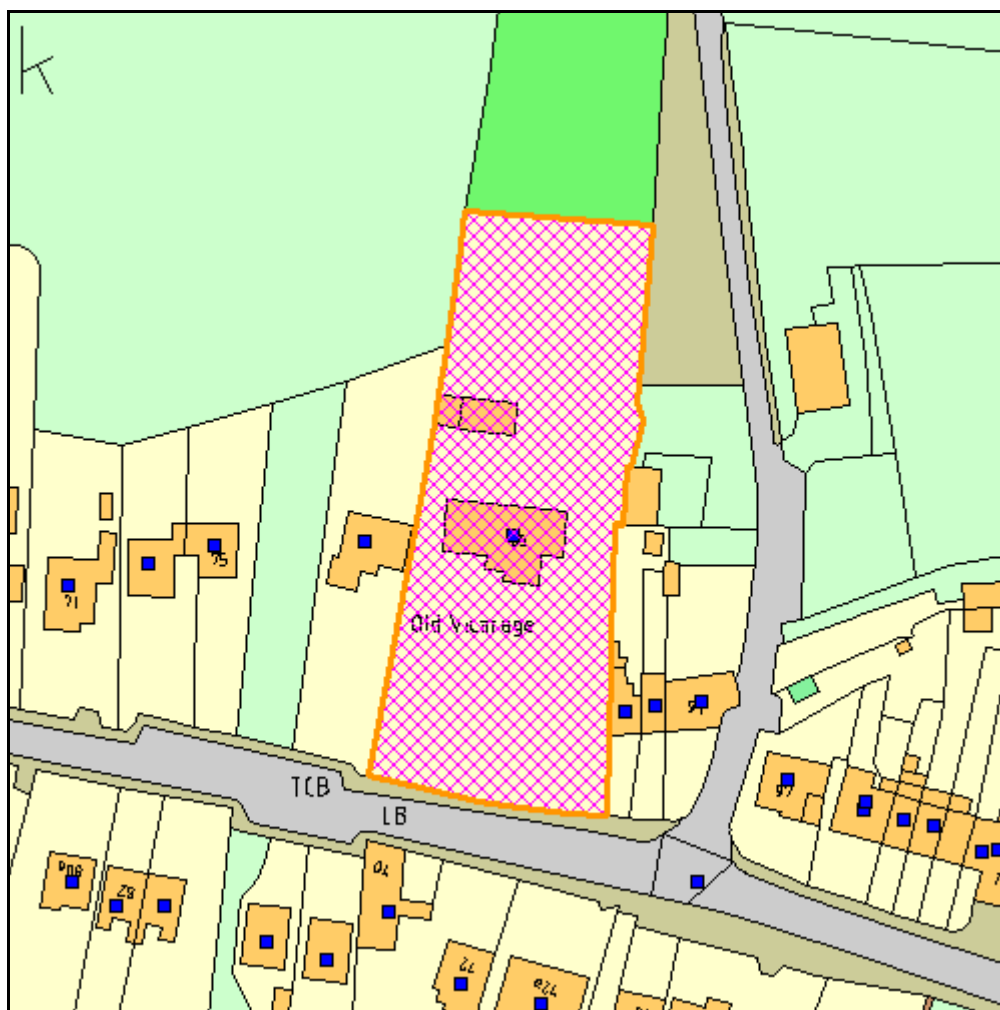
To define the exact terms of the permission.

Case Officer: Alex Hemming

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 10/23 -10th March 2023

App No.:	P23/00272/HH	Applicant:	Mr Sam Litt
Site:	The Old Vicarage 85 High Street Wick South Gloucestershire BS30 5QQ	Date Reg:	25th January 2023
Proposal:	Erection of a first floor side extension to form additional living accommodation.	Parish:	Wick And Abson Parish Council
Map Ref:	370629 172731	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	20th March 2023



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P23/00272/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 will be added to the Circulated Schedule because the proposal has received 1 No objection from Wick and Abson Parish Council, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a first floor side extension to form additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at The Old Vicarage, 85 High Street, and is a large detached property set within a generous plot. The site is situated within the defined settlement boundary of Wick, and is washed over by the Bristol and Bath Green Belt.
- 1.3 The application site also features an original stone wall to its front boundary with the High Street, which continues around the host dwellinghouse on the curtilage.

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
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt
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 SPS (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 P21/00072/F. Demolition of existing garage. Erection of 1No. Outbuilding to form swimming pool, garage, gym and office. Approved. 26.03.2021.
- 3.2 P19/09083/F. Demolition of existing garage. Erection of 1No. Outbuilding to form swimming pool, garage and office. Approved. 08.10.2019.
- 3.3 PK01/0192/F. Erection of single storey rear extension. Approved. 20.04.2001.
- 3.4 P91/1716. Erection of rear porch and loggia. Approved. 10.07.1991.
- 3.5 P90/2881. Alteration and extension of storage and utility block and change of use to form granny flat. Refused. 10.01.1991.
Refusal reason:
- *The proposal represents an unsatisfactory form of back land development without proper road frontage which, if approved would be detrimental to the amenities of the occupiers of the adjoining dwelling.*
- 3.6 P87/2420. Erection of side conservatory. Approved. 07.10.1987.

4. **CONSULTATION RESPONSES**

- 4.1 Wick and Abson Parish Council
1No letter of Objection comments made -
- *Wick and Abson Parish Council would like this application to be included on the Circulated Schedule as the Parish Council have concerns regarding the development of this property and would like an understanding of this development.*

Other Representations

- 4.2 Local Residents
1 No letters of comments received –
- *Concerns raised that this proposal involves potential construction/building very close to the existing retaining boundary wall to an adjacent neighbouring property;*
 - *Concern that any construction, particularly of foundations, will cause disturbance to the existing retaining boundary wall and the adjacent neighbouring property;*
 - *Concern that the proposal is overbearing and overdevelopment of the site; and*
 - *Concerns over the lack of privacy; proposed noise and dust from such a potential construction site to neighbouring properties.*

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (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.

- 5.2 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. Therefore, the development is acceptable in principle, subject to the following detailed consideration.

5.3 **Green Belt**

Policy CS5 and CS34 of the Core Strategy and policy PSP7 of the Policies, Sites and Places Plan support the protection of the Green Belt from inappropriate development. The NPPF also attaches great importance to the Green Belt – with development in the Green Belt generally being considered inappropriate. However, there are limited categories of development within the Green Belt that are not considered to be inappropriate. One of the exception categories is the extension of a building provided that it does not result in a disproportionate addition over and above the original size of the building, as is set out in Paragraph 145 of the NPPF.

- 5.4 Policy PSP7 of the Policies, Sites and Places Plan and the South Gloucestershire Supplementary Planning Document: Development in the Green Belt (Adopted) 2007) set out a guide for assessing whether or not an extension is proportionate. Additions resulting in a volumetric increase of up to 30% are likely to be considered proportionate, those resulting in an increase between 30% and 50% are to be carefully reviewed, and those resulting an increase of over 50% are likely to be considered disproportionate.

5.4 On the basis of the planning history (see 3.1), it is calculated that the dwelling has previously been extended by 43%. The extension as proposed would take this volume increase up to closer to 50% and thus, potentially the maximum volume of extension acceptable at this property.

- 5.5 Following careful consideration, although this first floor side extension creates a further increase, the proposed development is not considered as a disproportionate addition. This extension does respect the principal elevation and is considered to be congruous with the character and scale of the host dwellinghouse and the generous size of the plot. Furthermore, with the fact that the site is situated within the defined settlement boundary and within a clutch of other buildings, these aspects also reduce the physical impact of the development on openness.

- 5.6 Overall, it is concluded that the first floor side extension would represent a proportionate addition and the proposal is an appropriate form of development in the Green Belt. With regards to the impact of openness, and taking into consideration the location of the host dwellinghouse and the proposal, there would only be a slight impact, but that it would be highly localised. As such, it can be concluded that the proposal complies with policy PSP7, the provisions of the NPPF and is considered it appropriate development in the Green Belt.
- 5.7 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.
- 5.8 The first floor side extension will have an overall width of 4.0 metres and be to a maximum depth of 8.4 metres (front to back). It is not subservient or set back from the principal façade as it is sited above the existing ground floor footprint of the ‘summer room’. However, although it will continue the existing gable end pitched roof, the proposed ridge will be subservient and stepped down from the original host dwellinghouse ridge by 0.5 meters.
- 5.9 The design and proposed matching materials to the first floor side extension is congruous and is not detrimental to the character of the host dwellinghouse or surrounding area, and is of the highest possible standard of design. As such, this proposal is deemed to comply with policies CS1, PSP38 and the Householder Design Guide SPD.
- 5.10 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.11 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. An assessment of the potential impacts of the proposal being potentially overbearing and any impacts from loss of light, or privacy and any overshadowing have also been made. Although the proposed development may result in some impacts as it will introduce new development to the side of the property, it is appropriate to consider the level of the impact having regards to the nature and scale of the development proposed. For the avoidance of doubt, a condition will be added to any consent, to ensure that no new windows are added to the side elevation at any time to further protect privacy.
- 5.12 In terms of any overbearing and loss of light effects, the extension would extend by 4.0 meters in width and 8.4 meters in depth, above the existing ground floor footprint of the ‘summer room’. Although the rear façade of this first floor side

extension faces a northerly direction, there may be some interruption to natural light, particularly to that of neighbouring dwellinghouse No 83 High Street.

- 5.13 With the Council's recently adopted *Household Design Guide SPD*, the first floor side extension has also been considered in terms of the 45 degree test which seeks to test whether there would be likely to be an overbearing effect, loss of light or outlook. For the majority of the daytime hours, the rear façade of the host dwellinghouse and its adjacent neighbouring properties, including their associated private amenity space, face a northerly direction, and therefore any such impacts will be minimal and a good amount of natural light and outlook would still be achieved.
- 5.14 The presence of this first floor side extension in terms of its scale and mass has been assessed and this proposal will not result in any unacceptable impacts upon the occupants of the adjacent or surrounding neighbouring dwellings. The proposal does not result in any significant impacts to the occupants of any neighbouring properties and does not have a detrimental impact on residential amenity and is deemed to comply with policies PSP8, PSP38 and the Householder Design Guide SPD.
- 5.15 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. Although the proposal does include 2 No additional rooms (an en-suite and dressing room to each) this proposal does not have any significant impacts on existing vehicular arrangements. The application is therefore acceptable in transportation terms.
- 5.16 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. Although the proposal does include 2 No additional rooms (an en-suite and dressing room to each), no concern is raised on the level of amenity space being proposed.
- 5.17 Other Matters
Comments have been raised with regards to the potential impacts of the potential foundations, upon the existing retaining boundary wall and those impacts arising during the construction period (i.e. loss of privacy, dust and noise). Whilst these comments are understood, these impacts are not likely to exceed any impacts arising from similar residential development, and therefore there is no reason to recommend refusal of this application.
- 5.18 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.

- 5.19 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. No windows other than those shown on the plans hereby approved shall be inserted at any time in the proposed side elevation of the property (drwg ref 22.061-021 Proposed Elevations).

Reason

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

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

16.016 - 001 Site Location Plan (Date received 23/01/23)
22.061 - 010 Existing Floor Plan (Date received 23/01/23)
22.061 - 011 Existing Elevations (Date received 23/01/23)
22.061 - 020 Proposed Floor Plan (Date received 23/01/23)
22.061 - 021 Proposed Elevations (Date received 23/01/23)
22.061 - 050 Site Area Plan (Date received 26/01/23)

Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: Marie Bath