

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. 05/19

Date to Members: 01/02/2019

Member's Deadline: 07/02/2019 (5.00pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2018. 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.

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 request in writing must be made in writing by at least two or more Members, not being Members of the same ward
- d) In addition, the request in writing must have the written support of at least one of the Development Management Committee Chair and Spokes Members
- e) 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
- f) Indicate whether you have discussed the application(s) with the Case Officer and/or Development Manager
- g) Indicate whether you have discussed the application(s) with ward Member(s) if the site is outside of your ward

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.

When emailing your circulated referral request, please ensure you attach the written confirmation from the Supporting Member(s) and Supporting Chair or Spokes

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?

a) Referring Member:

b) Details of Supporting Member(s) (cannot be same ward as Referring Member)

c) Details of Supporting Chair or Spokes Member of the Development Management Committee

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:

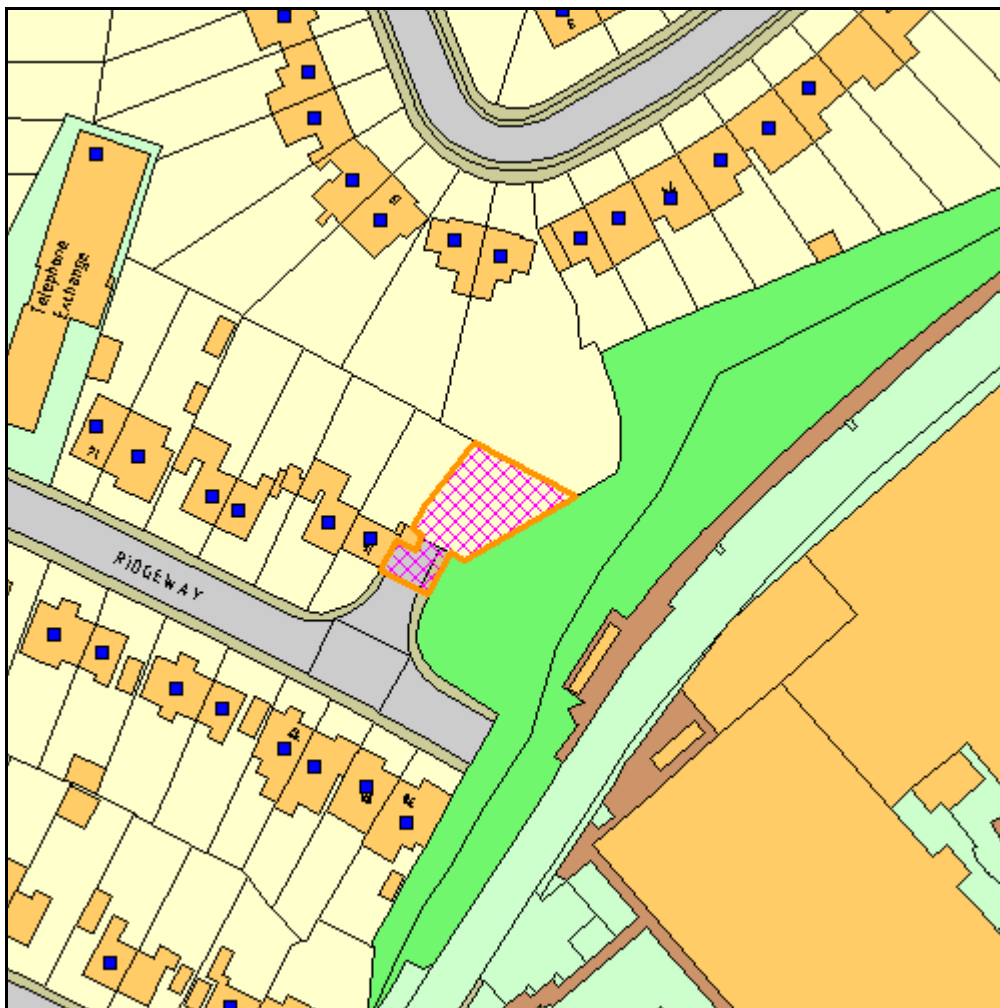
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 01 February 2019

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK18/2320/F	Approve with Conditions	Land To The Rear Of 31 Ridgeway Yate South Gloucestershire BS37 7AF	Yate Central	Yate Town Council
2	PK18/2798/F	Approve with Conditions	Land At Dyrham Park Upper Street Dyrham South Gloucestershire SN14 8ER	Boyd Valley	Dyrham And Hinton Parish Council
3	PK18/4379/F	Approve with Conditions	Rear Of 50 Downend Road Downend South Gloucestershire BS16 5UE	Downend	Downend And Bromley Heath Parish Council
4	PK18/5175/F	Approve with Conditions	59 Court Farm Road Longwell Green South Gloucestershire BS30 9AD	Longwell Green	Hanham Abbots Parish Council
5	PK18/5924/F	Approve with Conditions	Wayside Cottage Emersons Green Lane Emersons Green South Gloucestershire BS16 7AB	Emersons Green	Emersons Green Town Council
6	PK18/6314/F	Approve with Conditions	Land To The Rear Of 125 Soundwell Road Soundwell South Gloucestershire BS16 4RD	Staple Hill	None
7	PK18/6522/PDR	Approve with Conditions	24 Berenda Drive Longwell Green South Gloucestershire BS30 9YX	Oldland	Oldland Parish Council
8	PT18/1046/F	Approve with Conditions	Patchway Sports Centre Hempton Lane Almondsbury South Gloucestershire BS32 4AJ	Patchway	Patchway Town Council
9	PT18/4823/F	Approve with Conditions	Crossways Farm Crossways Lane Thornbury South Gloucestershire BS35 3UE	Thornbury North	Thornbury Town Council

CIRCULATED SCHEDULE NO. 05/19 – 1 FEBRUARY 2019

App No.:	PK18/2320/F	Applicant:	Southwestern Housing Society
Site:	Land To The Rear Of 31 Ridgeway Yate Bristol South Gloucestershire BS37 7AF	Date Reg:	21st May 2018
Proposal:	Erection of 1 no. three bedroom dwelling and associated works.	Parish:	Yate Town Council
Map Ref:	372079 182541	Ward:	Yate Central
Application Category:	Minor	Target Date:	13th July 2018



© 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.** **PK18/2320/F**

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following a number of objections received from local residents and Yate Town Council which are contrary to the officer recommendation detailed in this report.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of 1 no. three bedroom dwelling and associated works within the side and rear garden of no 31 Ridgeway, Yate.
- 1.2 The site is situated within an established residential area within the settlement boundary of Yate, on an estate known locally as The Ridge.
- 1.3 Several requests for additional arboricultural information were requested and received in order to address concerns raised by the tree officer.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2018
National Planning Policy Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS29 Yate and Chipping Sodbury

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

- PSP1 Local Distinctiveness
- PSP3 Trees and Woodland
- PSP5 Undesignated Open Spaces within Urban Areas and Settlements
- PSP8 Residential Amenity
- PSP16 Parking Standards
- PSP19 Wider Biodiversity
- PSP43 Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 The developer has submitted eight applications across the Ridge estate, including this application, for developments of one or two dwellings. Application reference numbers PK18/2313/F, PK18/2314/F, PK18/2315/F, PK18/2316/F, PK18/2317/F and PK18/2318/F have been withdrawn by the developer following concerns raised regarding design, parking and residential amenity.
- 3.2 Application reference number PK18/2319/F for 2 no dwellings at 149 Melrose Avenue on the Ridge was approved in August 2018.
- 3.3 Relating to the application site, reference P99/1040/CL issued a Certificate of Lawfulness on 19/03/1999 stating that use of the land as a storage for building materials is not lawful.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection on the following grounds:

- Concerns regarding lack of publicity for comment and lack of time to do so
- Concerned about loss of parking across six of the applications due to the removal of the garages
- Supportive of additional social housing but not when it harms existing residents
- No visitor parking
- Overlooking existing gardens
- Design does not reflect the distinctive character of the Ridge Estate, built in 1950s with a characteristic style and layout of roads, properties, gardens and parking

4.2 Other Consultees

Sustainable Transport

No objection, subject to clarification of bin and cycle storage.

Highway Structures

No comment.

Ecology

No ecological objection to this application. The site is of low ecological value, even to species such as hedgehog that may be present in the area. Hedgehogs are not endangered (they are actually categorised as being of 'Least Concern' by the IUCN.) The change of use of this land to a garden is unlikely to have a significant effect on the population, if present.

Please attach the following recommended condition to consent, if granted:

- Prior to first occupation, one bird box and one invertebrate home per dwelling shall be installed, and the provision of gaps within any new fencing to allow passage to hedgehogs. Evidence of their installation shall be submitted to the local planning authority for approval in writing - (PSP19).

Drainage

The proposed new development lies within Flood zone 3. According to the National Planning Policy Guidance this development would be classed under being 'more vulnerable' and therefore both the exception test and sequential test would need to be passed and an FRA is required to be submitted.

Please also note that we discourage introducing new families to the flood zone as this is then putting more people at risk.

Tree Officer

Comment on revised information received on 3rd August 2018, 14th September 2018 and 25th October 2018:

There is no 20% off set within the current British standard but I do accept that the existing fencing could be used provided that ground protection for the exposed RPA within the site is used. They would need to lay a membrane and use a layer of 100mm of woodchip with single thickness of scaffold boards laid over the top. This would need to stay in place until the development and ground works are finished. This would need to be condition.

Other Representations

4.3 Local Residents

Thirty two objections have been received from local residents, and the points raised have been summarised below:

Design

- Style of housing is not in keeping with the rest of the properties on the estate, and would be incongruous in the street scene
- Shoe horned into a small space
- Garden grabbing
- The estate needs to be looked at in its entirety, and should be grade II listed as for its unique historical value as a co-operative led post WWII programme of rejuvenation – 'Homes Fit for Heroes.' This development will mean the estate cannot be listed.
- Estate was never intended to be high density housing, instead designed for the residents to enjoy light and spacious environment
- Does not conform to existing pattern of development

Residential Amenity

- Will intrude on privacy of surrounding gardens and windows
- Impact on outlook and light of surrounding properties, as well as being overbearing
- Open views will be lost

- Neighbours will be overcome by noise and dust during construction and controlled construction hours should be conditioned
- Small houses with small windows and small gardens making for an uncomfortable living existence

Transport

- Will increase parking demand and cause increased traffic around the Ridge
- Additional parked cars is a danger to children playing locally and walking to and from school
- Traffic already bad because there is only one way in and out of the estate
- Emergency vehicles may struggle to gain access, as well as prams/wheelchairs etc on the pavements
- There is overspill parking in the area from the shopping centre and Riverside Retail Centre
- Concerned about access issues during construction

Other Issues

- Will set a bad precedent allowing an influx of developments to impinge on existing properties for the sake of developer profit, at expense of value, ambiance and character of existing properties
- Short timescale given for residents comments
- Every house on the estate should have been notified
- Ecology report is inadequate and ecologist did not visit area
- Development will have a negative impact on wildlife, including hedgehogs bats and birds
- Ecology within adjacent Ridgewoods would be affected also
- Draw your attention to the refusal of planning applications PK08/3213/O and PK17/4915/F relating to the proposed erection of a dwelling in the rear garden of 7 and 5 St Marys Way Yate
- Local schools are oversubscribed already
- Concerns about the type of people who will be housed in the development

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies within the established settlement boundary of the town of Yate. Under policy CS5 which establishes the locational strategy for development, the site is considered to be a suitable site for development subject to site specific considerations and would therefore be supported in principle.

5.2 Policy CS17 would also allow for development within existing residential gardens and curtilages subject to an assessment on the impact of the development on the character of the area, transportation, and residential amenity.

- 5.3 Having established the principle is acceptable, the impact of the proposed development should also be carefully assessed and this is set out in the remainder of this report. The overall design and impact on the character of the area is an important element of the assessment (Policy CS1); the impact on the existing residential amenity of the area (policy PSP8); and the transport implications (policy CS8 and PSP16).
- 5.4 The proposal is for the erection a new dwelling within an established residential and urban area. Both national and local planning policy are supportive of such development and weight can therefore be given to it being an acceptable form of development, subject to a detailed assessment below.
- 5.5 Design and Visual Amenity
The site proposed to be developed forms part of the rear and side garden of 31 Ridgeway, which is the last property on Ridgeway before the turning head and the Ridgewoods to the east. The southern side of Ridgeway consists of post war semi-detached properties, whilst the northern side is more varied, with gable rooflines. The host property has a gable roofline running parallel with the highway whilst the attached property has a forward facing feature gable. The material palette is predominantly render with some brick work.
- 5.6 The proposed dwelling will be set back in the plot and will not be visible when heading east on Ridgeway. Officers consider there is adequate space for the dwelling and associated gardens and parking for the existing and proposed dwelling without appearing cramped. The design of the dwelling is a gable roofline of multiple elevations, mirroring the semi-detached pair of dwellings to which it most closely relates, and render with brick detailing is an acceptable approach to materials.
- 5.7 Comments have been received indicating that the whole estate should be grade II listed as an example of post-war housing. This process is undertaken by Historic England and cannot form part of a planning application, however officers consider it highly unlikely it would meet the criteria for listed status due to the number of alterations which have taken place across the Ridge estate. As the estate is not considered to be a heritage asset, the development does not need to be assessed against heritage policy.
- 5.8 Overall, the application is considered acceptable in design terms and is in accordance with policy CS1 of the Core Strategy.
- 5.9 Residential Amenity
Several objections have been received stating that the proposal is 'garden grabbing' and should therefore be resisted. The site does form part of the garden of no. 31 Ridgeway, however following development no. 31 will still benefit from almost 300 sqm of useable private amenity space. This is in excess of the policy requirements for gardens in policy PSP43. The proposed three-bedroom dwelling will have amenity space of over 100 sqm, also in excess of the minimum standards for a dwelling of that size.

- 5.10 The proposed front first floor window closest to no. 31 has the potential to overlook the host dwelling's garden and rear windows, however this window serves a bathroom and can reasonably be expected to be obscure glazed. The window facing north-west towards the garden of no. 31 will also be obscure glazed. This will be conditioned in the event the application is approved. There is no overlooking to the east or rear as the houses are a long distance away.
- 5.11 In terms of overshadowing, there will be some loss of light to the rear garden of the host dwelling at different times of the day, but this is unlikely to affect the rear windows or be detrimental to their amenity.
- 5.12 Letters received from local residents have suggested a working hours condition to restrict noise levels at night and at weekends, and given the location in close proximity to other residential properties it is reasonable to add this to the decision notice in the event the application is approved. Once construction is complete it is not considered that the development will cause a noise disturbance, as the vehicle movements to and from the site will be minimal.
- 5.13 Subject to conditions, it is considered that the residential amenities of the surrounding occupiers and the application site will be protected.
- 5.14 Transport
The development is situated within a sustainable location within the town of Yate. The existing off-street parking to the front of the host dwelling is not affected, and adequate parking and turning is provided for the new dwelling. It is unclear where cycle parking and bin stores will be located however there is adequate space within the site for this information to be conditioned in the event the application is approved.
- 5.15 Ecology
An Ecological Appraisal has been submitted to support the application, and this has been considered by the Council's Ecology officer who has no objection to the development. In order to ensure biodiversity gain in accordance with policy PSP19, a condition ensuring a bird box and an invertebrate home shall be added to the decision notice in the event the application is approved.
- 5.16 Vegetation
The site is adjacent to a small area of trees known locally as Ridgewood which contributes positively to the visual amenity of Ridgeway. Some trees are also located within the site and are to be removed to facilitate development. Initially the application was not supported by any arboricultural information and this was requested and submitted, however it was inadequate with the information not being site specific and with no root protection areas (RPA) given for trees to be retained along the boundary. Amended plans were submitted to show that the existing boundary fence is adequate as tree protection fencing, however the Council's Tree Officer queries why a 20% offset has been used to calculate this as this is not within BS:5837:2012. The existing fencing is adequate provided that ground protection is used for the parts of the RPA which fall within the site in the form of laying a membrane and using a layer of 100mm woodchip with single thickness scaffold boards laid on top for the duration of the ground works. This will be conditioned in the event the application is approved.

5.17 Other Issues

Officers can confirm that the procedures within the Statement of Community Involvement have been followed, both in terms of the number and location of residents consulted and the amount of time given for comment.

5.18 Concerns have been raised regarding the lack of school places for new families which move into the proposed development. The development is CIL (Community Infrastructure Levy) liable and school places can be secured using CIL.

5.19 Comparisons have been drawn between a recently refused application in St Marys Way and the development proposed here. Each application must be determined on its own merits and does not set a precedent. One objection from a local resident indicated their concern about the individuals who would live in the development and whether they would pose a risk to their children. This is not a planning consideration.

5.20 The Lead Local Flood Authority have commented to state the site is within Flood Zone 3A, this is an error and the site is at a low risk of flooding.

5.21 Consideration of likely impact on Equalities

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

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 planning permission is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 864735

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 first occupation, one bird box and one invertebrate home shall be installed at the site, and the provision of gaps within any new fencing to allow passage to hedgehogs. Evidence of their installation shall be submitted to the local planning authority for written approval in writing prior to first occupation of the development.

Reason

In order to seek biodiversity enhancement in accordance with policy PSP19 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the National Planning Policy Framework.

3. Development shall take place in strict accordance with the arboricultural information submitted on 3rd August 2018, 14th September 2018 and the 25th October 2018. Further to the use of protective fencing and prior to any ground disturbance, a layer of membrane, 100mm of woodchip and single thickness scaffold boarding shall be laid atop any root protection zones within the site. Evidence of this must be made available at the request of the Local Planning Authority.

Reason

In order to prevent harm to the adjacent trees, in the interests of visual amenity and to accord with policy PSP3 of the Policies Sites and Places Plan, CS1 of the Core Strategy and the National Planning Policy Framework.

4. Prior to first occupation, details of cycle parking and refuse storage shall be submitted to the Local Planning Authority for written approval. The agreed details must be installed prior to first occupation of the development.

Reason

To ensure adequate bin storage and to encourage sustainable transport uses, in accordance with policy CS1 of the Core Strategy (Adopted) Dec 2013, policy PSP16 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the National Planning Policy Framework.

5. Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the proposed first floor bathroom window on the south-west elevation and the ground floor window on the north-west elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the windows being above 1.7m above the floor of the room in which it is installed.

Reason

To protect the amenities of 31 Ridgeway, in accordance with policy PSP8 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the NPPF.

6. The hours of working on site during the period of construction shall be restricted to:

Monday - Friday.....7:30am - 6:00pm

Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays

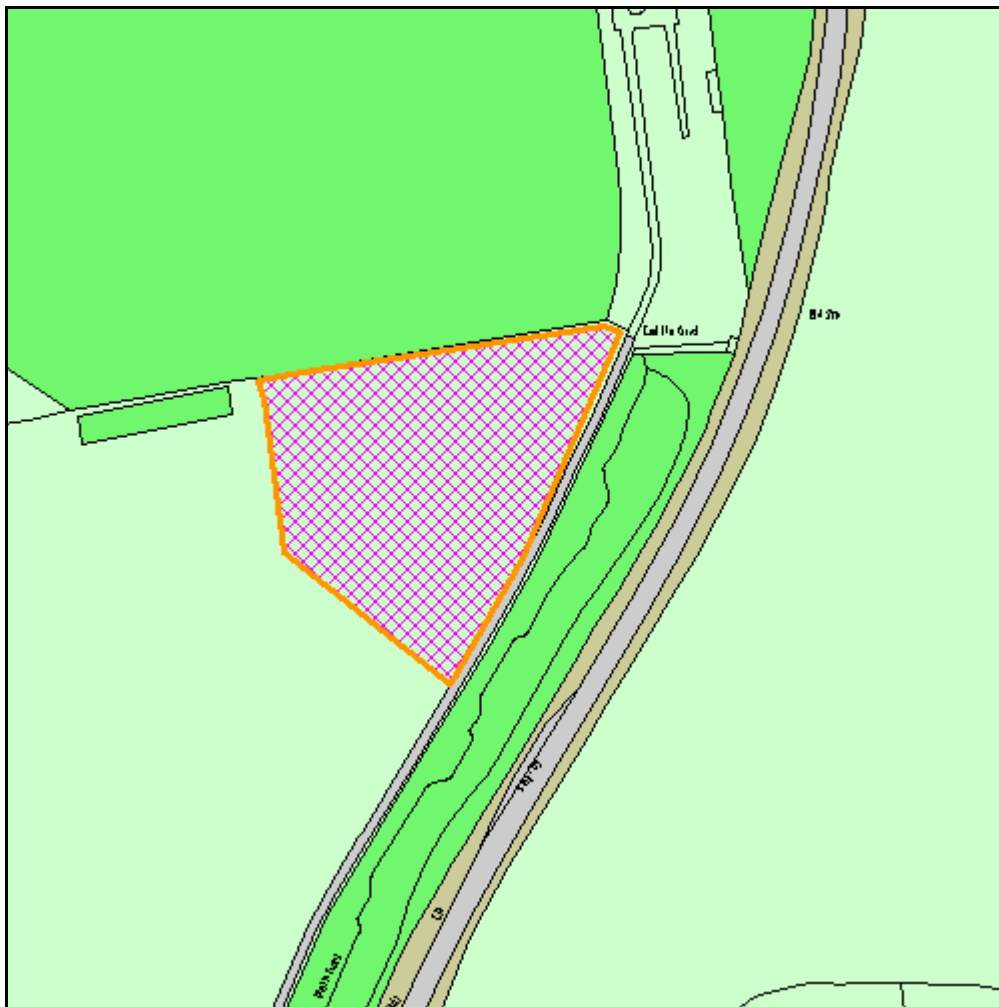
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of surrounding occupiers, in accordance with policy PSP8 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the NPPF.

CIRCULATED SCHEDULE NO. 05/19 – 1 FEBRUARY 2019

App No.:	PK18/2798/F	Applicant:	Mr Peter Sides National Trust
Site:	Land At Dyrham Park Upper Street Dyrham Chippenham South Gloucestershire SN14 8ER	Date Reg:	18th June 2018
Proposal:	Formation of overflow car park to the main entrance car park and associated works	Parish:	Dyrham And Hinton Parish Council
Map Ref:	374178 175771	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	7th August 2018



© 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.** **PK18/2798/F**

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as it represents a departure from relevant Green Belt policy within the adopted Development Plan.

In this case any resolution to grant planning permission for this development does not need to be referred to the Secretary of the State for Communities and Local Government as it is not considered that the development will have a significant impact on the openness of the Green Belt (referral requirements of the Town and Country Planning (Consultation) (England) Direction 2009).

1. THE PROPOSAL

- 1.1 This application seeks planning permission for an overflow car park at Dyrham Park, Dyrham.
- 1.2 Dyrham Park is a grade I listed mansion set within grade II* registered parkland, the Cotswolds Area of Outstanding Natural Beauty (AONB) and the Bristol/Bath Green Belt. The main entrance and car park is situated off the A46.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) July 2018
The Town and Country Planning (General Permitted Development) (England) Order (GDPO) 2015

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure & Cultural Activity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards

PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Sites
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water & Watercourse Management

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) 2007
 Development in the Green Belt SPD (Adopted) 2007
 Residential Parking Standards SPD (Adopted) 2013
 Revised Landscape Character Assessment SPD (Adopted) 2014

3. **RELEVANT PLANNING HISTORY**

- 3.1 None relevant

4. **CONSULTATION RESPONSES**

- 4.1 Dyrham and Hinton Parish Council
 No comment

4.2 Other Consultees

National Amenity Societies
 No comment

Archaeology Officer
 No comment

Ecology Officer
 No objection

- a simple 'wooden knee rail fence' would be acceptable to define the overflow car park boundary

Public Rights of Way
 No objection

- safeguard route by condition and attach standard informative

Open Spaces Society
 No comment

Commons Stewardship Officer
 No comment

Highway Structures
 No objection

Lead Local Flood Authority
 No objection

Sustainable Transport
 No objection

Tree Officer

No objection

Conservation Officer

No objection

Landscape Officer

No objection

Historic England

No objection

Planning Casework Unit

No comment

Other Representations

4.3 Local Residents

2 local residents have commented (neutral) on the application. Their comments are summarised as follows –

- little effect on biodiversity
- may set a precedent; surrounding wildflower meadow should be protected

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for a new car park.

5.2 Principle of Development

Policy CS23 of the Core Strategy would allow an overflow car park at Dyrham Park. However, the main issue in this case is the effect that the proposal would have on the openness of this part of the Green Belt, on Sites of Nature Conservation Interest (SNCIs) and the public footpath network. The application will therefore be determined against the analysis set out below.

5.3 Green Belt

Inappropriate development & openness

The application site relates to land in the Green Belt which is currently part of Dyrham Park known as Whitefield. Under Part 4 of Schedule 2 of the GDPO, the land has been temporarily used for overflow visitor parking for a number of years. However, Part 4 imposes a 28 day limit in any calendar year, however, the applicant has forecast increased demand for parking by virtue of rising visitor numbers and therefore the 28 day limit is likely to be exceeded. The main car park is located to the northeast.

5.4 The site is accessed from the main car park by its exit route. On its northern side there is a public footpath with a couple of trees, whilst a small bund separates the southeast side from the exit route. To the southwest is the remainder of Whitefield.

- 5.5 The proposal seeks continued use of the car park for a temporary period of three years whilst the main entrance layout is rearranged.
- 5.6 Paragraph 143 of the NPPF indicates that inappropriate development is, by definition, harmful to the Green belt and should not be approved except in very special circumstances. However, paragraph 146 identifies other forms of development which are not inappropriate. One of these exceptions is the change of use of land provided it preserves openness and does not conflict with the purposes of including land within Green Belt.
- 5.7 Policy PSP7 of the Local Plan sets out how proposal for development in the Green Belt will be considered and follows the approach taken in the NPPF.
- 5.8 The car park would comprise 370 spaces and would utilise a triangular parcel of land at the southwest corner of the main car park. At present this area is taken up by a small car park at the front of the site and the rest laid to grass. The proposed car park would be a largely open area and when not in use would increase the openness of the site. However, opening hours are from about 10:00 to 17:30 daily, with the site visited by approximately 500 cars at its peak. Such a large volume of cars parked so often would affect openness.
- 5.9 The effect on openness would vary depending on the number of cars. Moreover, the effect would be seasonal, being primarily during the spring and summer months and in this respect it would differ from the more permanent effect of the existing car park. However, compared to the open nature of Whitefield at present, Officers consider the introduction of numerous parked cars on a regular basis for some months would reduce openness.
- 5.10 It is accepted that some works would be required in order to create the car park's surface and that it is very different in texture and appearance from more typical hardstanding, such as that found elsewhere across the park or that typically normally used in developments. However, there would still be a large increase in hard surfacing.
- 5.11 In summary, during out of season times, the effect on openness from some viewpoints would be no greater. However, when inside them, the frequent and heavy use of the car park across a portion of Whitefield would have a greater visual effect on openness. Overall, Officers consider the proposal would have a greater effect on openness than the existing development. As such it is inappropriate development.
- 5.12 *Whether very special circumstances exist*
In accordance with the NPPF and policy PSP7, inappropriate development should not be approved except in very special circumstances.
- 5.13 Dyrham Park is an important tourist attraction and a record of past architectural achievement. Officers have no doubt a great many people find the park fascinating and inspiring. The submitted information indicates it is only viable as a result of the income from visitors, but with substantial growth forecast, it is clear that the main car park has greatly outgrown its original concept. There is a real possibility of congestion and tailbacks from the long drive onto the A46 if

- visitors are turned away, or parking on verges in the vicinity, which would be extremely dangerous given the rural lanes and high speeds and heavy traffic on the A46. Furthermore, inadequate parking at a venue of this kind makes the facilities unattractive and difficult to use, detracting from their current viability and preventing the park from providing better facilities in future. Moreover, there is no indication that other modes of transport to and from the park are regularly available.
- 5.14 When weighing the harm to the Green Belt against the benefits, Officers conclude that for the time being the balance of advantages lies clearly with the temporary permission to retain the existing overflow parking. Because it is a temporary expedient, Officers are imposing a condition requiring the use to cease and the land to be restored after a period, which will give time to work out a permanent change to the entrance layout. Officers have extended the period of restoration to a total of 9 months beyond the expiry of the three year period allowed for the continued use, to give a reasonable time for the not inconsiderable works to be done, and in particular the reseedling to take place in a suitable season.
- 5.15 Looking at the case as a whole, Officers conclude that the considerations above amount to the very special circumstances necessary to justify the proposed development.
- 5.16 Ecology
The site lies adjacent to and within a proposed SNCI. These are Dryham Park SNCI designated for its parkland and ancient trees, calcareous and semi improved grassland and wetland habitat and the proposed SNCI is Whitefield, which is designated for its species rich grassland.
- 5.17 Policy CS9 of the Core Strategy seeks to protect the natural environment, including SNCIs. However, the fact that a development may be located within an SNCI does not by definition make it unacceptable. Policy PSP19 of the Local Plan adopts a permissive approach to development on or adjacent to sites of nature conservation value, seeking to ensure such proposals are informed by appropriate surveys, avoid harm to habitats and species through locating the scheme elsewhere, or by retaining the features of interest securely within the proposal with suitable mitigation. Compensation is a last resort. It only directs refusal of permission for development which would have a harmful impact on the nature conservation value of SNCIs. This approach is consistent with paragraph 175 of the NPPF, which expects permission to be refused for development resulting in significant harm to biodiversity that cannot be avoided, mitigated or compensated.
- 5.18 Whitefield has been proposed as an SNCI for its species rich grassland which under PSP19 is considered to be an irreplaceable habitat. The car park is already used for part of the year and will not affect the features of Whitefield SNCI, as this part of the site is not managed for its grassland interest. However, an ecological buffer between Whitefield and the development is considered necessary; the applicant proposes a simple 'wooden knee rail fence'. This measure will therefore be secured by condition and would offer an appropriate safeguard.

- 5.19 Accordingly, subject to proposed mitigation measures being built, Officers conclude that the proposed development would not cause unacceptable harm to the wildlife interest and nature conservation value of the site. Consequently, it would not conflict with Policy CS9 or PSP19 and would also be consistent with paragraph 175 of the NPPF.
- 5.20 Public Footpath
Legally, a public right of way runs adjacent the north boundary but users actually use a route through the site, thus within the proposal. Markers, in-keeping with the surroundings, could be secured by condition as part of the fencing layout for the site so as to prevent cars parking across the footpath and ensure compliance with policy PSP10 of the Local Plan.
- 5.21 Impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.22 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.23 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

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 including the very special circumstances submitted to justify the development. The proposal was also advertised as a departure in July 2018.

7. RECOMMENDATION

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

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

1. The use hereby permitted shall be discontinued on or before 31 December 2021 and the land restored to its former condition on or before 30 September 2022.

Reason

The proposed use on a permanent basis would be unacceptable in this location and is permitted for a limited period only because of the special circumstances of the case.

2. Prior to the commencement of the relevant part of the development a plan indicating the positions, design, materials and type of buffer to be erected and markers installed shall be submitted to the Local Planning Authority for approval. The buffer and markers shall be completed before the use hereby permitted is commenced. Development shall be carried out in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the SNCIs and the public right of way cross the site, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP10, PSP18 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the revised National Planning Policy Framework.

3. The development shall proceed in accordance with the below listed plans:

Received 12.07.2018:

Location Plan

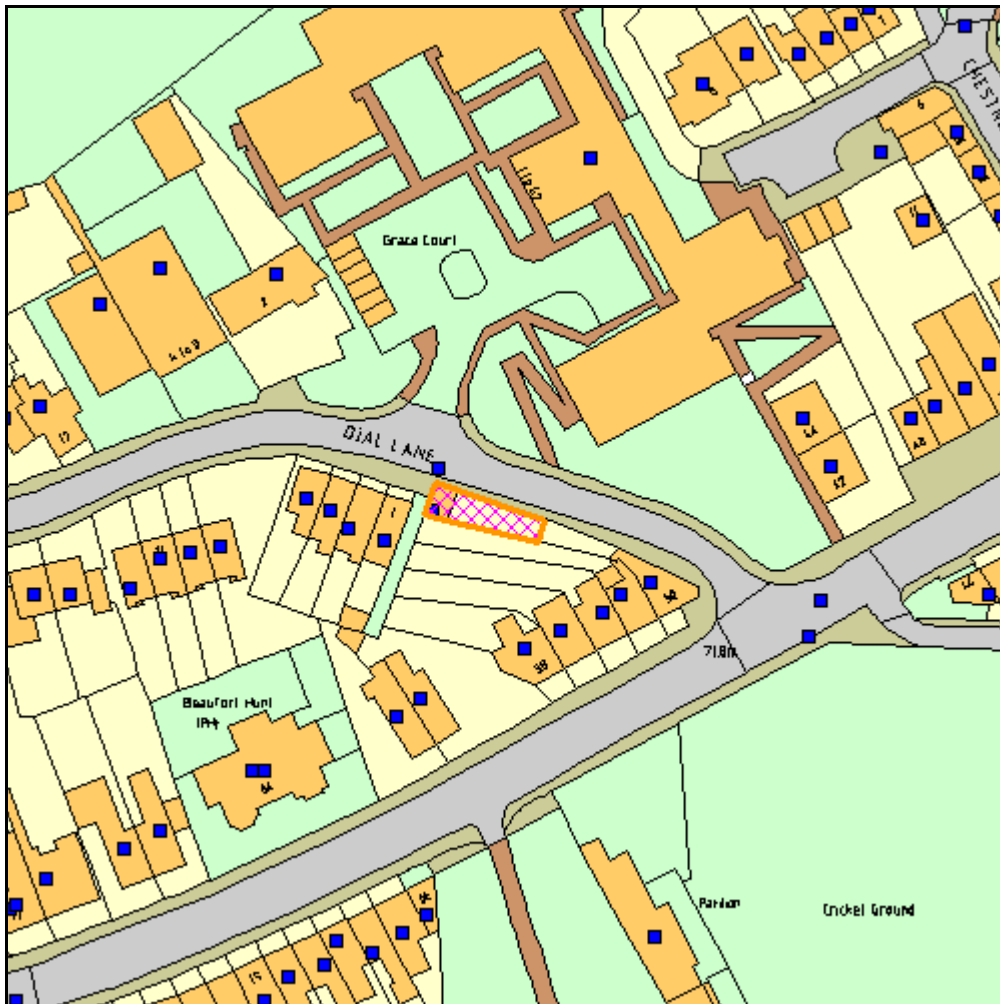
Proposed Overflow Car Park (D-01)

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 05/19 – 1 FEBRUARY 2019

App No.:	PK18/4379/F	Applicant:	Mrs Kate Sage
Site:	Rear Of 50 Downend Road Downend Bristol South Gloucestershire BS16 5UE	Date Reg:	11th October 2018
Proposal:	Change of Use from residential (Class C3) to commercial storage (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Erection of 2 metres high timber fence.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364899 176610	Ward:	Downend
Application Category:	Minor	Target Date:	5th December 2018



© 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.** **PK18/4379/F**

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of letters of objection, which would be contrary to officers' recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of a parcel of residential garden to a storage yard for keeping building materials at the rear of No. 50 Downend Road. During the course of the application, a revised scheme was submitted to remove the original proposed car port.
- 1.2 The application relates to land on the south side of Dial Lane, Downend. The site is located within an urban area of Downend. It is not situated within any specific land-use designation. It is also noted that there was a detached garage within the site, and the recent site visit revealed that it has been removed.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2018
National Planning Practice Guidance

2.2 Development Plans

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP27	B8 Storage and Distribution Uses
PSP31	Town Centre Uses

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in favour of sustainable development
CS5	Location of development (inc. Green Belt)
CS9	Managing the environment and heritage
CS29	Communities of the East Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/3412/F Erection of detached double garage. Withdrawn 04.11.13
- 3.2 PK13/4390/F Erection of detached garage. (Resubmission of
PK13/3412/F). Approved 07.02.2014

The following planning applications are related to the adjacent site, No. 50 Downend Road.

- 3.3 K987 Change of use of ground floor shop to office accommodation with provision additional car parking spaces. Approved 16.10.1975
- 3.4 PK07/3510/F Erection of single storey detached storage building for existing office. Refused 24.01.2008

4. CONSULTATION RESPONSES

- 4.1 Downend And Bromley Heath Parish Council - No objection, but we are concerned about parking of vehicles adjacent to the application site.

4.2 Other Consultees

Highway Officer: No objection to the first proposal with a carport, subject to condition to ensure that the carport is not used for storage purposes, and so remains available for the parking of vehicles visiting the site. Regarding the revised proposal, the Highway Officer has no comments to make.

4.3 Local Residents

Six letters of objection was received, the residents' concerns are summarised as follows: (Full comments are available in the Council's website).

Highway concerns

- Already congestion issues with the current commercial business, this is going to cause an additional influx of traffic
- The road leads into a residential home where elderly people frequent the surrounding area.
- Not enough parking for the existing residents, additional commercial vehicles will increase parking issues.
- The road is already used by the general public.
- The adjacent pavement is narrow. The use of car port will potentially force pedestrians into the road.
- The loading and unloading of supplies in and out of the vans is a concern to residents and children when using the pavements next to the development.
- Commercial overdevelopment of a small residential road
- The applicant's vehicles may protrude over the pavement.

- Will restrict parking of vehicles owned by residents of Downend Road as there are double yellow lines in front of houses on Downend Road.
- The pavement on Dial Lane by the proposed site is very narrow, this would obstruct pedestrians when loading and unloading vehicles
- Opposite the proposed site is a residential complex for older people, this proposal would restrict the access for the ambulances and care works who visit on a regular basis.
- Three commercial business operating and parking in Dial Lane, the volume of traffic is already too much for this residential road.
- Last week, we had an issue with fire engine not being able to get into the residential home in Dial Lane due to parked cars, causing major congestion for cars trying to get through.
- There is a dropped kerb which we have always parked on, if this proposal go ahead with gates being there, we will not be able to park there, losing at least two parking spaces, which especially in the summer months with public visiting crickets grounds are crucial to residents.
- The vans used by the company will not fit on the hardstanding, especially with doors open for loading.

Amenity concerns

- Poor outlook, overbearing fences and structures, obstructive views, lack of daylight, noise pollution and disturbance due to the open storage yard adjoining residential garden where young children play, uploading and loading of roofing materials
- Health and safety due to the storage of flammable and harmful substances
- Not in keeping with residential gardens at the rear of properties on Downend Road
- The proposed fence will encroach onto the adjacent property, if the fence is not installed to their side of the wall to keep the party wall intact.
- No public notice was displaced regarding the proposal.
- Commercial use may allow further development of the site in the future, which would be detrimental to the predominantly residential character of this part of Dial Lane.
- I would dispute the description 'disused' or referred to as 'wasteland'. It is the responsibility of the owner to maintain the land in decent order.
- Parking is always an issue in Dial Lane. The proposal will put a further strain on access
- After looking at the plans, measurements are including our boundary wall, which they cannot take down as it is part of our garden on our property.
- The proposed site is run down, but that's up to the owners to keep it maintained if this was done. The area could go back to being a garden as it was originally which is more suited to the residential area.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site comprises a small standalone parcel of residential land, located at the rear of No. 50 Downend Road. There was a detached garage in the past, however, it has been removed. The site is situated within the urban area of Downend. The proposal seeks planning permission for the change of use of the land to a storage yard for keeping building materials.

- 5.2 Paragraph 80 of the NPPF states, planning policies and decisions should help create the conditions in which business can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 7.18 of Policy PSP27 also reflects similar support to local business. It states in relation to the need to support local economic development that there is also benefit in creating the flexibility to enable long term unoccupied or underused buildings and sites to be viable re-development opportunity which will assist with wider regeneration aspirations.
- 5.3 Although this site is not situated within safeguarded economic development sites, the site itself is very small in area and would only be approximately 96 square metres. In the supporting statement, the applicant's roofing company currently has a storage area further away. The proposal would allow the company to relocate the existing storage area closer to Downend, which is where a large percentage of their clients reside. Given that the proposed development would be located within an urban area, the proposed change of use would be very small in scale and also would be compatible to the character of the locality, as such, there is no objection in-principle of the development.
- 5.4 Residential Amenity
The site is located to the south of Dial Lane, where is primarily characterised by a group of residential properties. The original proposed carport has been removed from the revised scheme. The revised proposed block plan shows a 2 metre high timber fence would be installed along the site boundary and a folding gate would be installed off Dial Lane. Given the height of the proposed fence, it is considered that there would not be any significant overbearing impact upon the amenity of the neighbouring properties.
- 5.5 Residents' concerns regarding noise and disturbance are noted. As the proposal is to provide a storage area for keeping building materials, it is considered that the proposed use would unlikely cause significant noise and disturbance due to the nature of the scheme. Subject to planning conditions restricting the use of the site, the height of the stacked/deposited materials, the delivery / working hours, to safeguard the amenity of the neighbouring properties, it is considered that the impact upon residential amenity upon the neighbouring properties would deem to be acceptable.
- 5.6 Transportation Impact and Proximity to Public Transport
Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.7 The Highway Officer has considered the proposal and the residents' concerns are also noted. The proposal is to change of use of a disused garden and this would also involve a demolition of the garage, so that the site can be used for the external storage of roofing materials, predominantly reclaimed tiles. Given the proposal would be large enough to accommodate two vehicles, there is no highway or transportation objection in principle to this proposal.

To ensure this remains the case, it would be necessary to impose a planning condition to ensure that the proposed concrete hardstanding area would not be used for storage of material and all loading/uploading/delivery operations have to be carried out within the site.

5.8 Design and Visual Impact

The former garage has been removed and the submitted block plan shows there would be 2 metres high timber fence along the site boundary. It is considered that the proposed boundary treatment would not cause an unacceptable adverse impact upon the character and appearance of the locality.

5.9 Concerns regarding the character of the locality are noted. Whilst the area is primarily characterised by a group of residential properties, there are a number of the business premise, an accountant office, a moving company and a commercial workshop, within the close proximity of the site. Given that the area for the proposed use would be relatively low profile in scale, it is not considered that proposed change of use would cause a material impact upon the character of the locality.

5.10 Other Matters

Residents' concerns regarding the ownership of existing boundary wall is noted. The applicant has confirmed that the proposed timber fence would be entirely installed within the applicant's ownership. In addition, the dispute of ownership of boundary is a private civil matter, therefore it would not be planning material consideration. There are concerns regarding the potential health and safety issues due to the storage of flammable and harmful substances, it is the applicant's responsibility to ensure other legislation are fully met.

5.11 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

6.2 The recommendation to refuse 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 granted subject to the following conditions.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

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. Restricted Use

The premises shall be only used as a storage yard for keeping roof tiles and building and roofing materials, and for no other purpose (including any other purpose in Class B8; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

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

3. Restricted Height

The building and roofing materials shall not be stacked or deposited to a height exceeding 1.5 metres above the ground level of the site.

Reason

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

4. Operation Hours and Restriction

No deliveries, loading and unloading activities, or working at the site shall be undertaken outside 07.30am and 6.30pm on weekdays, 08.00am and 13.00pm on Saturdays; and at no time on Sundays, Bank or Public Holidays. In addition, all said activities or operations for the proposed use hereby approved shall be entirely carried out within the application site.

The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of the neighbouring occupiers and in the interests of highway safety, and to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

5. Provision of Parking Spaces

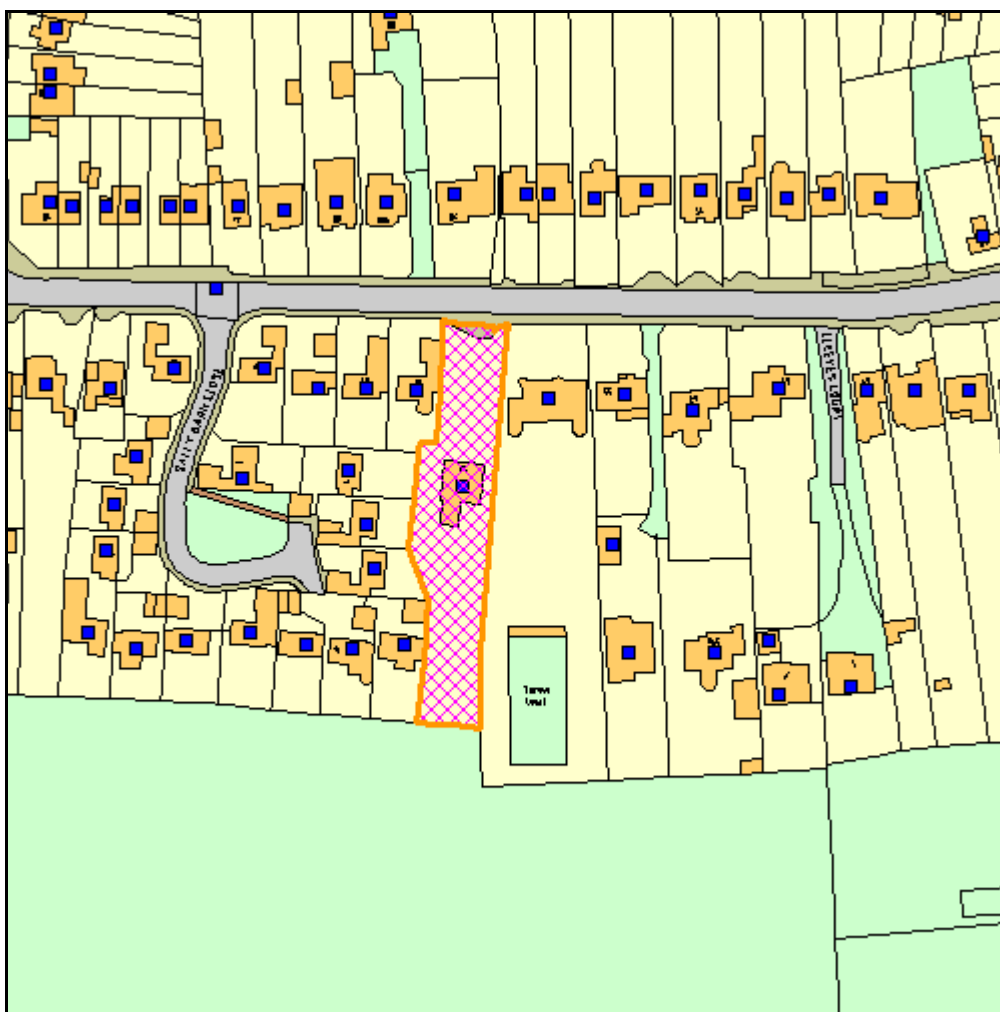
The proposed hardstanding area, shown on the submitted block plan, Drawing No. JS/001 Rev B, hereby approved shall be provided before the site is first used, and thereafter retained for that purposes. The said hardstanding area shall not be used for the storage of roofing or any building materials and shall be maintained as parking space of vehicles at all time.

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.

CIRCULATED SCHEDULE NO. 05/19 – 1 FEBRUARY 2019

App No.:	PK18/5175/F	Applicant:	Dew Developments Ltd
Site:	59 Court Farm Road Longwell Green Bristol South Gloucestershire BS30 9AD	Date Reg:	16th November 2018
Proposal:	Erection of 2 No. dwellings, 2 No. detached garages and associated works.	Parish:	Hanham Abbots Parish Council
Map Ref:	365544 170571	Ward:	Longwell Green
Application Category:	Minor	Target Date:	10th January 2019



© 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.** **PK18/5175/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 SUBMISSION TO CIRCULATED SCHEDULE

This application is circulated as a result of the consultation responses from four neighbours and the Parish Council as set out below.

Members may recall that an outline application for this site to site one house in front of the original house and one house behind the original house. Matters of access, landscaping, layout and scale were to be determined. That application was granted via Circulated Schedule in August 2018. This current application has been amended since it was submitted (having initially been for two additional houses replacing the original house) and now seeks full planning permission for only two houses, again one in front and one behind the original dwelling.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission to erect two dwellinghouses. Like the previous outline application the properties would have the appearance of large detached houses with gables end on to the road.
- 1.2 The application site is a long residential garden which has its house located centrally such that this proposal seeks to insert one house at the front of the plot and one at the rear. Access will be provided to the site by widening the existing access and past the side of the original house. There are mature trees on site which have been surveyed and the report included for consideration. The cedar tree on the frontage is subject of a Tree Preservation Order. Existing residential development is situated to the east where planning permission is approved, and being built, in the neighbouring garden and to the west where Sally Barn Close is located. An open field bounds the southern boundary.
- 1.3 Located within Longwell Green, the site falls within the East Fringe of Bristol Urban Area. The open fields to the rear form part of the Bristol and Bath Green Belt, but the site itself is not included within the designation.
- 1.4 Following negotiations, amended plans have been submitted to address concerns about further houses being proposed which previously formed part of this application. Neighbours have been notified of the amended plans.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF) July 2018
- 2.2 Development Plans

South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013
CS1 High Quality Design

- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS29 Communities of the East Fringe of Bristol Urban Area

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

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP3 Trees and Woodland
- PSP8 Residential Amenity
- PSP11 Transport Impact Management
- PSP16 Parking Standards
- PSP19 Wider Biodiversity
- PSP17 Heritage Assets and the Historic Environment
- PSP20 Flood Risk, Surface Water and Watercourse Management
- PSP21 Environmental Pollution and Impacts
- PSP38 Development within Existing Residential Curtilages
- PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) 2007
 Residential Parking Standards SPD (Adopted) 2014
 Waste Collection: Guidance for New Developments SPD (Adopted) 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PK18/1604/O Erection of 2no detached dwellings with garages (outline) with access, landscaping, layout and scale to be determined. Approved August 2018

The following relate to the neighbouring site at 57 Court Farm Road.

- 3.2 PK17/4284/O Erection of 5no. dwellings (Outline) with access, landscaping, layout and scale to be determined, all other matters reserved. Approved 09.02.2018
- 3.3 PK18/1785/RM Erection of 5no dwellings with appearance (approval of reserved matters to be read in conjunction with Outline planning permission PK17/4284/O). Approved June 2018

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
 Overdevelopment, concern over egress/access onto Court Farm Road. Overbearing effect on 61 Court Farm Road and plot 1 is out of keeping.

4.2 Other Consultees

Landscape officer

No objection after the detailed scheme submitted.

Lead Local Flood Authority

No objection

Sustainable transport

No objection

Garages should be 6 by 3m internally and each car house should have an electric charging point. Two houses would not justify a construction management plan on this road.

Highway structures

No comment

Archaeology

No comment

Affordable housing

No objection

Ecologist

No objection. The development shall proceed in strict accordance with the recommendations made in the Mitigation and Enhancement section of the Ecological Assessment (Wessex Ecological Consultants, October 2018) (PSP19);

Environmental protection

There is information to suggest historic use(s) of **land within 250m** of the site as a **former quarry, landfill site and limeworks** may have caused contamination which could give rise to unacceptable risks to the proposed development. In order to ensure that the site is suitable for its proposed use and in accordance with The National Planning Policy Framework, a conditions is recommended for inclusion on any permission granted.

Tree officer

No objection subject to an amended Arboricultural Method Statement with details for the installation of the pile and beam foundations (and placement of the rig etc). The Arboricultural method statement shall also indicate that this will be carried out under a watching brief by the Arboricultural consultant. The amended Arboricultural Method Statement shall be submitted to and agreed in writing prior to commencement of the development.

Other Representations

4.3 Local Residents

Objections from Five households received in relation to the following matters:

- Harmful impact on residential amenity, privacy and quality of life.
- Over looks seated patio area. Loss of quiet garden amenities

- Harm by overall size
- Reduces daylight to habitable rooms
- 8m height is higher than the writer's house at 6.7m
- Western end of rear balcony over looks writers upstairs lounge and downstairs sitting rooms
- Can the proposed balcony only cover the eastern section of eth building
- Velux window in bedroom 4 should be removed as it overlooks lounge and kitchen
- Suggests working hours condition and no raising land levels if allowed
- Loss of trees
- Human Rights Act, in particular Protocol 1, Article 1, which states that a person has the right to the peaceful enjoyment of all their possessions - this includes the home and other land
- Concern for structure and stability of own home
- Out of character -- Proposed Plot 1, is uncharacteristically close to the boundary with 61 Court Farm Road. The proposed dwelling is a four bedroom detached property, yet its proportions are significantly smaller than the surrounding properties.
- Unlike neighbouring properties
- how and where construction vehicles and staff will gain access to the site for unloading and parking without causing a highway hazard or inconveniencing neighbours
- restricted view at rear of the property
- do not want to see damage to writers fence
- loss of semi-rural location
- air and noise pollution from any demolition
- concern at loss of trees
- concerns at roof in writers garden

Three of the responses were received prior to the amended plans being received there were two objections to the loss of the house and the replacements houses which overlooked the neighbours and would have impacted in the enjoyment of the neighbours. These have not been withdrawn but the matters relate to the two withdrawn houses. Comments remaining relevant have been included above.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site is located within the settlement boundary where development is generally acceptable and indeed the principle of the development of two dwellings at this site and in roughly in the manner set out on the proposed block plan, was established under outline planning consent PK18/1604/O and there has been no substantive change in policy since that application was approved via Circulated Schedule on 31.08.2018. There have been alterations to the details agreed at outline stage and works to trees have already been undertaken on the boundary with the neighbouring housing site however the plans indicate the layout, scale, access and landscaping are acceptable and very similar to the detail approved at outline stage.. The above polices dictate that the following matters need further consideration.

5.2 Design

The ridges of the houses are 8m on either house at their highest ridge points which remains acceptable in the streetscene of varied house types. The varied street scene would not be unduly dominated by the scale or form of the house at the front and the variation of form is part of the streets character. The houses are well designed with lots of natural light and use smooth render, slate and powder coated aluminium which will give the houses a modern feel. This is acceptable.

5.3 In terms of layout the same access is proposed as at the outline permission and parking is similarly shown as per the outline consent but garages are enlarged modestly to ensure they are 3m by 6m internally. This is considered further below.

5.4 The houses as proposed are 2-storey dwellings. Whilst there are a range of scales and heights of buildings (some bungalows such as 57 Court Farm Road, immediately next door) along the street scene it is considered that the 8m height and form of the houses would sit acceptably within the varied context of development and given the distance between that neighbouring bungalow and the proposed house fronting Court Farm Road. The house to the west of the proposal on the road frontage has a room above the garage and a two storey linking extension. The proposal would sit approximately half way back behind that garage depth and be visible above it but this is not considered inappropriate. This is in accordance with the outline approval already granted in terms of siting and scale/height. The TPO tree will remain in situ and will remain the main feature of the street at this point.

5.5 In terms of the site layout the houses being located to the front and rear of the existing house is similar to that on the east and to the west is a cul-de-sac of houses. As such the principle of the site layout is acceptable.

5.6 Each house will have two parking spaces and at least one garage space which demonstrates that the Council's parking standards can be achieved and a bin storage facility is also shown near the site access. The driveway to the side of the original house is 3.4m wide and gives adequate access for the one house which needs to be accessed at the rear. In terms of design, this is acceptable.

5.7 The proposal would not affect the openness of the neighbouring greenbelt.

5.8 Residential Amenity

Development should not be permitted which has a prejudicial impact on residential amenity – this must consider that of existing occupiers and the living conditions of future occupiers of the proposed development. The four bedroomed dwellings are in an urban area albeit that the site has a short boundary with the settlement boundary on the southern side. This is an appropriately designed scheme which will not materially detract from the residential amenity of neighbours by reason of mass of the houses or the single garages to serve the front house and existing house. This is evidenced by the site of the front house being beside the immediate neighbour and that house having no primary windows facing onto the proposal. The house at the rear has been added to since the house outline approval by a room above the

- garage and this being linked to the house by a first floor corridor. This creates a more bulky property akin to the houses being erected on the housing site next-door (57 Court Farm Road) but it is also relocated to a distance of over four metres from that neighbour at Sally Barn Close which does not have windows directly facing onto the site.
- 5.9 Windows on the whole face forwards and rearwards from the new houses and as such there will be no direct overlooking in other houses, even though full length windows and Juliet balconies (guard rails) are proposed at the rear of the house closes to the road frontage and on the front of the proposed house at the rear. These offer no material change to overlooking than traditional windows as the guard rail of not a true balcony onto which one can step.
- 5.10 Whilst there is a landing windows facing 5 Sally Barn Close it faces at 90 degrees across that houses frontage and as such does not look into that house's front windows. A balcony at the rear of the rear most house has a balcony with screens to each end and this is considered to prevent material harm to the neighbours privacy at 5 Sally Barn Close. A balcony at 5 Sally Barn Close is more likely to have a better view over the garden of the new house but would not look directly into any habitable rooms. As such the scheme is acceptable in respect of residential amenity. The houses have approximately 67m², 336m² and 160m² for each of the four bedrooomed houses. Although the house at the front is a little short of the 70m² sought by policy PSP43 this is considered adequate given that a modest about is feasible to the side of the house for storage uses and the plot has had to accommodate the TPO tree at the front of the plot.
- 5.11 Whilst Officers appreciate the concerns of local residents, given the layout proposed and the separation distances between neighbouring dwellings, it is considered that the majority of privacy levels would be retained and that there would not be any resulting overbearing impacts or loss of light. To ensure that privacy levels are not diminished it is considered necessary to remove permitted development rights in respect of plot two at the rear to prevent additional side windows being inserted and to ensure that the balcony screens at plot two are erected and maintained. Details of the Juliet balconies will need to be agreed also. This was not necessary at the outline permission but is now justified for residential amenity reasons.
- 5.12 As for concerns about noise and disturbance, the proposals are for residential use and are not anticipated to have a harmful impact on other houses. There will be some disturbance during construction but provided that the building works are carried out at appropriate times this is not unreasonable. A standard working hours condition can adequately deal with construction working hours.
- 5.13 **Access, Parking and Waste**
This scheme proposes the development of 2 detached houses within the front and rear gardens of 59 Court Farm Road. The existing house will remain. Plans have been submitted showing details of parking and garaging for vehicles on site. South Gloucestershire Council's parking standards for dwellings are set down in its SPD Residential Parking Standards. The minimum standard is 2 spaces for 4-bedroom units. Secure cycle parking is

accommodated within the garages or in the cycle sheds indicated on the plans. The scheme therefore complies with the standards.

- 5.14 The highways officer has commented on the scheme and is satisfied that all vehicles can access and egress the site in forward gear and that two cars can pass each other across most of the site.
- 5.15 The new driveway will remain a private road and as such a bin collection point is located close to the access. Elevational details of this can be agreed by condition.
- 5.16 Taking into account all the matters raised above, and subject to the vehicular access being completed in accordance with the approved details, it is concluded that there is no highway objection. The highway officer sought that electric charging points be installed but there is no policy basis for this on such a small site. Each house has parking close to it and as such this could be retrofitted easily at a later date but an informative is added to suggest installation during the build process.
- 5.17 It is noted that the construction vehicles for the adjoining site at 57 Court Farm Road is causing annoyance and blocking visibility down the road for emerging vehicles and pedestrians. The road has no parking restrictions and as such the vehicles are entitled to park on the road. Officers have considered whether it is necessary and justified to add a Construction Management Plan condition to ensure that parking is facilitated within the site. It is considered that the road is not particularly fast, nor is parking generally a concern on this straight road. Further such a plan only provides space and cannot force the construction workers to use the on site parking. Overall it is not considered that a condition to secure a Construction Management Plan would not meet the tests required to justify it. An informative can however be added to the decision notice to remind the developer to park in accordance with the Highway Code.

5.18 **Trees**

There are lots of trees in the garden and many will be retained, specifically these are the Cedar on the frontage, a group of trees between the original house and Sally Barn Close and trees at the far south of the garden. Others will be removed to facilitate the development. The Council's Tree Officer considers the tree survey (Hillside Trees Ltd., dated October 2018) submitted with the application to be a fair representation of the trees on the site. Other than the Cedar on the road frontage which is to be retained, none of the trees are of any real quality but add generally to the site. The Cedar is the only significant tree on site (now subject of a tree Protection Order) at the road frontage.

The previous application permitted the same siting in relation to the Cedar tree and subject to the same condition requiring an amended Arboricultural Method Statement with details for the installation of the pile and beam foundations (and placement of the rig etc) the proposal remains acceptable. The Arboricultural method statement would also need to indicate that this will be carried out under a watching brief by the Arboricultural consultant. As such there is no objection to the landscaping matters.

5.19 **Ecology**

An Ecological Survey has been submitted in support of the proposed application by Wessex Ecological Consultancy (October 2018). The ecology officer has assessed the report and their findings are summarised below:

Designated Sites - There are no designated sites that will be affected by this development.

Habitats -The habitats are largely those associated with a suburban site, i.e. mown lawns with a typical species-poor assemblage. There are a few planted trees, mostly ornamental species. There is a small group of fruit trees in the southern part of the rear garden including apple, pear and plum. There is a pond near the building which is planted with ornamental species and has some duckweed present. The hedgerow running along the southern boundary will be retained.

Bats - The building is unsuitable for roosting bats although the garden may be used for foraging by common species such as pipistrelles.

Birds -The site provides nesting opportunities for birds within the hedgerows and trees. These should be protected and/or replaced throughout the scheme.

Badger -A path attributed to badger by the report was recorded indicating presence and possible use of the site for foraging.

Reptiles - The site is well-maintained and lacks the habitat diversity for reptiles.

Great crested newt - The pond is considered unsuitable for GCN.

Invertebrates -The site is well-used and lacking habitat diversity or rarity for species of interest.

5.20 Accordingly Officers conclude that there is no objection subject to the development being pursued in accordance with the Mitigation and Enhancement Section of the Ecology Survey Report (Wessex Ecological Consultancy, June 2017) and with the additional guidance of an informative regarding bird breeding times.

5.21 **Drainage**

The applicant proposes to dispose of surface water from the site via Sustainable Drainage methods. Details supplied to the drainage team satisfy their queries regarding surface water run off and as such there is no objection to the proposal

5.22 **Land Contamination**

The historic use of land adjacent to the site as a quarry/landfill site may have caused contamination which could give rise to unacceptable risks to the proposed development. A condition will therefore be imposed to ensure that the appropriate investigations and, if necessary, remediation is undertaken to satisfactorily deal with any contamination risks on the site.

5.23 **Other Matters**

The matter relating to access over land from neighbours to clear gutters, maintain fences etc and protection of neighbouring property during construction works are civil matters and is not a material consideration which should prohibit development. The proposal has been moved away albeit slightly from the 61 Court Farm Road.

Pre-commencement conditions in respect of trees and land contamination have been agreed with the agent in line with recent legislation.

5.24 **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.

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

5.26 **Overall Planning Balance**

Having weighed up all the material considerations, it is concluded that, although there are material considerations weighing against the proposal, these are outweighed by those in favour because they can be ameliorated by condition. In particular, significant weight is given to the fact that the the houses in roughly these locations have outline planning permission and the alterations are acceptable. Officers are satisfied that the application site is in a sustainable location for housing development, not representing overdevelopment, and do not consider that there are any material considerations of sufficient weight to justify refusing planning permission.

5.27 **Human Rights Act**

A neighbour is concerned for their Human Rights under the ECHR. The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether development should be allowed to proceed. As such this report is considered to adequately consider impacts on the neighbours' human rights and the matters have been dealt with proportionately.

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 (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the conditions set out below.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

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. Potential to be affected by land contamination

There is information to suggest historic use(s) of land within 250m of the site as a former quarry, landfill site and limeworks may have caused contamination which could give rise to unacceptable risks to the proposed development. Therefore the following measures should be followed:

- A) Desk Study - Previous historic uses(s) of land within 250m of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

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

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

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

- C) Verification Strategy - Prior to first occupation, where works have been required to mitigate contaminants (under condition B) a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- D) Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found additional remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework. This is required prior to commencement of development as there is the potential for contamination from land adjacent to the site which was previously used as a quarry/landfill site.

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the east or west facing elevations of the house at plot two at the south of the site.

Reason

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

4. Prior to the commencement of development details or samples of the roofing and external facing materials, together with full details of the balcony side screens and balcony structure at plot two and Juliette safety screens proposed to be used at plots one and two shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be maintained as such thereafter.

Reason

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

5. The development shall be carried out in accordance with the Tree Protection Plan and Method Statement dated October 2018 (received 14/11/2018) by Hillside Trees. Once it is amended to provide an updated Arboricultural Method Statement with details for the installation of the pile and beam foundations (and placement of the rig etc). The Arboricultural method statement shall also indicate that this will be carried out under a watching brief by the Arboricultural consultant. The amended Arboricultural Method Statement shall be submitted to and agreed in writing prior to commencement of the development.

Reason

To protect the character and appearance of the area and in the interests of local biodiversity, and to accord with Policies PSP2, PSP3 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework. This is a precommencement condition as later implementation could harm the trees subject of the condition.

6. Prior to the first occupation of either house a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, noting the details already set out in the Tree Report received November 2018, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area and in the interests of local biodiversity, and to accord with Policies PSP2, PSP3 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

7. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before each respective building is first occupied, and thereafter retained for that purpose.

Reason

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

8. Prior to occupation of the development, the off street vehicular turning and manoeuvring area within the site boundary shall be provided in order to ensure that vehicles can access and egress the site entrance in forward gear and this shall subsequently be maintained satisfactorily thereafter.

Reason

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

9. All works must proceed in strict accordance with the Mitigation and Enhancement section of the Ecological Assessment (Wessex Ecological Consultants, October 2018)

Reason

To ensure the works are carried out in an appropriate manner and in the interests of local biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

10. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

11. The development shall be carried out in accordance with the following considered plans.

AL(0)001 location plan received 14 Nov 2018

AL(L)120 Drainage plan received 21 Jan 2019

AL(L)120 (also) Proposed site plan received 18/12/2018

110 single garage plans received 28/1/2019

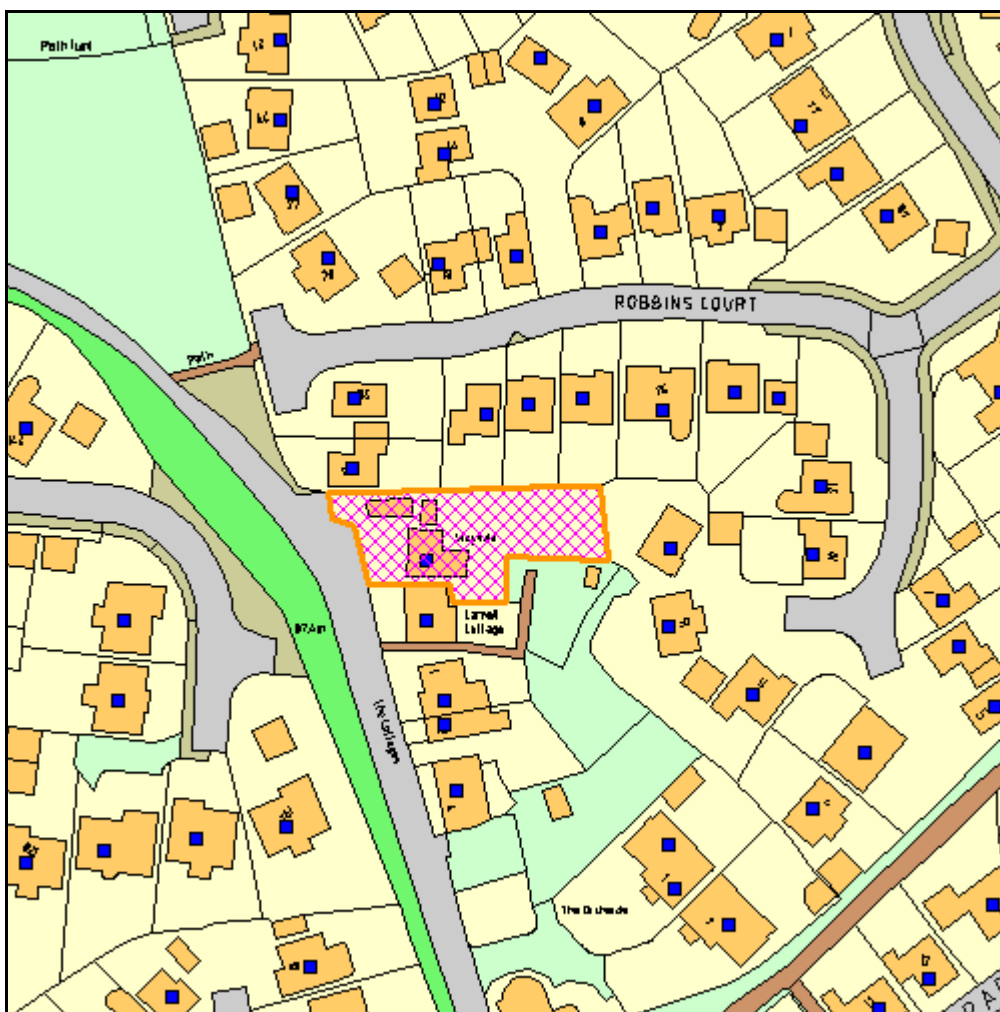
400 plot 2 elevations and floor plans received 18/12/2018

100 Plot 1 elevations and floor plans received 14 Nov 2018
Arboricultural impact assessment (including tree protection) received 14/11/2018

Reason
For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 05/19 – 1 FEBRUARY 2019

App No.:	PK18/5924/F	Applicant:	Mr Lee De Luliis
Site:	Wayside Cottage Emersons Green Lane Emersons Green Bristol South Gloucestershire BS16 7AB	Date Reg:	13th December 2018
Proposal:	Erection of two storey side and two storey rear extension to form garage and additional living accommodation. Erection of single storey front extension to form porch and WC.	Parish:	Emersons Green Town Council
Map Ref:	366915 176761	Ward:	Emersons Green
Application Category:	Householder	Target Date:	6th February 2019



© 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.** **PK18/5924/F**

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from three local residents, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two storey side and rear extension, and the erection of a single storey front extension at Wayside Cottage Emersons Green.
- 1.2 The property site relates to a detached dwelling that is located within the settlement boundary and built up residential area of Emerson's Green.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2018
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

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

3.1. PK18/4140/F

Withdrawn (25.10.2018)

Erection of two storey rear and side extension to form integral garage and provide additional living accommodation.

- 3.2. PK18/1608/F
Approve with Conditions (20.06.2018)
Erection of two storey rear extension to form additional living accommodation.
Installation of windows and door to side elevations.

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
No Objection subject to the approval of the South Gloucestershire Council Transport Officer with regards to the provision of parking.

Sustainable Transport

No objection subject to two off-street parking spaces at the property.

Other Representations

- 4.2 Local Residents
Four comments received. Of these three objected to a new party wall, loss of light, being intrusive, and the ongoing boundary dispute. The remaining comment was neutral also referencing the ongoing boundary dispute.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1, which is echoed by PSP38 seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.
- 5.2 Design and Visual Amenity
The host dwelling is detached and two storey, with brickwork and rendered elevations with brown UPVC windows and doors. The property has a front porch, single storey rear extension, pitched tiled roof and a detached garage and driveway.
- 5.3 It should be noted that on the balance of probabilities the proposed two storey rear extension falls within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015. Additionally, this element was approved under application PK18/1608/F. Nonetheless, the rear element would be 3.9m deep (the host dwelling is 6m deep) and no wider than the host dwelling. The eaves would be maintained and the ridge line would be set 0.5m below the host ridge line. As such the rear extension would appear subordinate respecting both the host and surrounding properties.

- 5.4 In regards to the side extension, while it is acknowledged that that this would form a cranked and somewhat projecting design feature when viewed on plan form. As there are several large detached properties in the area with similar front gable features, in particular the immediate neighbours to the north and west. When viewed from the street, the overall design would integrate successfully with its surroundings. Moreover, as matching materials would be utilised for the extension, the design and character would be as close as could be achieved to the host and surroundings dwellings.
- 5.5 The front porch element is of a standard design, would be constructed from materials that would match other porches in the area. Overall, Officers consider that the proposals accord with policies CS1 of the Core Strategy and PSP38 of the PSP Plan.
- 5.6 Residential Amenity
Policies PSP8 and PSP38 of the PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.7 As part of the development new windows are proposed to the rear elevation of the extensions, when considering the location of these windows in relation to neighbouring properties it is highly unlikely that these would detriment neighbouring occupiers. A window is also proposed to the southern side elevation of the existing house. However, this will serve a bathroom and will be obscure glazed.
- 5.8 Concerns were also raised regarding a loss of light and overshadowing impact from the proposal. It is acknowledged that some loss of light will occur to the rear gardens of neighbouring properties. However, Officers do not consider that the proposal would result in any loss of light to nearby principal and habitable rooms. As such, while it is unfortunate that some loss of light and overshadowing would occur to rear gardens only, the impact is not considered significant enough to result in detrimental harm to the occupiers of neighbouring occupiers. As such could not warrant a reason for refusal in this instance.
- 5.9 Following the development, over 70m² of private outside amenity space would remain. This exceeds the requirements of policy PSP43.
- 5.10 Highways
Post development the number of bedrooms at the property will increase from three to four and Policy PSP16 requires the property to have two parking spaces within its boundary. The internal dimensions of the garage meets minimum standards and the driveway can accommodate two cars, as such three spaces are available, and no transport objections are raised.
- 5.11 Equalities
This planning application is considered to have a neutral impact on equality.

5.12 Other Matters

Several comments and some documentation was submitted regarding an historic boundary dispute. This dispute is a civil matter and should be dealt with between the interested parties. It is not for the planning system to settle disputes between neighbours regarding land ownership. Moreover, the granting of planning permission does not grant permission to enter, build on, over, or under land that is not under the control of the applicant.

5.13 Finally, in regards to the Party Wall Act, the attention of the applicant and neighbour is directed toward the informative on the decision notice.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: David Ditchett
Tel. No. 01454 863131

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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

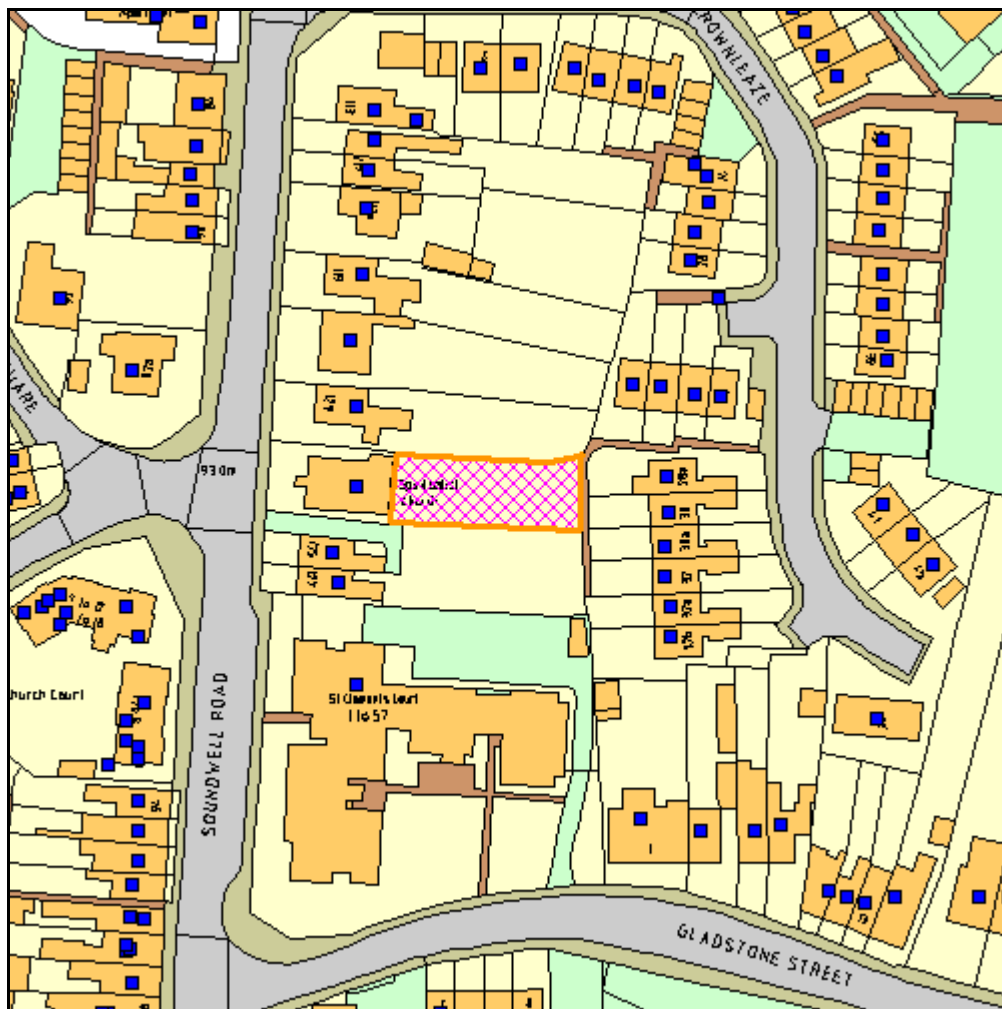
3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 05/19 – 1 FEBRUARY 2019

App No.:	PK18/6314/F	Applicant:	Mr Henry Gallagher
Site:	Land To The Rear Of 125 Soundwell Road Soundwell South Gloucestershire BS16 4RD	Date Reg:	20th December 2018
Proposal:	Erection of 1 no. dwelling with parking and associated works.	Parish:	None
Map Ref:	364827 175252	Ward:	Staple Hill
Application Category:	Minor	Target Date:	12th February 2019



© 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.** **PK18/6314/F**

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from seven local residents, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1no. detached bungalow with parking and associated works. The application site relates to a plot of land situated behind Soundwell Spiritualist Church, which is within the east fringe of Bristol.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (2018)
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS23	Community Infrastructure and Cultural Activity
CS29	Communities of the East Fringe of Bristol

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
PSP19	Wider Biodiversity
PSP22	Unstable Land
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
CIL and S106 SPD (Adopted) 2015

3. **RELEVANT PLANNING HISTORY**

Site

- 3.1. PK18/4366/F
Withdrawn (27.11.2018)
Erection of 1 no. bungalow with parking and associated works. Resubmission of PK18/2058/F.
- 3.2. PK18/2058/F
Refusal (11.07.2018)
Erection of 1no bungalow with parking and associated works.

Spiritualist Church

- 3.3. PK03/0127/F
Approval (12.05.2003)
Erection of single storey rear extension
- 3.4. K2060
Approval (21.12.1977)
Erection of Porch (Previous ID: K2060)

4. **CONSULTATION RESPONSES**

- 4.1 Town/Parish Council
Not applicable.

- 4.2 Other Consultees

Highway Structures

No comment.

Lead Local Flood Authority

No objection.

Transport

No objection.

Ecology Officer

No objection subject to conditions.

Tree Officer

None received.

Archaeology Officer

No objection subject to conditions.

Coal Authority

No objection subject to conditions.

Other Representations

4.3 Local Residents

Seven objections were received which related to:

- Ecology;
- Loss of trees;
- Overlooking;
- Loss of privacy;
- Noise and disturbance, from construction and occupiers;
- Out of character with surroundings;
- Poor access;
- Damage to church foundations;
- Issues regarding church wall removal;
- Access to rear of church for maintenance;
- Affect church attendance through highway safety;
- Possible loft conversion for bungalow;
- Land currently neglected; and
- Negatively affect the value of nearby properties.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area. The application site is located within the area defined as the east fringe of Bristol. Under the provisions of policy CS5, the principle of constructing a new dwelling at the site is acceptable.

5.2 Policy CS23 of the Core Strategy identifies that the Council will oppose the loss of community infrastructure unless it can be demonstrated that:

- the use has ceased and there is no longer a demand; or
- the facility is no longer fit for purpose; and
- suitable alternative provision is available within easy walking distance to the required standard.

5.3 It seems the application site was formerly part of the Spiritualist Church but was sold off and subsequently acquired by the owners of 125 Soundwell Road for residential use and formed part of the curtilage of their dwelling. It is unknown if this has been the case for more than 10 years and therefore Officers will take the view that a residential use has not been lawfully established on the land and consider whether the change of use is acceptable.

5.4 Any D1 use of the site would appear to have ceased some time ago and the church itself is still in active use being within easy reach of a recognised town centre and given public transport links are good. Officers therefore see no reason why the change of use would be unacceptable in principle.

5.5 For the reasons outlined above, there is no objection in principle to the residential redevelopment of the site. The determination of the application therefore falls on the specifics of the proposal.

5.6 Character and Appearance

The application relates to a parcel of land at the rear of Soundwell Spiritualist Church. Access to the site is taken from a driveway at the side of No 125 which currently leads to the site and land to the rear of No 127. The original application (PK18/2058/F) proposed a modern design with render and timber elevations, this design was not considered suitable in light of materials used on nearby properties. As such, in response to Officer concerns, the bungalow has been redesigned to include grey pennant sandstone elevations with quoins and soldier coursing; red/brown double roman concrete roof tiles; and UPVC sash style windows. Based on the materials alone, the design is much improved from its original iteration, in that the bungalow will now be constructed from materials that are clearly informed by nearby dwellings. These materials will be secured by conditioning the development to be built in accordance with the approved plans.

5.7 While the immediate area is predominantly two-storey semi-detached houses. Within a 40m radius of the site there is a church, a block of flats, a bungalow, a row of terraces, semi-detached pairs, and two detached properties. In that regard, the area is of a distinctly mixed character with the prevailing feature being the similar palette of materials, which as assessed, the new bungalow would be informed by. Additionally, owing to its proximity to the church, coupled with the mixed character of the area, the bungalow is likely to read as part of the existing built form. Nonetheless, the revised location of the bungalow, being set as close as possible to the rear elevation of the church, restricts views of the bungalow to the smallest glimpses along Soundwell Road. Thus, with views from public areas of the bungalow being so restricted, despite its relatively back land location it is highly unlikely that its placement would be harmful to the character of the area.

5.8 It is acknowledged that there are no examples of other infill schemes nearby to enable any comparison with the proposal. However, Policy CS1 of the Core Strategy advocates that on small infill sites it is particularly important that new buildings integrate with neighbouring properties, and requires the highest standard of design possible. As noted by the current and previous Officers, the area does have a mixture of building types in evidence. Indeed, as assessed owing to the reduction in scale, revised location, and matching materials, the new dwelling would read as existing built form. Thus, Officers consider that the proposed dwelling has overcome the previous refusal reason in regards to design.

5.9 Residential Amenity

Policies PSP8 and PSP38 of the adopted PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; overlooking; poor amenity space; loss of light; and loss of privacy of neighbouring occupiers.

- 5.10 The initial iteration of the proposal (PK18/2058/F) placed the bungalow to the eastern side of the plot. In their previous assessment, the only amenity refusal reason the previous Officer found was that the proposed bungalow would be overlooked by neighbours. Officers consider that the revised location, scale, and window/door placement overcomes this refusal reason. This is because the Councils 'Technical Advice Note: Assessing Residential Amenity' states where windows serving primary living accommodation of dwellings face each other, a minimum distance of 20m should be sought. Owing to the revised location, the nearest direct inter looking views would be 24m away from the terrace on Crownleaze; and the remaining views both into and out of the site would be so oblique to not detrimentally affect the living conditions of the proposed or nearby occupiers. Moreover, owing to the window and door placement; and the single storey nature of the proposal, it is highly unlikely that the loss of privacy or views into children's bedrooms windows would occur.
- 5.11 Officers have also considered the views that occupiers of adjoining properties would experience from their rear gardens. The application building's roof would create a larger 'wall' that would appear at odds when seen from the domestic rear gardens. However, due to its siting, the massing of the building would not cause enclosing effects on neighbouring gardens, or appear overbearing and incongruous.
- 5.12 Officers note concerns relating to additional noise and disturbance, but it is not considered that the erection and subsequent occupation of one dwelling would lead to a level that would materially affect the living conditions of neighbouring occupiers. Furthermore, construction would be of a limited duration and any operation would be restricted by an hours condition.
- 5.13 Policy PSP43 requires the new property to have a minimum of 50m² of private external amenity space and over 100m² would be provided. This exceeds the minimum standards.
- 5.14 Transport
Policy PSP16 requires that the new dwelling benefits from one off street parking space and one is provided. Furthermore, Officers note concerns relating to impediment of church users and extra pressure for on-street parking, but the Highway Officer has not raised an objection to the proposal apart from requesting a condition be imposed to ensure the access, parking and cycle facilities are provided on site to meet the needs of the future occupants and to protect highway safety.
- 5.15 Ecology
A Preliminary Ecological Appraisal was submitted to support the application in line with the previous refusal. This found no evidence of bats, badgers, reptiles, or Great Crested Newts, but did find evidence of nesting opportunities for birds within the scrub and trees. A mitigation strategy is suggested in the ecological report to minimise the impact to ecology in the area, this will be secured by condition. Therefore, and in line with the Councils specialist Ecology Officer, no objection is raised on ecological grounds.

- 5.16 Drainage
The drainage proposed meets guidance, and in line with comments from the Councils specialist Drainage Officers, no objection is raised.
- 5.17 Trees
Some trees would be lost in order to erect the new dwelling, and while these are not protected, nor are they in a Conservation Area, moderate weight is afforded against the proposal in light of the loss of trees.
- 5.18 Coal
A coal mining risk assessment was provided to support the application. The Coal Authority raised no objection subject to securing further site investigations and potential remedial works prior to the commencement of development. These will be secured by condition.
- 5.19 Archaeology
Owing to the location of the dwelling being in close proximity to the church, there is potential for archaeological interest at the site. The Councils Archaeology Officer suggests a programme of archaeological work to ascertain this, which will be secured by condition.
- 5.20 Equalities
This planning application is considered to have a neutral impact on equality.
- 5.21 Other Matters
Several additional concerns are raised by local residents. These include:
- Church boundary wall alterations and potential damage from construction works:* these are civil matters to be rectified between the parties.
- Access to rear of church for maintenance:* if access to land that is not under the control of the church is required to complete church maintenance, then the permission of the relevant landowner is required. This is a civil matter to be rectified between the parties.
- Property values:* this is not a material planning consideration.
- Potential for loft conversion:* owing to the siting of the bungalow, Officers deem it prudent to restrict permitted development rights at the property to prevent any development beyond what is assessed.
- 5.22 Planning Balance
Officers consider that the previous refusal reasons relating to design, coal, ecology, and residential amenity have either been overcome, or can be overcome with adherence to conditions. Also, as identified, while some loss of trees would occur, these did not form a previous refusal reason. Nonetheless, this loss is not sufficient to outweigh the benefit of one additional dwelling, in a sustainable location, to South Gloucestershire housing stock. As such, Officers recommend that the application is approved.

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 **GRANTED** subject to the condition(s) set out in the Decision Notice.

Contact Officer: David Ditchett
Tel. No. 01454 863131

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 development, a scheme of intrusive site investigations designed to assess ground conditions and the likelihood of any potential risks from past coal mining activity shall be submitted to and approved in writing by the local planning authority. The scheme of intrusive site investigations shall then be carried out in full prior to the development commencing.

Reason

In the interests of addressing ground stability and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework. This is required prior to commencement to avoid remedial works

3. If, during the intrusive site investigations, gas monitoring or proposed remedial works are undertaken or are identified as being required, a report of the findings shall be submitted to and approved in writing by the local planning authority. The remedial works shall then be carried out in full.

Reason

In the interests of addressing ground stability and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework

4. 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. This is required prior to commencement as it is not possible to protect archaeological remains post facto.

Reason

In the interest of archaeological investigation and recording and to protect archaeological remains that existing within the site. To accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

5. The development hereby approved shall be constructed in strict accordance with the below approved plans:

All received by the Council on 17/12/2018.

Site Layout Plan

Drawing No. 11

Proposed Floor Plan and Elevations

Drawing No. 12

Location Plan

Drawing No. LP Rev A

Tree Constraints, Protection Plan and Planting

Drawing No. 140/PA/01B

Proposed Splay Plan

Reason

For the avoidance of doubt.

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

7. The development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 5 of the Preliminary Ecological Appraisal (Acorn Ecology, December 2018).

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the area, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

8. Prior to first occupation, plans showing the locations and specification of the recommended ecological enhancements in Section 5.4 of the Preliminary Ecological Appraisal (Acorn Ecology, December 2018) shall be submitted to the local authority for approval in writing. The development shall proceed in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the area, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

9. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

10. The hours of working on site during the period of construction shall be restricted to:
Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays

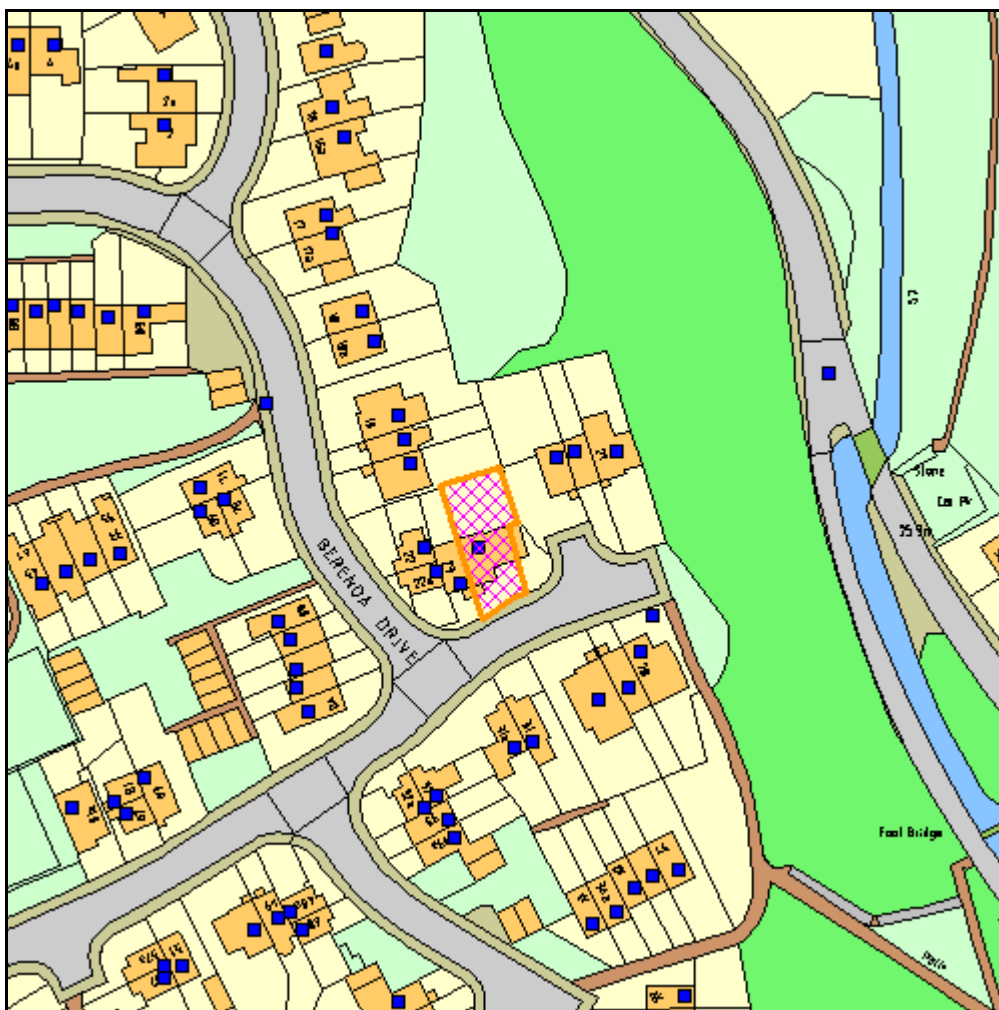
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 05/19 – 1 FEBRUARY 2019

App No.:	PK18/6522/PDR	Applicant:	Mrs H Bradshaw
Site:	24 Berenda Drive Longwell Green Bristol South Gloucestershire BS30 9YX	Date Reg:	31st December 2018
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Oldland Parish Council
Map Ref:	366763 171365	Ward:	Oldland Common
Application Category:	Householder	Target Date:	15th February 2019



© 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.** **PK18/6522/PDR**

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

1. **THE PROPOSAL**

- 1.1 The proposal seeks planning permission for the erection of a single storey rear extension to form additional living accommodation at 24 Berenda Drive, Longwell Green.
- 1.2 The subject property is a two storey, end-terraced property located within a residential area of Longwell Green.
- 1.3 Permitted Development Rights were removed at the property under Condition (e) of application ref. K1088/73. However, the proposed development is not considered to be Permitted Development under Paragraph A.1(j)(iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015. It therefore requires full planning permission.

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework July 2018
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

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP34	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 K1088
Residential development on approx. 104 acres. Construction of new vehicular and pedestrian access.

Approve with conditions: 24/03/1976

- 3.2 K1088/6
Residential development on approx. 87 acres. Construction of estate roads and footpaths.
Approval: 19/08/1977
- 3.3 K1088/45
Erection of 276 dwellinghouses on approx. 9.3 hectares. Construction of estate roads and footpaths.
- 3.4 K1088/73
Erection of 78no. dwelling houses and associated garages formation of associates roads, footpaths, parking area, open spaces and children's play areas.
Approved with conditions: 22/03/1985
- 3.5 K1088/78
Variation of condition (b) of approval to application no. K1088/73.
Refusal: 09/06/1986

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
Oldland Parish Council have objected to the application on the following grounds:
- Over development
- Inadequate parking
- 4.2 Bitton Parish Council
Bitton Parish Council have objected to the application on the following grounds:
- Over intensification
- Adequate parking provision unclear

Other Representations

- 4.3 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

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

- 5.2 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.3 The proposed single storey rear extension will be located behind the existing garage and neighbouring garage. Its maximum depth will be approximately 3.65 metres and its maximum height, not taking into account the lantern light, will be approximately 2.85 metres. The roof will be flat, constructed in grey rubber, with 1no. lantern light. There are proposed to be 2no. windows and 1no. door in the rear elevation. The proposed materials are set to match the existing. The proposal is contained to the rear elevation of the dwellinghouse/garages and as such, will have a limited standard on the street scene. The case officer considers the design to be satisfactory and there is no objection in terms of visual amenity and design.
- 5.4 Residential Amenity
Policy PSP8 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through over bearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.5 The subject property is located in a residential area. Due to the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the neighbouring occupiers. It is set away from the boundary from no.23 and has a modest height and it is therefore considered that any potential impact is mitigated by this.
- 5.6 The proposal will occupy additional floor space, however sufficient private amenity space will remain following the erection of the proposed extension. There is no objection in regard to this.
- 5.7 Overall, the development is not considered detrimental to residential amenity and is deemed to comply with policy PSP8 of the PSP Plan (Adopted November 2017).
- 5.8 Trees and Vegetation
The case officer notes that a large shrub/bush may have to be removed to facilitate the development. However, there is no TPO on this vegetation and therefore there is no objection.
- 5.9 Transport
Bitton Parish Council have raised concerns that the adequate parking provision was not clear on the plans. It has been confirmed that the host dwelling has two bedrooms. According to our Residential Parking Standards SPD 1.5 spaces should be provided for at a 2 bedroom property. The footnotes to page 13 state that this number should be rounded down to the nearest whole number. Therefore 1 car parking space needs to be provided for at the property.

The proposal shows the existing garage will be used for storage and utility. However, the internal dimensions of the garage are sub-standard and therefore do not count towards a parking space. The driveway to the front of the garage is able to facilitate one car and the case officer is therefore satisfied that the minimum parking standards can be met at the site.

5.10 Other Matters

Bitton Parish Council and Oldland Parish Council have also objected to the application on the grounds of over intensification. The host dwelling has not been subject to any extension prior to this application. The proposal is for a single storey rear extension, which will be built against existing built form, of modest form and scale. As a result, the case officer does not consider this as over intensification of the site, nor the surrounding area. Many other houses in the area have benefited from single storey rear extensions and conservatories. A good amount of private amenity space will remain after the development has occurred. As such, it is not seen that there will be sufficient harm as a result of the proposal to warrant a refusal reason.

5.11 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Isabel Daone
Tel. No. 01454 863787

CONDITIONS

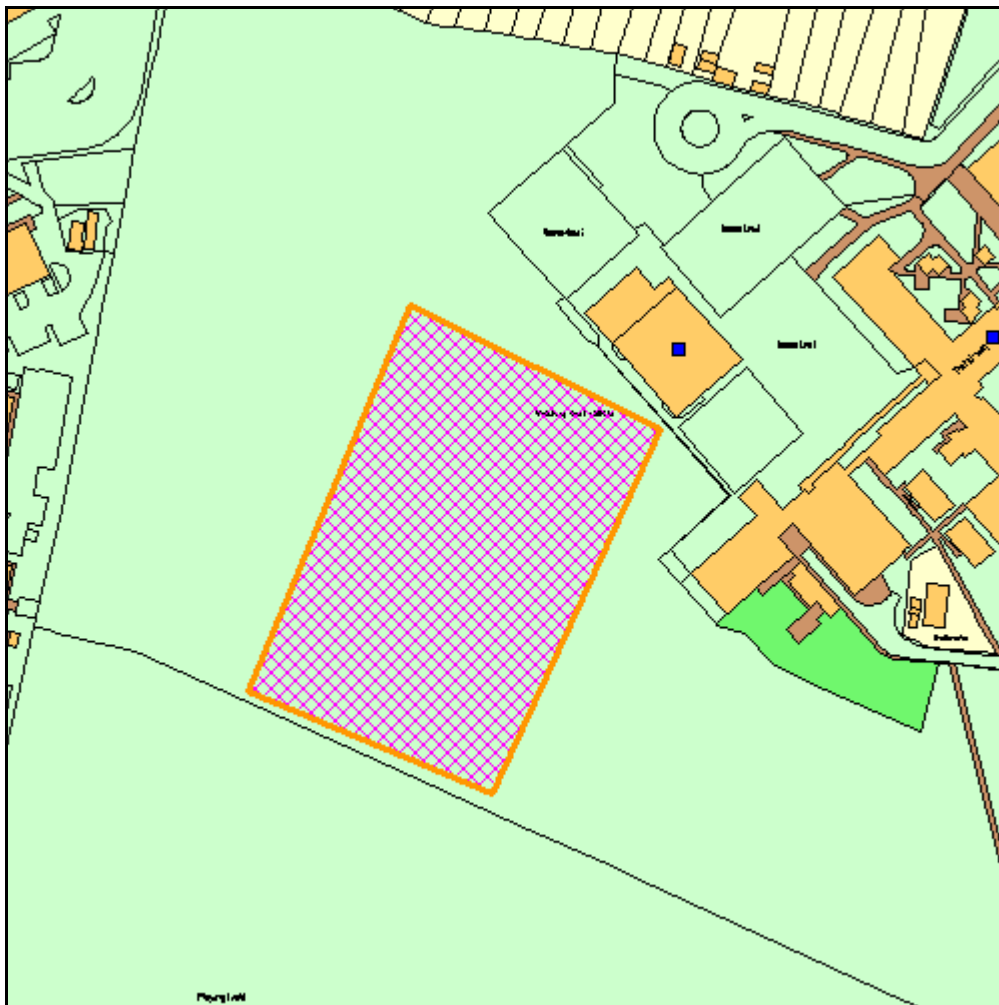
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 05/19 – 1 FEBRUARY 2019

App No.:	PT18/1046/F	Applicant:	Olympus Academy Trust
Site:	Patchway Sports Centre Hempton Lane Almondsbury South Gloucestershire BS32 4AJ	Date Reg:	10th April 2018
Proposal:	Installation of all weather pitches with floodlighting, drainage works and associated works including floodlighting to existing tennis court to form a multi-use games areas. (Part retrospective).	Parish:	Patchway Town Council
Map Ref:	360653 182390	Ward:	Patchway
Application Category:	Major	Target Date:	4th July 2018



© 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.** **PT18/1046/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.

CIRCULATED SCHEDULE

This report is referred to the Circulated Schedule process following an objection from a statutory consultee contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the Installation of an all-weather pitch with floodlighting, drainage works and also floodlighting to an existing tennis court to form a multi-use games area and associated works.
- 1.2 During the course of the application and in full knowledge of the concerns/comments raised by Sport England, by the LPA's archaeologist and by the LPA's transport officer the installation of the all-weather pitch has been completed. This is therefore retrospective.
- 1.3 The application site relates to Patchway Community School and Sports Centre, Almondsbury.
- 1.4 During the course of the application additional information was requested of the applicant to address:
 - Ecology concerns
 - Concerns raised by Sports England
 - Concerns raised by the archaeologist
 - Cycle provision, to which the applicant agreed
- 1.5 The applicant has confirmed that the all-weather pitch is now to be a FIFA standard full sized football pitch and not rugby as first envisaged. The reasons for this decision is the construction of several RFU (Rugby Football Union) standard rugby pitches in close proximity to the school. These are at North Bristol Rugby Club, Dings Crusaders RFC and at University West of England. It was felt that a FIFA standard pitch would better serve the school and the community as a whole. The current turf rugby pitch is not of a good standard for rugby usage and the interest shown for rugby has declined, especially since the above information regarding local rugby clubs has become public.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2018
National Planning Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure

CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity
CS24	Green Infrastructure, Sport and Recreation Standards

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP4	Designated Local Green Spaces
PSP9	Health Impact Assessments
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.

South Gloucestershire Design Checklist (Adopted) 2007)

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide

SPD – (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

Adjacent site:

- 3.1 PT18/1075/RVC Variation of conditions 9 (Approved plans), 11 (Parking) ,12 (Sustainable drainage) and 13 (Landscaping) attached to planning permission PT17/2351/F to amend car parking layout, omit roof overhang to main entrance, make alterations to drainage and include landscaping plans.
Approved 7.6.18

- 3.2 PT17/2351/F Construction of a SEN school with landscaping and parking provision.
Approved 14.8.17

Patchway Community College (most recent applications)

- 3.3 PT18/0828/F Internal and external refurbishment to include glazed entrance with disabled ramp
Approved 3.7.18

- 3.4 PT05/1417/F Erection of two single storey extensions to provide reception area and additional staff room space
Approved 17.6.05

4. **CONSULTATION RESPONSES**

- 4.1 Patchway Town Council
No comment

Internal Consultees

- 4.2 Ecology
Objection:
No ecological information has been submitted alongside this application. The floodlighting of greenspace and hedgerows has the potential to have negative impacts on bats, which are known to avoid lit areas when active at night. The area of highest sensitivity appears to be the central hedgerow that would be subject to light pollution from luminaires surrounding the 3G football rugby pitch. This could impact commuting and foraging bats by dissuading them from travelling between roosts and foraging areas.

Updated information:
No objection subject to lighting condition

- 4.3 Archaeology
Objection:
Part of the application lies directly over a possible Roman site. The sections provided show a fairly deep base with other below ground activity. Due to the potential for archaeology the applicants should submit an archaeological desk-based assessment to determine the significance and the impact of the proposals on this.

Updated comments:
Following the submission of an archaeological desk-based assessment looking at the archaeological potential of the site, it is noted the report concluded that there is potential for the survival of archaeology on site.

Given that the work has already been undertaken a condition is to be attached to the decision notice.

- 4.4 Highway Structures
No objection
- 4.5 Environmental Protection
No objection subject to an informative regarding noise on construction sites

Statutory / External Consultees

- 4.6 Sports England

Holding objection: to this application which has the potential to meet exception 5 of our adopted Playing Fields Policy, subject to conditions relating to the implementation of a community use agreement; a suitable scheme for maintenance and management arrangements for the 3G pitch facility; the reinstatement of the non-turf cricket wicket and improvement works for the existing grass pitches. However, further information is required on a number of matters before a full assessment can be provided.

Updated comments:

Despite additional information being submitted, objection remains

4.7 Transport

No objection subject to a condition

In order to address any possible concerns about the site during its installation, we would recommend that the applicants submit a Construction Management Plan before these works commence. This Plan should examine any temporary means of access required for plant and workers etc, during the installation of all the new facilities.

No provision has been made for cycling parking and this needs to be addressed.

4.8 Wessex Water

Unable to provide comments due to personnel issues but advice on new connections to drainage and water supply networks can be found on website.

4.9 Drainage and Flood Risk Management Team

No objection subject to a condition

Other Representations

4.10 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 The application is for the retrospective installation of an all-weather pitch to replace existing natural turf pitches at Patchway Community School and Sports Centre. The proposal includes floodlighting and drainage works and works to an existing tennis court to form a Multi-Use Games Areas.

5.2 The site comprises pitches and playing fields for both school and public use through the Sports Centre. A recent planning permission to the north west side of the site for a new special needs school has resulted in the loss of pitches. The applicant has stated this has meant the layout for both summer and winter pitches will become inefficient and further restrict the number of pitches that are available to both the school and to public use. The central hedge dividing the two sports fields will be removed to accommodate the proposed summer and winter sports layouts.

5.3 Principle of Development

The application stands to be assessed against the above listed planning policies and all material considerations.

5.4 As the installation of the all-weather pitch has been completed this is a material consideration given the potential for archaeological interest on this site. This will be discussed below.

5.5 Of particular importance would be the impact on the character of the area following the development, the impact on amenity of closest neighbours, the impact on highway safety and on-street parking and its benefit as a community and education asset. Paragraph 97 of the NPPF is important in the assessment as it lists the criteria for when existing open spaces, sport and recreational buildings and land, including playing fields can be built on.

5.6 Given that the proposal would be on an area designated for sports the proposal raises concerns and this is discussed in more detail below.

5.7 Promoting healthy communities

Guidance set out in Paragraph 96 of the NPPF emphasises that the Government places great importance on opportunities for sport and physical activity. The proposal for the creation of an area that can be used for sport in all weathers therefore has some benefits which weigh in its favour.

5.8 Loss of Playing Field - Sport England

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of playing fields or on existing playing pitches/playing fields and areas for sport in general.

5.9 The role of Sport England is to assess applications in light of the NPPF (in particular Para 74) and against its own playing fields policy which states:

Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions

5.10 Sport England understand that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

- 5.11 **The Proposal and Impact on Playing Field.** The existing playing field is divided into two sections by a hedge line which runs in a broadly east to west direction broken by two main access points in the hedge. The smaller northern section of playing field is used for both winter and summer sports. In the winter, it is used for football and rugby and has been laid out to provide 2no. adult football pitches; 1no. adult rugby pitch as well as a mini-soccer/training pitch and training grid. In the summer, the northern section is used for cricket based around the non-turf pitch wicket; athletics as well as rounders and softball. The north west corner of the playing field has been marked out with 2no. 7x7 pitches. However, it is understood that this area of the playing field is no longer under the ownership of the college as it is to be developed as a new SEN (Special Education Needs) school. The larger southern section of playing field to the south of the hedge line appears to be used exclusively for football and has been marked out with a variety of football pitch sizes and types.
- 5.12 Sport England notes that the proposed development consists of the following:
- a new 3G rubber crumb full-size floodlit artificial grass pitch (AGP) for rugby and football to be located adjacent to the sports centre building on the playing field;
 - floodlighting the existing MUGAs.
 - Ground works to level the existing pitches
- 5.13 Sport England considers that the proposed development for the new floodlit 3G AGP for rugby and football will lead to the significant loss of playing field within the northern section of playing field. Given its proposed central location within this area of playing field, a number of sports pitches dependent on their configuration will be affected as a result of the proposal. These could include:
- the cricket field/non-turf cricket pitch;
 - the area used as the athletics track;
 - the full-size grass rugby pitch;
 - mini-soccer/adult football pitches;
 - rounders/softball pitches
- 5.14 Evidently, the College has access to a significant amount of playing field on the site which is used flexibly to accommodate a wide range of pitch sports in different configurations; locations and types/sizes. The proposal would lead to the loss of the playing field currently used for cricket/non-turf pitch and will encroach onto the athletics track in this area of playing field as well.
- 5.15 Sport England has consulted the relevant national governing bodies for sport and has received the following comments from the Football Foundation (FF) on behalf of the FA.
- 5.16 Strategic/local need. The FF queries the need for a new full-size 3G football facility in the area to meet community needs for football and highlights that since work has commenced on developing a new Playing Pitch Strategy for the South Gloucestershire district, new 3G facilities have been built or have

- received planning permission. The FF comments that they would like to understand whether a business plan and/or community usage plan has been developed to ensure the proposal does not compromise the sustainability and viability of other local 3G football AGPs in the area.
- 5.17 The FF understand that the site is currently used by 22 grassroots teams (2017/18 Affiliation Data). Usage is split across 6 different clubs as follows: x2 5v5 teams, x2 7v7 teams, x7 9v9 teams, x7 youth 11v11 and x4 open aged 11v11 teams. However, it is understood that there is no security of community use.
- 5.18 Sport England understands from the district's emerging Playing Pitch Strategy that the site is used for community rugby as an overspill site but is assessed as poor quality. The cricket pitch/non-turf wicket is available for community use but is unused and there are issues with the close proximity of the pitch to the buildings which prevents adult use.
- 5.19 Design and layout of new 3G AGP
The FF would expect the following in terms of design; specification and construction.
- **Construction Quality** – Ensure the pitch is constructed to the FIFA Quality Concept for Football Turf – FIFA Quality (old FIFA 1*) accreditation or equivalent International Match Standards (IMS) as a minimum and meets the recommend pitch size of (including run-offs) 100m (106m) x 64m (70m).
 - **Testing** – That the 3G pitch is tested and subsequently FA registered on completion and then every three years for grassroots football and every 1 year for football in the National League System. This will enable the 3G to be used for league matches and therefore help the 3G pitch to be used to its maximum potential by programming matches at peak times.
 - **Pricing** - Pricing policies must be affordable for grass roots football clubs and should be agreed with the Gloucestershire County Football Association. This should include match-rates at weekends equivalent to the Local Authorities price for natural turf pitches.
 - **Sinking fund** - Ensure that sinking funds (formed by periodically setting aside money over time ready for surface replacement when required – FA recommend £25k per annum (in today's market for a full size pitch) are in place to maintain 3G pitch quality in the long term.
- 5.20 The FF further comment that football line markings should be included on the pitch plans.
- 5.21 Sport England notes that it is unclear from the design/specification what length of surface is proposed. Given that the facility is for rugby and football a long pile surface is assumed ie 60-65mm. Also, it is unclear from the documentation whether the proposed facility will be World Rugby (WR) Regulation 22 compliant, which would require registration and testing.

5.22 Floodlighting

Sport England welcomes the approach to floodlighting both the 3G AGP and the existing MUGAs. This will be critical in maximising community use of the facilities to ensure that they can be accessed and used within the peak period for sport during the winter evening.

5.23 Ground works and levelling of natural turf pitches. Sport England is unclear from the supporting documentation what works are required and the level of disruption to the use of these existing pitches that will follow. How long will the grass pitches be out of action for, and what consideration has been given to minimising any potential disruption to community users/clubs which use the site? Sport England would expect that any works have regard to their natural turf for sport design guidance.

5.24 The FF would expect that all pitch sizes should comply with FA recommended sizes:

- Mini-Soccer U7 and U8 (5v5) 37 x 27m (43 x 33m including safety run-off area)
- Mini-Soccer U9 and U10 (7v7) 55 x 37m (61 x 43m including safety run-off area)
- Youth U11 and U12 (9v9) 73 x 46m (79 x 52m including safety run-off area)
- Youth U13 and U14 (11v11) 82 x 50m (88 x 56m including safety run-off area)
- Youth U15 and U16 (11v11) 91 x 55m (97 x 61m including safety run-off area)
- Youth U17 and U18 (11v11) 100 x 64m (106 x 70m including safety run-off area)
- Over 18 and Adult (11v11) 100 x 64, (106 x 70m including safety run-off area)

5.25 Further, a minimum safety run-off 3m area must be provided, free from obstructions and be of the same surface as the playing area.

5.26 **Assessment against Sport England Policy**

This application relates to the provision of a new indoor/outdoor sports facility or facilities on the existing playing field at the site. It therefore needs to be considered against exception 5 of the above policy, which states:

'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

5.27 Sport England have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exception 5.

5.28 Sport England considers that the proposal has the potential to meet the E5 exception policy, however, that is likely to be subject to a number of conditions relating to:

- Implementation of a community use agreement for the new 3G AGP;
- Submission and implementation of a suitable management and maintenance scheme for the new 3G AGP;
- Relocation and reinstatement of the non-turf cricket wicket;
- Improvement works to the existing natural turf pitches to be carried out in accordance with our natural turf for sport design guidance and the FA/FF's technical standards (The FA Performance Quality Standard (PQS))

5.29 However, in order to consider fully whether the proposal meets the E5 exception policy, further information is required relating to:

- Consideration of any business plan/usage plan to ensure sustainability of other 3G pitch provision/facilities in the local area, given that the evidence demonstrating strategic need for the new facility in the area is unclear;
- scope of ground works to the existing playing pitches/playing field and how the impact on community of the site has been considered;
- Has the winter pitch layout taken account of community use of the site?
- Will the 3G pitch be designed; constructed; registered and tested in accordance with the RFU's and the FA's requirements to ensure community use of the facility is maximised?

5.30 **Conclusions and Recommendations by Sports England**

Sport England's interim position on this proposal was a holding objection with the caveat that the position could be reviewed following the receipt of all the further information requested above.

5.31 In response to Sport England, the agent stated that the approval of the adjacent Special Education Needs School has resulted in the loss of two pitches and also the field activities provision in the area that is within their allocated site. The building of this school has affected the location of the AWP (all weather pitch) in that it has to be aligned away from the sports centre rather than parallel to it.

5.32 The removal of the central hedge will give the school a greatly increased field area, which will provide for greater flexibility with regard to pitch layouts and general usability of the area as a whole.

- 5.33 Currently the school can provide 3 x eleven a side, 5 x nine a side, 1 x seven a side and 1 x five a side pitches.
- 5.34 The revised layout can provide 4 x eleven a side, 5 x nine a side, 1 x seven a side and 1 x five a side pitches. If we change the rugby pitch to a football pitch then we can have 5 x eleven a side pitches, an increase of two full sized pitches before we add in the potential of the proposed All Weather Pitch.
- 5.35 In addition the applicant stated:
- o the All Weather Pitch design would be to full FIFA standards and would ensure the provision of a suitable management and maintenance schemes for the Sports Centre to implement. Details of the scope of the levelling works to the lower field, together with a programme of work that will show minimal disruption to turf playing areas will also be produced.
 - o The current cricket pitch is not suitable for adult games due to boundary restrictions. The intention is to reposition it further away from the Sports Centre and into the lower field, this will allow both junior and senior games to be played on it. This will greatly enhance the community use of the pitches and sports centre.
 - o Alterations to the field layouts will ensure that the athletics track, an essential part of the school curriculum, will remain but in a slightly different location. The re-configuration means that the sports centre will be able to accommodate additional softball and rounders pitches.
 - o The Sports Centre has looked at both the summer and winter requirements of the current community demands on the facilities, and have maximised the site use given the current information available.
- 5.36 The agent has also provided additional information from the Sports Centre manager regarding the terms of the Section 106 pointing out that a number of groups have expressed an interest in using the facilities. It is stated that Patchway Town FC, Longreach AFC, Bradley Stoke Youth, Bradley Stoke United, Patchway North End, Almondsbury Youth, TJ's Netball team and others have all expressed a need for all weather facilities.
- 5.37 In addition the Sports Centre has been taken back into the school ownership and their business plan indicates that the income and usage will double within a three year period.
- 5.38 The works to the turf pitches will take place in the early part of next year, during the 'wet' season and after completion of the AWP. This will ensure that there are playing facilities available at all times.
- 5.39 Sport England have given an incorrect list of existing pitches within the northern section of the playing fields. The number of pitches and available playing field area has been reduced by the approval of the new Special Education Needs School in that part of the site. This approved development has taken away 1 no

- full sized football pitch, 1no mini soccer training pitch, training grids, long jump beds and other field sport facilities, including a running track.
- 5.40 Following this loss of land the current winter pitch layout within this area of the site can now only accommodate 1no rugby pitch, 1no full sized football pitch, and 2no training grids.
- 5.41 The proposal for the All Weather Pitch will be to replace 1no full sized turf football pitch with a year round facility that will be to FIFA approved standards.
- 5.42 Following the levelling and grading of the southern area of the site the winter layout will be able to accommodate 4no full sized football, 5no 9 a side, 1no 7 a side and 1no 5 a side together with training grids.
- 5.43 The summer layouts for the whole site will allow for allow for a full sized AWP, 2no senior football pitches, 1no 9 a side, 1no 7 a side, 1no 5 a side, athletics track, field sports area, rounders, softball and a cricket pitch that will be to adult standard rather than the sub standard pitch currently available.
- 5.44 The applicant acknowledges that there are currently several builds of AWP's taking place within commuting distance of the school, but declares that these are all rugby pitches and are not suitable for the playing of football or hockey. Also FIFA will not approve these pitches for league level games, no allowance has been considered for the football clubs in the vicinity that have a need for all weather facilities.
- 5.45 In response, Sport England provided further updated comments stating they considered that some of the information requested had not been adequately addressed, specifically, in relation to:
- consideration of any business plan/usage plan to ensure sustainability of other 3G pitch provision/facilities in the local area, given that the evidence demonstrating strategic need for the new facility in the area is unclear;
 - scope of ground works to the existing playing pitches/playing field and how the impact on community of the site has been considered given that the existing site is extensively used by community clubs? Has the proposed winter pitch layout taken account of community use of the site, can further detail be provided?
- 5.46 Sport England would expect that a sports turf specialist/agronomist is used to carry out an assessment of ground conditions which should be used to inform the proposed scheme of improvements to the existing playing field/pitches
- 5.47 On that basis, Sport England wished to maintain its **holding objection** to the proposal, with the caveat that comments were subject to review on receipt of the information requested.
- 5.48 It is noted that while these negotiations were progressing and additional information was being requested the applicant proceeded with the development.

- 5.49 Sport England has been able to review the further information provided by the agent/application in relation to the proposed community use and business planning for the proposed 3G artificial grass pitch. Sport England has consulted the Football Foundation (FF) on behalf of the FA on the further information.
- 5.50 The FF comments that the project is identified in the draft South Gloucestershire Playing Pitch Strategy (PPS). However, the only letter of support is from the Bradley Stoke Youth FC. The FF comment that the club affiliates with 24 teams (the club however only identifies that 6 teams use the site currently). It is noted that Bradley Stoke Town FC 1st team currently train and play on a 3G rubber crumb AGP (all games pitch) at the nearby Gloucestershire FA headquarters. If the 1st team move to Patchway Community College that will displace use from the local 3G at Gloucestershire FA.
- 5.51 In relation to the income and expenditure forecasts, the FF comment that income forecasts for the 3G AGP are considered to be very high and unrealistic. The FF comment that the average income per annum is £68,000 in Year 2. The FF recommend £25,000 per year is put aside in a sinking fund to provide for replacement of the carpet. There doesn't appear to be a budget for grass pitch maintenance. Can the 3G surplus be committed to improving the grass pitch quality. Gloucestershire FA can work with the College to access the Pitch Improvement scheme, working with IOG to improve the grass pitches on the site.
- 5.52 **Conclusion by Sport England**
Sport England notes that while the Football Foundation do not want to object to the proposal, Sport England considers that further work and information is required in the form of an assessment of impact on other existing and planned 3G AGPs in the area to ensure that the proposal does not undermine the sustainability of these facilities through displacing use. Further detailed information needs to be provided to show that proper consideration has been given to community use of other 3G facilities in the area and that the planned community use programme for the facility at Patchway Community College takes account of such facilities and does not undermine their sustainability
- 5.53 Further response from applicant indicated that they felt the information in regard to club usage requested meant Sport England have gone beyond their remit in this case. They state that:
- The S.106 funding was never formally linked to any community use agreement.
 - It has been demonstrated that there will be no loss of pitches or playing fields as a result of the development.
 - This is a school facility and whilst the school propose to offer some community use, the extent of this is entirely at the school's discretion.

- The impact on any neighbouring sports pitches or clubs is not a material consideration for this application.

5.54 LPA Assessment

It is noted that while these discussions were progressing and additional information and clarification was being sought the applicant proceeded with development.

5.55 In summary, Patchway Community College do not wish to instigate a community use agreement (CUA) because they feel they have proven sufficient demand. On the other hand Sports England is not convinced of the demand or the sustainability impact on other nearby facilities also seeking planning permission for 3G pitches.

5.56 Given the above it is difficult to know what the actual demand is unless a formal commitment is given by existing clubs.

5.57 It is therefore for the LPA to consider whether the loss of the playing field area is sufficient to outweigh the benefit the scheme would provide to the community as a whole.

5.58 It is acknowledged that the scheme would remove a portion of the grassed area associated with Patchway Community College. However, this would be replaced by an all-weather pitch which would be used throughout the year rather than when weather permitting. This has advantages for health and wellbeing and it has been explained to Officers that an all-weather surface can have safety advantages, for example, not being muddy/slippery during winter months. The points raised by Sport England are noted but the scheme only uses a small amount of the sport area available to the College and community as a whole. The vast majority of the playing fields would remain grassed and the submitted plans indicate their summer and winter sport usages. Although not in the requested format, some details have been given by the College to confirm that there is interest from local clubs who would like to use the proposed facilities. This is accepted and weight can be given in favour of the proposal for this and the reasons discussed above.

5.59 Overall, in planning terms, the benefit to the public from the introduction of this all-weather pitch is sufficient to overcome the concerns expressed by Sport England regarding the loss of this small grassed area. The area would still be available to be used for sporting activities which in turn assists in the aims of health and wellbeing local and national programmes. Given the above the proposal can be recommended for approval.

5.60 Archaeology

The initial comment from the LPA's archaeologist identified the possibility for Roman remains on the site and an archaeological assessment to look at the archaeological potential of the site was requested of the applicant. Notwithstanding the result of this desk based assessment (DBA) undertaken by Avon Archaeology which identified there is potential for the survival of archaeology on the site, the development went ahead without planning

- permission and without due process within the planning system for heritage, as required by NPPF.
- 5.61 This is highly regrettable.
- 5.62 The submitted archaeological desk-based assessment concluded that there is potential for the survival of archaeology on site, notably of a Roman date and there is wider archaeological activity in the local landscape. As such an archaeological evaluation would have been expected prior to determination. This is in accordance with para 189 of the NPPF (2018), the CS5, CS9 and PSP17.
- 5.63 The purpose of such an evaluation exercise is to determine the presence of the potential archaeology noted in the DBA, then to ascertain how well it survives and its significance. If the significance of the archaeology is such that it should be retained in situ, then planning permission should be refused.
- 5.64 That the sports pitch has been constructed does not negate this nor negate the need for further archaeological work. It is the view of the archaeologist that trial trenching, followed by an appropriate form of mitigation should take place to determine the presence of archaeology and what archaeology may have been damaged by the building of the sports pitch without permission.
- 5.65 The archaeologies is content at present that no trial trenching needs to go across the newly built pitch, but it will need to go close to it and across other areas proposed for football pitches, athletics tracks, cricket pavilions and other sports activity.
- 5.66 Whilst this work should take place prior to determination, on reflection, it is felt a conditioned approach could be acceptable and will be attached to the decision notice.
- 5.67 Design and Visual Amenity
The application is for the introduction of an all-weather pitch and its associate floodlighting. Plans indicate the size of the pitch as being 80m by 130m with an 8m high perimeter fence behind the goal areas and a 4.5m high perimeter fence to the sides. It is also stated the materials used for the pitch surface would be FIFA and WR22 (World Rugby) quality compliant artificial grass. The design and materials are considered acceptable.
- 5.68 Plans indicate the MUGA (Multi-use games areas) would measure around 37metres by 61 metres and would be enclosed in 3m high fencing and be of a typical MUGA porous surface.
- 5.69 Details of the lighting of the all-weather pitch and the MUGA area have been provided and subject to a condition regarding lighting times, these are acceptable.
- 5.70 In terms of the overall appearance the proposals are typical of this type of development and can be supported.

5.71 Residential Amenity

Given the position of the site there would be no unacceptable impact on the surrounding residential properties.

5.72 Transport

The applicants have provided information to demonstrate that under the new arrangements, the site will normally generate less than 50 vehicular trips in each direction per sports match and that there will normally only be two matches per day. This total assumes that most of the players and officials travel to and from the site separately, which seems unlikely.

5.73 Although it is acknowledged that most of these trips will be directly associated with rugby or football matches and so are likely to take place in relatively short periods after matches finish, it is not considered that this is likely to create any undue impacts on the surrounding highway network, especially as sports pitches already exist at this location, so many of these movements are likely to be taking place already. Moreover, the LPA is mindful of the fact that these trips are unlikely to occur during traditional peak periods.

5.74 The Council has no adopted car parking standards applicable to sports pitches. However, it is understood that the combination of existing and proposed car parking provision will result in there being 144 spaces available on the site. As this would be able to accommodate the vehicles associated with at least three matches simultaneously, this would seem to be more than adequate for this site. It is noted, however, that no mention is made of provision for cycle parking and would recommend that this apparent omission is addressed.

5.75 Finally, it is understood that this development will be able to use the site's existing access arrangements which it is not proposed to alter any way. Therefore, although its presence may somewhat intensify use of the site's access at certain times, on balance, it is considered that this development is unlikely to raise any material affect highway safety concerns.

5.76 Consequently, after careful consideration this proposal is unlikely to create any significant highways and transportation issues, over and above those already associated with the existing sports facilities at this location. Nevertheless, in order to address any possible concerns about the site during its installation, it is recommended that the applicants submit a Construction Management Plan before these works commence. This Plan should examine any temporary means of access required for plant and workers etc, during the installation of all the new facilities.

5.77 Following comments from the Transport Officer the applicant agreed to provide additional cycle parking. A condition is to be attached to the decision notice so that cycle parking provision should be 2 per pitch/court.

5.78 Given the above there are no highway safety objections to the development.

5.79 Impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

5.80 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.

5.81 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

5.82 Procedural matters

According to adopted procedure, this application will be included on the South Gloucestershire Circulated Schedule process where the Officer report and recommendation is submitted to Elected Members. At this time Members can 'call in' the application to a full planning committee or accept the Officer recommendation.

5.83 In addition to and following this, as per the Town and Country Planning (Consultation) (England) Direction 2009 - Under Section 7(a)and (b)and of the Town and Country Planning (Consultation) (England) Direction 2009; states that any resolution to grant planning permission for playing field development (as defined in the Direction) where Sport England has objected to that development must referred to the Secretary of State for Communities and Local Government for further consideration.

5.84 In this instance, Sport England have objected to the proposal for the reasons set out in this report. Accordingly, any resolution to grant planning permission must be referred to the Secretary of State.

5.85 Overall planning conclusion

The proposal presents a delicate balancing exercise in which the LPA must weigh up the pros and cons of the scheme. On the one hand the proposal removes an area of potential playing field while on the other hand the area will be re-used as an all-weather pitch to be used by both the students of Patchway Community College and the wider community for sports activities.

5.86 In the balancing exercise the public benefit is considered to outweigh the loss of the small area of playing field and the proposal can be supported.

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 the application be **APPROVED** subject to the conditions written on the decision notice.
- 7.2 Authority is delegated to the Head of Environment and Community Services to refer the resolution to grant planning permission to the Secretary of State for Communities and Local Government.
- 7.3 Provided that the Secretary of State for Communities and Local Government does not recover the application for consideration, that Authority is delegated to the Head of Environment and Community Services to grant planning permission in accordance with the recommendation.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

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 occupation/use of the sports facilities, the results of a programme of archaeological work comprising evaluation and where necessary subsequent mitigation, post-excavation assessment, outreach and publication, must be submitted to and approved by the local planning authority. Thereafter the approved programme of post-excavation shall be implemented in all respects.

Reason

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

3. The all weather pitch shall not be used until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.
For the avoidance of doubt we would expect to see the following details when discharging the above conditions:
- o A CCTV survey of the existing private surface water sewer from upstream manhole/inspection chamber # 5309 (according to the Wessex Water sewer maps - Land off Gloucester Road # 2 / dated 26-02-18, contained within the submitted FRA) through to manhole/inspection chamber # 5101 (immediately downstream of the existing attenuation feature). The survey is to include manhole/inspection chambers #'s 5310, 5311, 5312, 5313, 5314, 5210, 5211, 6205, 6206, 6207, 5201, 5202 and the existing attenuation feature, which will confirm/reveal what the current sizes and condition are.
 - o Modelling of the existing private surface water sewer, including flows from its upstream catchment, namely the Patchway Community College, through to the final CCTV survey point, namely, manhole/inspection chamber # 5101 (immediately downstream of the existing attenuation feature) to determine its current capacity, whether or not it has sufficient capacity to accommodate additional flows, including flows from its upstream catchment area.
 - o A clearly labelled drainage layout plan showing the pipe networks and any attenuation features and flow control devices where applicable.
 - o Drainage calculations (inclusive of its upstream catchment area) to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer).
 - o Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus 30% plus an allowance for climate change storm event (winter and summer).
 - o The drainage layout plan should also show exceedance/overland flood flow routes if flooding occurs and the likely depths of any flooding where applicable.
 - o The plan should also show any pipe node numbers referred to within the drainage calculations.
 - o A manhole / inspection chamber schedule to include cover and invert levels.
 - o Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as, Attenuation features and Flow Control Devices where applicable.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. The pitches shall not be externally lit between the hours of 22:30 and 06:30, unless otherwise agreed in writing by the local planning authority.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of local biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

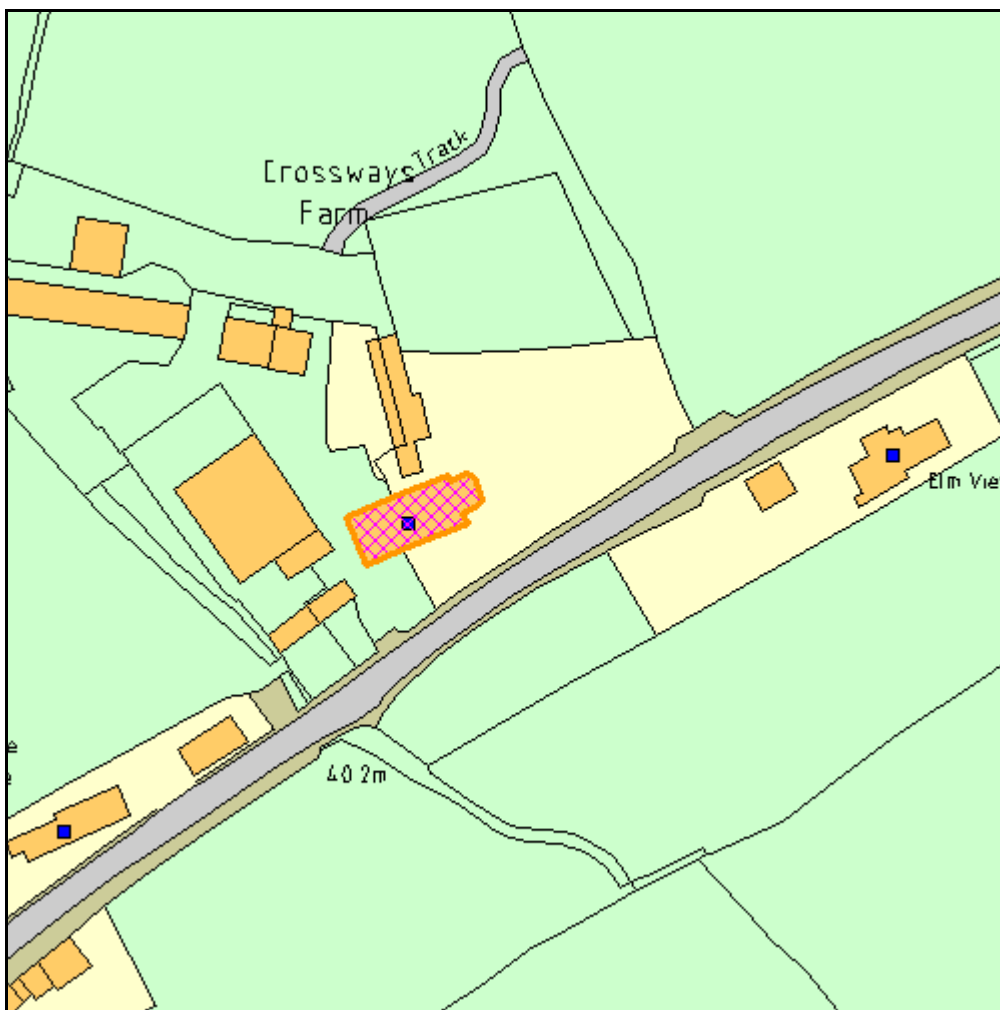
5. Within 3 months of this decision cycle parking in the form of 2 spaces per pitch/court shall be provided for the users of the sports facilities hereby approved.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 05/19 – 1 FEBRUARY 2019

App No.:	PT18/4823/F	Applicant:	Mr G Tuck
Site:	Crossways Farm Crossways Lane Thornbury South Gloucestershire BS35 3UE	Date Reg:	13th December 2018
Proposal:	Installation of 3 No. front dormer windows and raising of roof line. Replacement of existing corrugated sheeting garage roof with roman tiles.	Parish:	Thornbury Town Council
Map Ref:	365151 190650	Ward:	Thornbury North
Application Category:	Householder	Target Date:	6th February 2019



© 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.** **PT18/4823/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.

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

A representation has been made by the parish council, which is contrary to the findings of this report. Under the current scheme of delegation it is therefore required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the installation of 3no. dormers to the front elevation, the raising of the roofline, the replacement of corrugated sheeting garage roof with roman tiles, and the erection of a replacement porch. The application relates to Crossways Farm, Crossways Lane, Thornbury.
- 1.2 The application site consists of a traditional farmhouse set within a large plot. The site is situated outside of any defined settlement boundary, with the surrounding area being predominantly rural in character. The main building is finished in a white render, with a roman tiled roof.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2018
National Planning Policy Guidance (2014)

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
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

3.1 There is no relevant planning history associated with the application site.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

Objection - raising the roofline of this property alters the proportions of the dwelling and creates a roofline that is out of proportion with the traditional cottage design, which is sited in a lane that has been noted for the special rural character in South Gloucestershire Council documents. The character of the building would be altered to the detriment of the street scene.

4.2 Other Consultees

Conservation Officer

No objection

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning permission is sought for proposed alterations to an existing dwellinghouse. Policy PSP38 of the Policies, Sites and Places Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity, transport and loss of trees and vegetation. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.3 The concerns raised by the town council have been taken in to account, and it is acknowledged that the insertion of the dormers would alter the character and appearance of the building.

5.4 However as outlined by the applicant and as observed during a site visit, similar dormers were historically present at the front elevation of the property. As outlined by the applicant, due to damage, these were concealed in 1975, with a shell essentially introduced around the dormers and the eaves height of the building raised. Internally, the dormer structures are still visible. The shell structure is now failing, and as observed on site, is beginning to slant with large

- areas of damp visible within the property. It is therefore the applicant's wish to revert back to the historic form.
- 5.5 As such, whilst the introduction of the dormers and lowering of the eaves would result in a more complicated appearance, the rationale behind the proposal is acknowledged. Whilst there would be an increase in ridge height, the ridge would only be raised by approximately 20cm. As such, it is not considered that this minor increase would significantly alter the appearance of the property. Overall, whilst the insertion of the front dormers is not considered the most standard design approach, the architectural history of the building is acknowledged, and it is considered that the overall rural character of the building would be preserved. On this basis, it is not considered that the proposed works to the main dwelling would have any significant impact on the character of the area or the visual amenity of the streetscene.
- 5.6 In terms of the replacement of the garage roof, it is considered that this would represent a marginal improvement in visual terms. Whilst the replacement of the existing porch with a more substantial, enclosed porch would result in some loss of character, it is acknowledged that a replacement porch could be constructed under permitted development rights. As such, it would not be expedient to resist this element of the proposal. However a condition will be attached to any decision, ensuring the render used in the finish of the proposed porch matches that used in the finish of the main dwelling. Furthermore, in the interests of preserving the character of the building, a condition will be attached to any decision requiring any roof tiles used in the development to match existing.
- 5.7 Subject to the aforementioned conditions, it is not considered that the proposal would cause any significant harm to the character and appearance of the building or the immediate locality. The proposal is therefore considered to accord with policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan.
- 5.8 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.9 Given the degree of separation between the subject property and any neighbouring properties, it is not considered that the development would give rise to any overbearing, overshadowing or overlooking issues. It is also not considered that the carrying out of works would cause undue levels of disturbance to neighbours during the construction period. Overall, it is considered that the residential amenity of neighbouring residents would be preserved. In terms of the provision of amenity space, the impact of the development would be negligible. Overall there are no concerns regarding the

impact of development on residential amenity, and in this regard, the proposal is considered to comply with policies PSP8 and PSP38 of the Policies, Sites and Places Plan.

5.10 Transport

The proposal would have no impact on the existing vehicular access or parking arrangements at the site. Furthermore, the internal layout would remain largely unaltered, and as such there would be no increase in bedroom number and subsequently no increased requirement for on-site parking spaces. Overall, there are no concerns from a transportation perspective.

5.11 Trees and Vegetation

The proposal would not result in the loss of any trees or vegetation that contribute significantly to the character of the locality.

5.12 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

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 tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

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.

3. The colour, type and texture of the rendered finish to the external walls of the proposed porch shall match that of the existing building.

Reason

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