

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: 30/23

Date to Members: 28/07/2023

Member's Deadline: 03/08/2023 (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 28 July 2023

-

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P23/00605/F	Approve with Conditions	Silverhill Gloucester Road Rudgeway South Gloucestershire BS35 3NS	Severn Vale	Alveston Parish Council
2	P23/00849/F	Approve with Conditions	Land At The Former Avlon Works Severn Road Hallen South Gloucestershire BS10 7ZE	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
3	P23/01019/HH	Approve with Conditions	Stone Croft Main Road Easter Compton South Gloucestershire BS35 5RE	Pilning And Severn Beach	Almondsbury Parish Council
4	P23/01340/F	Approve with Conditions	Barn Off Sweetwater Lane Thornbury South Gloucestershire BS35 3JX	Severn Vale	Oldbury-on-Severn Parish Council
5	P23/01927/HH	Approve with Conditions	52 Wiltshire Avenue Yate South Gloucestershire BS37 7UG	Yate North	Yate Town Council

CIRCULATED SCHEDULE NO. 30/23 -28th July 2023

App No.:	P23/00605/F	Applicant:	Witherslack Group Ltd
Site:	Silverhill Gloucester Road Rudgeway South Gloucestershire BS35 3NS	Date Reg:	17th February 2023
Proposal:	Change the use of the existing office building (Class E(g) to a school for children with special needs (Class F1 (a) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) erection of 2 no. detached outbuildings to form classrooms, creation of multi use games area (MUGA), additional parking and other associated works including the re-introduction of access from Washingpool Lane.	Parish:	Alveston Parish Council
Map Ref:	362171 186144	Ward:	Severn Vale
Application Category:	Minor	Target Date:	10th April 2023



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

P23/00605/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 Councils Circulated Schedule procedure as more than 3no. objection comments have been received contrary to the officer recommendation below.

1. THE PROPOSAL

- 1.1 This is a full planning application for the change of use from office (Class E(g)) to a school for children with special needs (Class F1(a)), the erection of 2no. detached outbuildings to form classrooms, creation of multi use games area (MUGA), additional parking and other associated works.
- 1.2 The proposal is located outside of any settlement boundary and within the Bristol/Bath Green Belt. Silverhill is a locally listed building, constructed as a country house in the 19th century and is currently vacant.
- 1.3 The application has been amended since original submission, to make alterations to the site layout and the submission of additional detail relating to transport, ecology and trees. The site location plan was also amended to remove an area that was found to be outside of the applicants ownership. Re-consultation has been undertaken.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodlands
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
PSP28	Rural economy

3. RELEVANT PLANNING HISTORY

- 3.1 P93/1595 - CHANGE OF USE OF PREMISES FROM SCHOOL TO OFFICE (CLASS D1(c) TO CLASS B1(a) AS DEFINED IN THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987. RETENTION OF TWO FLATS – Approved 16.06.1993

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council – No objection.
- 4.2 Transport – No objection subject to one way system and Travel Plan being required by condition.
- 4.3 Drainage – No objection subject to a condition requiring drainage details
- 4.4 Landscape – No objection subject to detailed planting plan, 5 year landscape maintenance schedule and hard landscaping.
- 4.5 Tree Officer – No objection subject to works being carried out in accordance with the arboricultural report, submission of an arboricultural watching brief and details of replacement planting.
- 4.6 Ecology – No objection subject to mitigation, external lighting details and enhancements.
- 4.7 Conservation – Concern regarding loss of trees and positioning of new classrooms, balanced against the benefits of bringing locally listed building back into use.
- 4.8 Archaeology – No objection subject to conditions relating to a programme of archaeological investigation and post investigation assessment.

Other Representations

4.9 Local Residents

6no. objection comments have been received, summarised as:

- Traffic impact
- Vehicle movements will treble from previous use
- Access is via a narrow lane adjacent to residential properties
- Air pollution from increased traffic
- Damage to lane from traffic

- Subsidence causing damage to gas main
- Traffic on A38 already significant
- Car park held up by retaining wall
- Ecology report carried out in winter
- EVCP bays block access
- Charging points should not be for use of general public
- Sewage pipes should not be damaged
- An archaeological report should be commissioned
- No details of school hours
- No details of how students will be transported
- No details of pupil or staff numbers
- Impact on ecology
- Loss of trees
- Inappropriate location
- Red line includes land not within the applicants ownership
- Work started prior to receiving consent
- Noise from increased traffic
- Busses now reduced
- Sewage should not contaminate other land

8no. support comments have been received, summarised as:

- South Glos requires more provision for SEN children
- Bigger housing developments have been approved where issues have been raised
- Office buildings are comparable in terms of transport
- Special schools are likely to have staggered start times
- Good use of empty building
- Children likely to arrive by taxi

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 Paragraph 147 of the National Planning Policy Framework (the Framework) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework sets out that the construction of new buildings within the GB is inappropriate development, unless the development falls within one of a number of stated exceptions (Paragraph 149). Certain material changes of use of land, such as for outdoor sport or recreation, can be considered to be not inappropriate, providing they preserve its openness and do not conflict with the purposes of including land within in (Paragraph 150).
- 5.2 The change of use of Silverhill itself would be considered under 150(c), the re-use of buildings providing the buildings are of permanent and substantial construction. Although the building is currently vacant, it has been in place since the mid 19th century and there is no indication that the building is in disrepair or requiring reconstruction.
- 5.3 The proposed classroom buildings sited adjacent to the main building are considered to be in close enough proximity to be considered as “extensions”.

- 5.4 Extensions to a building are considered under 149(c): (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Original building should be taken as the building as it was in 1948, or when the building was constructed, whichever is the latter. This substantial building remains largely unchanged compared to the building shown on the 1939 OS map as shown on “Know your place”, with the exception of a small rear lean-to. It is unclear when this was constructed as planning records are not complete, however it does appear modern and likely added after 1948.
- 5.5 The proposed classroom blocks measure 17m by 6.6m, and are 3m high, resulting in a volume of 336m³ each and 672m³ in total. A rough estimate of the volume of the original building is around 6,500m³, with some parts of the building measuring around 16m in height.
- 5.6 The modern extension measures around 158m³. Cumulatively, if the new classrooms were constructed, the original building would be increased by 830m², representing around 13%. Given the low percentage and small scale nature of the proposals in comparison to the existing building, it is considered that the units are proportionate additions.
- 5.7 The proposal also involves the introduction of a grass outside area and a hard surface play area. These are proposed on existing grassed and hard surface areas respectively, and can be considered under 150(e): material changes in the use of land. What must be considered is whether the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. As the type of surfaces are not being altered, the only significant change would likely be the multi-use games area. Details have not been submitted, however these tend to be open pitches with football nets/basketball hoops at either end. As the provision of appropriate facilities for outdoor sport and recreation can also be considered as appropriate development, it is considered that these elements would not conflict with the purposes of land being included within the Green Belt.
- 5.8 The final part of the proposal in terms of Green Belt consideration is the provision of hardstanding to the west of the site to accommodate parking. This area measures approximately 1330m², and requires the removal of trees and clearance of overgrowth, although it is noted that the area was laid to lawn until approximately 2009, when it stopped being maintained. The laying of hardstanding and use of the area as a car park would develop a previously undeveloped area of the site, and this is not mitigated by the removal of hardstanding elsewhere. The use of this area as a car park would cause some harm to openness. This is slightly mitigated by the dense screening by vegetation and existing high boundary walls, however spatially the harm will be apparent. There is therefore a modest harm to openness by this element of the proposal, and as this does not fall within any of the exceptions set out by the NPPF it is considered to constitute inappropriate development within the Green Belt, and is, by definition, harmful.
- 5.9 As policy CS5 of the South Gloucestershire Local Plan: Core Strategy

(Adopted) December 2013 includes a requirement that development in the Green Belt will need to comply with the provisions in the Framework, then whether the proposal conflicts with this policy depends on whether very special circumstances exist (as set out in the Framework). Similarly, policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 states that inappropriate development is harmful to the Green Belt and will not be acceptable unless very special circumstances exist.

Location of development, transport and parking

- 5.10 The proposal is sited approximately 150m southwest of the Rudgeway settlement boundary. Residential properties are located to the east, south and west of the site.
- 5.11 Following the appeal decisions for PT18/6450/O and P21/03344/F, the Settlement Boundaries must be considered out of date and the Council does not have a plan led approach. Policy CS5 that controls the location of development, is therefore out of date.
- 5.12 Paragraph 14 of the NPPF states that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF. Notwithstanding the above, the adopted development plan is the starting position.
- 5.13 PSP28 also supports new development which supports a strong rural economy outside of designed urban areas and settlement boundaries, but in the case of new uses, they must be sustainable and of a scale which is consistent with its function, use and rural location.
- 5.14 In the case of this site, it is situated immediately adjacent to a bus stop on the A38, served by the CS7 and T1 running between Stoke Gifford and Thornbury, and also the Westlink on demand bus service. The walking route to Rudgeway is also well paved and lit, and the area is included within the proposed extension of the strategic cycle route within the South Glos Cycle Strategy (2016). The site is not entirely sustainable, but neither is it isolated from services or public transport.
- 5.15 The proposal is for the use of the site as an independent day school for SEN children, accommodating up to 50no. pupils and 46no. staff. The proposed use alters the vehicular need of the school; staff for SEN schools require specialist training and are likely to commute larger distances due to there being a comparatively small labour pool than conventional schools.
- 5.16 Pupils at the school are also unlikely to utilise public transport due to their specialist needs, with many likely to arrive by taxi, private car or minibus transport.
- 5.17 The application has been submitted with a Transport Assessment, which included traffic generation and trip rate data from Lakeside School in Knowsley

- and Abbeywood School in Rotherham. Concerns were raised by the Transport DC officer that these were not considered to be comparable to the proposal due to being located within more built up areas.
- 5.18 In response to this, the applicant has clarified that TRICs data cannot be used as the methodology is based on state operated schools. In order to produce more accurate data, the analysis utilises the applicants existing operational schools which are similar in size/scale and location.
- 5.19 Abbeywood is situated in an industrial area with direct access to a limited bus service, with the road it is located on providing direct access to the M28, similar to the A38. Lakeside is situated close to the M62/M57 and served by local bus services with comparable departure times to the proposal site.
- 5.20 Additional information has also been provided to justify staff parking numbers (43no. spaces for 46no. staff). A Staff Travel Plan Questionnaire has been undertaken at Chilworth Upper School and Chilworth Lower School, a site in a broadly similar location in proximity to key distributor routes and existing high frequency bus services. The survey found that 97% of staff at the Lower School travel to work by private car and 90% at the Upper School. 6 staff members across both sites travel by bus.
- 5.21 In terms of parking provision, SEND schools require a much higher staff to pupil ratio and therefore comparison cannot be made with conventional schools. Measures to improve the sustainability of the site, including a Travel Plan to promote car sharing and using sustainable transport can be secured by condition. Cycle parking and Electric Vehicle Charging Points have also been provided. The Transport Officer has accepted the additional information and no longer raises an objection in regards to sustainability or staff parking.
- 5.22 The existing site is access from Silverhill Brake, an un-adopted private access off the A38. Several residential properties also use this access, with some located immediately to the south of land belonging to the school. Sufficient visibility splays can be achieved from this access.
- 5.23 The extant use of the site is for offices. As the site is vacant, a trip rate assessment has been undertaken using the TRICS database to determine the likely traffic generation of the extant use. The information shows that there would be an average of 130 trips a day, with 26 during the AM peak period and 16 during the PM peak period.
- 5.24 Using the data from comparable specialist schools, the proposal is anticipated to result in 50 trips in the AM peak period (increase of 24), 26 trips in the school PM peak period (increase of 20), and 19 during the evening peak period (increase of 3).
- 5.25 The trip generation is relatively low in comparison to background traffic flows on the A38, with a worst-case increase of 1 vehicle every minute in the peak AM period.

- 5.26 An analysis of the junction at Silverhill Brake has been undertaken, and the conclusion is that it can operate well within theoretical and practical capacity.
- 5.27 During the course of the application the use of the existing access in Washingpool Lane has also been looked at. Following discussions with the applicant, this now forms part of the proposal and a one way system will be introduced within the site, with vehicles arriving via Washingpool Lane and leaving via Silverhill Brake. The Silverhill Brake entrance will be used for deliveries and waste collection services.
- 5.28 An operational statement has been submitted regarding the one way system, including details of location of signage. Parents and taxis will be informed of the one way system as part of the enrolment process, and staff will be on duty at pick up and collection times to enforce the one way system. There is a gate installed on the entry of the one way system, with automation fitted with an intercom link to the School Reception to allow remote access control when visitors arrive. This is set off the highway, however there are some concerns that this could still result in traffic backing up onto the highway during peak periods. Further details of the automated system will therefore be required by condition.
- 5.29 Overall, the location for this particular development, access and parking arrangements are not considered to cause a severe Transport Impact. It is acknowledged that there will be an increase in transport movements and this will have some impact, particularly on those residents living in close proximity to the site and those that share the access point on Silverhill Brake. This will however be somewhat mitigated by the one way system. Subject to full details of the one way system, Travel Plan and parking being secured by condition, there is no Transport objection to the proposal.

Impact on Heritage Assets

- 5.30 The existing building is a Victorian Gothic country house build in the middle of the 19th century, originally named Fir Leaze. After the second worldwar, the house become a private school and was renamed Silverhill. The school relocated in 1992, and at that point Silverhill was converted into offices.
- 5.31 The building is locally listed and as such is a non-designated heritage asset. The significance of the building is primarily embodied in the external form, appearance and features of the building, along with original internal details where they survive. The setting of the Silverhill, amid secluded tree-screened private grounds adjoined by its former coach house, also makes a positive contribution to its significance.
- 5.32 The proposal involves limited alterations to the interior along with new classroom blocks and a multi-use games area in the grounds. The internal works involve removal of a limited number of existing internal walls along with a small number of new partitions and alterations to some doorways on the ground and first floors. These works are not considered harmful and no features of any significance will be lost. The proposed multi-use games area

which will be located on a lawned area to the rear of the building and at a distance that will not compromise its setting.

- 5.33 The Conservation Officer has requested a context elevation of the proposed classroom blocks to establish the extent they would be visible above the existing wall and be visible from the public realm, given that the upper levels of the building are prominent within the streetscene. Loss of trees were also raised as a concern as they may open up views resulting in the classroom blocks becoming more visible.
- 5.34 The site plan has since been revised, moving one classroom block away from the boundary wall and retaining the boundary trees that were previously set for removal.
- 5.35 At 3m high, and set 2m from the site boundary, only the roof of the classroom building will be visible. This also replaces an existing outbuilding in this location. Given their single storey design, their location, and the retention of the existing screening, it is not considered that the classroom blocks, nor the alterations to the wider site will cause harm to the setting of the heritage asset.
- 5.36 In addition, the proposals would result in a currently vacant building brought back into use, ensuring the continued maintenance of the building and wider site, representing a benefit in heritage terms.

Landscape and trees

- 5.37 The site lies off the west side of the A38 Gloucester Road, to the north of its junction with Washingpool Hill, within the Green Belt. A group of properties lies on the opposite side of the A38. Many trees lie within the western part of the site contribute to the green frontage of these roads, with the group of Holm Oak, Beech and Yew forming a landmark in local views. Trees within the northern margin of the site forming part of Silverhill Brake woodland.
- 5.38 Site Layout Plans -10 Rev. J and 23-001-001 Rev. C show one of the classrooms relocated so that a second, prominent tree group can be retained adjacent to the road frontage. Also, the car park layout has been reconfigured to retain better quality trees in this area. Both these changes are welcomed.
- 5.39 Trees G2, G3 and G4 (Hazel, Ash and Goat Willow) are proposed for removal for the car parking area. These are categorised as U or C categories which in accordance with BS:5837:2012 should not influence the design of the proposal. Tree T4 is a category B Yew Tree proposed for removal for the hard play surface. There is the opportunity for some replacement tree planting to be undertaken in the area between the car park, hard play surface and new classroom, and to also infill the gap between the 2No. frontage tree groups. A detailed planting plan will need to be agreed as a condition of any planning permission.
- 5.40 There is no arboricultural or landscape objection, subject to conditions requiring work to be carried out in accordance with the submitted Arboricultural Report,

an Arboricultural Watching Brief for the works around T11, detailed soft and hard landscaping plans and a five year maintenance schedule.

Archaeology

- 5.41 The application site is set within the boundaries of the Medieval settlement of Rudgeway and directly next to the line of the Roman Road. As such, there is archaeological potential here.
- 5.42 Sites with this potential would normally require further intrusive works prior to determination, however there has already been a degree of development here that would have resulted in a level of disturbance and as such this can be dealt with by condition. The nature of the work could take the form of trial trenching if the applicant wished to know the level of archaeology prior to construction, or a watching brief during construction with the risk that if archaeology was found, development would need to be halted until the appropriate mitigation was undertaken. Both would require further contingency for further work should archaeology be found. There is therefore no archaeological objection subject to a condition relating to a programme of archaeological investigation and recording.

Ecology

- 5.43 A Preliminary Ecological Appraisal (PEA) report has been submitted (SEED, January 2023). The site is not covered by any ecological designations.
- 5.44 The PEA report included the results of the PEA survey undertaken in December 2022, and the habitats on site comprised of hardstanding, building, amenity grassland, ornamental planting, treeline and broadleaved woodland. There were no protected habitats within the site boundary. The PEA report included mitigation measures to protect retained trees, and recommended replacement tree planting to compensate for loss of any trees at a ratio of 1:3. The proposed removal of trees has been reduced and compensatory planting will be secured by condition.
- 5.45 The existing building was assessed as having moderate potential to support roosting bats due to several external potential roost features. The PEA report recommended two dusk emergence/dawn re-entry surveys be undertaken to determine presence/absence of roosting bats, should any proposed works impact the building and the identified potential roost features. The proposed plans indicate there are no proposed works to the external areas of the building and/or areas with potential roost features for bats. As such, no further bat surveys are currently required. Should any proposed works affect the external aspects of the existing building, further bat surveys will be required, prior to determination. These will comprise a minimum of two dusk emergence surveys, to be undertaken in accordance with best practice guidelines (Collins, 2016) and at the appropriate time of year. In the event these surveys are undertaken and roosting bats are found to be present, a total minimum of three dusk emergence/dawn re-entry surveys would be required to characterise the roost and inform appropriate licence/mitigation requirements.

- 5.46 All trees within the site boundary were assessed as having negligible potential to support roosting bats. As such, no further bat surveys/mitigation measures were recommended for any trees within the proposed development site boundary.
- 5.47 The habitats on site were assessed as having low value to commuting/foraging bats and the PEA report recommended retaining boundary scrub and treeline features, and implementation of sensitive lighting. The mitigation measures outlined are considered appropriate. A sensitive lighting scheme should be submitted to the Local Planning Authority (LPA) for review, prior to commencement of works, to ensure the proposed works will not negatively impact commuting/foraging bats.
- 5.48 The PEA report recommended installation of bat boxes to enhance the site for wildlife. An Ecological Enhancement and Mitigation Plan (EEMP) is to be provided to the LPA for review, prior to commencement, detailing the location and specification of proposed bat boxes.
- 5.49 Dormouse were discounted from consideration within the PEA report as they were considered to generally be absent from the Bristol area, and due to limited areas of extensive woodland/scrub. As proposed works will not impact the woodland or any other suitable habitat for dormice, it is agreed that further consideration is not required for dormice on this occasion. However, should any future works impact the woodland, it is considered possible that they may be present in the woodland, and further consideration of dormice would be expected.
- 5.50 There were no waterbodies on site or within 250m of the site. The PEA report does not provide information on waterbodies between 250m and 500m of the site, and using MAGIC map we have identified five ponds within this distance of the site. It is noted however that these ponds are separated from the proposed development site by roads which would likely act as a dispersal barrier to great crested newts (GCN). As such, it is considered relatively unlikely GCN would be present on the proposed development site. The terrestrial habitats on site were mostly unsuitable for GCN, but the report noted that the broadleaved woodland provided suitable foraging resources for common amphibians such as common toads. Appropriate mitigation measures have been provided in the PEA report to avoid potential harm to GCN and other amphibians.
- 5.51 Nesting opportunities were identified in the form of the scrub and scattered trees, and mitigation measures were outlined in the PEA report, including any vegetation removal to be undertaken outside the main nesting bird season. The report also noted that the building may offer nesting opportunities, but no specific mitigation measures were outlined for building works as the current proposed plans indicate that no structural works will occur to the external parts of the existing building. An Ecological Enhancement and Mitigation Plan (EEMP) is to be provided prior to commencement, detailing the location and specification of proposed bird boxes.
- 5.52 The broadleaved woodland was assessed as providing suitable foraging resources for common reptiles, but most of the site was considered unsuitable

for use by reptiles. Appropriate mitigation measures have been provided in the PEA report to avoid potential harm to reptiles.

- 5.53 No direct evidence of badgers was recorded, and the site was assessed as providing no suitable conditions for sett building, but noted they may be present in the broadleaved woodland. Appropriate mitigation measures were outlined in the PEA report and included an updated badger walkover survey to be undertaken immediately prior to construction to identify any badger setts, if present.
- 5.54 The site offered some suitable habitat for hedgehogs and appropriate mitigation measures were provided to avoid any potential harm to hedgehogs. The report also recommended the inclusion of 'hedgehog highways' which is welcomed, and this can be expanded on in the EEMP.
- 5.55 The scrub, trees and ornamental planting provided foraging resources for invertebrates. No mitigation measures were outlined as no notable species were recorded. Ecological enhancements for invertebrates could be included within the EEMP.
- 5.56 No further ecological surveys or information is required prior to determination. Should any proposed works affect the external aspects of the existing building, further bat surveys will be required, prior to determination, in accordance with the recommendations within the Preliminary Ecological Appraisal report (SEED, January 2023). There is ecological objection to the proposal, subject to conditions relating to mitigation, external lighting, and enhancement.

Residential amenity

- 5.57 The closest residential properties to the proposed school are located at the entrance to Silverhill Brake: The Old Coach House, Silverhill Cottage and Silverhill Lodge. Royal Oak Lodge is located across the A38, and Victoria House is located on the opposite side of Washingpool Lane.
- 5.58 In terms of physical structures, the classrooms proposed to be constructed are well within the confines of the site and will not cause an overbearing impact or overlooking to nearby properties. There are no external alterations to Silverhill itself.
- 5.59 The use of the building as a SEN school will likely cause some disturbance over and above that that would be expected from its current extant use as an office building. Schools are however a use that is expected within residential areas, noise would largely be limited to the school day and as the school is only anticipated to accommodate 50no. pupils it is not considered that there would be a significant impact on residential amenity. SEN schools are also required to ensure that pupils are not disturbed by noise as pupils are often more sensitive to the acoustic environment, resulting in insulated classrooms that would also reduce noise travelling to the outside. The use of the MUGA should be clarified with an operational statement as use outside of school hours, with floodlighting etc, may cause disturbance if unreasonably late.

- 5.60 Consideration should also be given to potential impact on residential amenity by additional vehicle movements, particularly to the three properties located on Silverhill Brake which are immediately adjacent to the road used for vehicles to exit the property. One of these properties also has an unusual arrangement, where the parking spaces are located on the other side of the access road.
- 5.61 The extant use of the property should be considered, as currently this road is the only route for vehicles entering and leaving the site. Once the proposal is implemented the vast majority of passing cars will be going one way, with the exception of deliveries and waste collection vehicles.
- 5.62 Using the data from comparable specialist schools, the proposal is anticipated to result in 50 trips in the AM peak period (increase of 24), 26 trips in the school PM peak period (increase of 20), and 19 during the evening peak period (increase of 3).
- 5.63 There is clearly an increase, particularly in the AM and school leaving time, however the vehicles will be travelling at slow speeds and would be unlikely to be using the road at unsociable hours. Residents can therefore expect an increased level of disturbance from vehicles during peak hours, however this is not considered to cause significant harm to residential amenity.

Drainage

- 5.64 The proposal was initially submitted stating that foul sewage and surface water will be disposed of via Mains systems, however there are no recorded sewers within close proximity of the site. A Drainage Strategy was then submitted, including details of surface water soakaways, soil permeability and details of a BioDisc Large Sewage Treatment Plant.
- 5.65 The details are mostly acceptable, however the location of the existing foul outfall has not yet been located as the discharge point is historic and likely extends far beyond the site boundary. The applicant has agreed that should the existing outfall prove unsuitable then details of any new proposals for how treated effluent will be disposed of must be submitted to the LPA for consideration.

Need

- 5.66 The applicant operates 29 specialist schools within the country, as well as children's homes, vocational training centres and integrated children's homes and learning centre facilities.
- 5.67 Policy CS23 encourages the provision of community facilities, including educational facilities.
- 5.68 Paragraph 95 of the NPPF states:

"Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted”.

- 5.69 The Strategy for Children & Young People 0-25 years old with Special Educational Needs and Disabilities (SEND) in South Gloucestershire sets out the vision and priorities for families and children with SEND in South Gloucestershire between 2018 and 2023.
- 5.70 The Strategy considers the existing school age population, currently there are a total of 6111 children in South Gloucestershire who have SEND. South Gloucestershire's statistics demonstrate a greater proportion of school aged children identified with SEND with an EHC than the national average, (3.2% for SG in comparison to 2.8% of the rest of England).
- 5.71 Current provisions for SEND schools must be assessed against future demand highlighted in the Core Strategy and Strategy for Children and Young People with SEN in South Gloucestershire. The Strategy provides projections for the number of children with SEND requiring an EHC plan by 2026. Due consideration must be given to anticipated growth as a result of proposed increases in housing provisions identified in the Council's Core Strategy.
- 5.72 The school would create school places for 50 children with special educational needs. This will ease pressures on a range of local educational authorities within a close catchment to the site.
- 5.73 Using current school population data from 2017, the Core Strategy forecasts an increase by 22% on the figures for children with SEND requiring an EHC plan by 2026. These projections equate to an additional 350 children and young people aged 0-25 over a 10-year period. Additionally, major new house building identified in the Council's Core Strategy sets out plans for an additional 18,600 new homes.
- 5.74 This is expected to lead to significant growth in the early years and school age population and, based on current trend data, will generate an additional 500 children with SEND who may require an EHC plan over the next 10-15 years. The Strategy predicts that by 2026, 13 new primary schools and 2-3 new secondary schools will be required to meet demand. Based on the current proportion of children with SEND attending mainstream schools, it is projected that of the total 850 additional children with SEND, 315 will require a place at a mainstream school.
- 5.75 This need is reflected by the support comments for the proposal, where local residents have highlighted the difficulty of securing a place within a specialist school, with some resorting to home learning as their children cannot attend mainstream schools.

Planning Balance

- 5.76 As identified through this report, modest harm to the openness of the Green Belt as a result of the extended parking area would be caused as a result of this proposal. This part of the proposal is considered to constitute inappropriate development and is thus, by definition, harmful to the Green Belt, and should not be approved unless very special circumstances can be demonstrated to overcome this harm, together with any other harm.
- 5.77 When considering any planning application, local 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.
- 5.78 Turning back to the tilted balance, para 11 states that where the policies which are most important for determining the application are out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. As set out in footnote 7, one of these areas of importance is the Green Belt.
- 5.79 In terms of any other harm, the proposal is sited outside of the settlement boundary, but does have some sustainability credentials. The type of provision does mean that journeys will mainly be made by private vehicles or taxis, and although no objection has been raised by Transport DC it must be recognised that some harm is caused by this aspect.
- 5.80 Some harm is also caused by the removal of trees, although this will be largely mitigated by conditioning a planting plan. A low level of harm is also caused to residential amenity as a result of traffic movements, although this is not substantial enough to justify a reason for refusal in itself.
- 5.81 The benefits of the scheme are the provision of a SEND school where there is a growing need within South Gloucestershire. The NPPF sets out that great weight must be given to the creation of education facilities. There are also Conservation benefits to bringing a heritage asset back into an appropriate use, and some modest economic benefits to the creation of 46 jobs.
- 5.82 Overall, considering all matters raised, including the conflict with some of the Development Plan policies, there are in this case material considerations that indicate that this development should be allowed, such as the aforementioned benefits of providing specialist education provision. As such, other considerations clearly outweigh the harm arising from inappropriateness, and any other harm, so as to amount to very special circumstances.
- 5.83 As very special circumstances have been identified, the proposal would not conflict with policies CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, or Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

Other matters

- 5.84 Concerns have been raised regarding the fact that work has commenced on site prior to the application being determined. Enforcement have investigated this issue, and the works have been found to be site clearance and internal works to the property. These works do not require planning permission, and there is no breach of planning legislation in this respect.
- 5.85 Concerns have also been raised relating to potential damage caused by the proposal and by increased traffic, including to retaining walls. This is a civil matter, and cannot be controlled by planning legislation.

Consideration of likely impact on Equalities

- 5.86 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 positive impact on equality.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is granted.

CONDITIONS

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

Reason

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

2. Prior to the commencement of use of the development hereby approved, a detailed Travel Plan achieving a Green Level of Modeshift Stars accreditation shall be submitted to and approved in writing by the Local Planning Authority and, following occupation, a minimum level of Bronze must be attained within 6 months of occupation and maintained thereafter.

For advice and assistance in gaining Modeshift accreditation contact the Sustainable Travel for Schools Team - sustravel4schools@southglos.gov.uk

Website page - www.southglos.gov.uk/active-school-travel

Reason :

To encourage means of travel other than the private car in the interests of the environment/health and to minimise use of private motor vehicles in accordance with PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

3. Prior to the commencement of use a detailed Operational Statement for the one way system, including details of operation and timing of the entrance gates shall be submitted to and approved in writing by the Local Planning Authority. The entrance gate details should include detail on how traffic will be prevented from backing up onto the public highway. The one way system shall be installed prior to commencement and retained in perpetuity.

Reason:

In the interests of highway safety in accordance with PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

4. Prior to the commence of use of the development hereby approved the access, parking, cycle storage and EVCP shall be installed in in accordance with the approved details (15 Jun 2023 - 23-001-001C - PROPOSED SITE PLAN)

Reason:

In the interest of highway safety and to accord with Policies PSP11 and PSP16 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

5. The development shall be carried out in strict accordance with the submitted Arboricultural Impact Assessment (June 2023).

Reason:

To ensure that trees and vegetation to be retained are not adversely affected by the development proposals in accordance with PSP3 and PSP19 of the Policies Sites and Places DPD (Adopted) November 2017.

6. Prior to the commencement of the external classrooms hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist (where arboricultural expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason:

Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works. To ensure that trees and vegetation to be retained are not adversely affected by the development proposals in accordance with PSP3 and PSP19 of the Policies Sites and Places DPD (Adopted) November 2017.

7. Prior to the commencement of development a detailed hard and soft planting plan shall be submitted to and approved in writing by the Local Planning Authority. Details shall include an updated detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting), supported by an updated implementation specification and detailed tree pit details, proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required.
Development shall be carried out in accordance with the details agreed and implemented in the first season following completion of construction works, and must include compensatory tree planting.

Reason:

To protect the character and appearance of the area and residential amenity to accord with Policies CS1 and CS9 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. This is a condition precedent to ensure suitable planting is agreed prior to works commencing.

8. The use hereby approved shall not commence until a landscape management plan covering a 5 Year management period, identifying existing and proposed landscape assets, associated management objectives, schedules of annual maintenance work together with longer term management operations has been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in strict compliance with the approved details.

Reason:

To protect the character and appearance of the area and residential amenity to accord with Policies CS1 and CS9 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.

9. 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:

The site is within an area of archaeological interest and the Council will wish to examine and record items of interest discovered. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

10. The development shall not be brought into its intended use until (i) the results of the programme of archaeological investigation and post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation and (ii) that the provision for analysis, publication and dissemination of results (where necessary and based upon the significance of the archaeology found), and archive deposition, has been confirmed in writing to, and approved by, the Local Planning Authority.

Reason:

The site is within an area of archaeological interest and the Council will wish to examine and record items of interest discovered.

11. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal report (SEED, January 2023) including the requirement for an updated badger walkover survey to be undertaken immediately prior to construction by a suitable qualified ecologist, to identify any badger setts, if present.

Reason:

To protect against harm to protected species and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

12. Prior to the installation of external lighting, a "lighting design strategy" 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 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.

Take into account light spill and glare to any nearby residential property and specify hours of operation.

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 protect against harm to protected species and residential amenity and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted)

December 2013; Policies PSP8 and PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

13. Prior to the commencement of use an Ecological Enhancement Plan Ecological Enhancement and Mitigation Plan is to be submitted to and approved by the Local Planning Authority. This is to include avoidance measures/mitigation to safeguard wildlife that the site and adjacent woodland supports. This is to be informed by a site walkover by a suitably qualified ecologist. The plan is to include ecological enhancements that will achieve biodiversity net gain including bat boxes, bird boxes, insect homes, hedgehog highways and soft landscaping. The specifications and locations are to be detailed on a plan. The details shall be installed in accordance with the approved scheme prior to the commencement of use.

Reason:

To provide ecological enhancements in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

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

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

- A clearly labelled drainage layout plan showing the exact location of any soakaways and package treatment plant.
- Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal. The submitted infiltration rate/s must be expressed in m/s (meters per second).
- Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
- Sp. Note; - Soakaways must be located 5 Metres from any structure including the Public Highway
- Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.
- Confirmation of the proposed outfall of the package treatment plant system.

Reason:

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2012. This is a condition precedent to ensure remedial work is not required.

- | | | | | |
|-----|-------------|--------------|---|----------------------------|
| 15. | 13 Feb 2023 | 22.031(2-001 | - | EXISTING GROUND FLOOR PLAN |
| | 13 Feb 2023 | 22.031(2-002 | - | EXISTING FIRST FLOOR PLAN |
| | 13 Feb 2023 | 22.031(2-003 | - | EXISTING ROOF PLAN |

13 Feb 2023	22.031(2-)004	-	EXISTING BASEMENT (AND LOFT)
FLOOR PLAN			
13 Feb 2023	22.031(2-)008	-	EXISTING AND PROPOSED
ELEVATIONS			
13 Feb 2023	22.031(2-)009	-	ELEVATIONS OF NEW
CLASSROOM BUILDINGS AND FENCING			
15 Jun 2023	22.031(2-)100	G	PROPOSED GROUND FLOOR PLAN
15 Jun 2023	22.031(2-)101	G	PROPOSED FIRST FLOOR PLAN
15 Jun 2023	22.031(2-)102	C	PROPOSED BASEMENT PLAN
15 Jun 2023	22.031(2_)010	J	PROPOSED SITE LAYOUT PLAN
15 Jun 2023	23-001-001	C	PROPOSED SITE PLAN
24 Jul 2023	012	E	PROPOSED DRAINAGE GENERAL ARRANGEMENT
24 Jul 2023	23-001-001	D	ONE WAY SYSTEM (PROPOSED SITE PLAN)

Reason:

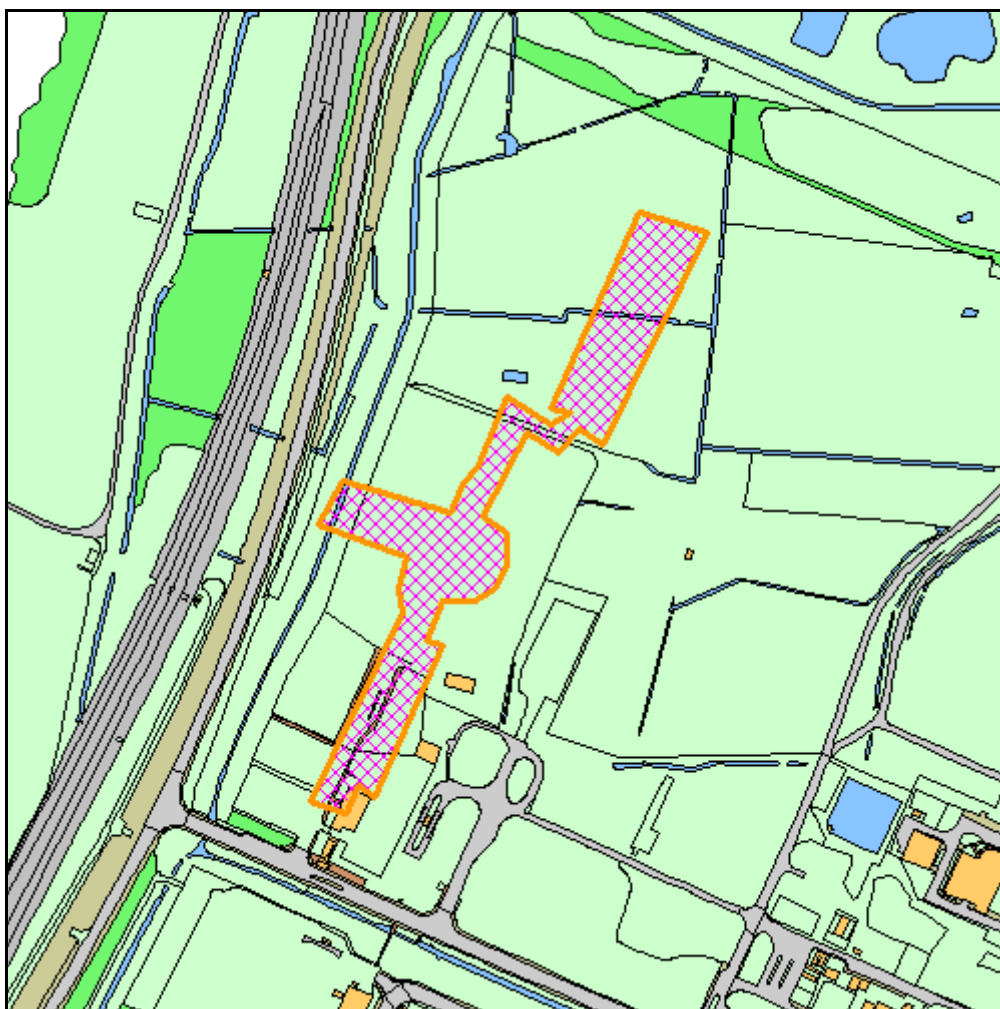
To define the terms and extent of the permission.

Case Officer: Rae Mephram

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 30/23 -28th July 2023

App No.:	P23/00849/F	Applicant:	PDC 15 Avonmouth Sar
Site:	Land At The Former Avlon Works Severn Road Hallen South Gloucestershire BS10 7ZE	Date Reg:	9th March 2023
Proposal:	Erection of 1 no. two storey and 1 no. three storey decked carparks and associated works for ancillary staff car parking use in connection with B2/B8 Use Class development consented under Reserved Matters Approval ref. PT16/6614/RM.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354570 183240	Ward:	Pilning And Severn Beach
Application Category:	Major	Target Date:	6th June 2023



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

P23/00849/F

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

INTRODUCTION

This application appears on the circulated schedule because objections have been received from Pilning & Severn Beach Parish Council contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for full planning permission for the erection of 1 no. two storey and 1 no. three storey decked car parks providing a total of 1120 spaces and associated works. The parking is for ancillary staff use in connection with B2/B8 Use Class development consented under reserved matters approval ref. PT16/6614/RM as amended. The reserved matters consented the construction of 2 distribution/manufacturing warehouses on the site with ancillary office accommodation. The proposed development would provide a total of 119,658 metres square of floor space (32,718 metres square and 81,940 metres square respectively). Unit 1 is smaller measuring 257 metres (max) long by 156 metres (max) wide and 20 metres in height (to the ridge), and; Unit 2 measures 425 metres (max) long and 219 metres (max) wide and 20 metres in height (to the ridge).
- 1.2 The application proposals have been subject of revisions and additional information submissions; and subsequently additional consultation. The submissions principally included a framework travel plan and related site layout revisions for electric vehicle charging points, additional information in respect of ecological matters and in additional plans illustrating elements and features of the car park structures.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework 2, 7, 8, 10, 11, 38, 47, 81, 83, 104, 110, 111, 112, 113, 120(c), 126, 130, 154, 159, 161, 167, 174, 180, 185, 186. (NPPF July 2021)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS8 Improving Accessibility
CS35 Severnside

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
PSP18 Statutory Wildlife Sites
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management

- 2.3 Supplementary Planning Guidance
Design Checklist SPD August 2007
Biodiversity and Planning SPD March 2023

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/6614/RM Erection of 2no. distribution units (Class B2, B8 and ancillary B1 use). (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT10/2630/O) Approved: 26.04.2017
- 3.2 P21/05058/F OFFTEM Erection of three units for general industrial (B2) and storage and distribution (B8) uses with vehicular parking, hardstanding yards, drainage, landscaping and associated infrastructure. Finally Disposed Of: 27.09.2022
- 3.3 PT18/3278/RVC Variation of condition 9 to include the requirements of condition 10 and remove reference to trip rates. Removal of condition 10 as the provisions of this condition are to be included in condition 9. Variation of condition 11 to substitute plans with 16-6834-SK10 to show proposed traffic signal layout all attached to planning permission PT10/2630/O. Approved: 02.11.2018
- 3.4 PT16/6695/RM Erection of 4no. distribution units (Class B2, B8 and ancillary B1 use). (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT10/2630/O). Approved: 26.04.2017
- 3.5 PT16/6658/RM Erection of 4no. distribution units (Class B2, B8 and ancillary B1 use). (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT10/2630/O) Approved: 26.04.2017
- 3.6 PT15/2893/RM Development of 31.96ha of B2, B8 and ancillary B1 uses, with highway infrastructure, car parking and associated works. Outline including access with all other matters reserved. (Approval of Reserved Matters for landscape only to be read in conjunction with Outline Planning Permission PT10/2630/O). Status: Disposed of.
- 3.7 PT10/2630/O Development of 31.96ha of B2, B8 and ancillary B1 uses, with highway infrastructure, car parking and associated works. Outline including access with all other matters reserved. Approved & s106 signed: 14.12.2011
- 3.8 P21/06880/F Hybrid planning application, comprising of full planning permission for raising of site levels and associated enabling works to create pre-development plateau; and outline planning permission for erection of strategic employment development comprising of industrial (Class B2) and/or storage and distribution (Class B8) with ancillary office space, external yards,

- parking and associated works, with access to be determined and all other matters reserved. Approved 08.03.2023.
- 3.9 P22/05951/NMA Non-material amendment to planning application PT16/6614/RM to change the external appearance of Units 1 and 2 from gradated palette of greys to a more regular pattern of grey shades, minor alteration from pitched portal roof to curved 'griffon' roof. Modification to internal access arrangements for units 1 and 2. Approved 02.11.2022.
- 3.10 P22/06305/RVC Variation of condition 5 attached to permission PT16/6614/RM to alter the approved plans. Erection of 2no. distribution units (Class B2, B8 and ancillary B1 use). (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT10/2630/O-Development of 31.96ha of B2, B8 and ancillary B1 uses, with highway infrastructure, car parking and associated works. Outline including access with all other matters reserved). Withdrawn.
- 3.11 P22/06967/NMA Non material amendment to planning application PT16/6614/RM to change the colour of the window/curtain walling frames. Approved 13.02.2023.
- 3.12 DOC23/00106 Discharge of condition 1 (landscape improvements/mitigation) attached to planning permission PT16/6614/RM. Erection of 2no. distribution units (Class B2, B8 and ancillary B1 use). (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT10/2630/O). The outline application was an EIA application and an Environmental Statement was submitted. Undetermined.
- 3.13 P23/01416/NMA Non material amendments to permission PT16/6614/RM to alter the at-grade car parking layout to align with the updated internal road layout (as amended by P22/0591/NMA) and associated alterations to landscaping, and to amend the layout Plan to exclude 2no. areas where a separate application for the parking areas is proposed. Approved 20.07.23
- 3.14 Multiple reserved matters permissions were granted on this site for slightly varied scheme proposals under the auspices of, and in accord with, the outline permission. It is permission referenced PT16/6614/RM as amended that is to be implemented and construction is underway; at the time of writing this report construction is well advanced.

4. CONSULTATION RESPONSES

- 4.1 Two periods of consultation were undertaken following receipt of the initial submissions. The following is a summary of comments received and identifies the final position of consultees following the two consultation periods. This is not intended to be a verbatim recitation of all comments made and only references representations received.
- 4.2 Pilning and Severn Beach Parish Council

Initial response raised concerns regarding overdevelopment of the site, over provision of parking given accessibility by other forms of transport, availability of land for parking locally and the previous consent issued providing for sufficient parking; wildlife impacts; lack of community consultation; lack of green infrastructure; Climate change impacts and conflict with policy CS1 of the core strategy.

Following the additional submissions reconsultation undertaken the Parish Council confirmed that their concerns had not been addressed and so remained in objection.

4.3 Other Consultees

Sustainable Transport – Concerns raised as to the scale of parking provision proposed but in the absence of adopted standards for this use no basis for objection. Requested Travel Plan has been provided. A detailed travel plan as required by condition has the scope to minimise transport impacts but must be submitted and approved before occupation of the approved employment units. Therefore, No Objection subject to condition.

National Highways – Previous concerns raised addressed by additional submissions, including the Framework Travel Plan

Network Rail – No objections but due to proximity to rail infrastructure, informatives recommended.

Landscape Officer – No objection, proposals acceptable subject to condition.

Trees Officer – No objection.

Ecology – No objection subject to condition.

Drainage/LLFA – No objection submitted drainage strategy detailed in the FRA is acceptable.

Environmental Health (Land contamination/ground conditions) – no objection, subject to condition (partially addressed with current submissions).

Climate Change Team – No objection but identified additional information in respect of proposed lighting to inform assessment of energy demand.

Public Art Officer – No objection.

Urban Designer – No objection but additional details as to materials for consistency with approved employment units recommended. Conditions recommended.

Natural England – No objection subject to condition

Bristol City Council – No comment

Environment Agency – No objections but informatives recommended.

Highways England – No objection

Health & Safety Executive – No objection

National Grid/Pipelines Agency/Utilities (multiple organisations) No objections but existing infrastructure in locality identified – consultations with relevant organisation recommended prior to construction. Informatives recommended.

Avon Police (Designing out crime) – No objection but recommendations made as to use of materials to maximise effectiveness of lighting.

Avon Fire – No objections or requirements.

Other Representations

4.4 Local Residents

4.5 No representations received.

5. ANALYSIS OF PROPOSAL

- 5.1 The Outline Planning Application and the development proposed therein was considered to be EIA development and the application was supported and informed by an Environmental Statement. This was subject of supplemental provisions. The reserved matters applications were not considered to necessitate addendums, updates or further Environmental Statement submissions. Given the limited scale of development now proposed on part of the site only and the previous assessments undertaken informing the related development approved, it is not considered that a further full environmental impact assessment is required.
- 5.2 **Principle of Development**
- 5.3 The principle of development has been established through the grant of permission under the outline application as revised, and the reserved matters application as amended. It is material to note also that the site was previously in use for major employment purposes, and this is a redevelopment of a brownfield site. The outline and reserved matters permissions, as amended, consented ancillary parking and as such parking is considered acceptable in principle. As noted above construction work in respect of the consented employment units is underway and previous development / structures on site have been removed.
- 5.4 It should also be considered that the parking is ancillary to and serves the consented employment uses that bring economic benefits to the locality both through construction and operation.

- 5.5 The full planning application for the now proposed two decked parking structures is necessary as the original outline and subsequent reserved matters permission only approved at grade surface level parking of a substantially lower quantum (599 spaces consented, 1120 now proposed). No built structures were proposed or approved for ancillary parking. As such the alterations result in a different form of development from the consented scheme. The two multi storey parking structures are not however considered to result in development that is unacceptable in principle in this location. The proposal is considered to accord with the relevant policies of the plan, including CS8 & CS35 of the Core Strategy and PSP11 of the Policies, Sites and Places Plan; and the provisions of the NPPF.
- 5.6 Consideration of Visual Impact, Character and Appearance – Design Quality
- 5.7 The proposed structures are significant in scale and located to the front part of the site so will be visible in the immediate vicinity, particularly so from the adjacent A403 Severn Road and Central Avenue, which run adjacent the site. However, there is a degree of set back from the site frontage boundary with separation formed by watercourse/features of between approx. 54.5m and 124.6 (Severn Road curves away from the site frontage). Whilst views from Central Avenue focus on the narrower side elevation being significantly smaller in scale than the frontage elevation which is much wider and therefore more visually prominent and imposing than the side view. The boundaries feature fencing and existing and proposed planting that provides a degree of screening mitigation and softening of the site character.
- 5.8 The structures will also be viewed in context which is dominated by the large-scale employment units consented and under construction on site. The lighting strategy is summarised in the Design and Access Statement and will be a combination of building mounted and column mounted lighting units. The lighting design will utilise good quality, attractive ‘dark sky’ fittings, directed downwards and with no spillage above the horizontal to avoid light pollution. Lighting impacts on all receptors will be minimised by careful design. If needed, baffles and shields can be attached to lighting units to further reduce lighting effects. Full lighting details can be controlled by condition. Similarly, use of materials can be controlled by condition and can be informed by those approved in respect of the employment units under construction.
- 5.9 It is also material to consider that adjoining areas and the wider locality is to a large degree dominated by large scale employment development. The immediate vicinity to the south, east and north east is in large scale employment use. The previous use of the site was AstraZeneca’s Avlon works. In this context the structures, whilst functional in character, are consistent with development in the vicinity.
- 5.10 It should be noted that subject to the use of conditions the Council’s Landscape, Urban Design, Trees and Public Arts Officers all raise no objections.
- 5.11 Concern has been raised as to over development of the site and conflict with the established building line in this locality. However, the proposals do

accommodate significant areas of landscaping within the site boundaries. In this context it is not considered that harm from overdevelopment or development wholly out of character with the locality arises. As noted above the proposed structures are set back from the front site boundary and this is in itself set back from the adjacent Severn Road. The development to the east of Severn Road as it runs north south is generally off set at an angle and set back from the road but to varying degrees. The proposals do also broadly align with the footprint of built development that was formerly on site, but which has now been removed. This is also a location of significant on-going development and redevelopment. On balance it is not considered that there is a strong and clearly established building line that is very clearly breached by the proposal to the extent that significant harm arises.

- 5.12 In this context it is not considered that the proposals are out of character or harmful such that conflict with policies CS1 & CS2 of the Core Strategy, PSP1 & PSP2 of the Policies Sites and Places Plan, the Design Checklist SPD; or the relevant provisions of the framework arises.

5.13 Consideration of Highways Impact and Scale of Parking

- 5.14 The proposals as noted above are a revision to the approved development such that a different type of development will take place. This is in the context of the introduction of multi storey structures as opposed to surface level parking. The parking proposed is however still ancillary to the employment uses consented on the site and are not stand-alone parking facilities. The proposal also results in a substantial increase in parking provision from that consented under reserved matters, 599 spaces, to a new proposed total of 1120 spaces. Both taken from the submitted plans. The applicant has identified that reason for this increase arises from their marketing work and experience of provision of employment units to the market in recent times, which identifies occupier requirements as significantly in excess of the previously approved quantum of parking.
- 5.15 The Council's Sustainable Transport Team Officers and National Highways raised concern initially as to the scale of parking proposed being in excess of that anticipated/projected as required by the approved employment units. Sustainable Transport Officers however identified that the Council does not currently have adopted parking standards for this type of use. Officers also acknowledge that the car park proposal does not in and of itself generate trip movements, it is the main employment land use already approved and under construction that generates the movements. Officers also consider that the site is not especially well served by alternate modes of transport from residential areas in the wider locality.
- 5.16 Both Council Officers and National Highways recommended that a Framework Travel Plan be prepared and submitted with this application and prior to determination to address matters and inform a detailed travel plan as required by condition attached to the Outline permission, which was also informed by a Framework Travel plan itself. The aim being to minimize use of private vehicles. As noted above in the consultation summary section the applicant

agreed to do so and made this submission. The FTP includes measures common to travel plan documents such as:-

- Appointment of Co-Ordinator;
- Preparation and provision of Travel Information Packs
- Travel Information Board within the employment units
- Promoting Active Travel modes – Bicycle User Groups, Bicycle Maintenance Provision, Cycle to Work Scheme
- Bus use Promotion/
- Use of technology to support varied working practices – teleconferencing
- Cycle Parking provision and tool stands
- Promotion of Events and Car Sharing
- Electric Vehicle Charing facility provision
- Bus Taster Tickets subsidising
- Promotion of Demand Rapid Transport Facility
- Ongoing Business Travel requirements review

5.17 Following review neither Council officers nor National Highways raise objection to the scheme proposals and consider the submitted plan to be appropriate and acceptable; subject to use of condition for submission and approval of detailed travel plan(s) prior to occupation. This would sit alongside the outline condition but would be differentiated in that it is informed by a revised more recent travel plan to be referenced in the condition.

5.18 On balance it is not considered that the scale of parking is so substantive that harm arises, subject to use of condition to deliver the travel plans and the measures contained therein. Therefore, the proposals are considered to accord with the policies of the plan, including CS8 Core Strategy and PSP11 Policies, Sites and Places Plan; and the provisions of the framework.

5.19 Consideration of Ecological Impact

5.20 The Severnside locality is one of known and well documented high value ecological interest and importance, with multiple Local, National and European / International designations applicable. The previous outline application was fully informed by Environmental Impact Assessment/submission of an Environmental Statement. This was subject of supplemental submissions over an extended period. The development now proposed has the potential to impact protected species and habitats and the application is therefore informed by a technical note on Ecological matters alongside further noise assessment. Both were subject to addendum submission/revision following provision of initial consultation advice. The noise assessment submission is especially relevant regarding construction and operational disturbance to migrating birds. The ecological submission also assesses impacts to protected species of bats and the wider estuary habitat.

5.21 In this context it should also be noted that the outline permission included various conditions to mitigate impact to ecological interests, including through control of noise disturbance. This includes provision of noise attenuation barrier along the northern site boundary. The applicant has recently discharged approval of details controlled by condition attached to the outline

permission in this respect and the barrier is due to be erected shortly. The proposals have been assessed in this context.

- 5.22 The submissions propose similar controls to those approved and conditioned under the outline permission, and reserved matters consents, as amended. This includes controls over working practices, time periods of operations particularly noise generating ones, maximum noise limits, enhanced tree screening, controls over lighting and the use of the noise attenuation boundary treatment. Subject to this the submissions conclude no significant impacts to protected species or their habitats.
- 5.23 Both the Council's Ecology Advisors and Natural England have reviewed the submissions in detail and as noted above raise no objections, subject to use of conditions. Given the site history, extensive development under way and relevant statutory provisions as to timeframes it is not considered appropriate to seek Biodiversity Net Gain submissions and proposals.
- 5.24 On this basis it is considered that the proposals result in no significant additional harm to ecological interests over and above that previously approved. Therefore, the proposals are considered to accord with the relevant policies of the plan, including PSP18 & PSP19 of the Policies, Sites and Places Plan; and the relevant provisions of the framework.
- 5.25 Consideration of Drainage
- 5.26 The application site falls with EA Flood Risk Zone 3A and alongside the nature of the development proposed does require submission of a Flood Risk Assessment (FRA), including consideration of the sequential test. The latter being assessment as to whether alternative sites less likely to result in increased risk of flooding on or off site are available and suitable. The application is supported by the necessary submissions. It notes that the revised proposals from that approved do not increase the impermeable area of the site – the built footprint. The additional parking now proposed is in the form of multiple storeys on top of the same approved built footprint.
- 5.27 The FRA includes a range of drainage proposals. Foul drainage will discharge to the exiting foul network. Surface water is managed by controlled flows to a series of flood compensation ponds and rhines on site. These in turn are subject to controlled flows to the wider Lower Severn Internal Drainage Board (LSIDB) system which includes a series of off site compensation ponds constructed during previous enabling works, providing sufficient storage capacity within the overall rhine network for the development/impermeable areas taking into account climate change. The approach has been subject of modelling and agreement with the LSIDB. On this basis the FRA states that:-

The assessment found that the risk of flooding from fluvial, pluvial, groundwater sources are low. It is considered that the proposed development, with the inclusion of the proposed drainage systems described in Sections 3.5 and 4 of this assessment, will not increase the risk of surface water flooding in the wider catchment.

Similarly, the FRA identifies that there are no more suitable locations for the development proposals with a less onerous flood zone risk and that the sequential test is therefore passed.

- 5.28 The Council's Drainage Team/LLFA; the Environment Agency and Natural England as identified above raise no objection to the scheme proposals. Drainage officers identify that the submitted FRA and its drainage strategy are acceptable and appropriate.
- 5.29 On this basis and subject to compliance conditions in respect of the drainage strategy it is considered that no significant risk of increased flooding arises from the scheme proposals over and above that previously assessed and found acceptable. Therefore, the proposals are considered to accord with the policies of the plan, including PSP20 Policies, Sites and Places Plan; and the relevant provisions of the framework.
- 5.30 Consideration of Residential Amenity
- 5.31 Given the significant distance from the application site to the nearest residential properties and the conditional requirement to erect significant noise attenuation fencing to the northern site boundary between the proposed development and existing properties it is not considered that significant harm to residential amenity arises. Therefore, it is not considered that conflict with the relevant policies of the plan, including PSP 8 of the Policies Sites and Places Plan, the Design Checklist SPD, or para 130 of the framework arises.
- 5.32 Other Matters
- 5.33 *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 Approval subject to the following conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:

7143-066B Site location plan 28.02.2023

Topographical Survey 28.02.2023

7143-058 Unit 2 Proposed Car Park elevations 2 Unit Scheme 28.02.2023

7143-056 REV A Unit 1 – Proposed Car Park – Elevations 2 Unit scheme 06.06.2023

7143-067 REV B Existing Site Plan 2 Unit scheme 28.02.2023

7143-072 REV A Unit 2 Proposed Ramp Section Plan 08.03.2023

1715-15-23 Landscape Sections 06.06.2023

BRXL-GEO-XX-XX-D-Z-00027 Stair Core Perimeter Detail 06.06.2023

BRXL-GEO-XX-XX-D-Z-00028 Stair Core Detail 06.06.2023

7143-055D Revised Unit Proposed Car Park Floor Plans 06.06.2023

7143-057D Unit 2 Proposed Car Park Floor Plans 06.06.2023

7143-068F Revised proposed site plan 06.06.2023

7143-069F Revised site layout plan 06.06.2023

7143-070D Revised Unit Car Park Block Plan 06.06.2023

7143-071E Revised Unit 2 Car Park Block Plan 06.06.2023

REASON: For the avoidance of doubt and in the interests of proper planning.

3. Prior to commencement, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution of the natural habitats surrounding the development. The details shall include, but not be limited to, the following:

- i. A drawing showing sensitive areas and/or dark corridor safeguarding areas
- ii. Description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate
- iii. A description of the luminosity of lights and their light colour including a lux contour map
- iv. A drawing(s) showing the location and where appropriate the elevation of the light fixings.
- v. Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR)).

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details. These shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed unless agreed with the local planning authority.

REASON: In the interests of visual amenity and to minimise disturbance to nearby wildlife and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

4. Visual disturbance to wintering birds utilising high tide roost points on the Severn Estuary should be mitigated for with the existing tree screening along the western site boundary. This screening is to be further enhanced as displayed within the Ecological Enhancement Plan (ref: 21-2210; Nicholsons, February 2022). Enhancement of this boundary feature should also minimise risk of noise disturbance caused by operational phase of works.

REASON: To minimise disturbance to nearby wildlife and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

5. The development shall be implemented in accordance with the ecology mitigation measures relating to construction noise impacts at Orchard Pools, as set out in the Environmental Statement dated September 2010 (including the further information dated February 2011, submitted in March 2011) including the

following:

- The peak level of noise during the construction phase shall not exceed 70dB (LA01,1hr) as measured at the southern edge of Orchard Pools
- Any piling on any part of the site shall commence at the furthest point and work towards the Pools with the nearest piling carried out last
- Piling should avoid high tide periods and shall be limited to daylight hours
- A monitoring scheme shall be implemented to monitor the effect of construction works on the wintering bird assemblage using Orchard Pools.

Details of the monitoring scheme shall be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on the site.

REASON: To minimise disturbance to nearby wildlife and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

6. The development hereby approved shall be carried out in accordance with the Construction Management Plan, approved under application reference DOC 18/0210, unless otherwise approved in writing by the Local Planning Authority.

REASON: To minimise disturbance to nearby wildlife and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

7 The mitigation measures detailed in the approved Ecology Note (Nicholsons, 11th May 2023) and Noise Assessment Panattoni Avonmouth Report (Sharps Redmore, 26th June 2023) shall be carried out in full prior to the first bringing into use the development hereby approved.

REASON: To minimise disturbance to nearby wildlife and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

8 Prior to the first occupation of each employment units of the development permitted, a comprehensive Travel Plan in accordance with the approved Travel Plan Framework (i-Transport Ref: BD/BH/ITB18368-004D R Received 07.07.2023).shall be submitted and approved in writing by the Local Planning Authority (who shall consult with Highways England on behalf of the Secretary of State).

All the recommendations and proposed actions contained within the approved Travel Plans shall be implemented in accordance with the detail as approved.

REASON: To encourage means of transportation other than the private car in accordance with Policy PSP11 of the South Gloucestershire Policies, Sites and Places Plan (adopted November 2017)

9 Any waste shall be disposed of in accordance with the Site Waste Management Plan, approved under application reference DOC18/210, unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that site waste arising from the site is minimised, in accordance with Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places (adopted November 2017).

10 No development above existing ground level shall commence on site until details of the main facing materials, including the galvanised mesh panels (car park sides) and the composite cladding panels (stair towers), to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order

that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

11 Prior to the commencement of development 1:200 scale detailed planting plans, detailing size, type and specification, mixes and quantities of all proposed planting and seeding works including landscape specification and the proposed times of planting shall be submitted in writing to the Local Planning Authority for approval.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

12 A detailed landscape & ecological management plan, to include hedgerow tree management proposals, for all new and existing trees and hedgerows on the site to be submitted for approval. The plan shall accord with the approved masterplan and subsequent planting plans and shall include details of the existing habitat to be safeguarded (trees, scrub, pond or hedges); and any new habitat to be created (species rich grassland, hedges, scrub etc.). It should also include a programme of monitoring of all works for a period of 5 years. All works shall be carried out in accordance with the approved plan..

REASON: To ensure the retention of trees on the site in the interests of visual amenity.

13 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall not be carried out any later than the first available planting season following the first occupation or completion of the building, whichever is soonest. Any vegetation that fails, is dying or is removed in the first five years following planting shall be replaced in the next available planting season, with like size and species.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

14 Land Contamination Remediation Strategy – Prior to commencement of any construction activities, design details for the required gas protection measures should be submitted to and agreed in writing by the Local Planning Authority. The elements of the design should be justified in line with guidance “BS 8485:2015+A1:2019 Code of Practice for the Design of Protective Measures for Methane and Carbon Dioxide Ground Gases for New Buildings”; and details of how the elements will be verified post installation (Verification Plan) must also be included following guidance in “CIRIA C735: Good Practice on the Testing and Verification of Protection Systems for Buildings Against Hazardous Ground Gases”. The approved remediation scheme shall be carried out before the development (or relevant phase of development) is first used.

REASON: To protect controlled waters in accordance with PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

15 The development shall be implemented in accordance with the flood risk assessment mitigation measures and drainage strategy, as set out in the Complete

Design Partnership Ltd Flood Risk Assessment Reference 16-6843-FRA (Issue 2) and dated 17th February 2023.

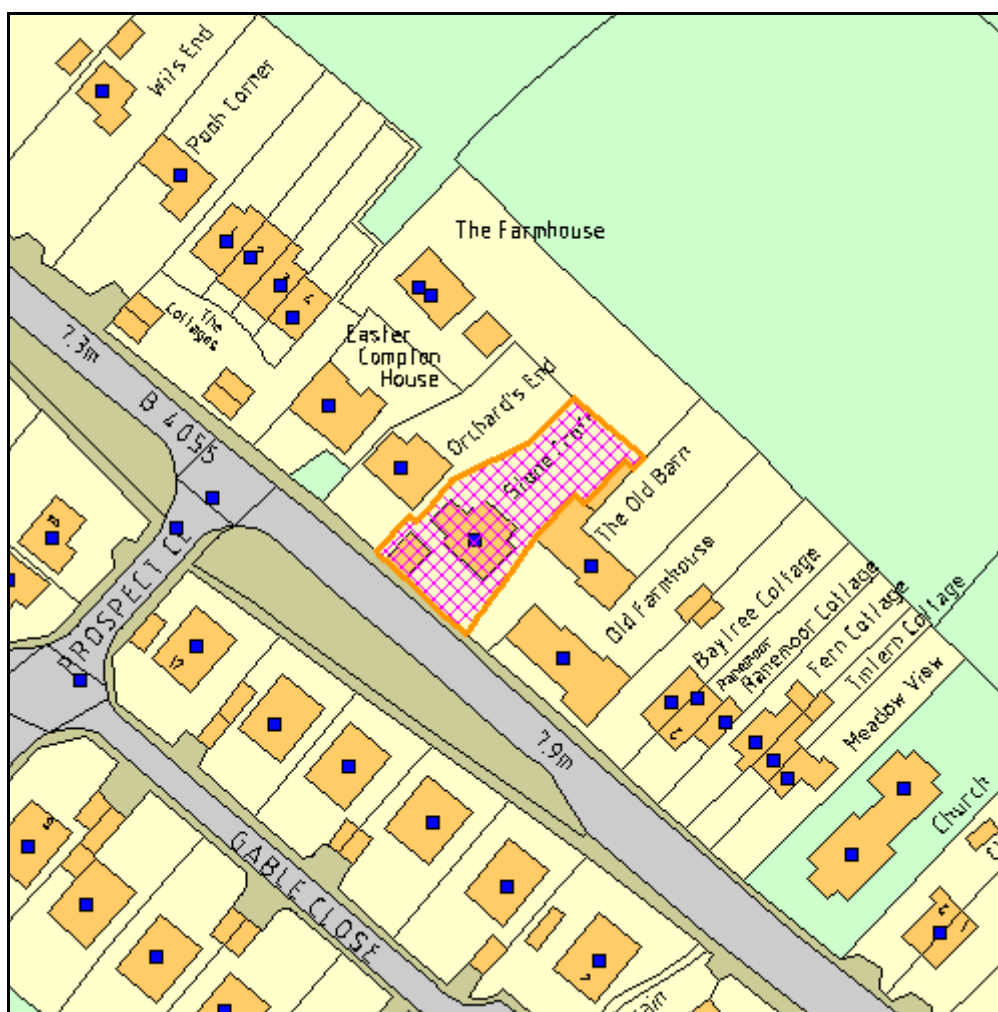
REASON: In order that the development is undertaken in an acceptable manner, to minimise the risk of pollution of the water environment in accordance with PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Case Officer: Lee Burman

Authorising Officer: Eileen Paterson

CIRCULATED SCHEDULE NO. 30/23 -28th July 2023

App No.:	P23/01019/HH	Applicant:	Mr Marcus Street
Site:	Stone Croft Main Road Easter Compton South Gloucestershire BS35 5RE	Date Reg:	15th March 2023
Proposal:	Raising of roof line and installation of 1 no. rear dormer to facilitate conversion of existing garage to first floor annexe ancillary to main dwelling (Resubmission of P22/06403/HH).	Parish:	Almondsbury Parish Council
Map Ref:	357075 182608	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	7th May 2023



© South Gloucestershire Council 2007. all rights reserved.

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

100023410, 2008.

N.T.S.

P23/01019/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 CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the receipt of an objection comment from the Parish Council, contrary to the decision to approve the development.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the raising of roof line and installation of 1 no. rear dormer to facilitate conversion of existing garage to first floor annexe ancillary to main dwelling at Stone Croft, Easter Compton.
- 1.2 The applicant site comprises a large residential plot with the host property itself forming a two-storey detached dwellinghouse that benefits from off street parking and a rear garden. However, the development site is 'washed over' by the Bristol and Bath Green Belt.
- 1.3 Lastly, this application is a resubmission of the previously refused scheme P22/06403/HH which seeks to gain consent for amendments made in design.
- 1.4 Procedural Matters – amended plans (removal of 2no. front dormers and changes to internal floor plan) and clarification on the ecology report has been received from the applicant's agent at the Council's request. This has altered the description of development but not affected the scope of assessment, and as such, no further public consultation has been conducted. Officers are satisfied this does not disadvantage the public interest.

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 |

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
Development in the Green Belt SPD (Adopted 2007)
Residential Parking Standards SPS (Adopted 2013)
Householder Design Guide SPD (Adopted 2021)
Annexes and Outbuilding SPD (Adopted 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 Ref: P22/06403/HH. Approve with conditions, 26.01.2023
Proposal: Installation of 2 no. dormers to facilitate conversion of existing garage to first floor annexe ancillary to main dwelling.
- 3.2 Ref: PT15/3864/F. Approve with conditions, 26.10.2015.
Proposal: Erection of front porch and single storey side and rear extension to form additional living accommodation.
- 3.3 Ref: P87/1591. Approve full planning, 18.06.1987.
Proposal: Conversion of barn to dwelling. Erection of first floor side extension to provide an en-suite bathroom. Erection of porch.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
The Parish council have objected to this application on the grounds of over-development.
- 4.2 Sustainable Transport Officer
The revised scheme does not present any material changes from the previous and as no objection was raised for P22/06403/HH, the same position is applied.
- 4.3 Ecology Officer
(1st Consultation)
- Whilst a Bat and Bird Nesting Report (Acer Ecology, October 2022) has been submitted, confirmation of how many dusk/dawn surveys were carried is required as well as an update of the mitigation measures for nesting birds.
- (2nd Consultation)
- The previous comments are now addressed and an informative would suitably cover off bird nesting mitigation.
- 4.4 Local Residents
One letter of comment has been received from a neighbour with key points summarised as follows:
- The proposed development is acceptable provided the rear dormer is finished with obscure glass.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of development has been established under the previous planning application meaning an assessment must now follow to determine if the proposed amendments have altered the original considerations.

5.2 Green Belt

The Green Belt assessment under P22/06403/HH confirmed that purely in terms of inappropriateness the proposed development should be refused as the built form would result in a disproportionate and therefore result in inappropriate development. However, the report also stated that “as the proposed dormers are indeed of a very small scale as well as the site located within the settlement boundary of Easter Compton it is unlikely the development would create a level of harm to the openness of the Green Belt over and above the existing situation”. In this regard, the revised plans represent a smaller addition than the previous meaning the development and does not represent a level of harm as to refuse the application.

5.3 Design and Visual Amenity

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

5.4 As noted in section 1, revised plans have been received from the applicant's agent following discussions with the Council. Concerns were raised that the development proposal would become the focal point of the site i.e., direct attention away from the host dwelling, and therefore appear as a dominant design feature. However, the receipt of revised plans has addressed this issue and simultaneously demonstrates a significant improvement on the previous refusal: the originally proposed 2no. dormers would be replaced with 2no. roof lights and 1no. dormer of 'classic' design. Likewise, the raising of roof line only represents an increase of an approximate 500mm and suggests the visual impact on the existing street scene is likely to be negligible.

5.5 In light of the above assessment, officers are satisfied the development would not result in a level of harm that would diminish the quality of the immediate area with no design objections therefore raised.

5.6 Residential Amenity

Policy PSP8 explains that development proposal will be permitted provided they do not create unacceptable living conditions for the host dwelling or result in the prejudice of residential amenities for neighbouring properties. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of sunlight; and, noise disturbance.

5.7 The previous assessment of residential amenity stated that the proposed development was likely to have the strongest impact on Orchard's End

(adjoining neighbour to the Northwest) as a result of a perceived overlooking, which ultimately led to an additional refusal reason.

- 5.8 Whilst the submitted evidence under this application suggest that a level of overlooking could again take place (from proposed rear dormer window to Orchard's End front left window), plans now demonstrate that the window would be finished with obscure glass and be non-opening. This means the level of perceived overlooking would be reduced to an acceptable level, with it again acknowledged the dormer window only serves light to a stair well (opposed to an area of living accommodation). Subject to the window being conditioned with the above specification, no residential amenity objections are raised.

5.9 Transport

There is no material difference between this application and the previous in terms of transport with no objection therefore raised.

5.10 Consideration of likely impact on Equalities

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

- 5.11 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 hereby approved shall proceed in strict accordance with the Mitigation Measures provided in the Bat and Bird Nesting Report including the Sensitive Lighting Strategy (section 6.3.5), and the Mitigation Plan (Plan 4) (Acer Ecology, October 2022).

Reason:

To ensure compliance with policy PSP19 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted November 2017).

3. Prior to first use of the garage conversion hereby permitted, and at all times thereafter, the proposed 'rear' dormer window (Northeast elevation) shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason:

To protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Places, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

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

Site location plan (MS/001)

Existing plans (MS/002)

Proposed plans (MS/003 Rev D)

Reason:

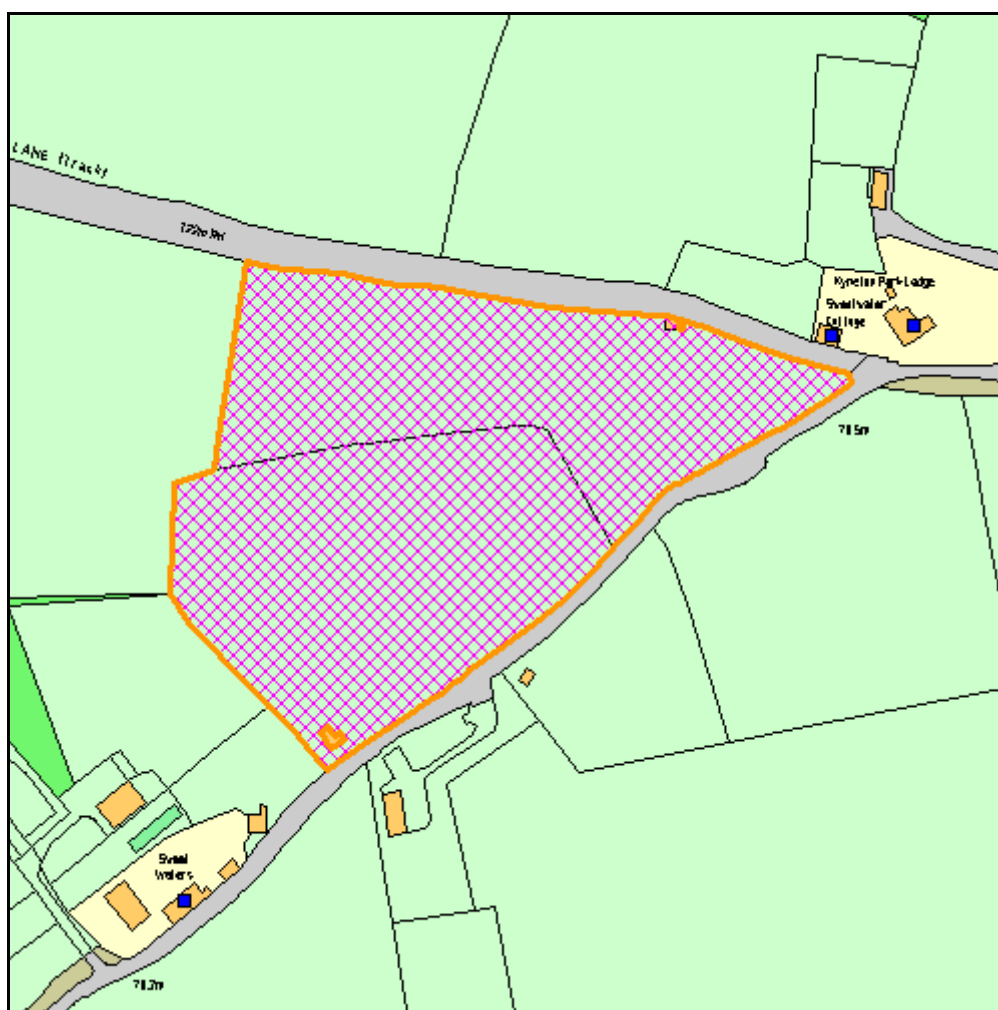
To define the extent and terms of the permission.

Case Officer: Ben France

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 30/23 -28th July 2023

App No.:	P23/01340/F	Applicant:	Mr Martin King
Site:	Barn Off Sweetwater Lane Thornbury South Gloucestershire BS35 3JX	Date Reg:	28th April 2023
Proposal:	Erection of 1no hay barn and 1no stable block. Installation of hardstanding and access track to facilitate change of use to equestrian (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	361857 189253	Ward:	Severn Vale
Application Category:	Minor	Target Date:	4th August 2023



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

P23/01340/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule because 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 1no. hay barn and 1no. stable block, installation of hardstanding and access track to facilitate change of use to equestrian (Sui Generis) as defined in the 1987 Use Classes Order.
- 1.2 The application site is a c.2ha agricultural field located off the North-western side of Sweetwater Lane. The site is located within the Bristol/Bath Green Belt and open countryside. The site is located wholly within flood zone 1.
- 1.3 During the application's consideration, amended plans have been accepted to reduce the scale of the stable. A tree survey has also been submitted. As the changes reduced the scale of the building and relate to further information to respond to a technical consultee, no external re-consultation was necessary.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 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
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
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management

PSP29	Agricultural Development
PSP30	Horse Related Development
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 None.

4. **CONSULTATION RESPONSES**

- 4.1 Oldbury on Severn Council
 No comment.

- 4.2 Transport
 No objection, conditions recommended.

- 4.3 Highway Structures
 No comment.

- 4.4 Drainage (LLFA)

Initial comments: query surface water dispersal.

Updated comments: no objection.

- 4.5 Landscape Officer
 No objection, conditions recommended.

- 4.6 Archaeology Officer
 No comment.

- 4.7 Tree Officer

Initial comments: an arboricultural report in accordance with BS:5837:2012 will be required.

Updated comments: no objection provided trees are protected in accordance with the submitted report.

- 4.8 British Horse Society
 No comments have been received.

- 4.9 Local Residents
 4no. responses have been received, 3 of which in objection and 1 in support.
 However, the support comment is clearly an objection and so officers

have included it within the objection responses. Responses are summarised as follows:

- Positioned right next to our house
- Difficult to see why it could not be positioned elsewhere
- Applicant has no interest in horses and does not own horses
- Is this being built for livery purposes?
- No one owns 5 horses on their own
- Will have additional service requirements (parking, etc.)
- Additional traffic movements
- Light pollution
- How would electricity be supplied?
- 5 horses will generate a large amount of muck and will mean a muck heap next to our property. Plans do not show where the muck heap will be.
- Will lead to detrimental visual impact
- How can this be sustained unless it is commercial?
- Limited hardstand and turning space. Parking required for at least 5 cars and up to 5 trailers or lorries.
- Insufficient space for deliveries.
- No fencing to keep horses in
- No walkway from stables to the tack room
- Access is on a blind bend. Vehicles may park on the bend whilst unlocking/locking the gate.
- Poor design
- Clearly for business purposes or to develop later into a dwelling.
- Numerous accidents have occurred on the corner
- Increased horse muck on the road
- Safety of local residents should be considered
- Road used as a rat run
- Council has not made any attempt to reduce the speed limit
- Increased use of electric vehicles makes the lane more dangerous as they cannot be heard approaching
- At least 40 horses stabled within ½ mile radius of the development
- Yet another commercial development
- At least 10 additional vehicle movements

5. ANALYSIS OF PROPOSAL

- 5.1 Planning permission is sought for the erection of 1no. hay barn and 1no. stable block, installation of hardstanding and access track to facilitate change of use to equestrian (Sui Generis) as defined in the 1987 Use Classes Order.

Principle of Development

- 5.2 The development relates to equestrian development in the Green Belt, and so the main issues of principle to consider are whether the development is appropriate in the Green Belt and whether the development accords with policy covering horse related (equestrian) development.

Green Belt

- 5.3 The Green Belt is an area within the district where development is strictly controlled. As set out in the NPPF (para. 137), the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Local plan policy CS34 instructs that the designated Green Belt should be protected from inappropriate development. CS5 sets out that other proposals for development in the Green Belt will need to accord with the provisions of the NPPF or relevant local plan policies. As noted by the NPPF, Inappropriate development is, by definition, harmful to the Green Belt, and should be approved unless very special circumstances can be demonstrated.
- 5.4 Paragraph 149 of the NPPF sets out that new buildings should be regarded as inappropriate in the Green Belt, save for in a limited number of exceptions. Para. 149 sets out a closed list of development that is appropriate, some of which are qualified exceptions, and some are unqualified. Paragraph 150 outlines certain other forms of appropriate development, on the proviso that they preserve the openness and do not conflict with the purposes of including the land within the Green Belt.
- 5.5 Equestrian development falls under the remit of outdoor sport and recreation, and the NPPF under para.149 (b) outlines *that 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* are appropriate in the Green Belt, *as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it*
- 5.6 The Green Belt has five purposes:
- a) *to check the unrestricted sprawl of large built-up areas;*
 - b) *to prevent neighbouring towns merging into one another;*
 - c) *to assist in safeguarding the countryside from encroachment;*
 - d) *to preserve the setting and special character of historic towns; and*
 - e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 5.7 The development relates to a modest pair of buildings within the North-eastern corner of the field, in the form of 1no. stable building and 1no. hay-store. A small area of hardstand would be provided to the front of the hay store and adjacent to the stable, with access onto Sweetwater Lane via the existing access point. The stable would be arranged around an 'L' shaped footprint with courtyard covering a 118sqm footprint (building only), and the store would be a simple rectangular building with a 71sqm footprint. The stable would contain 5 stables plus store and tack room, and the hay barn would have an enclosed hay storage area and an open storage area.
- 5.8 In context, the development would be located close to existing buildings and would be modest in scale. It is therefore the case that the built development would not result in any appreciable harm to the openness of the Green Belt and would not conflict with any purposes of including the land within the Green Belt. The change of use would have no material impacts on the openness of the

Green Belt, nor would it conflict with the purposes of including the land within the Green Belt. That being said, it would be prudent to apply a condition to require any jumps to be stored inside when not in use, to prevent visual clutter within the wider field, which could have an erosive affect on the openness and result in some encroachment into the countryside if not appropriately controlled.

Horse Related Development

- 5.9 Policy PSP30 supports proposals for horse related development outside of the defined urban areas and rural settlement boundaries provided it does not have an unacceptable impact in relation to the environment, residential amenity, highway safety and horse welfare.
- 5.10 The amount of land associated with this scheme is 2 Hectares, which is of ample size to provide a sufficient exercise area on the basis that the proposals are for no more than 5 horses. This should be conditioned, should permission be granted. The stables provide adequate accommodation internally. There is also suitable access to various riding routes within the local area. The buildings themselves would be suitably sited as to not appear isolated within the rural context, as they follow the general principal of locating rural buildings close to other rural buildings so as to form part of a group.
- 5.11 The development would utilise an existing access to Sweetwater Lane, which overall officers do not consider to present any fundamental issues. Whilst concerns are noted in respect of the location on a bend, the low level of use associated with a non-commercial stable would not present any material safety concerns, and the access being located on the outside of a bend means that there is ample visibility in both directions. It is prudent to note in addition that the Council's professional highways officers do not raise any concerns regarding the access point. It is unlikely that vehicles would need to stop in the road to unlock or lock the gate, as there is suitable space to pull in just off the bend and in front of the gate, in practice. In the interest of ensuring the development does not result in any highway issues, a condition should be applied to ensure that no commercial activities take place. A condition should also be applied to ensure that the access and hardstand is surfaced in a bound material, to prevent any loose matter being tracked onto the highway by vehicle tyres.
- 5.12 Design and Landscape
Elevations suggest that the stable would be a mixture of timber cladding and stone to the elevations, and the hay barn would be timber clad. Both would have profiled tiles to the roof. The scale, form and materials of the buildings are entirely appropriate for the intended equestrian use and the development is not one that would have an adverse impact on the rural character, given that this type of development is to be expected in a rural location. There would therefore be no considered adverse impacts on the visual amenity of the area or the landscape setting. It would though be prudent to apply suitably worded conditions to secure details of the materials, and a landscaping plan to help further integrate the buildings into their landscape setting.
- 5.13 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Noise, disturbance and odours are also residential amenity considerations. Concerns are noted regarding proximity to existing dwellings (including any muck heap). To avoid doubt, it is not standard practice to indicate on the plan for a non-commercial equestrian development where any muck heap would be.

- 5.14 The closest dwelling to the proposed building is Sweetwater Cottage due North. The stable would be c.10 metres from the boundary of the curtilage of Sweetwater Cottage, and some 14 metres from the property itself (at the closest point). Given that the stable would be single storey, there would be no unacceptable impacts caused with regards to the residential amenity of this property. The hay store being further away and single storey would also have no material impacts. Whilst there would be some increase in comings and goings associated with the development, as a non-commercial site, this would not be to any unacceptable extent in terms of noise and disturbance. The above noted condition to limit commercial use would ensure this is the case. In terms of odours, it would be expected that there may be horse manure on site due to 'mucking out', however no evidence is before officers to suggest that this would cause any material amenity issues and in any event, odours from livestock are not an uncommon occurrence in the countryside and could occur now with the default agricultural use of the land.

5.15 Arboricultural Considerations

The development being close to the site boundary means that it would be within close proximity to existing/established hedgerow, and so an arboricultural report has been submitted during the course of the application's consideration. The report notes that both adjacent hedgerows to the North and East are category B2, and are to be retained and protected during development. The Tree Officer has reviewed the submitted report and considered the protection to be acceptable and on that basis, officers do not have any arboricultural concerns with the proposed development. Should permission be granted, a condition should be applied to ensure that the works proceed in strict accordance with the submitted report.

Impact on Equalities

- 5.16 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.

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

Other Matters

- 5.18 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.
- 5.19 It is not for officers to decide whether the owner has sufficient interest in horses, and the LPA must consider the application based on what has been applied for. Any commercial use would be a matter for planning enforcement as the consent will be conditioned to ensure no such activities take place.
- 5.20 Installation of any utilities are not a matter for consideration in the planning application and would be between the applicant and the relevant undertaker.
- 5.21 Fencing is not proposed, however any electric fence required would not normally require planning permission. It is the responsibility of the owner of the horses to ensure they are appropriately contained within the field, in similar vein to it being a farmers responsibility to ensure their livestock do not escape from their fields (this is noted as the current default use of the land is agriculture).

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. The number of horses kept on the site edged in red on the plans hereby approved shall not exceed 5 (five).

Reason

a. In the interests of the welfare of horses and to accord with the guidance of the British Horse Society to accord with policy PSP30 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017.

b. In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP11 of the South Gloucestershire Local Plan: Policies sites and Places Plan (Adopted) November 2017.

3. Prior to completion of development, a soft landscaping plan shall be submitted to the LPA for approval in writing. Said plan shall include the location, species, stock size, planting centres and quantities of all proposed tree and hedgerow mitigation planting. The approved scheme of landscaping shall be implemented in the first planting season following completion of construction works.

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.

4. Prior to the application of external materials, details/samples of all roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

5. The development so approved shall be for the personal/private use only, and shall not be used for any business or commercial purpose. No eventing such as (but not limited to) gymkhanas shall take place, and any equestrian related equipment such as (but not limited to) jumps shall be stored inside when not in use.

Reason:

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and in the interests of the openness of the Green Belt to accord with Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

6. Prior to the use hereby approved commencing, the access track and hardstand as shown on plan 22/0405/300A (site location and proposed block plan, as received 17th July 2023) shall be surfaced with a consolidated material (not loose stone or gravel) 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 and the National Planning Policy Framework.

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

22/002/001 – the location plan

As received 13th April 2023

22/0405/300A – site location and proposed block plan

As received 17th July 2023

22/0405/102B – proposed elevations

22/0405/100C – proposed floor plans

As received 19th July 2023

Reason

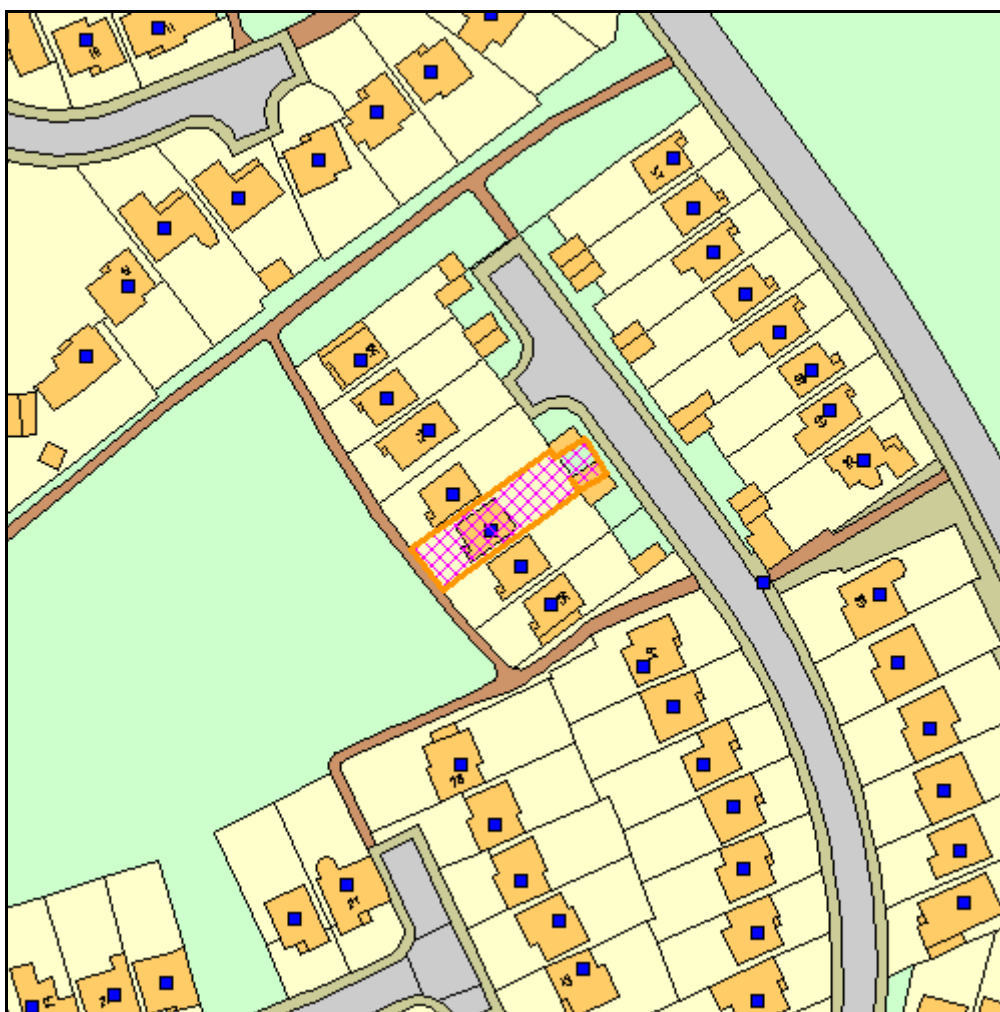
To define the exact terms of the permission.

Case Officer: Alex Hemming

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 30/23 -28th July 2023

App No.:	P23/01927/HH	Applicant:	Mr Whitehead
Site:	52 Wiltshire Avenue Yate South Gloucestershire BS37 7UG	Date Reg:	22nd June 2023
Proposal:	Erection of a single story rear extension to form additional living accommodation.	Parish:	Yate Town Council
Map Ref:	372071 183480	Ward:	Yate North
Application Category:	Householder	Target Date:	17th August 2023



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008.

N.T.S.

P23/01927/HH

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

CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule following the objection to the proposal by Yate Town Council, which is contrary to the officer's recommendation for approval. The Town Council objects until the outcome of planning application P23/01777/TRE has been received. Application P23/01777/TRE relates to a wholly different dwelling.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a single storey rear extension to form additional living accommodation.
- 1.2 The application site can be found at No.52 Wiltshire Avenue, located within an established built-up residential area of Yate. The application site relates to a detached dwelling.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 N4144 - Erection of 72 detached houses and garages and construction of estate roads and associated footpaths (in accordance with the revised layout plans received by the Council on 26th January 1978, and on the 2nd March 1978). Approved. 16.03.1978

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Comments were received on 11.07.2023 stating: Object until outcome of planning application P23/01777/TRE has been received.

4.2 Other Consultees

Comments were received from contaminated land on 13.07.2023 and are summarised below:

No objection however given the development is located on the site of a former pin factory, it would be advised to keep a watching brief for potential hotspots of contamination and assess for visual/olfactory evidence of contamination during any groundworks. If any unforeseen contamination is found during excavations Environmental Health must be notified immediately. This may include obvious visual or olfactory residues, asbestos, including asbestos containing materials such as roofing, buried drums, drains or any other unexpected hazards that may be discovered during site works. NPPF s.184 states: Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Other Representations

4.3 Local Residents

One comment has been received in support of the application, summarised below:

- No problem

5. ANALYSIS OF PROPOSAL

5.1 Design and Visual Amenity

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

- 5.2 The proposed development measures approximately 3.5m deep, 6.35m wide, with an eaves height of 2.4m and a maximum height of 3.5m.

- 5.3 The dwelling is located within a residential area which is relatively distinctive, with the access road to the rear of the dwelling with garages located off the road, As such many of the dwellings utilise the rear of the property as the main access. The dwelling is set below the road height and as such makes the proposed extension less widely visible. The proposal also includes brick, UPVC

and concrete tiles to match existing. The proposed single-storey rear extension has been carefully assessed and is found to be in compliance with policies CS1, PSP1 and PSP38

5.4 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact.

5.5 The proposal includes a set of bi-fold doors and a window within the rear elevation along with two roof lights. There are no concerns relating to loss of residential amenity for the neighbours to the rear. Additionally, given the proposal is modest scale, achieved by its single-storey nature and its location circa 0.9m off the boundary with No51 and 1.1m off the boundary with No53, there are no overbearing or overshadowing concerns relating to the development.

5.6 In terms of loss of privacy, given there are no windows within the side elevation of the proposed extension as well as circa 1.8m tall boundary treatments on both boundaries (with No51 and 53) the proposal is not seen to unacceptably increase the level of overlooking. As such the proposal is seen to protect residential amenity.

5.7 Transport

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. The proposed development would not trigger a material increase in demand for parking at the site nor would it impact current provision. Therefore, no objection is raised under PSP16.

5.8 Private Amenity Space

The proposal shall result in the loss of a section of rear garden, the remaining rear private amenity space (circa 74sq.m) is seen sufficient to meet the needs of the dwellings occupiers, and also meets the standards laid out within PSP43.

5.9 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application 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 Planning permission is granted subject to the conditions below.

CONDITIONS

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

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

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

The plans were received by the LPA on 21.06.2023
Site Location plan (Drawing No 52WA.01)
Proposed Floor Plans (Drawing No 52WA.04)
Proposed Elevations (Drawing No 52WA.05)

Reason:

To define the terms and extent of the permission.

Case Officer: Thomas Servini
Authorising Officer: David Stockdale