

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: 08/23

Date to Members: 24/02/2023

Member's Deadline: 02/03/2023 (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

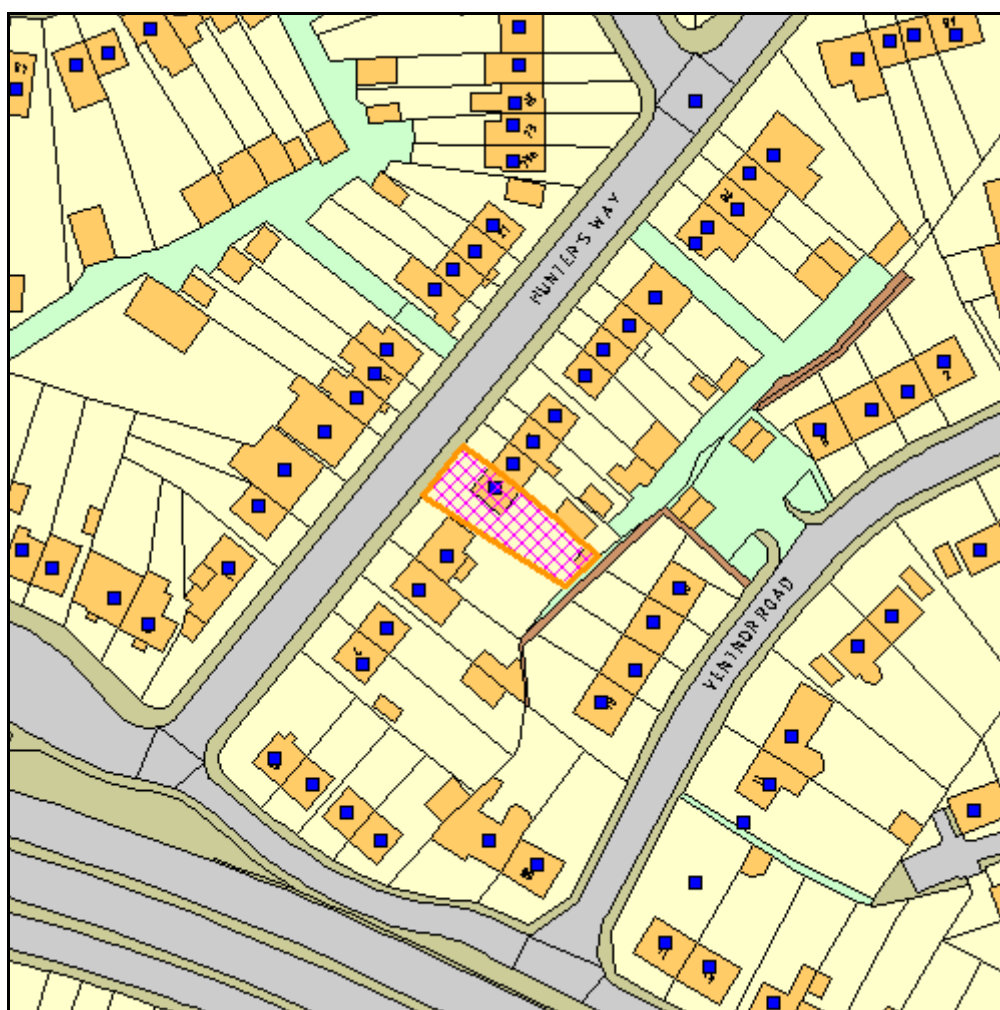
CIRCULATED SCHEDULE 24 February 2023

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/04700/F	Approve with Conditions	10 Hunters Way Filton South Gloucestershire BS34 7EW	Filton	Filton Town Council
2	P22/02306/RM	Approve with Conditions	Parcels PL3, PL14a, PL14b And PL14c North Yate New Neighbourhood Yate South Gloucestershire	Yate North	Yate Town Council
3	P22/02485/HH	Approve with Conditions	18 Springfield Road Mangotsfield South Gloucestershire BS16 9BG	Emersons Green	Emersons Green Town Council
4	P22/05289/F	Approve with Conditions	The Kendleshire Henfield Road Coalpit Heath South Gloucestershire BS36 2XG	Frampton Cotterell	Westerleigh Parish Council
5	P22/05765/RVC	Approve with Conditions	2 St Ivel Way Warmley South Gloucestershire BS30 8TY	Parkwall And Warmley	Siston Parish Council
6	P22/06027/O	Approve with Conditions	Land Adj To Windlass Cottage Bristol Road Falfield South Gloucestershire GL12 8DW	Charfield	Falfield Parish Council
7	P22/06285/F	Approve with Conditions	758 Filton Avenue Filton South Gloucestershire BS34 7HB	Filton	Filton Town Council
8	P22/06433/F	Approve with Conditions	Land At The Holding Lodge Road Wick South Gloucestershire BS30 5TU	Boyd Valley	Wick And Abson Parish Council
9	P23/00190/TRE	Approve with Conditions	Bitton Hill House Mill Lane Bitton South Gloucestershire BS30 6HN	Bitton And Oldland Common	Bitton Parish Council

CIRCULATED SCHEDULE NO. 08/23 -24th February 2023

App No.:	P21/04700/F	Applicant:	Mr S Cole
Site:	10 Hunters Way Filton South Gloucestershire BS34 7EW	Date Reg:	3rd July 2021
Proposal:	Extension and alteration to existing dwelling (part retrospective) to facilitate formation of 4 no. flats with associated works (pursuant to extant permission PT15/4162/F).	Parish:	Filton Town Council
Map Ref:	360870 179087	Ward:	Filton
Application Category:	Minor	Target Date:	24th February 2023



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P21/04700/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 CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received from 4no local residents and 2no Local Councillors which is contrary to the Officer's recommendation.

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the extension and alteration to an existing dwelling (part retrospective) to facilitate formation of 4 no. flats with associated works. For clarity, the works include the erection of a two-storey front/side and rear extension, single storey rear extension and rear dormer.
- 1.2 This application proposes to reduce the size of the unauthorised development that has taken place on site which does not accord with the approved plans
- 1.3 The application site relates to 10 Hunters Way, Filton which is a two-storey end terrace property.
- 1.4 The application follows an enforcement appeal. The Inspector upheld the enforcement notice for works carried out to the property that went above and beyond those granted under permission PT15/4162/F for extensions and alterations to create a 5-bed dwelling.
- 1.5 The approved drawings of application reference PT15/4162/F show a two storey extension at the front/side of the dwelling, with a hipped roof. This extension is shown as projecting beyond the rear elevation of the dwelling, with a single storey rear extension projecting a similar distance adjacent to the common boundary with the adjoining mid-terrace property, 12 Hunters Way. Although having a similar footprint, what has been built deviates significantly from the approved drawings. Foremost amongst the deviations are the use of a gabled roof form on the front/side extension, a two storey rear extension with a gable roof across the entire rear elevation of the extended dwelling and a dormer erected across the extended rear roof slope.
- 1.6 The enforcement notice required the following:
 1. *Remove the two storey front, side and rear extension, rear dormer window and all associated materials from the land.*
 2. *To make good, the existing building once the extensions have been removed, with materials to match the existing building.*

At appeal the inspector varied the enforcement notice to include step 3, as follows:

3. *As an alternative to steps 1 and 2 above, alter the two storey front, side and rear extensions and remove the rear dormer to make the development comply with the terms (including the conditions and limitations) of the planning permission granted on 30 November 2015 (application reference PT15/4162/F).*

- 1.7 Subsequently this application has been submitted. The proposed extensions subject of this application are similar in size and scale to the previously approved permission in 2015. The main differences from those approved are the alteration of the two-storey rear extension roof design to a gable and addition of a rear dormer window.
- 1.8 For clarity, the two storey front/side extension is part retrospective, only the roof design would require alteration. The footprint of the proposed rear extensions are also already in place, however alterations would be required to change the design to a two storey and single storey arrangement. The existing rear dormer would require significant reduction in size and adjustment of its placement on the rear roof slope.
- 1.9 It should also be noted that a 2016 permission allowed the erection of similar extensions to facilitate conversion of 10 Hunters Way into 2no.flats and 1no. dwelling.

2 POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS2 Green infrastructure
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS25 Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
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, Sub-Divisions and Houses in Multiple Occupation
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Waste Collection SPD (Adopted) 2015 (Updated 2017)
Householder Design Guide SPD (adopted) March 2021

3 RELEVANT PLANNING HISTORY

3.1 **COM/20/0357/BOC/1- Enforcement Appeal**

Appeal Ref: APP/P0119/C/20/3259682

Without Planning Permission the erection of a two storey front, side and rear extension and 1no. rear dormer.

Appeal decision: Dismissed and enforcement notice upheld- 08/02/2021

3.2 **PT15/4162/F**

Erection of a two storey side and single storey rear extension to provide additional living accommodation with associated works.

Approve with conditions: 30/11/2015

3.3 **PT06/1948/F**

Erection of 2 storey side extension and single storey rear extension to facilitate conversion of dwelling to 2no.flats and 1no. dwelling. Alterations to existing vehicular access.

Approve with conditions: 06/10/2006

4 CONSULTATION RESPONSES

4.1 **Parish Council**

No comment received.

4.2 **Transportation**

4 car parking spaces to be provided at the front of the property and cycle parking for each dwelling. EV charging should be provided for each space.

4.3 **Lead Local Flood Authority**

No objection.

4.4 **Archaeology**

No comment.

Other Representations

4.5 **Local Councillors**

Cllr Wood- **Objects**

overdevelopment of the site and not in keeping with local area. Unacceptable increase in building density, which will have noise and disturbance impacts on local residents.

4.6 Cllr Monk- **Objects**

Development is over intensive and not in keeping with the area.

4.7 **Local Residents**

Objection comments received from 4no. local residents, summarised as follows:

- Has always been the intention to use the permitted garage space as living accommodation: window and door installed.
- Appeal required to partially take down the structure, to date this has not happened.
- Development is overbearing.
- No outside amenity space is provided for upstairs flats.
- If plans deemed unacceptable for Inspector there is no convincing case for approval.
- Inadequate parking.
- Parking in street difficult due to number of HMOs.
- Loss of light from 2-storey rear extension.
- No objection to dormer windows as neighbours were unaware of the planned works.
- Damage to the pavement at the front of the property due to lorry deliveries.
- Potential for 12 occupants over the proposed 4no. flats. Would become the 5th HMO in Hunters Way.
- Disturbance to nearby residents during work.
- Scaffolding in neighbour's garden.
- Disagreements with workmen on site.
- Hedges have been removed from/damaged at rear of no.12 and 14.
- Private lane ends at 14/12, no access to rear of number 10.

5 ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that new development should be directed towards existing urban areas and defined rural settlements. The application site is located within the area defined as the north fringe of the Bristol urban area. As such, based solely on location, the development is acceptable in principle.

5.2 Furthermore, Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety.

5.3 Policy PSP39 of the PSP Plan also supports the sub-division of existing residential buildings into smaller units of self-contained residential accommodation provided they would not harm the character and amenity of the area; not prejudice amenity of neighbours; provide adequate amenity space; provide parking in accordance with the Council's standards.

5.4 The proposal accords with the principle of development subject to the considerations below.

5.5 Design and Visual Amenity

The proposal includes the erection of a two-storey side and rear extension; single storey rear extension and rear dormer window.

5.6 The current application is proposing to reduce the size of the unauthorised development on site:

5.7 The built two-storey rear extension and dormer both measure approximately **9.2m** in width. The plans approved in 2015 approved a two-storey rear extension with a width of approximately **4.5m**. The current application significantly reduces the bulkiness of the two-storey rear extension from that built but does increase the width from the previously approved plans, to approximately **5.2m**. The rear dormer is also reduced significantly from that built to a width of approximately **3.9m**.

5.8 The proposed side extension would extend to the side of the dwelling by the same distance as previously approved in 2015, **the built gable end would be reverted back to a hipped roof** to match the character of the existing dwelling, which is welcomed. The proposal includes new windows at ground at first floor level on the principal elevation. This is an acceptable appearance when viewed in the context of the streetscene.

- 5.9 The 2-storey rear extension would project from the rear wall of the original house by approximately 3.5m, similar to that that previously approved, however it would include a gable roof and would be slightly wider, approximately half the width of the main dwelling. Although not an ideal design. Considering the proposed gable would be located at the rear of the site and, in addition, a similarly designed rear extension exists 10 doors away at no.28 Hunters Way, the proposal would not cause any substantial harm to the character of the area to warrant a refusal. The single storey rear addition would be consistent with the permission already approved.
- 5.10 In regard to the proposed dormer, the guidance within the adopted Householder SPD states that generally box dormers of this nature are unacceptable. However, there may be instances where this type of design is justified. To mitigate any harmful impact, all box dormers must adhere to the following design principles:
- be aligned with and in proportion to the host building in terms of fenestration arrangements;
 - be sited 300mm below the main ridge;
 - be sited 300mm from the roof verges or sides;
 - be sited 500mm above the eaves; and
 - set back from the principal elevation.
- 5.11 The proposal complies with the above criteria which goes some way to reduce any overly bulky and dominant appearance that may arise from a box dormer addition. Furthermore, a number of rear box dormers can be found in the surrounding area, notably at no's 21 and 23 Hunters Way and on properties on adjoining roads, 23, 31 and 43 Wades Road, and 48 Charles Road.
- 5.12 While these nearby existing box dormers may have been erected under permitted development or before the Householder SPD was adopted, they are nevertheless a material consideration when considering the impact of the proposal on the character of the area.
- 5.13 *For the avoidance of doubt, the current proposal the subject of this application is for a smaller dormer than what has been built on site.* For the reasons above, the proposal is not considered to result in any significant harm to the appearance or character of the existing dwelling or surrounding area and is therefore found to be acceptable in terms of design.
- 5.14 **Residential Amenity**
As stated above, the proposed extensions are similar to those previously approved which were found to be acceptable in terms of their impact on the residential amenity of neighbours.
- 5.15 When taking into consideration the path of the sun and existing neighbouring extension at no.12, the alteration of the 2-storey rear extension from a hip to

gable end is not considered to result in any substantial loss of light, nor would it be significantly overbearing. No windows are proposed on the side elevation; a degree of overlooking from the rear windows and dormer into neighbouring rear gardens is to be expected in a built up residential area such as this.

- 5.16 Policy PSP43 states that every new home should have access to suitable private and/or communal amenity space: 1-bed flats should be provided with 5m² of space per flat. The policy states that the form of private amenity space is dependant on the type of dwelling and could include one or more of the following: private gardens, communal areas, ground level patios, balconies and roof terraces. Each of the ground floor flats would have direct access onto an individual private patio area, it has been indicated by the agent that this is intended to be subdivided by fencing. Though there is no indication of this on the plans, a condition will be included for boundary treatments to be agreed. The remainder of the garden space would be for communal use, providing the 2 x first floor flats with a relatively large shared outdoor space.
- 5.17 It is acknowledged that there would be no direct access for the occupants of the two first floor flats with access coming via the rear lane. This would require the occupants to walk out the front of the property and access the lane via Ventnor Rd. Although not ideal, there is no alternative means of access; though, it is an obtainable amenity space offered for use only by the proposed 4no. flats and is generous in size. It is therefore considered that, on balance, a sufficient level of amenity can be provided and the living conditions of future occupants would not be significantly affected.
- 5.18 **Transport**
Concern has been raised by local residents regarding the proposed parking. The application is proposing 4no. off-street parking spaces (1 for each flat) to the front of the property. This is in accordance with the requirements of policy PSP16 of the PSP Plan. Cycle storage for all flats is proposed in the rear communal garden area. To further encourage sustainable travel options, an electric vehicle charging point shall be provided for each flat, to be conditioned.
- 5.19 **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.

- 5.20 With regards to the above this planning application is considered to have a neutral impact on equality as it does not impact on any protected characteristics.
- 5.21 **Other Matters**
Concerns have been raised regarding the number of HMOs in the area, however this application is not proposing an HMO.
- 5.22 It has been confirmed by the applicant that access to no.10 is available via the rear lane. Nevertheless, any permission shall not be construed as granting rights to carry out works on, or over land not within the ownership or control of the applicant. If required, gaining any relevant access agreements is the responsibility of the applicant.
- 5.23 This permission does not authorise access to neighbouring land. If this is required during construction, then written consent of the owner and occupier of any land which it is necessary to enter should be obtained.
- 5.24 It is accepted that there would be a degree of disruption to local residents during the construction period, however this is not a material planning consideration, it therefore cannot form a reason for refusal. That said, it is hoped that the applicant and contractor would be considerate to local residents during that period.
- 5.25 The existing extensions erected without consent and subject of the enforcement appeal decision remain. A condition will be included for the removal of the relevant elements with 3 months of the decision.

6 CONCLUSION

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

7 RECOMMENDATION

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

CONDITIONS

1. Within three months of the decision notice, the existing gable roof of the side extension, existing two-storey rear extension and existing rear dormer window shall be removed. The work shall then commence in accordance with the plans hereby approved.

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.

2. Prior to the first occupation of the flats hereby approved, a plan indicating the proposed boundary treatments to sub-divide the rear garden shall be submitted and agreed by the council. The works shall be implemented in accordance with the agreed details prior to first occupation.

Reason

To ensure the satisfactory appearance of the development in the interests of visual amenity and to protect the residential amenity of future occupiers, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

3. Prior to the first occupation of the flats hereby approved, the proposed off-street parking arrangements shall be implemented in accordance with the agreed plans and retained as such thereafter.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

4. Prior to the first occupation of the flats hereby approved, a 7KW 32amp electric vehicle charging point shall be provided for each flat.

Reason

To encourage and promote sustainable travel options, to accord with Policy CS8 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 documents:

Received by the Council on 29 June 2021:
Location Plan & Existing Plans

Received by the Council on 3rd February 2023:
Proposed Plans, Elevations & Block Plan

Reason

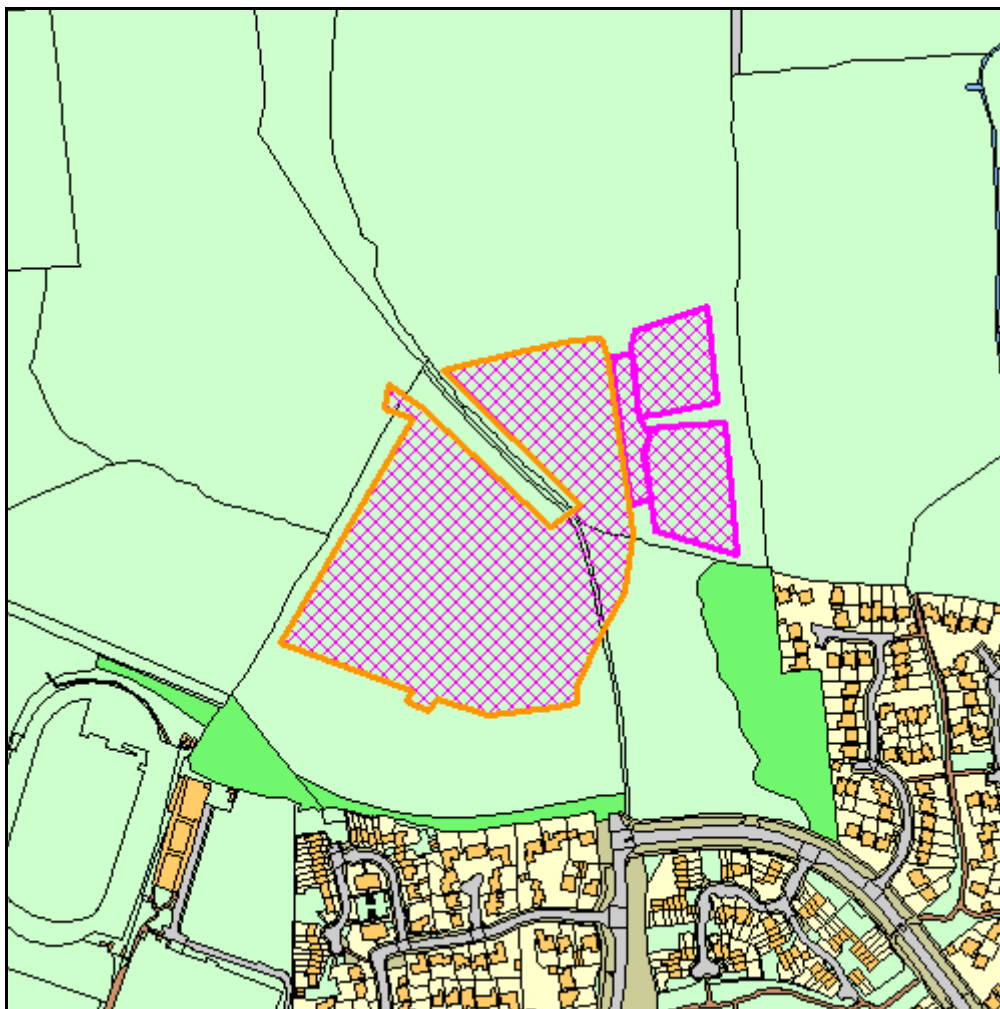
To define the terms and extent of the permission.

Case Officer: James Reynolds

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 08/23 -24th February 2023

App No.:	P22/02306/RM	Applicant:	Barratt Homes Bristol Division
Site:	Parcels PL3, PL14a, PL14b And PL14c North Yate New Neighbourhood Yate South Gloucestershire	Date Reg:	26th April 2022
Proposal:	Erection of 201 no. dwellings and associated works with access, appearance, landscaping, layout and scale to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PK17/4826/RVC formerly PK12/1913/O).	Parish:	Yate Town Council
Map Ref:	370897 184409	Ward:	Yate North
Application Category:	Major	Target Date:	25th July 2022



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P22/02306/RM

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

INTRODUCTION

This application appears on the circulated schedule because objections have been received from Yate Town Council contrary to the officer recommendation.

1.1 THE PROPOSAL

This application seeks reserved matters consent for the erection of 201 no. dwellings with roads, drainage, landscaping and associated works with appearance, layout, scale, and landscaping to be determined. Approval of Reserved Matters to be read in conjunction with outline permission PK12/1913/O as amended by P19/6296/RVC. This outline consent included details of access into the site off Randolph Avenue and Leechpool Way, with provision for access from Peg Hill. The scheme benefits from an approved design code (North Yate New Neighbourhood Design Code Rev D March 2017) and masterplan (Condition 39 Detailed Masterplan 4739-LDA-00-XX-DRL-0013), as well as a number of framework plans approved at outline stage.

1.2 The application site comprises parcels 3, and 14A, B and C in the North Yate New Neighbourhood, as shown on the approved phasing plan. The site is located to the west of the local centre. Parcel 14 is divided into three smaller parcels. It is immediately west of the local centre, bounded to the north by Dowsell Way and intersected by Randolph Avenue. It is located in the Yate Gallops Character Area. Parcel 3 is located to the south west of Parcel 14 and the parcels are separated by a Green Infrastructure Corridor (the line of the underground electricity cables). Parcel 3 is in the Yate Woods Character Area. It is bounded to the south and west by residential parcels under construction and the subject of planning applications. It is bounded to the east by Randolph Avenue and proposed play area and allotments beyond.

1.3 Of the 201 dwellings proposed 81 are within Parcel 14 and 120 in Parcel 3. The units consist of a mixture 2, 3 and 4 bedroom houses of 2 to 3 storeys in height and 1 and 2 bedroom flats in three storey blocks. Of the 201 dwellings, 74 would be for affordable housing. A statement of compliance has been submitted in support of this application to set out how it complies with the approved parameter plans and Design Code.

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

- The house types and layout in parcels 14 A, B and C were amended to provide a higher density and stronger frontages to Dowsell Way and Randolph Avenue.
- Parking Courts were improved through use of block paving, additional planting and introduction of pergolas.
- Tertiary Streets were improved by making them shorter with more deflection and use of block paving.
- Balcony sizes were increased

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework July 2021

National Planning Practice Guidance

National Design Guide

2.2 Development Plans

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

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

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS2 Green Infrastructure

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS16 Housing Density

CS17 Housing Diversity

CS18 Affordable Housing

CS30 Yate and Chipping Sodbury

CS31 North Yate New Neighbourhood

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP3 Trees and Woodland

PSP6 Onsite Renewable and Low Carbon Energy

PSP8 Residential Amenity

PSP10 Active Travel Routes

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP17 Heritage Assets and the Historic Environment

PSP19 Wider Biodiversity

PSP20 Flood Risk, Surface Water and Watercourse Management

PSP21 Environmental Pollution and Impacts

PSP37 Internal Space and Accessibility Standards for Affordable Dwellings

PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD (adopted)
Waste Collection: Guidance for New Developers SPD (adopted)
Extra Care and Affordable Housing SPD (adopted)
Trees and Development Sites SPD

Emerging planning policy (New Local Plan)

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

3. **RELEVANT PLANNING HISTORY**

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

implemented and is operational. Construction use and residential use are deemed operational". Approved on 13th September 2019.

- 3.8 PK17/4260/RM, Laying out of landscape and infrastructure (Phase 0) including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping. (Approval of reserved matters including appearance, landscaping, layout and scale to be read in conjunction with Outline Planning Permission PK12/1913/O superseded by PK16/2449/RVC). Approved on 21st May 2018.
- 3.9 PK18/1656/RM, Approval of remaining site wide infrastructure including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping in relation to Phase 0 (Reserved Matters application to be read in conjunction with outline planning permission PK12/1913/O) amended by PK17/4826/RVC in regards to landscaping, appearance, layout and scale). Permitted 5th December 2018.
- 3.10 P21/02991/NMA, Non material amendment to P19/6296/RVC to change the description of development as stated in outline planning permission reference PK12/1913/O and subsumed into outline planning permissions reference PK15/5230/RVC, PK16/2449/RVC, PK17/4826/RVC and P19/6296/RVC to Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), residential care home or extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Permitted 02nd July 2021.
- 3.11 Reserved matters applications for neighbouring residential parcels including PK18/1723/RM to the north of Dowsell Way, P21/02473/RM to the northwest and west of the application site and P22/04365/RM to the south of the application site and currently under consideration.
- 3.12 PRE21/0857 for the erection of 188 dwellings and associated roads, drainage, garages and parking.

4. **CONSULTATION RESPONSES**

4.1 Yate Town Council

Object on the following summarised grounds:

- All adopted roads should have pavements
- Tracking for refuse vehicles doesn't take account of larger vehicles
- Parking layouts not acceptable and insufficient visitor parking
- Insufficient parking for two bed flats
- Neighbouring trees to be protected
- Parking bays reversing onto a corner
- Design and layout of cycle routes

4.2 National Grid –

No national grid assets affected.

4.3 Street Lighting –

South Glo's were the appointed designers for the proposed road lighting. Therefore, the proposed road lighting is considered to be satisfactory from the Council's Street Lighting Team's perspective. The Street lighting design was amended following input from the council's ecologist.

4.4 Public Open Space Officer –

First response - Noted that the area of Public Open Space between Parcel 14 A and 3 was included in the RM to rationalise the footpath connection and sought further information.

Raised concerns about discrepancies between different plans but in particular the areas to be adopted and the areas to be managed by management company.

Raised concerns about Street Trees and Tree Pit details and how they relate to areas of adoption.

Second response – Most of the issues raised previously have not been addressed and further discrepancies highlighted in relation to the revised layout.

Third response – Some issues resolved but clarification sought on whether some areas were Public open space or private. Issues with tree pits still unresolved and surfacing details of the path to the south of Parcel 14 A. Information on path linking Parcel 3 and Parcel 14 A still not provided. Street lighting now provided and highlighted that it should all be positioned on the public highway.

Fourth response – Issues still outstanding including drainage easements and relationship to trees, surface of path, path through POS details and tree pit details.

4.5 Landscape Officer –

First response – Highlighted issues with parking court, bin and cycle store access and opportunities for more surveillance and landscaping in Parcel 14 A. Suggested improvements to parking layout in 14 B to increase landscaping. Suggested changes to layout to improve private amenity space for future occupants in 14 C. In Parcel 3 concerns raised about access to bin and cycle stores, and the consistency of landscape and boundary treatment between affordable and market dwellings. Recommended removal of garages to create larger more usable gardens for properties on the southern edge of the site. Requested more trees and highlighted opportunities for more large scale native tree species. Requested tree pit details and bigger buildouts on shared surface streets. Specific comments also made on detailed landscape plans.

Second response – Noted improvement to street hierarchy but dominance of parking to the revised layout in 14A. Noted positive elements of 14 B in providing strong verge to cycle path and straightforward parking layout. Relationship to cycle path poorer in the layout for 14C and concerns with parking layout generally.

No changes to Parcel 3 for this consultation.

Third response – Lighting plan now provided and opportunities to move lighting columns to allow for planting highlighted. Areas where lighting may conflict with ecological corridors also highlighted. Additional planting and amended species requested. Tree pit details requested. Pergola details and planting requested.

Fourth response – The majority of requested changes have been made but details still required of pergolas and planting and other planting opportunities missed. Details of locations of hedgehog gaps and bird and bat boxes should also be provided.

4.6 Urban Design –

First response – Sought confirmation that density was in line with the Design Code. Advised that parcel 3 was broadly acceptable but highlighted specific issues in relation to parking, parking courts, trees, materials, efficient use of space.

Advised that greater concerns relating to Parcels 14a, b and c which lacked a clear design approach and that the wrong Character Area style applied to building materials. Numerous issues raised regarding layout, appearance, scale and landscaping of the three smaller parcels.

Second response – Following meetings and draft sketch layouts submitted by the applicant broad agreement was reached on building heights and the layout of Parcels 14a, b and c. Subsequent comments focused on the detailed design such as use of materials, balcony sizes, boundary treatment, improving parking courts, relationships between public and private space and suggested conditions.

4.7 Affordable Housing Officer –

No objection subject to the following changes:

- The applicant confirming the Wheelchair units will meet the South Gloucestershire Council Wheelchair Specification.
- The applicant providing an amended Affordable Housing Masterplan schedule demonstrating that this revised proposal and the remaining RM's that are pending consideration, will comply with the obligations of the S106 Affordable Housing Schedule 10 with regard to the correct percentages of Tenure and Tenure / Type.
- The applicant reconsidering the front door / worktop return configuration in the 4 bed wheelchair unit
- The applicant confirming the wheelchair parking at plots 104 will meet the required specification and how they see the shared strip working
- The applicant confirming that the Affordable Dwellings will meet Part M of the Building Regulations accessibility standard M4(2) with the exception of any self-contained accommodation built above ground floor level and any wheelchair units
- The applicant reconsidering flat blocks B, C and F to meet the requirements that no more there should be no more than 6 flats with a shared access.

4.8 Climate Change Officer –

Encourage applicant to review specification and improve energy efficiency

Disappointed by the specification of gas boilers and encourage applicants to review their heating and hot water strategy

Disappointed that no PV proposed

Overheating should be considered

EV charging should be included in energy strategy

4.9 Transportation Officer –

No objection subject to clarification of a couple of points

4.10 Drainage Officer –

No objection

4.11 Public Art -

No objection

4.12 Public Rights of Way Officer –

This proposal affects footpath LYA/53 and LYA/55. There are live Public Path Diversion orders in respect of both paths LYA/53P and LYA/55/10P as shown below, wherein LYA/55 is proposed to be a bridleway.

There is no objection to the proposal but the existing and proposed public rights of way should be shown on the proposed layout plans to fully inform the proposal. Provision of these would enable a better understanding of the relationship between the public rights of way (existing Public footpaths and the proposed diversions/bridleway) and any other internal paths and pathways and other elements of the development.

4.13 Archaeological Officer -

The archaeological work required as part of the outline application has been completed. A small number of archaeological features were identified but these have been interpreted and further work is not necessary. No further archaeological work is required for this RM.

4.14 Crime Prevention Design Advisor –

Generally the application complies with the CPTED principles and follows appropriate advice. Identified a risk where parking is located between buildings.

4.15 Tree Officer –

No objection subject to conditions

Other Representations

4.16 Local Residents –

No neighbour representations received in respect of this application.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

5.1.1 North Yate New Neighbourhood is a major development site allocated by policy CS31 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 for a major mixed use development of up to 3000 dwellings. Outline consent was granted on 17th July 2015 for a mixed use development across 100.76 hectares of land comprising up to 2450 new dwellings, including 4.63 hectares of employment land, a local centre, two primary schools and supporting infrastructure. This approval covers a substantial area of the NYNN allocation. A masterplan and design code for the North Yate New Neighbourhood were subsequently approved by the Local Planning Authority on 20th January 2017 and 12th May 2017 respectively. The principle of the development is therefore, acceptable.

5.2 Environmental Impact Assessment

5.2.2 This Reserved Matters application is considered an EIA application as it is a subsequent application in respect of EIA development. It is considered that the proposal is within the scope of the original Environmental Statement and consideration of the reserved matters below sets out how the scheme complies with

the principles and parameters secured in the outline permission to avoid and mitigate significant environmental impacts. There are considered to be no new significant effects.

5.3 Layout, landscaping, scale and appearance.

- 5.3.1 The approved Masterplan and Design Code set out a number of Framework Plans and the proposed form of development is largely consistent with these and deviations justified as set out in this report.
- 5.3.2 Residential use is specified for these parcels in the Land Use Framework. The Building Heights Framework suggests building heights of two to three storeys – up to 12m for the parcels. The proposed building heights are within this range. The Urban Structure Framework requires a continuous frontage to the primary routes and accent buildings at key corners of the parcels, semi continuous to the remainder of the edges with a looser knit edge specified for the north eastern edge of Parcel 3. This has broadly been complied with but is particularly challenging to achieve on the smaller Parcels of 14B and C taking into account parking requirements and the specific affordable house sizes required. As such strong closed frontages were provided to the primary routes frontages to create the higher density character expected in this area. However, this could not be achieved to all road frontages due to the constraints of the site.
- 5.3.3 The Access and Movement Framework is also relevant to the individual parcel layouts within this RM application and the parcel layouts provide pedestrian and vehicular routes through the site. The proposal responds to the infrastructure approved under separate RMs which in turn responded to the Green Infrastructure Framework, Blue Infrastructure Network and the Access and Movement Framework approved under separate infrastructure RM approvals. A Green Infrastructure Corridor and route of the undergrounded electricity gables separate Parcel 14A, from Parcel 3. Revisions were made during the course of the application so that the scheme would respond better to the approved parameters. Overall, it is considered that the identified deviations from the approved parameters plans are justified and limited and on the whole the development as proposed would deliver the higher density envisaged for Parcel 14 and mid range density for Parcel 3.
- 5.3.4 The approved Design Code expands on the principles secured in the parameters plan to provide more detailed guidance on the type of development for each location. Each character area contains specific codes and guidance to ensure that a distinct character emerges through the adherence to simple rules. A Code Reference Plan provided for each character area stipulates which codes must be used when designing at the RM stage. The site forms part of both the Yate Gallops and Yate Woods Character Areas. Yate Gallops is intended to demonstrate a tight, highly organised urban form with formal characteristics apparent in the regular layout pattern, with shorter straight streets running from east to west. In contrast Yate Woods is intended to be shaped and strongly influenced by the original hedgerow and tree corridors extending through the development with a more informal layout. Both Character Areas seek tree planting and soft landscaping within the parcels. The parcels surrounding the application site to the north, east and west have approved Reserved Matters and have either been implemented or are under construction and this evolving character provides a further point of reference.

- 5.3.5 The Urban Edge Codes specify the setback, the plot rhythm and the plot width that serve to create the character envisaged in the parameters plans such as the Urban Structure Framework and Density Framework. The Design Code for Yate Gallops specifies U6G (2.5 Storey Terrace), U7G (3 Storey Terrace) and U8G (3 storey apartments) for Parcel 14. The house types proposed in Parcel 14 deviate from the code in a number of ways. Three storey apartments are proposed instead of 3 storey terraced housing along the northern boundary. It is considered that three storey apartments provide the closed building line and high density development required for this central part of the New Neighbourhood. The properties fronting Randolph Avenue are again indicated as 3 storey terraced with an option to reduce to 2.5 as the development moves south. Three storey semi detached housing is proposed on the western side of the road allowing for parking between buildings and relieving pressure on the parking court to the rear. Two storey semi detached housing is proposed on the eastern side of the road with some gables fronting the street to increase its street presence. Two storey two bed housing is the predominant type of affordable housing required and it is considered that the applicants has successfully integrated it into the proposal. On Randolph Avenue the affordable housing and market housing are indistinguishable and the Affordable and Market block designs are determined by their position on site rather than tenure. The remainder of the housing in parcel 14 provides for an acceptable layout, providing parking, amenity space and green edges to create an attractive living environment. Parking courts are used on all three of the smaller parcels in Parcel 14 to assist in the creation of the strong edges to the parcels. The parking courts have been designed to be overlooked and provide an attractive public realm with high quality hard and soft landscaping and tree planting. Pergolas are proposed in two parking courts to break up the mass of parking and increase landscaping. The design of apartment buildings has been amended to provide some larger openings facing onto parking courts to increase overlooking.
- 5.3.6 The Design Code for Yate Woods specifies a range of housing for Parcel 3. Apartments are positioned at key junctions as recommended by the Code, the northern and western edges are consistent with the Code. The southern edge specifies terraced housing but semi detached housing is proposed again. However, this isn't considered to be a significant deviation from the Code and is consistent with other accepted deviations. The tertiary street design includes tree planting, deflections and block paving. Tree planting is proposed between frontage parking spaces and in the two squares, approval full details to ensure sound, high quality construction and development are controlled by use of condition and in this way concerns raised by some consultees can be addressed.
- 5.3.7 The Boundary Codes specify the type, material and variation of boundary treatment along urban edges to create a consistent character. The specified boundary treatment is consistent with the code and neighbouring approved parcels.
- 5.3.8 The Green Edge Codes specify street/footway dimensions, materials and landscape where development meets a green edge. The development layout and design of streets and paths at the urban edge are consistent with the guidance.

- 5.3.9 The Primary and Secondary Street Codes have been considered under a separate infrastructure Reserved Matters application. The Tertiary Street Guidance has been complied with to the satisfaction of officers following some revisions to improve the quality in terms of appearance and safety. This is discussed further in relation to highway safety.
- 5.3.10 The Green Infrastructure Areas separating the parcels the subject of this application have also been considered under a separate infrastructure Reserved Matters application and the submitted layout has demonstrated that it fits comfortably with the approved infrastructure. A section of the Green Infrastructure Corridor has been included within this RM to allow for adjustments to the paths connecting 14A and 3 and align them with the layout.
- 5.3.11 The Design Code also specifies some architectural detailing and a materials palette. The proposed house types and materials are in keeping with the Design Code and previously approved parcels relevant to the Character Area. The apartments also follow this guidance providing true balconies as required. Design changes have also been made to some of the apartment blocks during the application to improve their appearance and the amenity of occupants.
- 5.3.12 In addition to complying with the principle and parameters secured in the outline consent the proposal must also comply with the relevant policies contained within the Development Plan.
- 5.3.13 Core Strategy Policy CS1 seeks to ensure that new development is of the highest possible standard of design and is inter alia of an appropriate scale, form, appearance and layout that respects and enhances the character, distinctiveness and amenity of both the site and its context. Policies Sites and Places Plan PSP 2 requires landscape design to be of a high standard. It is considered that by responding to the parameter plans and Design Code that the layout, scale and appearance of the proposed development complies with Policy CS1 and PSP2
- 5.3.14 The Reserved Matters have also adequately responded to other requirements such as conditions on the outline consent, housing requirements, highway safety, parking standards, private amenity space standards, back to back distances, tree protection, ecology, public rights of way, energy efficiency, designing out crime and waste collection having regard to The South Gloucestershire Residential Parking Standards SPD (adopted), the Waste Collection: Guidance for New Developers SPD (adopted), Extra Care and Affordable Housing SPD (adopted), Trees and Development Sites SPD and these are discussed in more detail later in the report. Overall, it is considered that the layout, landscaping, scale and appearance of the development are acceptable.

5.4 Other Matters

- 5.4.1 Residential Amenity - PSP8 requires development to provide acceptable living conditions for future occupants and not result in unacceptable harm to the amenities of existing residents. PSP21 relates to Environmental Pollution and Impacts and PSP43 provides Private Amenity Standards. There is also guidance on separation distances. There are no neighbouring uses that are incompatible with residential use or require

specific design measures to safeguard amenity. The layout also respects the amenities of existing nearby residential occupants and maintains an acceptable distance from these. It is considered that the development will provide a satisfactory level of amenity for future residents in accordance with the above policies.

- 5.4.2 Affordable Housing - The proposal is for 201 dwellings of which 74 dwellings would be for affordable housing. A site wide affordable housing schedule has been agreed with the Council's Enabling Officer as required by condition 5 on the outline consent to ensure a sufficient quantum, mix and distribution of affordable homes throughout the parcels at the NYNN. The proposal complies with the agreed schedule and there are no clusters exceeding the recommended number of units as set out in the Extra Care and Affordable Housing SPD. Therefore, it is considered that the placement of the units achieves mixed and balanced communities across the development as a whole and does not represent an unacceptable cluster that would warrant refusal of the application. The ground floor flats on the blocks of 9 flats have separate access so the shared access does not exceed 6.
- 5.4.3 Public Rights of Way - There are live Public Path Diversion orders in respect of both paths LYA/53P and LYA/55/10P. LYA/55 is proposed to broadly follow the path of the undergrounded powerlines and LYA 53 the footpath on the western side of Randolph Avenue. The proposed layout does not conflict with the proposed routes of the Public Rights of Way.
- 5.4.4 Security- The design complies with the crime prevention through environmental design principles and therefore, accords with policy CS1 in the Council's Core Strategy.
- 5.4.5 Sustainability - The aspirations and requirements of the development in relation to sustainability have already been agreed by virtue of the approval of the outline permission (granted on 17th July 2015), and reserved matters are required to be determined in the context of the conditions attached to the outline permission. Condition 40 on the outline permission requires an energy statement to be submitted to set out how passive solar gains and cooling of buildings and natural ventilation will be maximised, insulation measures to reduce energy demand, and a calculation of energy demand. The wording and requirements of condition 40 reflect the policy requirements of policy CS1 of the South Gloucestershire Core Strategy (2013), and focuses on passive solar gains and insulation measures to reduce energy demand; there is no requirement for any renewable/low carbon technology in this case. The condition pre-dates PSP6 in the Policies Sites and Places Plan Adopted November 2017, which imposes a more stringent energy saving requirement of 20% via renewable/low carbon energy generation sources on major greenfield residential development. The energy statement submitted focuses on a fabric first approach which prioritises improvements to the fabric of dwellings to avoid unnecessary energy demand and consequent CO2 reduction. Applicants have been encouraged to improve energy efficiency and include air source heat pumps rather than boilers but officers do not have the scope to insist on these improvements in this RM application, nor do building regulations currently require such measures.
- 5.4.6 Transportation- The tertiary streets have been purposely designed for shared surface use with no segregation between pedestrians and vehicles. The comments from Yate Town Council state a preference for segregated streets but the shared use approach has been accepted in principle by virtue of the NYNN design code and it is an

approach that seeks to slow vehicular speeds, making streets safer and more pedestrian friendly. Officers have negotiated improvements to the design of the shared surface streets in this parcel. The streets are almost fully block paved and will have buildouts to reduce vehicular speeds. The various proposed traffic calming measures which include, transition strips located at the entrances to the streets, block paving, the narrow width of the streets, and the absence of any pavements, will indicate to motorists the change in nature of the streets to a shared surface and encourage reduced speeds. The Highway Authority has raised no objections to the proposed layout, nor to the level of allocated parking and visitor parking proposed in the scheme following an increased provision of visitor parking. Therefore, the proposal is considered to be acceptable in this regard and complies with Policy PSP16. The tracking plans submitted show that refuse vehicles and delivery vehicles could manoeuvre safely within the parcels, and the Council's Transportation Officer has raised no objection on this basis. The highway design of the scheme and tracking will be considered again at the S.38 highway adoption stage. An informative note is attached to encourage the developer to make future residents aware of the 20mph speed limit and for this speed restriction to be implemented as soon as practically possible. Accordingly, the design of the road is such that it is not considered that there would be any adverse highway safety issues and the Highway Authority have raised no objections on this basis. Parking has been provided in accordance with the council's adopted parking standards. The comments from Yate Town Council in respect of parking provision are noted but it is also noted Policy PSP 16 encourages the provision of 1 space for 2 bed flats. Other specific issues have been resolved through changes to the layout.

- 5.4.7 Heritage Impacts - The site is surrounded by existing and proposed built development. The closest heritage assets to the site are the grade II listed Tanhouse Farm and the Grade II Leechpool Farmhouse both located to the north of the wider NYNN application over 600m from the site and Goosegreen Farm approximately 500m to the south of the site. The principle of residential development in this location has already been accepted in heritage terms by virtue of the approved outline consent. Given the level of separation, the compliance with the parameter plans, as well as intervening development, it is considered that there would not be a harmful effect on the setting of the listed buildings resulting from this reserved matters application. It is considered the layout, scale, appearance and landscaping of the site would not result in harm to the setting of the listed buildings.
- 5.4.8 Drainage - The Council's Drainage Officer has raised no objections to the proposal. The Drainage Officer is satisfied that the information submitted demonstrates compliance with the wider Surface Water Drainage Masterplan/Strategy.
- 5.4.9 Waste Collection and Storage – No objection is raised to the waste collection strategy which is in accordance with the guidance in the Waste Collection – Guidance for New Developers SPD and tracking has demonstrated that the layout can accommodate the council's refuse collection vehicles.
- 5.4.10 Ecology - A number of ecological strategies were secured as part of the discharge of conditions on the outline consent. This included a Landscape and Ecological Management Plan, and wildlife mitigation strategies. These strategies were required to help mitigate the impact on, as well as measures to enhance wildlife. An informative note is attached to notify the developer of the requirement to accord with the relevant

conditions on the outline permission including the wildlife strategies. Most of the streets within the parcels will be adopted and therefore, will be required to have street lighting and details of this have been provided as part of the application. The Council's ecologist has reviewed the street lighting and made recommendations to minimise light spill to ecological corridors. The street lighting has been revised to reduce light spill to ecologically sensitive areas.

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

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

CONDITIONS

1. No development shall commence on site until the trees which are to be retained on site and on adjacent land, have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): Trees in Relation to Design, Demolition and Construction -Recommendations in accordance with the approved Tree Protection Plan and Arboricultural Method Statement BBS23723ams Rev C . After it has been erected, the protective fencing shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas.

Reason:

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

2. Notwithstanding the details submitted, prior to the commencement of the development on Parcel 3 and 14A, the design of tree pits; the location of the tree pits and root support system; and the extent of the adoptable area shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason:

In the interests of the character and appearance of the area, and to accord with Policy PSP2 of The South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This is a pre commencement condition to avoid any unnecessary remedial work.

3. Prior to the construction of development above Damp Proof Course (DPC) level in Parcels 14A and B, the detailed design including materials and finishes of the pergolas shall be submitted to and approved in writing by the local planning authority. The pergolas shall be erected strictly in accordance with the approved details prior to the occupation of any dwellings in the Parcel they serve.

Reason:

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

4. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, samples of weatherboard cladding shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason:

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

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

Reason:

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

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

Reason:

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

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

The scheme shall be implemented strictly in accordance with the approved details.

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

0642-11-100 Topographical Survey-A0L , received 19th April 2022
0642-11-101 A Location Plan-A1L , received 03rd October 2022
0642-11-102 H Planning Layout-A0L , received 22nd February 2023
0642-11-103 F Street Scenes-A0L, received 08th February 2023
0642-11-103-2 D Street Scenes-A0L, received 08th February 2023
0642-11-104-1 E External Works Layout-A0L , received 08th February 2023
0642-11-104-2 E External Works Layout-A0L , received 08th February 2023
0642-11-104-3 E External Works Layout-A0L , received 08th February 2023
0642-11-105 E Vehicle Tracking Layout-A0L , received 08th February 2023
0642-11-106 D External Detailing-A2L , received 08th February 2023
0642-11-107 E Adoption Plan-A0L , received 08th February 2023
0642-11-108 E Materials Layout-A0L , received 08th February 2023
0642-11-109 C Garages-A1L , received 9th December 2022
0642-11-110 E Building Heights Plan-A0L , received 08th February 2023
0642-11-111 E Refuse Strategy Layout-A0L , received 08th February 2023
0642-11-113 B Bin and Cycle Stores-A1L , received 17 January 2023
0642-11-114 Cycle Storage-A4L, received 25th April 2022
0642-11-115-1 D Wheelchair Units-A1P , received 17 January 2023
0642-11-HTB-ISSUE 4 House-type Booklet received 17 January 2023
0642-11 Parking Matrix- ISSUE 4
SLD-582-001 Rev A, received 9th February 2023
GL1744- Landscape Management Plan - Parcels PL3, PL14A, PL14B, PL14C, received 27th January 2023
GL1744 01F Soft Landscape Proposals, received 08th February 2023
GL1744 02F Soft Landscape Proposals, received 08th February 2023
GL1744 03F Soft Landscape Proposals, received 08th February 2023
468-PH6-002 Existing Levels Rev G , received 08th February 2023
468-PH6-050-01 Engineering for Planning Rev I, received 08th February 2023
468-PH6-050-02 Engineering for Planning Rev I , received 08th February 2023
468-PH6-050-03 Engineering for Planning Rev I , received 08th February 2023
468-PH6-050-04 Engineering for Planning Rev I , received 08th February 2023
468-PH6-050-05 Engineering for Planning Rev I, received 08th February 2023
468-PH6-075 Drainage Strategy for Planning Rev I, received 08th February 2023
468-PH6-200-01 Road and Sewer Long Sections Rev A , received 19th April 2022
468-PH6-200-02 Road and Sewer Long Sections Rev A , received 19th April 2022
468-PH6-200-03 Road and Sewer Long Sections Rev A , received 19th April 2022
468-PH6-210 Path Long and Cross Sections , received 08th February 2023
468-PH6-505-Impermeable Area Plan Rev H, received 08th February 2023
468-PH6-510-Flood Exceedance Routing Rev G, received 08th February 2023
468-PH6-network 1 Micro Drainage Calculations
468-PH6-network 2 Micro Drainage Calculations
BBS21595-01E Sheet 8 of 15 - Tree Survey Plan, received 19th April 2022
BBS21595-01E Sheet 9 of 15 - Tree Survey Plan, received 19th April 2022
BBS21595-01E Sheet 11 of 15 - Tree Survey Plan, received 19th April 2022

BBS21595-01E Sheet 12 of 15 - Tree Survey Plan, received 19th April 2022
BBS21595-01E Sheet 13 of 15 - Tree Survey Plan, received 19th April 2022
BBS21596ssE Tree Survey Schedule, received 19th April 2022
BBS23723-03C Tree Protection Plan - SHEET 1 OF 2 , received 09th December 2022
BBS23723-03C Tree Protection Plan - SHEET 2 OF 2, received 09th December 2022
BBS23723amsC - Arboricultural Method Statement
SLD-582-001-A Street lighting Design
H7724_North Yate Ph6 Bat & Swift Box Layout

Reason

For the avoidance of doubt.

Case Officer: Eileen Medlin

Authorising Officer: Lee Burman

CIRCULATED SCHEDULE NO. 08/23 -24th February 2023

App No.:	P22/02485/HH	Applicant:	Mr Sacha Tong
Site:	18 Springfield Road Mangotsfield South Gloucestershire BS16 9BG	Date Reg:	29th April 2022
Proposal:	Erection of a first floor rear/side extension, single storey rear/side extension to form additional living accommodation and installation of rear dormer (Resubmission of P20/12922/F) (Part Retrospective).	Parish:	Emersons Green Town Council
Map Ref:	366235 177169	Ward:	Emersons Green
Application Category:	Householder	Target Date:	23rd June 2022



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N.T.S.

P22/02485/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 5no. objections from local residents contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a first floor rear/side extension, single storey rear/side extension to form additional living accommodation and installation of rear dormer (Resubmission of P20/12922/F) (Part Retrospective).
- 1.2 The application site can be found at No.18 Springfield Road, located within the established built-up residential area of Mangotsfield, and is set within a large sized plot. The dominant feature within the site is a two-storey semi-detached dwellinghouse.
- 1.3 It is of importance to note that the works approved under application ref. P20/12922/F have commenced hence the description of development of the current application has been amended to state 'part retrospective'. However, as raised in the documents submitted in support of this application, when the build reached eaves level the applicant deviated from the proposed plans and the current application was submitted in hope of gaining approval of the amended scheme.
- 1.4 The resubmission comprises the following changes:
 - Installation of hipped roof to first-floor side extension with rear facing gable-end and increased ridgeline
 - Reconfiguration of fenestration arrangement
 - Installation of rear/side box dormer
 - Overhang to single-storey rear/side extension
- 1.5 Since the application was initially submitted and consultations were received, revised drawings have been accepted by the local authority. The amended plans are limited to further reconfiguration of the extensions fenestration arrangement to reflect what has actually been built, as such in this instance it was not considered necessary to carry out a re-consultation.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

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

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted August 2007)

Residential Parking Standards (Adopted December 2013)

Householder Design Guide (Adopted March 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 **P20/12922/F**. Erection of first and second floor side extension, two storey side/rear extension and single storey side/rear extension to form additional living accommodation. Installation of rear dormer. **Approve with Conditions.** 08/01/2021.
- 3.2 **PK08/1297/F**. Erection of single storey side extension to form kitchen, utility and garage. Erection of rear conservatory. **Approve with Conditions.** 20/06/2008.

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
No objection.

- 4.2 Sustainable Transport – Transportation DC
Our records show that we have previously commented on a planning application to construct an extension to 18 Springfield Road, Mangotsfield (ref P20/12922/F) and that it has not so far been progressed. Hence, we understand that the current application is broadly a resubmission of the previous version and remains the same in highways and transportation terms. Therefore, as we have already accepted that this proposal creates no severe or unacceptable in highways and transportation issues and we did not object to the previous application, we would not wish to object to the current version either.

However, with the passage of time we would request that the applicant provide electric vehicle charging facilities in accordance with the Councils emerging

policy. To ensure this takes place, we would recommend that appropriate condition is imposed on any planning permission granted for this development.

4.3 Local Residents

5no. comments have been received from local residents objecting to the proposed development. The following points have been raised.

- Building works were carried out and completed with considerable deviation to the plans approved under P20/12911/F
- The applicant has not taken any steps to rectify the damage he caused to his neighbours fences over a year ago (*Officer note: This is a matter between the parties and is not a material planning consideration*)
- Encroachment on my privacy
- Far larger than I was led to believe on the original plans
- The present application refers to the erection of first floor side extension, single storey rear/side extension. This is not reflected in the proposed elevations, the proposed elevations show first and second storey side extensions and two storey side extension. Can you please clarify which it is to be single storey or two storey and the plans adjusted if necessary.
- The application form asks if the work has already been started, the selection made in 'no', this is clearly not the case
- The design contravenes the South Gloucestershire Local Plan and the work undertaken fails to adhere to the standards demanded by the South Gloucestershire Council Householder Design Guide SPD adopted in March 2021
- The Design and Assess Statement is untrue as the building currently has the two-storey extension and rear extensions and should be amended accordingly to reflect the desired changes
- The existing drawings are not representative of what is currently built, these illustrate the building pre P20/12922/F
- I am not able to make a judgment on a proposal of existing elevations/plans that no longer exist and the drawings should reflect the "as built" dwelling. Why is this not the case?
- As the single-storey extensions have already been built, the outbuilding as illustrated on this current document no longer exists, therefore making this document untrue.
- There are two different proposed elevation documents, until I know which elevation is true I cannot make a comment
- Neither of the elevations represent the current 'as built' windows or overhang
- Does not reflect or respect the design and scale of the original building and has no regard to the characteristics of its locality
- Not visually subservient to the host building
- No 'setting down' of the side extension
- Rear box dormer has a prominent visual impact and is inappropriate in scale and form and appears like a second floor flat roofed extension
- Significantly overbearing and has a dominating impact on our property
- The physical presence; its scale and mass gives an oppressive and intrusive feeling

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The application site is situated within the east fringe of Bristol's urban area and is currently utilised as a C3 dwellinghouse. The proposed development would extend the area of living accommodation within the property, at the expense of existing rear conservatory, section of rear garden and by building above existing single storey rear/side mass.

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

5.2 **Design and Visual Amenity**

Policy CS1 of the Core Strategy and policy PSP38 of Policies, Sites and Places Plans seeks 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 application site and its context.

5.3 ***First-floor extension***

The application property benefits from a single-storey side and rear mass. The first floor extension for the most part will be built directly above this structure and have a side hipped roof with rear facing gable-end. The extension would be set-back from the properties principle building line and down from the ridgeline. A section of mono-pitched roof would connect the new addition to the front of the existing single-storey massing.

5.4 ***Single-storey side/rear extension***

The proposed single-storey extension would project a maximum of (approx.) 5.8 metres from the properties original rear building line with an additional overhang of around 0.6 metres and span the width of the dwelling. The extension would feature a flat roof, which would rise to a height of around 3.2 metres.

5.5 ***Rear dormer***

Installation of a dormer also forms part of the proposed works. The proposed dormer would be located on the properties rear roof plane and continue to extend in an 'L' shape to the side (east) roof plane of the proposed rear projecting gable-end. The dormer would have a flat roof and is considered of classic 'box' design.

5.6 Numerous openings would be incorporated within the scheme to the extensions front and rear elevations, including 1no. set of bi-fold doors to the rear elevation, permitting access to the garden. The entire property would be redecorated to be externally finished in render with tiled roof to match the host dwelling. All new doors and windows would be set in uPVC casements.

- 5.7 Combined, the proposed development would facilitate with the properties remodelling and refurbishment, creating a home that is larger with elements of open plan living and an increased connection to the outside.
- 5.8 It is acknowledged that a relatively expansive amount of works is proposed as part of this scheme, quite significantly increasing the overall volume of the application property. However, it is important to consider the context of the case. The dwelling although semi-detached within a suburban area, sits within a generous size plot which can comfortably accommodate such extensions without appearing unreasonably cramped or overdeveloped.
- 5.9 Although collectively the proposed development doesn't appear wholly subservient to the existing property, the first-floor extension has been set-back and set-down from the host dwelling. As such, when viewed within the street scene does not appear out of place or overly dominating.
- 5.10 With reference to the adopted Householder Design Guide, the SPD states that generally, dormers, especially box dormers are not considered appropriate where planning permission is required as they do not represent good design, due to the level of intrusion they create into the existing roof scape. All that being said, every case needs to be determined on merit and so such dormers may be permitted where others are present.
- 5.11 It is of importance to highlight that the property prior to application ref. P20/12922/F benefited from a large side dormer which is assumed to have been built under Permitted Development given the lack of planning history. Furthermore, installation of a rear dormer with gable-end formed part of the 2020 permission. As 3 years have not passed since this grant, a rear dormer could be constructed under the previous approval, therefore this forms a material consideration and holds a degree of planning weight.
- 5.12 By reason of the above, technically what is being proposed is therefore an amendment to the previously approved rear dormer in the form of an enlargement. It is noted that it would not be viable for the enlarged dormer to have a gable-ended roof form such as that which was approved. The dormer would not be visible within the street scene and whilst limited, there are examples of flats roof dormers in the vicinity within viewing distance from the application site. These properties include No.15 and 13 Springfield Avenue.
- 5.13 Following the above assessment, whilst the proposed development as a whole does clearly have some pitfalls, and had the application property not already benefited from an approval for a rear dormer, the council would not have supported the installation of a rear dormer in this location under full planning given the recent adoption of the Householder Design Guide SPD. However, in this very specific instance, on balance given the existing situation, the proposed development would not result in an unreasonable amount of additional harm to the character of the host dwelling or the surrounding area. Therefore, the development is broadly in compliance with policies CS1 and PSP38.

5.14 Residential Amenity

- Policy PSP8 of the Policies, Sites and Places Plan relates specifically to residential amenity in which it states development proposals are acceptable, provided that they do not create unacceptable living conditions or result in unacceptable impacts on the residential amenities of occupiers of the development or of neighbouring properties. These are outlined as follows (but not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.
- 5.15 As is often the case with first-floor extensions, the key issues that may present themselves are overbearing and loss of light with reference to surrounding dwellings. In this instance, due to the siting of the extension, the only potentially affected neighbours of this element of the scheme would be properties No.1 and 2 Springfield Road, whose rear gardens back onto the side (west) boundary of the application site, along with No.17 the adjoining semi. The adopted Householder Design Guide SPD sets out the 'window-to-wall' west, which states that primary room windows facing a blank elevation should have a separation distance of at least 12 metres in order to safeguard sufficient levels of natural light and outlook. The distance between the rear elevations of No.1 and 2 and the side (west) elevation measures (approx.) 15 metres. With regards to No.17, the proposal has been assessed against and satisfies the 45 degree test set out in the SPD.
- 5.16 In addition, due to the separation distances involved, the only potentially affected neighbour of the proposed rear extension would again be adjoining semi No.17 Springfield Road. While the extension would sit tight against the shared boundary, the extension is only single-storey in nature with a flat roof, therefore significantly limiting the overall height.
- 5.17 Turning attention to the proposed rear dormer, although the works would consist of the roof increasing in mass. This would not pose any unreasonable overbearing effect due to the development taking place entirely within the footprint of the host dwelling.
- 5.18 As a result of additional fenestration to the proposed extension, loss of privacy and overlooking must also be assessed. All the openings serving the extensions will be located to the front and rear elevations, as such, no new line of overlooking would be created. Moreover, it is recognised that the proposed enlarged second storey would allow for a greater outlook of the land to the rear of the property, yet as this comprises of the host dwellings extension rear garden, this is not considered to have a harmful impact. The surrounding properties would undoubtedly have greater surveillance of their rear gardens from the additional rear windows, but this is considered to be of no more significance than the surveillance afforded by the existing first floor windows.
- 5.19 The impact on the level of amenity afforded to neighbouring dwellings by virtue of overbearing and loss of light is acceptable. It is accepted that there may be a limited degree of overshadowing and overlooking to No.1, 2 and 17 Springfield Road but not to a sufficient degree to warrant refusal of the application. A condition will be attached to any favourable decision notice stating that no

openings other than those shown on the plans shall be inserted at any time to the side elevations of the property.

- 5.20 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. Although the proposed development will increase the occupancy within the dwelling, as well as build on existing rear garden. The remaining private amenity space will continue to be well in excess of the Council's space standards expected for a 4+ bedroom dwelling (70m²). By reason of the above it is found that the proposed development is in full compliance with policy PSP43.

5.21 Transport (Access and Parking)

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number, with a property of the proposed size (5-bed), expected to provide a minimum of 3no. off-street parking spaces. The submitted plans illustrate that the properties front curtilage holds the capacity to accommodate this amount of vehicles. On this basis, the parking and transportation provision for the application site satisfies policy PSP16.

- 5.22 The comment received from sustainable transport regarding the attachment of a condition stating that the proposal should include the provision of electric vehicle charging facilities, in accordance with the Council's emerging policy, has been acknowledged. However, the condition is disproportionate to the nature of this application.

5.23 Consideration of likely impact on Equalities

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

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 That the application be **APPROVED** subject to 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. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

(Received 28th April 2022)

Existing Elevations
Existing Floor Plans
Existing Second Floor Plan
Previously Approved Elevations
Proposed Block Plan
Proposed Floor Plans
Proposed Loft Floor Plan
Proposed Roof Plan
Site and Block Plan
Site Location Plan
Site Plan

(Received 29th April 2022)

Design and Access Statement

(Received 03rd February 2023)

Proposed Front and Rear Elevations
Proposed Side Elevations

Reason

To define the terms and extent of the permission.

3. No windows other than those shown on the plans hereby approved shall be inserted at any time to the side elevations of the property.

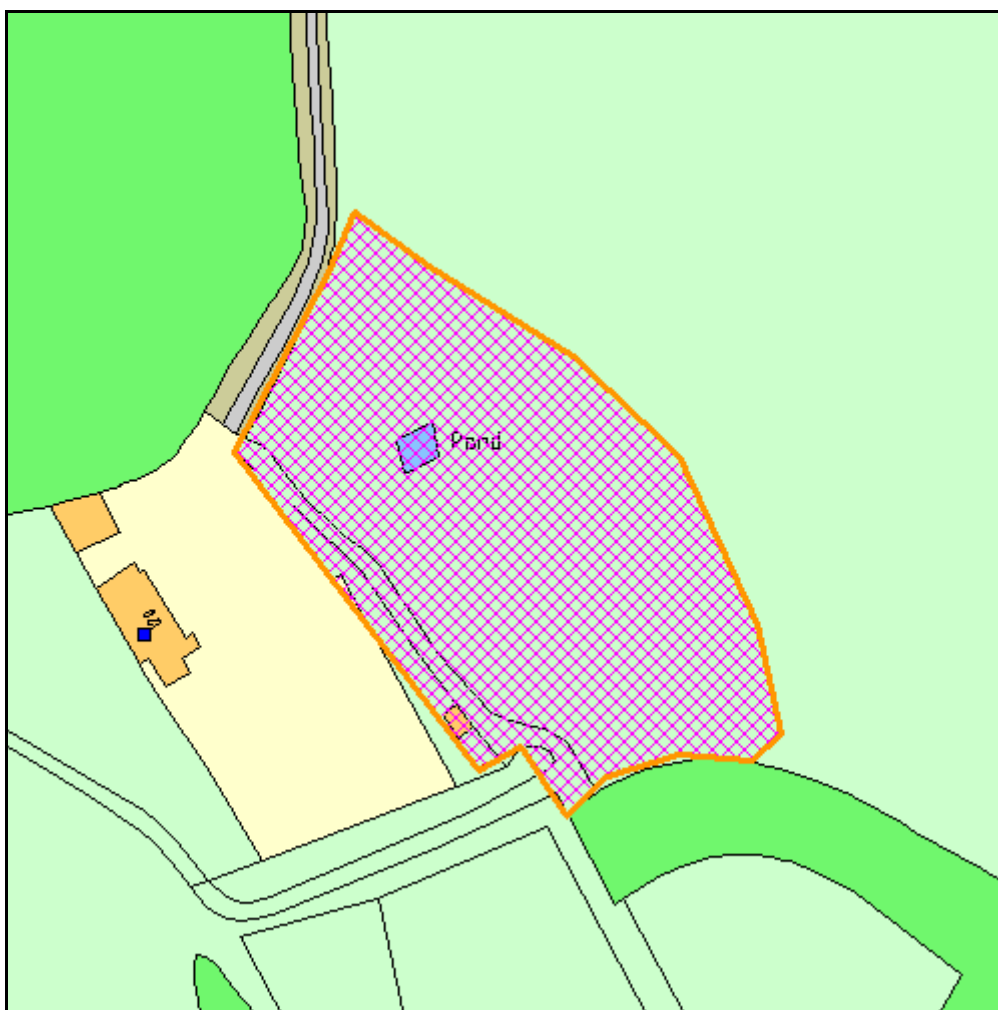
Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy PSP38 of the South Gloucestershire Local Plan: Policies Sites & Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

Case Officer: Chloe Summerill
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 08/23 -24th February 2023

App No.:	P22/05289/F	Applicant:	Mr P Murphy
Site:	The Kendleshire Henfield Road Coalpit Heath South Gloucestershire BS36 2XG	Date Reg:	5th September 2022
Proposal:	Erection of New Grounds Store and Associated Works	Parish:	Westerleigh Parish Council
Map Ref:	367505 179256	Ward:	Frampton Cotterell
Application Category:	Major	Target Date:	6th March 2023



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of new grounds store and associated works.
- 1.2 The application site is land within the Kendleshire Golf Course, located to the North-east of the main club house and carpark. The site is within the Green Belt and open countryside. Public right of way (PROW) LWE/72/20 runs to the South of the site, but does not cross it at any point.
- 1.3 During the application's consideration, further information has been accepted and revised plans sought to address queries from the landscape, ecology and archaeology officer's. A further revised plan was received to reduce the height of the building. No further external re-consultation has taken place, as the nature of the changes are such that nobody would be disadvantaged.

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
CS23	Community Infrastructure and Cultural Activity
CS34	Rural Areas

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

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

PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP28	Rural Economy
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007

Design Checklist SPD (Adopted) August 2007

Landscape Character Assessment SPD (Adopted) November 2014

Trees and Development Sites SPD (Adopted) April 2021

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT02/0103/F (approved 14/03/2002):
Construction of covered driving bays for use in connection with existing golf driving range.
- 3.2 PT02/1444/RVC (refused 15/08/2002):
The installation of external lighting in accordance with Condition 5 attached to Planning Permission PT02/0103/F dated 18 March 2002.
- 3.3 P96/1651 (approved 03/07/1996):
Variation of condition 09 attached to planning permission P92/2329 dated 24 February 1993 to allow importation of landfill material between 4 July 1996 and 3 September 1996.
- 3.4 P92/1066 (approved 15/07/1992):
Earth moving and importation of landfill material to facilitate construction of 18 hole golf course. Erection of ancillary club house, construction of vehicular access, driveway and parking areas (in accordance with submitted drawings as amended by drawings received by the council on 27TH May 1992 and letter dated 5TH June 1992 from applicants agent received by the council on 9TH June 1992) (to be read in conjunction with P90/2491)
- 3.5 P92/2329 (approved 10/02/1993):
Earth moving & importation of landfill material to facilitate construction of 18 hole golf course. Erection of ancillary club house. Construction of vehicular access, driveway and parking areas (in accordance with submitted drawing as amended by drawing received by the council on 27/5/92 & letter dated 5/6/92 from the applicant's agent received by the council on 9/6/92) without compliance with condition 08 attached to approval of details of development (P92/1066 dated
- 3.6 P91/1252 (refused 11/04/1991):
Construction of 18 hole golf course and driving range on approximately 132 acres and provision of associated club house, car park, access road and highway improvements

- 3.7 P89/2032 (refused 05/06/1990):
Construction of 18 hole golf course and driving range with associated club house, car park, access road, and highway improvements on 132 acres of agricultural land (outline)

Other relevant history (relating to sites outside the application red line)

- 3.8 PT12/2706/F (Kendleshire Farm) (approved 20/09/2012):
Change of use of redundant farm buildings 'B' and 'C' for the storage of machinery, materials and other supplies and the use of slurry pit 2 for parking and slurry pit 1 for outside storage in connection with the operation and maintenance of Kendleshire golf course (Use Class Sui Generis).
- 3.9 P21/05739/F (Buildings at Henfield Farm) (approved 11/03/2022):
Demolition of existing commercial buildings. Erection of 5 No. detached dwellings with associated works.

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No objection.

- 4.2 Transport
No objection.

- 4.3 Highway Structures
No comments have been received.

- 4.4 Drainage (LLFA)
No objection.

- 4.5 Landscape Officer
Initial comments: further information required.
Updated comments: no objection. conditions required.

- 4.6 Ecology Officer
Initial comments: further information is required.
Updated comments: no objection subject to conditions.

- 4.7 Environmental Protection
Conditions required.

- 4.8 Archaeology Officer
Initial comments: further information needed or refusal recommended.

Updated comments: agree with the findings of the DBA. A HC11 condition is required.

4.9 Fire Service

No comments have been received.

4.10 Police

No objection.

4.11 Arts and Development

No comment.

4.12 Environmental Policy

Initial response: further information required.

Updated response: no further information required.

4.13 Housing Enabling

No comments have been received.

4.14 NHS

No comments have been received.

4.15 Public Health and Wellbeing

No comments have been received.

4.16 Avon Wildlife Trust

No comments have been received.

4.17 Local Residents

8no. objection responses have been received, summarised as follows:

- Not sufficient justification for the scale of the building
- Scale could allow for increased future planning gain
- False information is provided regarding the scale of the existing facilities
- Built on undeveloped part of the Green Belt
- Not appropriate in the Green Belt
- Golf Course already served by suitable facilities
- No plans to expand the Gold Club so level of equipment is unjustified
- Disingenuous application to 'hoodwink' the LPA
- Application is a massing exercise to justify other development
- PT15/2344/F was refused
- No special circumstances exist
- Current facilities were to be located within existing buildings on the other side of Coalsack Lane
- Building will be in pristine Green Belt
- Building is more in keeping with an industrial unit
- Impact on wildlife
- Existing facility is contaminated with diesel and other chemical spillages
- Building 40% larger than existing clubhouse

- Council have refused a small stable 300 yards away on Green Belt grounds
- Chemical, fuel and washing facilities to be located close to my boundary and will result in fumes, vapours and spray, some of which may be detrimental to plants and human health
- Concern regarding impacts of any spillage
- Proposed tanks will be located near live electricity cables
- Would not agree to moving cables etc. to my property
- No evidence that risk assessment has been carried out and doubt that proposals comply with Health and Safety and COSHH requirements.
- Would be built on an official foot path to my property
- Noise impacts
- Increased use of main footpath
- Balls may land on building and may injure people in the yard
- Bund will encourage golfers to alter their aim towards the lake area
- Suitable alternatives are available
- Ecological mitigation is commendable but no species have been seen in the area for years. Shame similar consideration not given to resident of 46 years.
- Why does the development have to be close to a neighbouring property?
- Building is in 'firing line' of golf balls which may cause damage and injury to personnel
- Area not sufficient to accommodate the driving range and this building.
- Should be elsewhere
- Agree with other responses notwithstanding the submitted technical reports
- Additional noise/traffic pollution
- Increase in stray golf balls
- Route of footpath will be used for machinery which increases dangers to public
- Nearby lake (The Clamp) may be impacted by fumes, vapours and spray
- Spillage may enter the lake. The EA have not been consulted.
- Members of angling club already impacted by the golf club and this proposal would increase danger of stray balls
- Machinery is noisy and would be intrusive to member's quiet enjoyment of the facility.
- Screening will take years to grow/become effective
- Report makes no mention of high netting required to safeguard people working in the area
- Landscape report author has not attempted to access neighbouring property
- Landscape report minimises significance of the rural landscape
- Concur with previous inspector's words which authorised the driving range regarding the attractive appearance providing pleasant contrast to the nearby urban area.

5. ANALYSIS OF PROPOSAL

- 5.1 Planning permission is sought for the erection of new grounds store and associated works.

Principle of Development

- 5.2 The development proposals seek to erect a new grounds store, which would comprise also associated landscaping and service yard area (hardstand), within the grounds of The Kendleshire Golf Club. The site being within the open countryside and the Green Belt are the primary considerations of principle.

Need for the development

- 5.3 In the first instance, it will be useful to consider the context of the proposals and their stated need. Grounds store/greenkeepers facilities have previously been provided at Henfield Farm to the South of the Golf Course. However, consent has been granted by virtue of P21/05739/F to re-develop this site and its non-conforming commercial use into 5no. dwellings. Facilities are also available at a site known as 'Kendleshire Farm', which is to the West of the golf course over Coalsack Lane. Use at Kendleshire Farm for ancillary storage facilities in association with The Kendleshire was approved previously under PT12/2706/F. However, this site is remote from the Golf Club and it is stated that the logistics of using this site (Kendleshire Farm) are not feasible when considering the need for plant machinery to cross Coalsack Lane throughout the day. Security also poses a concern as the equipment is of high value, and staff movements between the club and the satellite facilities is seen as inefficient.
- 5.4 It is accordingly proposed to erect a purpose-built facility within the golf club grounds, immediately to the North of the existing clubhouse and carpark. The requirement for the building is set out within the submitted plans and documentation and provides a breakdown of all the required equipment, and ancillary welfare/servicing facilities.

Location of Development

- 5.5 The site is located within the open countryside; however it is not located within any sensitive landscape designation (such as the AONB). CS5 of the core strategy generally directs new development to urban areas and settlement boundaries. Elsewhere within the Green Belt, CS5 instructs that other proposals for development will need to comply with the provisions of the NPPF or relevant local plan policies in the Core Strategy.
- 5.6 CS23 of the Core Strategy covers community infrastructure and cultural activity. Paragraph 10.81 of CS23 outlines what can be considered as community and Cultural infrastructure. Within this non-exhaustive list, *public and private sports and recreation facilities* are listed. The Kendleshire is a private golf club providing golfing facilities (as would be expected of a golf club) and other ancillary events space for conferences, meetings, parties, funeral receptions, and weddings (as per their website). All of which are common activities to be undertaken within a golf club setting, in addition to the playing of golf. As golf is a sporting and recreational activity, then the site would fall within the remit of CS23.
- 5.7 CS23 supports the retention of existing community and cultural infrastructure, unless a set of tests can be met. In this instance, the development would

provide essential facilities for the maintenance of the golf course. As such, the proposal would not be in conflict with CS23. The location is rural; however this tends to be the case with golf clubs due to their land requirements. Moreover, CS23 does not require consideration of location.

Green Belt

- 5.8 The second but perhaps more pertinent consideration is whether the development would be appropriate in the Green Belt. The NPPF submits that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except where very special circumstances can be demonstrated. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Policy CS34 instructs that development proposals will take into account the vision for the rural areas and will protect the designated Green Belt from inappropriate development.
- 5.9 Paragraph 149 of the framework sets out that new buildings should be regarded as inappropriate in the Green Belt, unless they fall into a limited number of exceptions. In this case, 149(b) is relevant. This exception allows for *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.*
- 5.10 The wider site is in lawful use as a golf course and has been since the 1990s off the back of a planning permission. The proposed facilities are to provide purpose-built storage for the necessary grounds keeping equipment, as well as ancillary welfare and servicing facilities to be utilised by staff and a yard area to the front of the building.
- 5.11 The golf course occupies a substantial land holding and facilities to maintain the grounds are accepted as being essential for the operation of the golf club, which ultimately is an existing outdoor sport and recreation use. The building is by no means small in isolation, and so the application provides a zonal layout for the internal area of the building, whereby all equipment is accounted for and equipment occupies most of the floor area, with some additional space for circulation, 'interchange area' and what are essentially quite modest welfare facilities within the building. Officers are therefore satisfied that the overall floorspace has been justified. During consideration, the overall height of the building has been reduced by 1 metre as initially there was concern over the height and its necessity, but upon reduction, officers' concerns are addressed given the height of some machinery to be stored and the fact there would be machine lifts for servicing and so some additional height is required.
- 5.12 Officers accept that storing the equipment off-site in the other ancillary storage facilities on Coalsack Lane is less ideal as it would require several movements on the public highway. Moreover, the equipment stored is of a high value

(purported to total £630,000) and so it is considered reasonable that secure and centrally located facilities are available which ultimately are required to support the upkeep of the Golf Course. The facilities are therefore deemed to be appropriate.

5.13 The second test of 149(b) is that the facilities preserve openness and do not conflict with the purposes of including the land within the Green Belt. For reference, the five purposes of the Green Belt are listed in paragraph 138 of the NPPF, and are as follows:

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

5.14 The development would result in built form being located on land that is currently open in nature. However, in context, the land forms part of the lawful outdoor sport and recreation use of the land, which is appropriate in the Green Belt. Facilities are reasonably required in connection with the lawful use as a golf club, and the use as a golf club does not conflict with the purposes of the land being included within the Green Belt. Moreover, the building has been sited to be close to the existing built development and whilst the building is large when viewed in a vacuum, the building is small in the context of the wider golf course of which it would support. There is also additional planting proposed, which would further assist in screening the development from view. It is therefore the case that the development accords with the second limb of 149(b).

5.15 Further to the above, the development is appropriate in the Green Belt, and is accordingly acceptable in principle.

5.16 Design and Landscape

The proposed building would have a total length of c.55 metres, depth of c.33 meters on each wing (to the North and South), height to the ridge of 7 metres and height to the eaves of 5 metres. The building would appear as a large agricultural/commercial building which is of a portal frame construction clad with profiled metal sheeting and the roof covered with GRP covering, finished in anthracite grey. The building would be sited to the North of the exiting clubhouse complex and parking facilities. It is proposed to enclose the building to the East by planting, which would be planted on a newly formed landscape bund.

5.17 The siting of the building is appropriate in that it is located close to existing built form and so does not appear isolated, and landscaping would ensure that whilst large, the building's impacts would be mitigated to a satisfactory degree.

The building would also be located in something of a 'dip', sitting below Henfield Road in less prominent position within the site. The design of the building is clearly functional and accords with its intended use and the required scale. There is therefore no objection to the design of the building, and the reduction in overall height has reduced the overall impact and massing of the building to a more appropriate level.

- 5.18 The application is furnished with a landscape and visual appraisal (LVIA) which has been updated during the course of the application to include cumulative landscape impacts. In summary, the Council's landscape officer agrees with the magnitude of effect (moderate – moderate /minor) and the cumulative landscape effect, which would be minor. Comments are noted regarding the LVIA and lack of access to neighbouring properties, however the purpose of such an assessment is to consider *public* views/vantage points, which has been achieved. Ultimately, the landscape officer does not object to the development on landscape grounds, subject to appropriate mitigation.
- 5.19 Should permission be granted, detailed landscape plans would be required which can be secured by suitably worded conditions. A landscape and ecological management plan (LEMP) covering the enabling works period and a 15 year management period thereafter should also be secured by condition, in order to ensure the effective operation of the mitigation landscaping. The design of the bund and boundary/hard landscape surface treatments should be secured by compliance condition, as acceptable details have been provided pre-determination. Subject to conditions as discussed, there are no objections on visual or landscape grounds.
- 5.20 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, overbearing/dominant impacts, noise and disturbance and odours, fumes and vibration. Several concerns are noted which relate to amenity. The closest dwelling to the proposed development is Serridge Cottage (120 Henfield Road), to the West of the development area.
- 5.21 The building itself would be located some 45 metres from the Eastern elevation of 120 Henfield Road at its closest point, and so notwithstanding the height of the building, the level of separation is such that there would be no unacceptable impacts on light or outlook and there would be no overbearing impacts. Concerns are noted regarding impacts on views/vistas, however private views are not a material consideration and so any impacts on private views carry very limited weight. Given the fact the building would not be near to any other properties, there would be no other amenity impacts in terms of light, outlook or overbearing.
- 5.22 The service yard area would be adjacent to the boundary with 120 Henfield Road and plans indicate that there would be associated fuel tanks and 'Waste2Water' washing facilities close to the boundary. The application is furnished with an acoustic report (Acoustic Consultants LTD, August 2022).

Whilst the building itself would not result in any physical amenity impacts as assessed above, there is the potential for increased noise and other impacts with regards to 120 Henfield Road.

- 5.23 The placement of fuel storage tanks has been reviewed by the Council's petroleum officer and EHO's, who do not raise any concerns and the placement of such equipment is subject to its own health and safety/legislative arrangements. It is not considered that there would be any significant or unacceptable issues of odour or fumes created by these facilities. In the case of fuel, this would be stored in an enclosed tank and transferred to machinery when needed and so whilst the smell of petrol or diesel may be noticeable locally when refuelling, this would not be permanent and would not be to any appreciable degree.
- 5.24 The main issue is the impact of noise, which could be seen as being acknowledged by the fact the applicant has submitted an acoustic report. Had one not been provided, it is probable that officers would have requested one.
- 5.25 The report includes baseline noise monitoring and an assessment of predicted noise from various vehicles that will be used as part of the proposal. The report assumes that the golf course vehicles are primarily and most intensively used from Monday to Fridays, from 7am to 2:30pm. It also assumes a single mower is used from 7am to 10am on Saturday and Sunday. On this basis the report concludes that the noise impact is predicted to fall within the *No Observed Adverse Effect* Level and therefore there will be no predicted adverse impact on nearby residential receptors. The proposals include for the installation of three 'Waste2Water' washing machines, however specific acoustic data for this equipment is not available at this time. The report suggests that conditions are placed that requires the rating level of the equipment to be no more than 40dB LA(1hour) at the nearest receptor and the equipment should be limited from 07:00 to 23:00 hours.
- 5.26 It is recommended by the Council's environmental protection officers that a condition is placed on any permission granted that requires that 'noisy vehicles' are not used on the site prior to 7am. Officers however have some concern that this condition is not sufficiently precise. It would rather be more appropriate to apply a condition limiting the use of machinery within the site boundary outside the hours of 7am – 5pm and 7am-10am Saturday and Sunday. It would not be possible or reasonable to limit the use of machinery elsewhere on the golf course, as this is something that is already possible.
- 5.27 It is also recommended that conditions are placed regarding the Waste2Water System equipment. Prior to use, submission of the finalised details of the Waste2Water System equipment should be required that includes specifications of the rating level for the washing equipment and precise proposed location. A condition should remain in place that requires that the rating level of the equipment to be no more than 40dB LA(1hour) at the nearest receptor and the equipment should be limited from 07:00 to 23:00 hours.
- 5.28 It is also noted that concern is raised regarding impacts on the amenity of the nearby fishing lake (The Clamp). This is not a residential use but in any case,

the separation levels are such that there would not be any unacceptable impacts in terms of odours, noise or spray.

- 5.29 Subject to conditions as discussed above, there would be no unacceptable impacts on the amenity of the closes occupiers and the development proposals are acceptable in this regard.

5.30 Transportation

The proposed development would result in movements of service vehicles within the grounds of the golf club, however, would not have any significant impacts on the level or parking or the travel demand for the existing golf club. This however assumes that the building would be used only in connection with the golf club and not for any other commercial purposes and so a suitably worded condition should be applied to ensure that this remains the case, should permission be granted.

5.31 Archaeology

The site is located within the vicinity of medieval/post-medieval ridge and furrow and there is evidence for mining heritage in and around the site. Initially, concerns were raised by the Council's archaeologist that there was a lack of information surrounding this. Consequently, an archaeological desk-based assessment (DBA) was submitted (Avon Archaeology Limited, December 2022).

- 5.32 The submitted DBA has been reviewed by the Council's archaeologist which provides a thorough and balanced assessment. The upshot is that the archaeology officer agrees with the findings in that the archaeological significance of the site is not such that any archaeological objection would be warranted. That said, the DBA does imply that there is still some archaeological potential to the location, notably in relation to historic mining activity. It is therefore the case that provision should be made for recording this (if present). Accordingly, a suitably worded condition should be applied to secure a watching brief which needs to be submitted pre-commencement.

5.33 Arboriculture

The site is not within a conservation area and is not subject to any tree preservation orders (TPO). However, PSP3 instructs that development proposals should, where appropriate, include the protection of existing trees and replacement where their loss is essential to allow for development. There are significant tree belts to the West and South of the site, that could be affected. An arboricultural report (tree survey) has therefore been submitted (ROVAR Group, July 2022).

- 5.34 Limited tree removals are proposed, which would relate to 2no. small conifers. Otherwise, trees are to be protected and retained as set out in the report. This has been reviewed by the Tree Officer who has no objection. Should permission be granted, a condition should be applied to ensure that works proceed in strict accordance with the submitted report.

5.35 Ecology

The application is furnished with a preliminary ecological appraisal (PEA) (ROVAR, August 2022) and a GCN habitat suitability index technical note (Johns Associates, January 2023). The site is not covered by any particular ecological designations. The following sets out the key findings/ecological issues:

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

Bats

The trees impacted by the works were not found to support potential roosting features.

A sensitive lighting design is expected due to the foraging habitat for bats present.

Great Crested Newts

The Technical Note evaluates 12 ponds within 500m of the site for their suitability to support breeding GCN. HSI surveys were undertaken on all ponds. All ponds returned poor suitability to support GCN.

The Technical Note identifies that poor terrestrial habitat for GCN is present within the golf course.

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

Birds

Several trees will be impacted by the works, mitigation and enhancements have been recommended and this is welcomed.

Reptiles

There are limited areas which are suitable for reptiles, suitable mitigation, including a walkover survey has been recommended and it is assumed this will include a fingertip search.

Badgers protected under the Badger Act 1992:

No evidence of badgers were recorded, however there is suitable foraging habitat and a pre-commencement walkover survey should be undertaken to ensure that badgers have not excavated a sett.

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

Hedgehog

There are suitable habitats for hedgehogs and suitable mitigation has been recommended, additionally hedgehog holes (13cm x 13cm) in any proposed fencing are to be installed.

- 5.36 The Council's ecologist has reviewed the submitted ecological appraisal and has no objections as suitable survey work has taken place and mitigation is provided. Should permission be granted, conditions will be required to ensure works proceed in accordance with the submitted mitigation measures, to secure details of lighting and to ensure compliance with the agreed ecological enhancements. A pre-commencement site walkover would also be required to ensure the absence of badgers and reptiles. Subject to the above, there is no ecological objection to the development.

Impact on Equalities

- 5.37 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.
- 5.38 With regards to the above this planning application is considered to have a neutral impact on equality.

Other Matters

- 5.39 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.
- 5.40 Right of way – it is noted that concerns have been raised that the development would impact a right of way. The closest public right of way (PROW) is LWE/72/20 to the South of the site but this is outside the red line and would not be affected by the development. There may be a private right of way across the land however impacts on this would be a civil matter and not able to be considered as part of the planning process.
- 5.41 Spillage and lack of EA consultation – the environment agency do not require consultation on an application of this type. The applicant would be responsible for dealing with any accidental spillage that may occur and would need to inform the relevant authorities if for example a spillage were to occur into a watercourse.
- 5.42 Electrical cables – the proximity of fuel tanks to electrical cables is not a material consideration and is covered by other mechanisms. However, for the avoidance of doubt, the Council's petroleum officer has no concerns in this regard. Any re-location of cables is a matter between the applicant and the relevant undertaker/landowner.

- 5.43 Development refused elsewhere – each application is considered on its own merits and this proposal is acceptable in planning terms in its own right.
- 5.44 False information – it is noted that comment is made regarding the scale of the existing facilities at Henfield Farm. The site at Henfield Farm is to be comprehensively redeveloped and the development is found to be acceptable on its own merits.
- 5.45 Health and Safety/COSHH – this falls outside the remit of land use planning and is covered by separate legislation.
- 5.46 Future use or development – an application must be assessed on the basis of what has been applied for. Any alternative use or development in the future would require planning permission and be subject to full consultation and consideration against the relevant development plan policies.

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. Archaeology (pre-commencement)

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

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This condition is pre-commencement because the nature of the requirements are such that it cannot be dealt with at any other point.

3. Ecology - Site Walkover (pre-commencement)

Prior to commencement a site walkover is to be undertaken by a suitably qualified ecologist to confirm presence / absence of badger setts and reptiles. This is to include a fingertip search of vegetation to be removed immediately prior to works commencing. If a badger sett is present, appropriate monitoring is to be undertaken to assess the status of the sett and proposed avoidance measures/ mitigation is to be submitted to the local authority for approval prior to any works commencing. Works shall then proceed in accordance with any mitigation so agreed.

Reason

In the interest of ensuring that development does not harm protected species and to secure appropriate mitigation if badgers are found to be present once works commence in accordance with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

This condition is pre-commencement because a check for badgers and reptiles must take place before works start to avoid any harm being caused.

4. Waste2Water Washing System

Prior to use, full details of the Waste2Water System equipment shall be submitted to the local planning authority for approval in writing. Specifications shall include details of the rating level for the washing equipment and precise location. The equipment shall be installed and operated in accordance with the agreed details. The rating level of the equipment covered by this condition shall be no more than 40dB LA(1hour) at the nearest receptor and the equipment shall not be used outside the hours of 07:00 to 23:00.

Reason

To preserve the amenities of neighbouring occupiers and to accord with PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

5. LEMP

Prior to completion of works, a landscape and ecological management plan (LEMP) covering a 15 Year management period shall be submitted to the local planning authority for approval in writing. The submitted LEMP shall identify existing and proposed landscape and ecology related site assets and include schedules of annual maintenance work together with longer term/cyclical management operations. Measures to minimise use of herbicides/pesticides with alternative means of control should be adopted as practical, together with on-site water harvesting/storage for

maintenance purposes. The LEMP so approved shall be implemented before the building is brought into use and complied with in full for the 15 year period.

Reason

To ensure that the mitigation planting establishes and is successful and to accord with PSP2 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

6. Landscape Plan (Planting)

Prior to completion of works, a detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting; including replacement tree number calculation and supporting implementation specification, shall be submitted to the local planning authority for approval in writing. The agreed landscaping shall be implemented in the first planting season following completion of works.

Reason

To ensure that appropriate mitigation planting is implemented in accordance with CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

7. Ecology - External Lighting

Prior to installation of any external lighting, details of all proposed external lighting fixtures are to be submitted to the local authority for approval in writing. Details are to include the location and specification. All external lighting shall be installed in accordance with the specifications and locations agreed, and these shall be maintained thereafter in accordance with the strategy.

Reason

To ensure that external lighting required as part of the development does not impact on protected species and other biodiversity in accordance with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

8. Screen Bund

The landscape screen bund shall be constructed in accordance with the details set out on plan 4001 (P4) (proposed landscaping section, as received 15th February 2023) prior to the development being brought into use and shall be retained thereafter.

Reason

To ensure that appropriate landscape mitigation is implemented in accordance with CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

9. Hard Surface Treatments

Hard surface treatments shall be implemented in accordance with plan 2005 (P1) (landscape material plan, as received 22nd November 2022) prior to the development being brought into use and shall be retained thereafter.

Reason

To ensure a satisfactory standard of external appearance in accordance with CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

10. Tree Survey compliance

Development shall proceed in strict accordance with the submitted tree survey (ROVAR Group, July 2022).

Reason

To ensure that existing trees to be retained are adequately protected and to accord with PSP3 of the South Gloucestershire Local Plan: Policies Sites and Places Plan: Adopted November 2017.

11. Ecology - Mitigation

The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (ROAVR, August 2022) and Great Crested Newt Habitat Suitability Index Technical Note (Johns Associates, January 2023).

Reason

To ensure that appropriate mitigation is in place in the interest of ecology and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

12. Ecology - Enhancements

Prior to the development being brought into use, the ecological enhancements as detailed within Preliminary Ecological Appraisal (ROAVR, August 2022) and identified on the Ecological Mitigation Plan (Oxford Architects, drawing 2004 Rev P4, as received 22nd November 2022) shall be installed in full in accordance with the above details and retained thereafter.

Reason

To ensure that appropriate enhancements are in place and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

13. Use Limitation

The development hereby approved shall at all times be used as grounds keeper's facilities and storage ancillary to the primary use of the land as a golf course known as The Kendleshire, BS36 2XG. At no time shall any other commercial use separate to the primary golf course use be undertaken without the express consent of the local planning authority by application.

Reason

The development has been found to be acceptable on this basis and any other use would require consideration by the LPA with regards to highways, amenity and any other material considerations.

14. Hours of Use - Machinery and Vehicles

No grounds keeping machinery or vehicles shall be operated within the service area, building or land edged red on the application location plan (1000 P1 - the location plan, as received 1st September 2022) outside the hours of 07:00 - 17:00 Monday - Friday and 07:00 - 10:00 Saturday - Sunday.

Reason

To preserve the amenities of neighbouring occupiers and to accord with PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

15. Plans Condition

Development shall be implemented in accordance with the following plans:

2000 P3 - block plan - existing

2002 P7 - block plans

2003 P2 - greenkeepers plan - existing

2001 P8 - proposed block plan of the site

3001 P7 - proposed floor greenkeepers plan

1000 P1 - the location plan

3002 P7 - zoning plan

As received 1st September 2022

2005 P1 - landscape materials plan

2004 P4 - ecological mitigation plan

As received 22nd November 2022

5001 P7 - proposed elevations

4001 P4 - proposed landscaping section

As received 15th February 2023

Reason

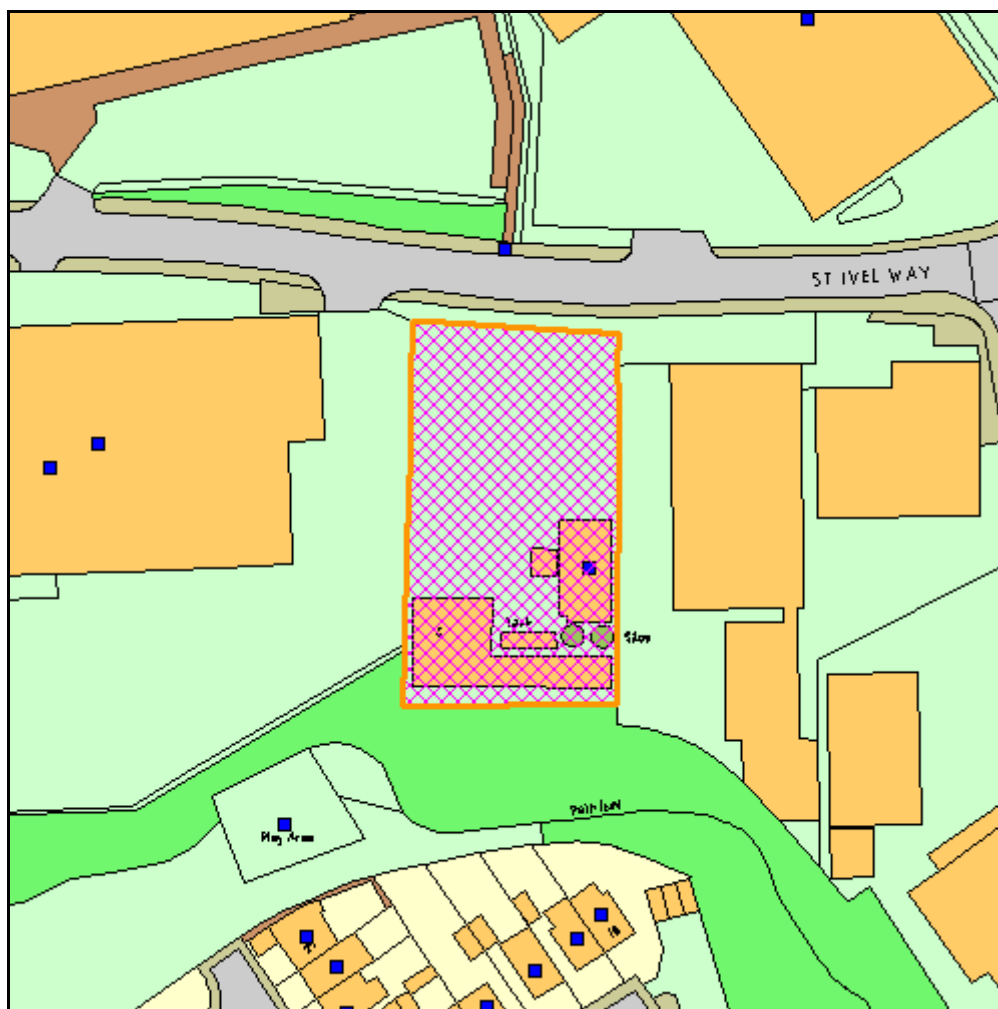
To define the exact terms of the permission.

Case Officer: Alex Hemming

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 08/23 -24th February 2023

App No.:	P22/05765/RVC	Applicant:	Wright Minimix Ltd
Site:	2 St Ivel Way Warmley South Gloucestershire BS30 8TY	Date Reg:	3rd October 2022
Proposal:	Variation of condition 1 attached to permission P19/09746/RVC (previously PK11/3909/RVC and PK07/0197/F) to alter the working hours. (PK07/0197/F- Construction of commercial ready mix concrete plant and associated works).	Parish:	Siston Parish Council
Map Ref:	367349 172994	Ward:	Parkwall And Warmley
Application Category:	Minor	Target Date:	6th March 2023



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100023410, 2008.

N.T.S.

P22/05765/RVC

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 CIRCULATED SCHEDULE

This application has been referred to the circulated schedule due to the receipt of objections from the Parish Councils.

1. THE PROPOSAL

- 1.1 This application seeks permission for the variation of condition 1 attached to permission P19/09746/RVC (previously PK11/3909/RVC and PK07/0197/F) to alter the working hours.

P19/09746/RVC was for the 'Variation of condition 1 attached to planning permission PK11/3909/RVC to amend the working hours limit from 18.00 to 22.00. (PK11/3909/RVC-The removal of condition 3 and the variation of condition 2 of planning permission PK07/0197/F to change opening hours to 0630 to 1800 Mondays to Fridays and 0630 to 1300 hours Saturday and not at all on Sundays or Public holidays. Amend definition of term 'working').'

Condition 1 of that consent stated:

No working, deliveries or vehicle repairs shall take place at the premises before 06.30 or after 18.00 Monday to Fridays, and before 06.30 or after 13.00 hours on Saturday and not at all on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or otherwise but not meaning standard office equipment), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of HGV vehicles within the curtilage of the site, with the exception of HGV vehicles returning to site between 18:00- 22:00 Monday to Friday to park on site switching engines/machinery off once stationary. Any other use of the site outside these hours shall have prior written approval of the Local Planning Authority.

Reason:

To minimise disturbance to occupiers of the nearest residential properties and to accord with Policies CS1 of the South Gloucestershire Core Strategy Adopted December 2013 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

- 1.2 This application seeks to amend that condition to read:

Concrete production shall only take place between the hours of 06.30 and 18.00 Monday to Friday and 06.30 and 13.00 Saturday, with no production on Sundays and Bank Holidays.

Vehicle movements to and from the site (delivering concrete) shall only take place between the hours of 06.30 and 18.00 Monday to Friday and 06.30 to 13.00 hours on Saturday (and not on Sundays and Bank Holidays), with the exception of vehicle movements between 05.00 and 06.30 Monday to Saturday,

18.00 to 22.00 Monday to Friday, 13.00 to 22.00 Saturday and 06.30 to 22.00 Sunday in accordance with the Operational Arrangement Schedule as included in the approved Noise Impact Assessment.

The washing and cleaning of vehicles and minor repairs of vehicles (in accordance with the Operational Arrangements Schedule as included in the approved Noise Impact Assessment) shall only take place between the hours of 06.00 and 22.00 Monday to Sunday (and not on Bank Holidays).

- 1.3 A Noise Impact Assessment has been provided in support of the application. As referred in the assessment the activities for which the extended hours are being sought consist of commercial vehicle movements to and from the site, minor repairs/safety checks and vehicle wash down/clean out, this is discussed in more detail in the relevant sections below.
- 1.4 It should be noted that extended operating hours for concrete production and delivery are not being sought.
- 1.5 The application site/building is an established industrial premises, located within an existing industrial estate and safeguarded employment area in Warmley. Residential properties on Hinton Drive are located to the south of the application site, approximately 25 metres away beyond a buffer of trees and vegetation.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Core Strategy Adopted December 2013
CS1 High Quality Design
CS12 Safeguarded Areas for Economic Development

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017
PSP11 Transport Impact Management
PSP21 Environmental Pollution and Impacts

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/0121/F Construction of commercial ready mix concrete and mortar plant.
Refused February 2005

- 3.2 PK05/1498/F Construction of commercial ready mix concrete and mortar plant. (re-submission) Refused October 2005

- 3.3 PK06/1357/F Construction of commercial ready mix concrete plant and associated works. Allowed at appeal February 2007

- 3.4 PK07/0197/F Construction of commercial ready mix concrete plant and associated works. (Amendment to PK06/1357/F to alter the size of the office/workshop). Approved July 2007

- 3.5 PK11/3909/RVC - The removal of condition 3 and the variation of condition 2 of planning permission PK07/0197/F to change opening hours to 0630 to 1800 Mondays to Fridays and 0630 to 1300 hours Saturday and not at all on Sundays or Public holidays. Amend definition of term 'working'. Approved 09.03.2012

- 3.6 P19/09746/RVC - Variation of condition 1 attached to planning permission PK11/3909/RVC to amend the working hours limit from 18.00 to 22.00. (PK11/3909/RVC-The removal of condition 3 and the variation of condition 2 of planning permission PK07/0197/F to change opening hours to 0630 to 1800 Mondays to Fridays and 0630 to 1300 hours Saturday and not at all on Sundays or Public holidays. Amend definition of term 'working'). Approved 08.11.2019

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
Siston Parish Council would like to make a very strong objection to this alteration of working hours.
The site hours are being extended to : "13.00 to 22.00 Saturday and 06.30 to 22.00 Sunday". The working hours were previously agreed by P19/09746/RVC : "No working, deliveries or vehicle repairs shall take place at the premises before 06.30 or after 18.00 Monday to Fridays, and before 06.30 or after 13.00 hours on Saturday and not at all on Sundays or Public Holidays."
This significant increase in hours, will cause noise pollution seven days a week, increased emissions from the extra use of vehicles in the area and this area is highly populated with families.
This could have implications on the health and well being of our parishioners and cause sleep disturbance. It was also noted that the daily checks on the vehicles which is a mandatory requirement , would cause additional noise before 6.30am.

- 4.2 Bitton Parish Council
Bitton Parish Council strongly object to this planning application. This application is too close to residential homes and Councillors feel the additional hours of noise will have a huge impact on our local residents

4.3 Environmental Protection

Further details on the noise report were initially required. Following receipt there are no objections in principle.

4.4 Local Residents

One letter of objection has been received from local residents raising the following concerns:

- Traffic issues

- Lorries are heavy and noisy and go hurtling past school entrances, zebra crossings and Tower Road North, often narrowed by parked cars

- Already cause a nuisance and hours should not be extended

- Consideration should be given to slowing vehicles down, limiting the roads they use and restricting hours further

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within a safeguarded employment area. Policies allow for proposals for employment development within the urban area and safeguarded employment areas provided that the proposals do not have unacceptable environmental effects, do not prejudice the amenities of nearby occupiers, and do not prejudice highway safety nor the retention of an acceptable level of parking provision or adversely affect the character of the area.

5.2 The NPPF, indicates a presumption in favour of sustainable development in the interests of wider economic, environmental and social provisions, except where it may compromise key sustainable development principles set out in national planning policy or where any adverse impacts would significantly and demonstrably outweigh the benefits, it is considered that these proposals would positively contribute to those interests, subject to detailed development control consideration.

5.3 The principle of the site is established. In considering the variation of condition proposal the scope of the decision should relate to the condition imposed, and in particular the reason for that condition. No other changes are proposed. The matters for consideration is that of the impact of the variation of condition proposed upon the amenity of the nearest residential properties.

5.4 Design / Visual Amenity

No alterations to the building are proposed, as such the proposal would have no impact on the visual amenity of the area.

5.5 Residential Amenity

The application site is an industrial building and yard, located within an industrial estate. Residential properties on Hinton Drive are located to the south of the application site, approximately 25 metres away from the application site, furthermore there is a buffer of trees and vegetation between the application site and these neighbouring residential properties.

The application is seeking consent to vary condition 1 to read:
Concrete production shall only take place between the hours of 06.30 and 18.00 Monday to Friday and 06.30 and 13.00 Saturday, with no production on Sundays and Bank Holidays.

Vehicle movements to and from the site (delivering concrete) shall only take place between the hours of 06.30 and 18.00 Monday to Friday and 06.30 to 13.00 hours on Saturday (and not on Sundays and Bank Holidays), with the exception of vehicle movements between 05.00 and 06.30 Monday to Saturday, 18.00 to 22.00 Monday to Friday, 13.00 to 22.00 Saturday and 06.30 to 22.00 Sunday in accordance with the Operational Arrangement Schedule as included in the approved Noise Impact Assessment.

The washing and cleaning of vehicles and minor repairs of vehicles (in accordance with the Operational Arrangements Schedule as included in the approved Noise Impact Assessment) shall only take place between the hours of 06.00 and 22.00 Monday to Sunday (and not on Bank Holidays).

- 5.6 It should be noted that extended operating hours for concrete production and delivery are not being sought.
- 5.7 On this basis the activities for which the extended hours are being sought consist of:
Commercial vehicle movements to and from the site:
-during the working week the majority of the movements will be tipper/pump trucks leaving the site at the start of the day, with a limited number of returning vehicles in evening. Over the weekend there will be very occasional vehicle movements. In all instances the vehicles will be empty.
Minor repairs/safety checks:
-consists of activities such as checking tyre pressures, tightness of bolts, oil/water levels and replacing belts/bulbs etc. These will be short duration low noise producing activities, using hand tools only.
-Vehicle wash down/clean out:
rinsing out drums on mixer trucks and jet and hand washing vehicles; typically, only undertaken for returning vehicles if required. Jet washing will be undertaken directly in front of the site buildings (this location provides the greatest acoustic shielding for the nearest dwellings to the site).
- 5.8 The applicants state that this will allow for
-tipper vehicles to leave the site to get materials at the quarry at the start of the working day
-concrete pumps to be at the customers site at the start of their working day • trucks, if delayed or due to late deliveries, to return and park on site and to be washed down/cleaned as required
-vehicles to leave the site for 'out of hours' garage repairs/service or are required to be at an alternative location at the start of the following day
-minor maintenance/safety checks to be undertaken as required
- 5.9 Concerns have been raised with the levels of noise from the site. The above condition, along with the maintenance of the existing noise limit condition would limit this.

- 5.10 Conditions are already in place to ensure that the noise emitted from the site does not exceed 50dBA during the hours of 07.00 to 18.00 Monday to Saturday, and between the hours of 07.00 to 13.00 on Saturday or 45dBA at any other time, furthermore a condition is also already in place to ensure that vehicles do not operate any audible warning signals on the site. Existing conditions applicable to the site will remain in force.

The Noise report reviewed the noise implications associated with the proposed activities against the nearest receptors to the actual site, which are along Hinton Drive, to the south of the site. An additional noise report was requested to specifically address the impact of these additional HGV movements along Tower Road North. The findings were that the proposed activities in the early morning i.e., between 05.00hrs and 06:30hrs, would not result in an increase in the existing environmental noise levels at the nearest dwellings, no adverse impact on sleep disturbance was identified. Furthermore, activity noise emissions during the proposed extended operating hours complies with the existing noise limits condition and there would be low noise impact (BS4142) for trucks leaving/returning to site and associated movements and the use of a jet washer during the evening and weekend day period. The report concluded that the proposed activities will not result in sleep disturbance during the early morning or an adverse noise impact during the evening/weekend day period, and that the proposed extended operating hours would therefore be acceptable with regard to noise. The Methodology and Assessment has been examined and verified by the Council's Environmental Protection Officer. Of additional note the site is also inspected bi-annually to control air and dust emissions at source for the blending of cement on site under a DEFRA Part B Permit.

- 5.11 In basic acoustic terms-the additional movements are shown not to increase the overall traffic noise during these times by more than 3dBA which against the appropriate criterion is considered to be a 'negligible' impact; and also meets the Sleep Disturbance criterion.
- 5.12 The site is located within a well-established industrial estate. Previously established noise limit conditions will remain in place as they would be repeated on any new decision notice. The 'Operations Arrangement Schedule' as referred to in the proposed new condition, is contained within the acoustic report and identifies each aspect of the proposed operations (i.e. those listed and discussed above) that are sought to be varied under this condition, and the timeframes involved for each element on each specific day and time. This document would be conditioned as part of the approved plans. On the basis of the noise assessments and taking into account the revised wording on the proposed condition limiting the nature and potential hours of each of the operations, the existing noise conditions restrictions that will remain in place and consideration the hours of operation of the surrounding units there are no objections in principle from the Councils Environmental Protection Department. It is not therefore considered that the proposed variation to the existing condition, would result in any demonstrable harm to the residential amenities of the neighbouring properties over and above the existing site or indeed the background noise from the surrounding industrial estate such as to sustain an objection and warrant a refusal on this basis.

5.13 Impact on parking and Highway safety

The site is an existing established use on an industrial estate. The proposals are unlikely to give rise to additional volumes of traffic, but provide for certain additional flexibility in particular operational requirements. The comments are noted, however, existing speed limits and weight limits for roads would apply. As such the proposal is not considered to have any detrimental impacts on highway safety. It is not considered that this operational change will give rise to any additional material highways or transportation impacts.

5.14 Consideration of likely impact on Equalities

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

With regards to the above this planning application 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 variation of condition application be approved subject to the recommended conditions

CONDITIONS

The development/works hereby permitted shall only be implemented in accordance with the document as set out below:

1. Noise Impact Assessment (Matrix M2222/R01b 30th September 2022), received by the Council on the 30th September 2022.

Reason:

To define the terms and extent of the permission.

2. Concrete production shall only take place between the hours of 06.30 and 18.00 Monday to Friday and 06.30 and 13.00 Saturday, with no production on Sundays and Bank Holidays.

Vehicle movements to and from the site (delivering concrete) shall only take place between the hours of 06.30 and 18.00 Monday to Friday and 06.30 to 13.00 hours on Saturday (and not on Sundays and Bank Holidays), with the exception of vehicle movements between 05.00 and 06.30 Monday to Saturday, 18.00 to 22.00 Monday to Friday, 13.00 to 22.00 Saturday and 06.30 to 22.00 Sunday in accordance with the Operational Arrangement Schedule as included in the approved Noise Impact Assessment.

The washing and cleaning of vehicles and minor repairs of vehicles (in accordance with the Operational Arrangements Schedule as included in the approved Noise Impact Assessment) shall only take place between the hours of 06.00 and 22.00 Monday to Sunday (and not on Bank Holidays).

Reason

To minimise disturbance to occupiers of the nearest residential properties and to accord with Policies CS1 of the South Gloucestershire Core Strategy Adopted December 2013 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

3. The level of noise emitted from the site shall not exceed 50dBA between the hours of 0700 to 1800 Monday to Friday, and between the hours of 0700 to 1300 on Saturday, and 45dBA at any other time, as measured at the boundary of any noise sensitive property. The measurement and assessment of noise shall be in accordance with BS4142:1997.

Reason

To minimise disturbance to occupiers of the nearest residential properties and to accord with Policies CS1 of the South Gloucestershire Core Strategy Adopted December 2013 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

4. No vehicle shall operate any audible warning signal on the site, except in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To minimise disturbance to occupiers of the nearest residential properties and to accord with Policies CS1 of the South Gloucestershire Core Strategy Adopted December 2013 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

5. All surface water run-off from outside parking or vehicle washdown areas shall pass through a properly constructed oil/ petrol interceptor or such other alternative system as may be agreed with the Local Planning Authority, before discharge to the public sewer, or other drainage system.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS1 of the South Gloucestershire Core Strategy Adopted December 2013

6. No outside storage shall take place at the premises.

Reason:

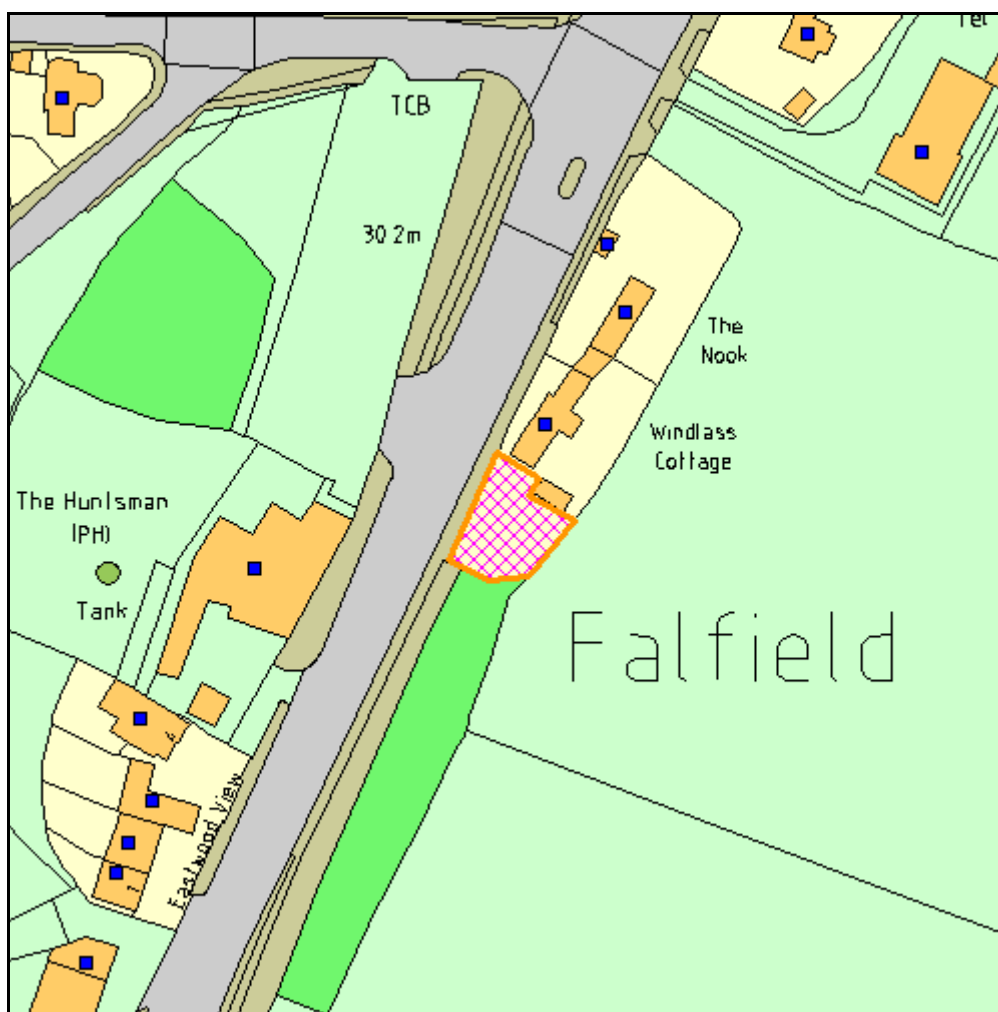
In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality, and to accord with Policy CS1 of the South Gloucestershire Core Strategy Adopted December 2013

Case Officer: Simon Ford

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 08/23 -24th February 2023

App No.:	P22/06027/O	Applicant:	Mr Peter Hardy
Site:	Land Adj To Windlass Cottage Bristol Road Falfield South Gloucestershire GL12 8DW	Date Reg:	21st October 2022
Proposal:	Erection of 1no dwelling (outline) with all matters reserved.	Parish:	Falfield Parish Council
Map Ref:	368315 193175	Ward:	Charfield
Application Category:	Minor	Target Date:	15th December 2022



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P22/06027/O

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Outline planning permission is sought for the erection of 1no dwelling with all matters reserved at land adjacent to Windlass Cottage, Fairfield.
- 1.2 The application site is located within an existing settlement boundary and is not covered by any restrictive designations.
- 1.3 Amended plans have been received since the point of submission, including a revised site location plan which now includes the host dwelling site (due to the required demolition of the existing garage) and an indicative site plan.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 South Gloucestershire Local Plan Core Strategy (Adopted) 2013
 - CS1 High Quality Design
 - CS5 Location of Development (inc. Green Belt)
 - CS8 Improving Accessibility
 - CS9 Managing the Environment and Heritage
 - CS25 Communities of the North Fringe of Bristol Urban Area

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

- PSP1 Local Distinctiveness
- PSP3 Trees and Woodland
- PSP8 Residential Amenity
- PSP11 Transport
- PSP16 Parking Standards
- PSP19 Wider Biodiversity
- PSP20 Flood Risk, Surface Water and Watercourse Management
- PSP38 Development within Existing Residential Curtilages
- PSP43 Private Amenity Standards

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

3. CONSULTATION RESPONSES

3.1 Fairfield Parish Council – Objection.

“1. Being an outline application with all matters reserved, there is very little information provided for the Parish Council to comment upon.

2. On street parking directly outside this property is not desirable as it is beside the busy A38.

3. It is uncertain how many bedrooms the existing cottage will have once refurbished. We note that only two external parking spaces and an existing single garage are indicated on the plans which according to the residential parking standards will affect the maximum number of bedrooms than can be provided across both the existing cottage and the proposed dwelling.

4. There is no indication within the proposals on how foul sewage from the proposed dwelling will be accommodated. If it is not to connect to a mains foul drain, where will runoff from a sewage treatment plant be directed and can it be located the statutory distance from habitable parts of the existing and proposed new dwellings? Heavy clay subsoil close to the surface is a common feature across our parish, so percolation test pit investigations should be requested if soakaways are to be relied upon.

5. As this is a visually prominent site when entering and leaving Falfield Village, if approved at outline stage, we suggest that the scale and form of any future design proposals reflects the existing cottage eaves heights, ridge heights and orientation of the roof pitch to be in keeping with other dwellings on this side of the road.”

3.2 Tree Team – No objection. Arboricultural Impact Assessment required.

3.3 Sustainable Transport – No Objection. Comments incorporated below.

3.4 Lead Local Flood Authority – Queries Raised.

3.5 Archaeological Officer – Condition recommended.

Public Response

3.6 No comments received.

4. ANALYSIS OF PROPOSAL

4.1 Principle of Development

This application seeks outline planning permission for the erection of one dwelling (all matters reserved), for which would be located within an established

an established settlement boundary. Policy CS5 seeks to locate most new development within the north and east Fringes of the Bristol urban area, with lesser scale of development at Yate/Chipping Sodbury and Thornbury. The proposed development is therefore acceptable in principle as set out in policy CS5.

4.2 Design

At this stage as all matters except parking and access are reserved, officers have little commentary to make. However, given the small scale of the plot and the requirement for access and parking for both the existing and proposed property, the proposed new dwelling would likely have to be restricted to one or two bedrooms. The indicative layout shows the proposed dwelling pushed to the southern side of the plan, with a shared central parking area – this arrangement is acceptable in principle. The architectural design should be similar to those seen within the area, incorporating a pitched roof and finished in either render or natural stone – reconstituted stone would not be acceptable.

4.3 Transport

With regards to parking, the host property has 3 no bedrooms and thus 2 off-street spaces must be provided. In this instance 4 off-street spaces are proposed, and thus sufficient parking for both properties can be achieved. Turning is also provided, allowing vehicles to leave the site in a forward gear. The site also retains good visibility splays along the straight section of road, and therefore officers are in agreement that the proposed development would not result in harm to highway safety. The proposed development would require the provision of electric vehicle charging, however these matters can form part of a future reserved matters application or attached as a future condition.

Trees and Ecology

- 4.4 Concerning trees, there appears to be Ash just outside of the site boundary, for which its roots could impact the development – however it could also be infected with die-back. Whilst this may not impede on the development area, an assessment should still be carried out. This can be submitted as part of any reserved matters. With regards to ecology, the site is of a low habitat value and is unlikely to support protected species. Ecological enhancements should be included as part of the new dwelling, for which the details can be submitted at a later stage.

4.5 Drainage

Details of the soakaway and foul drainage are required – given the specifications of the site, officers see no reason why sufficient means of drainage could not be achieved. This detail can again be submitted as part of the reserved matters stage.

Conditions

- 4.6 It is necessary to attach conditions limiting the life of the planning permission and setting out the requirements for the submission of reserved matters in accordance with the Act. The reserved matters conditions are pre-commencement conditions as it is fundamentally necessary to understand the proposed developments nature.

4.7 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.

5. **CONCLUSION**

- 5.1 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.

6. **RECOMMENDATION**

- 6.1 It is recommended that planning permission is GRANTED.

CONDITIONS

1. Details of the access, drainage, landscaping, layout, scale and appearance of the building(s) (hereinafter called "the reserved matters") shall be submitted to and approved by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority 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).

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

4. The front boundary hedge shall be retained.

Reason

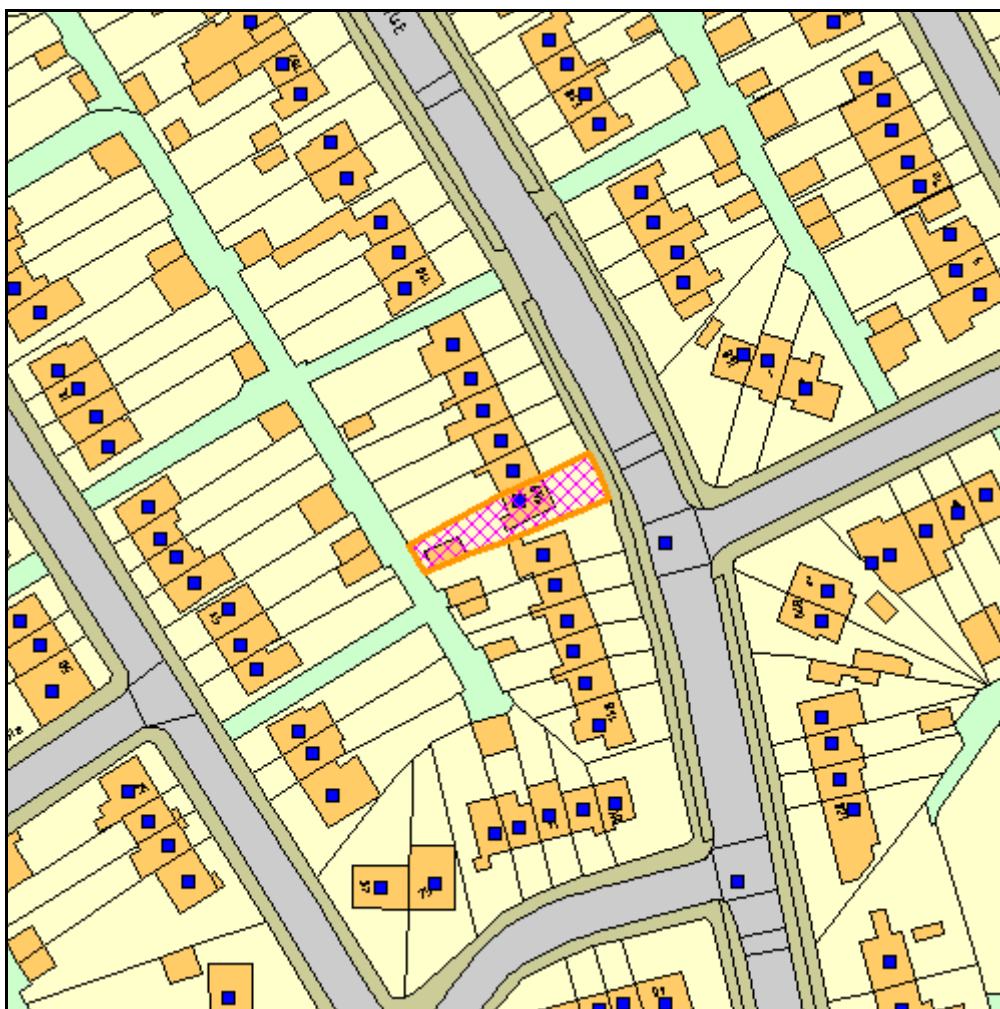
To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

Case Officer: Thomas Smith

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 08/23 -24th February 2023

App No.:	P22/06285/F	Applicant:	Mr Adiel Arshad FENES Property Ltd
Site:	758 Filton Avenue Filton South Gloucestershire BS34 7HB	Date Reg:	4th November 2022
Proposal:	Change of use from a residential dwellinghouse (Class C3) to a large house in multiple occupation for up to 7 people (Sui Generis) as defined in the Town and Country planning (Use Classes) Order 1987 (as amended). Creation of new vehicular access onto Filton Avenue with associated driveway.	Parish:	Filton Town Council
Map Ref:	360922 179245	Ward:	Filton
Application Category:	Minor	Target Date:	3rd March 2023



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P22/06285/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

Officer recommendation is contrary to the view of Filton Town Council, and 3 or more comments have been received from local residents contrary to Officer recommendation.

The application has been published on the Circulated Schedule prior to the consultation expiry date, which expires on the 01st March 2023. Should any additional concerns be raised during this period, the application will be re-circulated.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the change of use from a dwellinghouse (Class C3) to a large house in multiple occupation for up to 7 people (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and the creation of new vehicular access onto Filton Avenue with associated driveway at 758 Filton Avenue, Filton.
- 1.2 The application site comprises a two storey end of terrace dwelling. The application site is located within the defined Bristol northern Fringe settlement boundary.
- 1.3 Revisions have been made during the course of the application to alter the description to remove reference to the existing use as a 'Small HMO (Class C4)', and to create a new vehicular access onto Filton Avenue with associated driveway.

2. POLICY CONTEXT

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

- 2.2 Development Plan

South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivisions, and HMOs
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Assessing Residential Amenity TAN (Endorsed) 2016

Householder Design Guide SPD (Adopted) March 2021

Houses in Multiple Occupation SPD (Adopted) October 2021

3. RELEVANT PLANNING HISTORY

3.1 P22/05656/PNH

Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4.88 metres, for which the maximum height would be 3.00 metres, and for which the height of the eaves would be 3.00 metres.
Prior Approval Granted (20/10/2022)

3.2 P22/05663/CLP

Erection of a front porch, rear dormer extension, installation of hip to gable roof to form loft conversion. Change of use from dwelling (Class C3) to small HMO for up to 6 people (Class C4).
Approve Certificate of Lawfulness (20/10/2022)

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Objection - Insufficient parking, overconcentration of HMOs, and a lack of sufficient amenity space.

4.2 Sustainable Transport Team

Original consultation (04/11/22) - Further information required.

Revised re-consultation (12/01/23) - No response received.

4.3 Local Residents

5no. objection comments from local residents have been received making the following points:

- The existing use should be 'Dwellinghouse (Class C3)' not 'Small HMO (Class C4)'.
- The recently granted Certificate of Lawfulness for the proposed extensions is unlawful and should be revoked.

- The proposed extensions should be assessed against the Councils planning policies (including Household Design Guide SPD).
- Overconcentration and sandwiching of HMOs.
- Unacceptable impact on the amenity of neighbours.
- Insufficient private amenity space.
- Insufficient parking.

5. **ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for the change of use from a dwellinghouse (Class C3) to a large house in multiple occupation for up to 7 people (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Approval has already been granted for the proposed extensions to the existing property.
- 5.2 Principle of Development
The application stands to be assessed against the above listed policies and all material considerations. It is noted that applications P22/05656/PNH and P22/05663/CLP have already dealt with physical changes to the property which remain extant and can proceed independently of this current application. It is also noted that it has been established through the approval of P22/05663/CLP that the change of use from a residential dwelling (Class C3) to a small house in multiple occupation for up to 6 people (Class C4) does not require consent under permitted development rights available to the property. It has been confirmed however that this change has yet to be implemented.
- 5.3 The determination as to whether the change of use from a dwelling to a large house in multiple occupation for up to 7 people (Sui Generis) would have an unacceptable impact upon the surrounding area is primarily assessed via the tests outlined within the Houses in Multiple Occupation SPD (Adopted) October 2021. The SPD provides a way of using available data (licensed HMOs) to provide tangible and substantiated evidence regarding the prevalence of HMOs and the overall housing mix within the locality of the proposal.
- 5.4 Policy PSP39 of the Policies, Sites and Places Plan states that where planning permission is required for HMOs, these will be acceptable, provided that they would not prejudice the amenity of neighbours. Supporting text states that the term “neighbours” should be taken to mean properties adjacent to, and surrounding, the application site which have a reasonable potential to be directly affected by harmful impacts arising from the proposal(s).
- 5.5 In addition, Policy PSP8 of the Policies, Sites and Places Plan maintains that development proposals will only be acceptable provided that they do not have unacceptable impacts on residential amenity of occupiers of the development or of nearby properties. Unacceptable impacts could result from noise or disturbance, amongst other factors, which could arise from HMOs functioning less like traditional single households on a day-to-day basis.

- 5.6 Prejudicing the amenity of neighbours can arise at a localised level when developments of such HMO uses are inappropriately located, or become concentrated, particularly at an individual street level.
- 5.7 Additional Explanatory Guidance 1 sets out that the following factors should be taken into account when determining if the proposal would prejudice the amenity of adjacent neighbours:
- Whether any dwellinghouse would be 'sandwiched' between two licensed HMOs, or,
 - Result in three or more adjacent licensed HMO properties.
- 5.8 In the case of the current application site, 758 Filton Avenue, the proposed change of use would not result in any dwellinghouse being 'sandwiched' between two licensed HMOs or result in three or more adjacent licensed HMO properties.
- 5.9 As set out in Policy CS17 of the Core Strategy, providing a wide variety of housing type and sizes to accommodate a range of different households, will be essential to supporting mixed communities in all localities. Sub-division of existing dwellings and non-residential properties to form flats or HMOs can make a valuable contribution suitable for smaller households and single people as part of these mixed communities.
- 5.10 Policy CS17 does not define what is meant by 'mixed communities' in all localities. Instead, it acknowledges that implementation of this policy, and PSP39, will be made on a case basis through the development management process. Therefore, the HMO SPD aims to acknowledge that some intensification, if carried out sensitively, and where it would not adversely affect the character of an area, can contribute to the local mix and affordability of housing, viability of local services, vitality of local areas and contribute to the Council's housing delivery targets.
- 5.11 As there are localities which are already experiencing concentrations of HMOs, the SPD requires consideration of existing localities that are already experiencing levels of HMOs which harm the ability to support mixed communities and preventing impact on character and amenities, and applications which would result in a level of HMOs that could contribute towards harmful impacts.
- 5.12 Additional Explanatory Guidance 2 sets out that the following factors should be taken into account when determining if the proposal would contribute to harmful impacts in respect of a mixed community and the character and amenity of an area:
- An additional HMO in localities where **licensed** HMO properties already represent more than 10% of households, or,
 - More than 20% of households are **licensed** HMOs within a 100m radius of the application property.

- 5.13 For the purposes of this assessment, a 'locality' is defined by a statistical boundary known as a Census Output Area.
- 5.14 In the case of 758 Filton Avenue, licensed HMO properties currently represent 9% of households in the locality. Within a 100m radius there are 100 domestic properties, 8 of which are licensed HMOs thereby representing an 8% concentration of licensed HMOs within this radius.
- 5.15 The principle of the proposed change of use to a large house in multiple occupation (Sui Generis) is therefore considered to comply with Policy CS17 of the Core Strategy; Policy PSP8 and PSP39 of the Policies, Sites and Places Plan; and the Houses in Multiple Occupation SPD.
- 5.16 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 have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.17 The proposed change of use would not alter the external appearance of the dwelling. The single storey rear extension and loft conversion with rear dormer shown on the plans have already been granted approval by applications P22/05656/PNH and P22/05663/CLP. The approval of these alterations remain extant and can proceed independently of this current application. Concerns from Local Residents regarding the lawfulness of these approvals are noted but are unfounded.
- 5.18 The proposed creation of a new vehicular access onto Filton Avenue with associated driveway would create 2no. on-site parking spaces to the front of the property. The existing front boundary wall, front hedge and front garden would be lost. All three elements could be removed without the need for planning permission so the only assessment required is the access onto Filton Avenue itself. Similar accesses have been created all along Filton Avenue, including two doors down at number 762.
- 5.19 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the building or negatively impact the visual amenity of the street scene or character of the area.
- 5.20 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. 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.

- 5.21 As outlined above, the proposed change of use is not considered to significantly impact upon the residential amenity of neighbouring properties. The single storey rear extension and loft conversion with rear dormer shown on the plans have already been granted approval by applications P22/05656/PNH and P22/05663/CLP. The approval of these alterations remain extant and can proceed independently of this current application. Concerns from Local Residents regarding the lawfulness of these approvals are noted but are unfounded. The proposed creation of a new vehicular access onto Filton Avenue with associated driveway would not have any unacceptable impact upon the residential amenity of neighbouring properties.
- 5.22 Policy PSP43 of the Policies, Sites and Places Plan outlines the Councils minimum standards for private amenity space for new residential units, however there is no set standard for HMOs. Using PSP43 as a reference, a 1no. bedroom flat should have access to a minimum of 5 square metres of amenity space. Using this standard, 7 x 1no. bedroom flats would require 35 square metres of amenity space. The proposed development would meet this requirement.
- 5.23 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours or future occupiers of the development.
- 5.24 Highway Safety and Transport
In terms of parking, a minimum of 0.5 spaces per bedroom are required for a HMO. This proposal therefore required 3.5 spaces (rounded up to 4 spaces). It is noted that 3 spaces can be achieved on-site (2 new spaces to the front of the dwelling and 1 space in the existing rear garage).
- 5.25 This would leave 1 space outstanding. Previous surveys of the surrounding area have indicated that this 1 space could be accommodation on street. It is therefore considered that whilst the proposed development would lead to 1 additional vehicle parking on the public highway, this would not create any unacceptable highway safety or transportation concerns.
- 5.26 A condition would be attached to any consent requiring the 2 parking spaces to the front of the dwelling to be provided prior to the first occupation, and thereafter retained as such. A condition would also ensure the existing garage is retained for parking.
- 5.27 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.

- 5.28 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 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 That the application be **Approved** subject to the conditions included on the decision notice.

CONDITIONS

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

Reason

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

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

S-01 - Site Location Plan (Received 02/11/2022)
S-02 - Existing Block Plan (Received 02/11/2022)
S-03 - Existing Ground and First Floor Plans (Received 02/11/2022)
S-04 - Existing Loft and Roof Plans (Received 02/11/2022)
S-05 - Existing Section (Received 02/11/2022)
S-06 - Existing Side Elevation (Received 02/11/2022)
S-07 - Existing Front and Rear Elevations (Received 02/11/2022)
S-08 REV01 - Proposed Block Plan (Received 12/01/2023)
S-09 REV01- Proposed Ground and First Floor Plans (Received 12/01/2023)
S-10 REV01- Proposed Loft and Roof Plans (Received 12/01/2023)
S-11 REV01- Proposed Section (Received 12/01/2023)
S-12 REV01- Proposed Side Elevation (Received 12/01/2023)
S-13 REV01- Proposed Front and Rear Elevations (Received 12/01/2023)

Reason

To define the terms and extent of the permission.

3. The off-street parking provision to the front of the property (i.e. 2no. spaces), Electric Vehicle charging points (7Kw 32 Amp), cycle parking, and bin store, shall be provided prior to the first use of the property as a 7 person HMO and retained for those purposes thereafter.

Reason

To ensure the satisfactory provision of parking facilities, cycle storage facilities and appropriate waste facilities and in the interest of highway safety, to promote sustainable transport and to accord with Policies PSP16 and PSP39 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The existing garage to the rear of the property shall be retained for parking and shall not be used for accommodation.

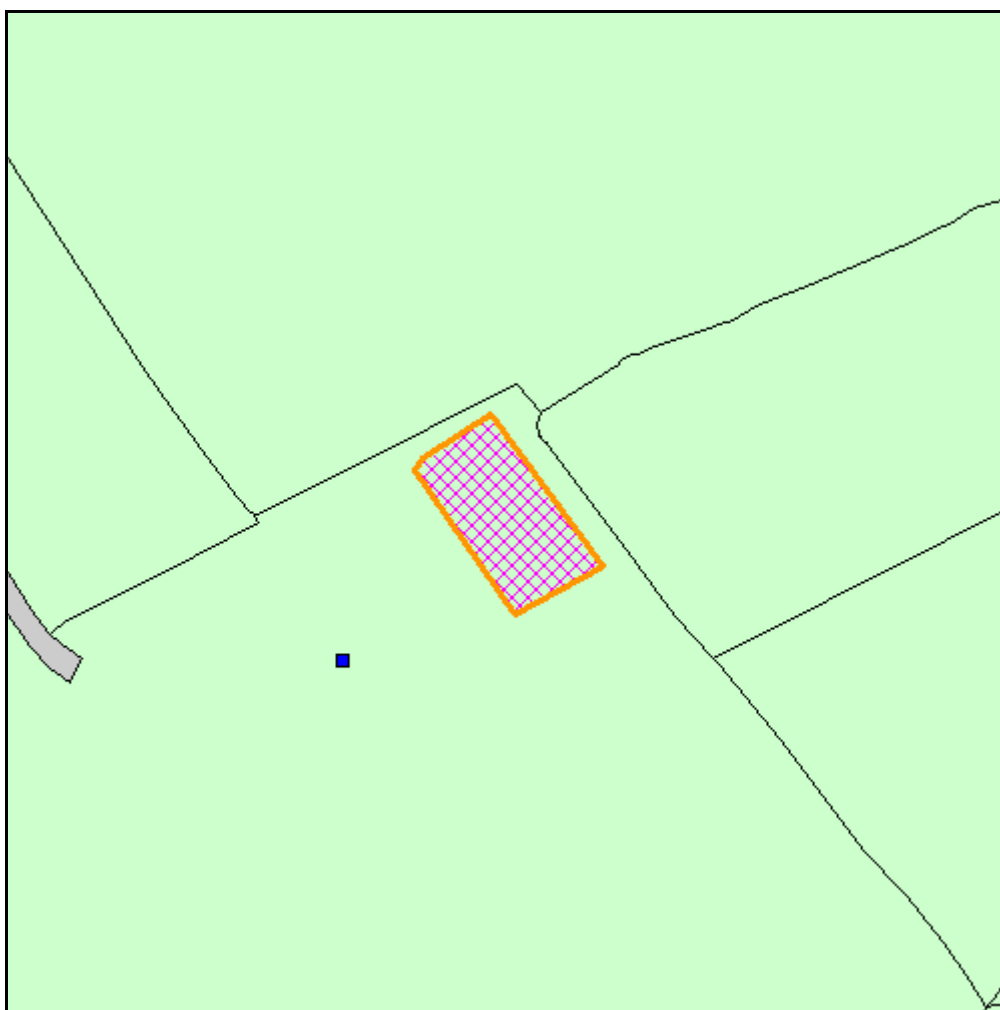
Reason

To ensure the satisfactory provision of parking facilities and to accord with Policies PSP16 and PSP39 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

Case Officer: Oliver Phippen
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 08/23 -24th February 2023

App No.:	P22/06433/F	Applicant:	Mr D Avery
Site:	Land At The Holding Lodge Road Wick South Gloucestershire BS30 5TU	Date Reg:	11th November 2022
Proposal:	Stationing of 1 no. mobile home for 3 years as temporary agricultural workers dwelling.	Parish:	Wick And Abson Parish Council
Map Ref:	370253 174480	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	6th January 2023



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100023410, 2008.

N.T.S.

P22/06433/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 the receipt of an objection from Wick and Abson Parish Council contrary to the officer recommendation below.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the siting of a temporary rural workers dwelling. The proposal is for a 2no. bedroom mobile home.
- 1.2 The dwelling is proposed to serve a relatively new agricultural business, which commenced in 2022.
- 1.3 The site is located within the Bristol/Bath Green Belt and outside any designated settlement boundary.
- 1.4 Additional information has been submitted in relation to land occupation and financials.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing Environment and Heritage
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodlands
PSP7	Development in Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Assessment
PSP19	Wider Biodiversity

PSP20	Flood Risk, Surface Water and Water Management
PSP28	Rural Economy
PSP29	Agricultural Development
PSP42	Rural Workers Dwellings

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 P20/18866/PNA - Prior notification of the intention to erect 1no. agricultural building for the storage of machinery and fodder. – Approved 28.10.2020
- 3.2 P20/08484/F - Erection of agricultural building for the storage of machinery, equipment, fodder, materials, and the keeping of livestock. – Approved 10.09.2021
- 3.3 P21/07178/PNA - Prior notification of the intention to erect an extension to existing agricultural building for the storage of agricultural machinery and fodder. – Withdrawn 01.12.2021
- 3.4 P21/07723/F - Erection of an extension to an existing agricultural building. – Approved 03.02.2022

4. **CONSULTATION RESPONSES**

- 4.1 Wick and Abson Parish Council – “*Inappropriate application within greenbelt - Loss of visual amenity .*

Parish Council request the planning officer to investigate the size of the land in relation to the application received. This development will cause an increase in traffic movement along a single track rd.

Following previous objections by Parish Council on application no.s P21/06468/F & P21/06468/F

The property hasn't been used as yet, so the accommodation was clearly missed from the last application and should not be granted if it is now considered essential to the operation of the business. The previous application was incorrect and the business would appear to not be viable on financial grounds.

Parish Council would also like to advise that the name on the property appears to have changed since previous applications”

- 4.2 Transport – No objection
- 4.3 Landscape – No objection
- 4.4 Drainage – No objection

Other Representations

4.5 Local Residents

One support comment has been received, summarised as:

- Proposal essential to business success
- Site already greatly improved by applicant
- Many barriers to young farmers
- Limited affordable properties in the area

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The application site is located within the open countryside and Green Belt. The NPPF makes a presumption in favour of sustainable development and has a strong emphasis in respect of supporting economic growth in rural areas. Both national and local plan policy state that isolated dwellings in the countryside should be avoided, but rural workers dwellings can be an acceptable form of development subject to meeting strict criteria. This is discussed in depth below.
- 5.2 The site is however also located in the Green Belt where new buildings are considered to be inappropriate development unless they meet the relevant considerations within the exception list. The new building is for residential purposes and therefore is assessed as not meeting any of these exceptions. As such, paragraphs 149/150 of the NPPF set out that the development would be inappropriate development in the Green Belt, which should not be approved except in 'very special circumstances'. The genuine need for the development to support a business is such a "special circumstance". It is necessary therefore to assess whether that need exists
- 5.3 The NPPF at paragraph 80 instructs that planning policies and decisions should avoid the development of isolated homes in the countryside, unless one or more of a limited number of exceptions apply. One of the exceptions listed under para. 80 is where there is an essential need for a rural worker.
- 5.4 PSP40 sets out the limited forms of residential development in the open countryside that the local planning authority consider acceptable. One of the listed exceptions is rural workers dwellings that accord with PSP41. Policy PSP41 submits that outside the defined settlement boundaries, the erection of dwellings for permanent workers in agriculture will be acceptable where the applicant can demonstrate that:
- *The dwelling is required to satisfy a clearly established existing functional need to live at the place of work or within the immediate area, which cant be met within settlement boundaries; and*
 - *The rural business has been established for at least three years, has been profitable for at least one of them, is financially sound and has a clear prospect of remaining so; and*

- The need could not be fulfilled by another existing dwelling or building capable of conversion on the unit, or any other accommodation or building capable of conversion in the area, which is suitable and available for occupation by the worker concerned; and
- The proposal is satisfactorily sited in relation to the rural business and wherever possible, is sited within a hamlet of existing group of buildings.

In the case of new businesses, where the need and location have been established, but permanence cannot be demonstrated, the consideration will be given to temporary accommodation, whilst the business establishes.

- 5.5 The applicant has provided information which describes the business, the buildings, the land holding including off-site land availability, labour requirement, the functional need, and projected cash-flows. Given the potential complexity of these type of applications, it is the recognised practice for the LPA to engage an independent assessor to scrutinise the applicant's case and provide advice accordingly. The findings of the independent assessment are summarised as follows –

Business Description

- 5.6 The site is located on the outskirts of Abson, 3 miles north of the village of Wick. Purchased in 2019, the site extends to 3.5 acres with a further 26 acres rented. Details of the land available, plus details of tenancy agreements have been received for the additional 26 acres.
- 5.7 Whilst the applicant has worked with his father on other farms and contracting since 2013, calf rearing on this site has only recently commenced (early 2022). Purchasing calves at a few days old, the plan is to rear them to 3 months under contract. Whilst there are currently only 50 calves, the intention is to buy in 15 calves per week, with 180 calves at any one time and 700 over 12 months.

Buildings and Infrastructure

- 5.8 The following facilities are provided on the holding:
- 60' x 25' steel portal framed lean to livestock building
 - 60' x 30' steel portal framed livestock building
 - Mains water and electricity connection.

The intention is to seek permission for a further livestock building in the near future. The officer can confirm that the use of the livestock building has commenced.

Labour

- 5.9 The applicant is the key worker on the holding, although he also supports his father with agricultural contracting (although this will diminish as the calf rearing venture expands). The applicant will be supported by his father who has around 48 years experience in the industry. No other labour is identified.

Dwellings available to the business

- 5.10 It is stated that there are no dwellings or buildings available for conversion on the unit. Furthermore, a Rightmove search has indicated that there are properties within one mile of the site, with the least expensive being around £375,000. This is considered too expensive for the applicant and not within 'sight and sound' or 'close proximity'. It is stated that the applicant commutes to the site a number of times each working day. The location of this accommodation is not known.

Functional need

- 5.11 A functional test is needed to understand what it is about the running of the business that requires someone to be present most of the time. This need must relate to the business based on the stocking and cropping requirements and not the personal needs of those running the business. The need must also relate to a full time worker.
- 5.12 A functional need can exist where there is a requirement for a worker to be on hand day and night in case the housed animals require essential care at short notice i.e. on welfare grounds. In this case, the housing of young livestock throughout the year does in principle generate a functional need. As to whether the need for on-site accommodation is satisfied, this then depends on the scale of the activity.
- 5.13 In a normalised year, the proposed business is projected to incur the following time assessed using the standard man day system at present January 2023 (source – John Nix Pocketbook for Farm Management 53rd Edition).

Weaned Calves 0-3 months; 0.6 SMD per calf @ 700 (On site for 3 months approx.) - 420.00
Permanent Pasture; 2.8 SMD per hectare @ 16.19 hectares - 45.33
Additional general overhead activities, repairs etc @ 15% - 69.80
TOTAL 535.13

- 5.14 Each Man equals 275 Standard Man Days (SMD), therefore theoretically 1.95 full time employees are required. The theoretical total will therefore be at least 2 full time employees required on the holding. This is provided by Mr Avery and his son Douglas at present with some assistance from outside casual labour. The planned business and need does relate to a full time worker.

Ability to develop the enterprise

- 5.15 There is a total of 3,300sq ft (306sqm) of floorspace available currently. Based on BS 5502: Part 40: Table 9 (Individual pen sizes for calves), each calf of 60-80kg in weight requires 1.6sqm per head. Based on 180 calves, the requirement would be 324sqm. With the limitation of 170sqm, there is only sufficient housing for 170 calves at any one time. Any more stringent farm assurance standards may result in increased spatial requirements and further stock being housed. Reducing the calf numbers does not impact on the general ability to develop the enterprise but, as noted above, impacts on stock capacity.

Permanency

- 5.16 Land ownership extends to only 3.5 acres and without the provision of additional rented land, the business could only operate if all feed was brought in from off the holding. This could impact significantly on the overall viability of the venture.
- 5.17 The business will continue to be reliant on the additional 36 acres, and details of a 6 year Farm Business Tenancy (FBT) for the 20 acres of land at Coxgrove Hill and a further signed letter from both landlord and tenant confirming use of the land (16 acres) at Cow Leaze Farm for the past 7-8 years and continued written agreement for its continued use for the foreseeable future.
- 5.18 With the majority of the land being rented, there is concern about the permanence of the business if this land was no longer available, however security of tenure has been provided, at least in terms of a temporary dwelling.

Financial viability

- 5.19 The revised budget provides a gross margin of £42 per calf which compares with the Nix standard data of £34 per calf place. Contracting has now been removed, whereas fodder sales are retained but increased from £5,400 to £7,200. This increases the total enterprise gross margin to £36,600. With regard to the fixed costs, these amount to 9,353 (of which only £320 amounts to casual labour costs which therefore means that applicant is largely reliant on unpaid family labour), largely comparable with previous costs and this results in an enterprise profit of £27,247.
- 5.20 Even though the proposal is costed on the basis of 700 animals and numbers could in fact be reduced to 680 due to the spatial requirements available, this will alter income by around 3% (£28,518 instead of £29,400). This change of £882 is not significant.
- 5.21 The financial test compares the projected profit against the income for a worker on minimum wage which is currently £19,332 per annum, (increasing to £22,667 with the inclusion of Employers Liability Insurance, National Insurance Contributions and Workplace Pension Employers Contribution). In the above assessment, the projected profit is now above this comparable cost however there continues to be no allowance for the cost of the dwelling or investment in an additional farm building or working capital. However, noting this is a mobile home proposed, the cost should be relatively low compared to log cabin alternatives.
- 5.22 In light of the additional information, the business has been planned on a sound financial basis.

Other accommodation

- 5.23 It is understood that the applicant resides off the holding and commutes to the site every day, although the location of the dwelling is unknown. A Rightmove search has indicated that there are 4 properties still available for sale within a 1

mile radius of the site postcode, with a 2 bed detached bungalow at Wick being the cheapest at £375,000. In reviewing the location, by road it is more than 1.5 miles away and therefore too far from the site to meet the functional need. There is no other accommodation in the area suitable and available.

Impact on openness

- 5.24 A fundamental aim of Green Belt policy is to keep land permanently open. Openness is generally accepted to mean absence of structures or activity.
- 5.25 The parcel of land contains a recently constructed agricultural building, and an area of hardstanding to the north of the site where the mobile home would be located. The proposed development would impact upon openness for this site both spatially and visually as a result of development and increased activity. The proposal is sited in a corner of the site adjacent to existing hedgerows, and is located where it would have the least impact, however there would be a clear loss of openness as a result of the development overall.

Conclusions – Principle of development

- 5.26 It is considered that the tests have been met to allow the temporary siting of the building for a period of three years. A condition will be attached to the recommendation to restrict the development to a three year period. Three years is the standard period given in these cases to allow the applicant to demonstrate that the business has a “permanency”. As set out above and raised by the Consultant the longer term growth of the business will to an extent depend upon access to the land that is currently the subject of a temporary arrangement. It is considered that the current business/employment use constitutes a rural enterprise and that this does form the very special circumstances that outweigh its status as inappropriate development in the Green Belt.

Design/siting/scale

- 5.27 The proposed dwelling to meet its functional requirements, needs to be suitably located close to the livestock building, must be able to accommodate the residential needs of the family, and must provide the agricultural worker with appropriate facilities to undertake the work.
- 5.28 The dwelling has been located as close as feasibly possible to the livestock building allowing the applicant to monitor the animals. The location at the corner of the field will prevent significant encroachment into open land and it would be largely seen at a distance against the backdrop of boundary hedges.
- 5.29 The proposed accommodation is not excessive, providing two bedrooms, an open plan living/dining kitchen area, and two bathrooms. This is considered sufficient for the needs of the family and provides appropriate facilities.
- 5.30 The consent applied for is temporary and given the assessment undertaken (see above) the consent given would be for a three year period. If prior to the expiry date, the applicant seeks to secure a permanent consent then a more

appropriately design building in keeping with the rural character would be expected.

Landscaping

- 5.31 The site lies in open countryside in the Green Belt to the SW of the village of Abson. The site is well set back from the south side of Lodge Road and forms the northern corner of a plot of land occupied by an existing agricultural building, which is reached by a track. A field hedgerow lies adjacent to the northern edge of the site, and a hedge with trees to its east. Public footpath LWA/5/10 crosses the field to the SE of the site.
- 5.32 There is no landscape objection, as any views of the mobile home from the footpath will also take in the larger agricultural building.
- 5.33 A condition will need to be attached to any planning permission stipulating that the mobile home will lie a minimum 3m offset from the canopy edge of the adjacent hedgerow and tree protection, as this helps screen its location in views across the Green Belt from the N and E.

Residential amenity

- 5.34 Given the scale and the location of the development in relation to the nearest residential properties there will be no adverse impact upon residential amenity.
- 5.35 No formal amenity space has been set out, however this would not be reasonable to expect for a temporary dwelling.

Transportation

- 5.36 Given the scale of the development it is not considered that any significant vehicle movements would accrue. There is no objection to the access. The proposed development shows that sufficient parking is provided. It is not considered that the development will result in any adverse impact upon highway safety.

Drainage

- 5.37 The application site is in Flood Zone 1, the lowest area for flood risk. No objection has been raised by the drainage team.

Other matters

- 5.38 The officer notes the concerns raised by the Parish Council, however can confirm that the livestock use has commenced. The permission of previous applications does not prevent the consideration of further applications, and they must be considered on their own merit.

Consideration of likely impact on Equalities

- 5.39 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is

unlawful to treat someone. As a result of this Act, the public sector equality duty came into force. Among other things, those subject to the equality duty must have due regard to: eliminate unlawful discrimination; harassment and victimisation; advance equality of opportunity; and, foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above, this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the application be APPROVED 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. The workers dwelling hereby permitted shall be permanently removed and the land restored to its former condition on or before 6th March 2026.

Reasons

Consent is given on a temporary basis for three years based upon the business case provided and because the site is not in an area intended for residential development. The development has been permitted solely because it is required to accommodate an agricultural worker at the site, and; to accord with the provisions of the National Planning Policy Framework 2021 and Policy PSP41 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

The building hereby approved is not considered appropriate as a permanent design solution due to its design/appearance and if a permanent consent were to be given at a future date, a better design solution would be required to meet the aims and objectives of Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013

3. The occupation of the dwelling hereby approved shall be limited to a person(s) working solely in conjunction with the agricultural enterprise based at the land indicated on the Site Location Plan dated 07 Dec 2022, or a widow or widower of such a person, and to any resident dependants.

Reasons

The site is not in an area intended for residential development and the development has been permitted solely because it is required to accommodate a rural worker(s) working at the site, and to accord with the provisions of the National Planning Policy Framework Feb. 2019 and Policy PSP41 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

The site lies within the Green Belt and the Temporary Rural Workers Dwelling is inappropriate development requiring very special circumstances; to accord with Policy CS5 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013; Policy PSP7 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov 2017 and The National Policy Framework Feb. 2019.

4. If external lighting is installed; prior to installation a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- Identify those areas/features on site that are particularly sensitive for bats, badgers and hedgehog and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason

To ensure there isn't excessive light spill onto adjacent habitats; in the interests of protected species and the bio-diversity of the location, to accord with Policy PSP19 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

5. The mobile home will retain a 3m offset from the canopy edge of the adjacent hedgerow.

Reason

To protect the character and appearance of the area and 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) 6th Nov. 2017, the Trees and Development Sites: Guidance for New Development SPD (adopted April 2021) and the National Planning Policy Framework.

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

11 Nov 2022	71096/02/001	A	COMBINED EXISTING
11 Nov 2022	71096/02/100	A	COMBINED PROPOSED
07 Dec 2023	SITE LOCATION PLAN		

Reason:

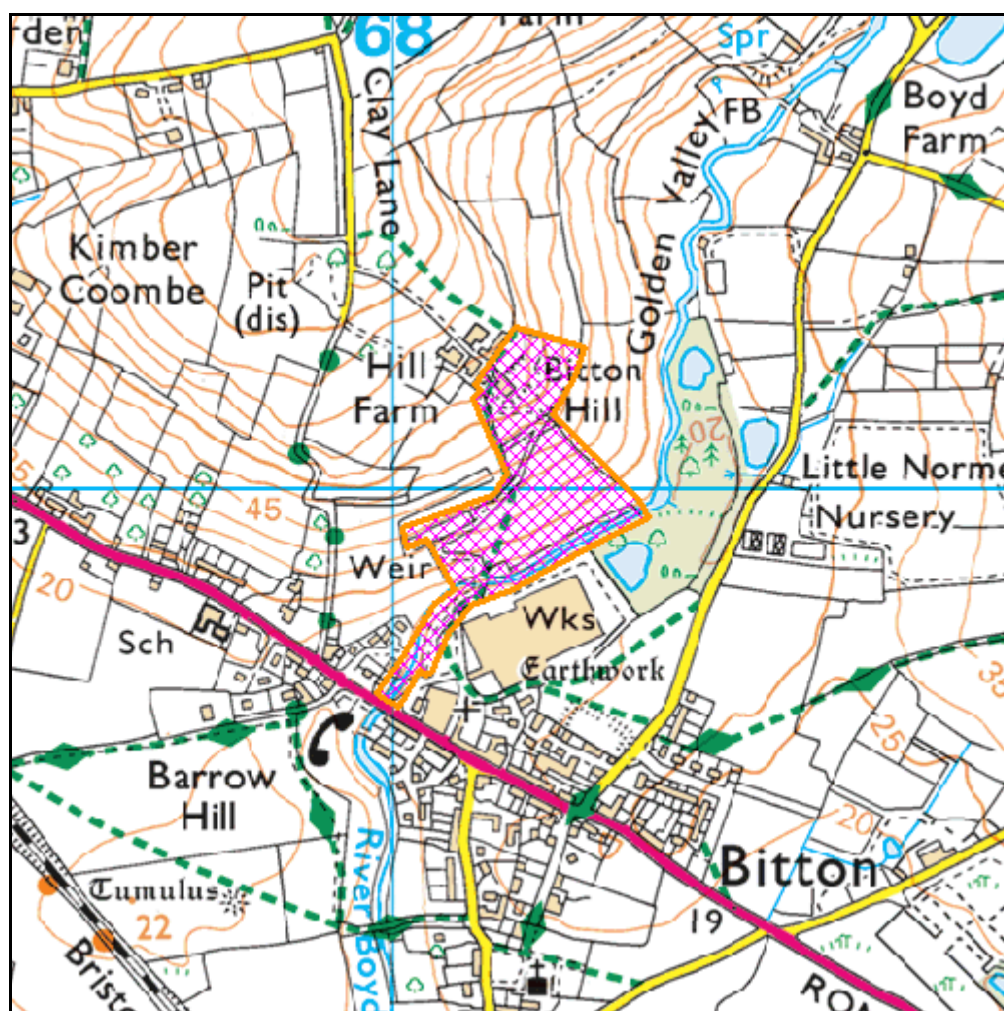
To define the terms and extent of the permission.

Case Officer: Rae Mephram

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 08/23 -24th February 2023

App No.:	P23/00190/TRE	Applicant:	Mr Simeon Bamfield
Site:	Bitton Hill House Mill Lane Bitton South Gloucestershire BS30 6HN	Date Reg:	18th January 2023
Proposal:	Works to trees as per the attached schedule of works received by the Council on the 18th January 2023 situated in the Bitton conservation area and covered by SG/TR 11/72, dated 01/02/1973.	Parish:	Bitton Parish Council
Map Ref:	368152 170136	Ward:	Bitton And Oldland Common
Application Category:		Target Date:	15th March 2023



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100023410, 2008.

N.T.S.

P23/00190/TRE

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

This application appears on the circulated schedule due to an objection from Bitton Parish Council

1. THE PROPOSAL

1.1 Works to trees as per the attached schedule of works received by the Council on the 18th January 2023 situated in the Bitton conservation area and covered by SG/TR 11/72, dated 01/02/1973.

1.2 Bitton Hill House, Mill Lane, Bitton, South Gloucestershire, BS30 6HN

2. POLICY CONTEXT

2.1 National Guidance

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

3. RELEVANT PLANNING HISTORY

3.1 P19/5572/TRE, Proposal: Works to trees as per the attached schedule of works received by the Council on the 21st May 2019. All trees situated in the Bitton conservation area and covered by SG/TR 11/72, dated 01/02/1973, Decision: COND, Date of Decision: 18-JUL-19

3.2 PK18/3857/TRE, Proposal: Works to remove basal growth to 7 lime trees, Decision: COND, Date of Decision: 09-NOV-18

3.3 PK18/0753/TCA, Proposal: Works to Yew tree hedge to trim to leave a height of 4 metres, Decision: NOB, Date of Decision: 24-APR-18

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Bitton Parish Council would welcome the comments of the Tree Officer. Councillors Objected to the excessive amount of tree felling.

Following comments sent to the Parish Council supporting the proposals, the Parish responded and “still object to the amount of trees unnecessarily being felled.”

Other Representations

4.2 Local Residents

Initially there were 3 comments of objection from local residents. Following a site visit and supply of a proposed planting plan, these objection no longer applied.

5. ANALYSIS OF PROPOSAL

5.1 Removal and reduction of various trees within the garden and woodland areas of Bitton Hill House.

5.2 Principle of Development

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

5.3 Consideration of Proposal

It firstly needs to be acknowledged that the proposed tree works within the report are the same as those submitted and approved in 2019. Not all the works took place at once as it was advised by the Tree Officer that they should remove them over time to consider the impact on the neighbours. Unfortunately, when they continued with the works it was noted that the decision had lapsed.

5.4 The tree works stopped once the tree surgeon and owner were notified that the decision had lapsed and they would need to reapply. At this point all but 2 trees had been removed.

5.5 The proposed works have been considered and the owner has agreed that the 2 trees yet to be removed can be retained to help maintain some screening for the neighbours. The owner has also provided a tree planting plan which provides sufficient mitigated planting and will be added as an approved document to the permission.

5.6 Whilst Bitton Parish Council welcomed the comments of the Tree Officer, who is satisfied that the proposals will not harm the amenity of the area and that the planting scheme will enhance the location over time, they are still open to objecting to the proposed report on the grounds of unnecessary felling. It has been broached with the Parish Council again that these works had previously had approval and most of the works have already been completed.

6. RECOMMENDATION

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

CONDITIONS

1. Replacement trees, the species, size and location of which are to be in accordance with the submitted planting plan (114 dated 29th January 2022) as a minimum. The trees shall be planted in the first planting season following the felling hereby authorised.

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 and the National Planning Policy Framework.

2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

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

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

Reason

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

Case Officer: Kate Tate

Authorising Officer: Suzanne D'Arcy