

List of planning applications and other proposals submitted under the planning acts to be determined by the director of environment and community services

CIRCULATED SCHEDULE NO. 10/19

Date to Members: 08/03/2019

Member's Deadline: 14/03/2019 (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 list 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 - 08 March 2019

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/0519/F	Approve with Conditions	Unit 2 St Stephens Business Centre Poplar Road Warmley South Gloucestershire BS30 5JD	Oldland	Bitton Parish Council
2	P19/0912/F	Approve with Conditions	26 Berkeley Way Emersons Green South Gloucestershire BS16 7BZ	Emersons Green	Emersons Green Town Council
3	PK17/4745/MW	Approve with Conditions	Land At Shire Way Community Centre Shire Way Yate South Gloucestershire BS37 8YS	Dodington	Dodington Parish Council
4	PK18/5037/RM	Approve with Conditions	Wick Quarry London Road Wick South Gloucestershire BS30 5SJ	Boyd Valley	Wick And Abson Parish Council
5	PK18/5202/F	Approve with Conditions	Dramway Barn Barry Road Oldland Common South Gloucestershire BS30 6QX	Bitton	Bitton Parish Council
6	PK18/5219/F	Approve with Conditions	Land To The Rear Of 29-31 Neville Road Kingswood South Gloucestershire BS15 1XX	Kings Chase	None
7	PK18/6429/F	Refusal	The Old Stables Off Bury Lane Bury Lane Doynton South Gloucestershire BS30 5SR	Boyd Valley	Doynton Parish Council
8	PT18/6509/F	Approve with Conditions	Rustington 42 Old Gloucester Road Frenchay South Gloucestershire BS16 1QW	Frenchay And Stoke Park	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 10/19 – 8 MARCH 2019

App No.:	P19/0519/F	Applicant:	Mr Lee Sharpe
Site:	Unit 2 St Stephens Business Centre Poplar Road Warmley South Gloucestershire BS30 5JD	Date Reg:	16th January 2019
Proposal:	Change of Use from storage (Class B8) to MOT testing station (Class B2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Bitton Parish Council
Map Ref:	367399 172447	Ward:	Oldland Common
Application Category:	Minor	Target Date:	13th March 2019



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments from the Parish.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the change of use from storage (Class B8) to MOT testing stabling (Class B2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application relates to a rank of light industrial buildings situated off Poplar Road, Warmley. The site is not within a safeguarded employment centre.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning 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
CS12	Safeguarded Areas for Economic Development
CS13	Non-Safeguarded Economic Development Sites
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
PSP9	Health Impact Assessments
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP21	Environmental Pollution and Impacts
PSP27	B8 Storage and Distribution Uses
PSP31	Town Centre Uses
PSP32	Local Centres

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007)
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – (Adopted) March 2015
South Gloucestershire Council Waste Collection: guidance for new developments SPD (Adopted) Jan 2015

3. RELEVANT PLANNING HISTORY

- 3.1 K4753 conversion of existing factory premises to form 8 industrial units, Class 3 light industrial
Approved 22.4.85
- 3.2 K4753/3 Installation of mezzanine office floor and windows in south elevation
Approved 8.10.90
- Other relevant applications: - Unit 5
- 3.3 P19/1293/F Change of Use from light industrial (Class B1 (c)) to MOT station (Class B2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
Pending consideration

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No objections provided that sufficient allocated parking is provided particularly in view of the high demand for on road parking in the area.

Internal Consultees

- 4.2 Economic development
No objection

Statutory / External Consultees

- 4.3 Sustainable Transport
Additional information needed:
1) Information/details on parking strategy for this unit. Such parking information is best provided on a plan showing the location for staff and customers parking on site.
2) Are there allocated parking specific to this unit or the parking on site is all shared parking?
3) Additionally, the applicant ought to amend the 'Land ownership plan' to reflect the parking area on site

Updated comments:

Following additional details, no objection subject to condition

Other Representations

- 4.4 Local Residents
Two letters have been received from local residents. The comments raised are summarised as:

- More traffic and more pollution coming into the area

- Corner of Poplar Road dangerous due to double yellow lines and customers of the Cornershop consistently parking on them.
- Business park does not have room for more cars
- Council should put a camera out on Poplar Road and fine the people who consistently block me on and off my driveway
- The business units have been allowed to expand beyond their capacity
- Inconsiderate parking by businesses affects use of my garage

5. ANALYSIS OF PROPOSAL

5.1 The application is for the change of use from storage (Class B8) to MOT resting stabling (Class B2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

5.2 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Matters to be considered would be the appropriateness of changing this particular industrial building from one commercial use to another, the impact this would have on highways and on residential amenity of neighbours. These are discussed in more detail below.

5.3 Change of use:

During the course of the application the applicant has provided additional information to justify the change of use from B8 to an MOT testing station. It is stated that the applicant already owns the adjacent business *The Mechanic* which operates out of Unit 3 on this small business park, St Stephen's Business Centre. The work undertaken in this unit involves servicing and repairs. Pre MOT checks are also offered but these are taken to a local MOT station off site. The business averages around 20 MOTs per month. By means of the change of use of the adjacent premises, Unit 2, the applicant will be able to undertake the MOTs through his existing business and on the same site rather than using another firm and having to take the vehicles away. It has been stated that the increase in vehicles will be minimal as the vehicles are already on site for other work, e.g. a service. It is understood that any additional MOTs over and above the existing work, will be undertaken on an appointment basis due to the limited space on site.

5.4 Policy CS13 attempts to resist change of use of development sites to a non-business use so as not to lose employment uses within settlement boundaries. In this case a different business use to the existing one is proposed and therefore on this basis the scheme is appropriate.

5.5 Design and Visual Amenity

Unit 2 is part of a row of business units in a small business park off Poplar Road, Warmley. The units are a typical light industrial style with a large roller shutter door and separate smaller entry door to the front elevation. The change of use would not entail any alterations to the appearance of the business unit. On this basis there can be no objection to the scheme.

5.6 Sustainable Transport

- Comments made by local residents regarding the parking on Poplar Road and within the site are noted. Inconsiderate parking on the main highway is not something that can be considered under this planning application and should be referred to the correct authority which would be the Police Authority. Similarly, inconsiderate parking within the site which affects a small number of resident's garages is a matter to be discussed between the relevant parties.
- 5.7 During the course of the application and in response to comments raised, the applicant submitted a plan showing the informal on-site arrangements currently operating by the business. The plan reflects that 5 parking spaces are allocated for each of Units 2 and 3.
- 5.8 The LPA does not have parking standards for such type of businesses, therefore a judgement must be made based on the information provided and on professional experience and knowledge. The existing situation must be acknowledged whereby the existing use of the unit would currently require parking spaces on site. In this instance the applicant has confirmed that under the proposed change of use the number of vehicles would either not result in any change to the number of vehicles on the site or there may be a small increase on days when cars are booked in for MOTs only and are not being serviced in the adjoining unit. The applicant has stated these occasions would be through appointments only. In this way there would not be a material change over and above the existing situation.
- 5.9 Transport Officers have requested a condition be attached to the decision notice requiring the parking to be provided as per the sketch showing the informal parking arrangements. This is not possible as the parking areas are outside the ownership of the applicant. However, the parking for the whole site is on an informal basis agreed by the businesses themselves. It is understood that this arrangement has worked well for a number of years.
- 5.10 Based on the information above, it is considered that there is adequate space on site to meet the parking and manoeuvring for all users. In addition, Officers are satisfied that there would be no overspill onto the public highway resulting from the development.
- 5.11 Residential Amenity:
The site is within an established residential area, surrounded by houses. The application site is around 28 metres from the rear of houses to the east and around 37 metres from houses to the south. It is therefore considered that the change of use would not impact on the amenity of these properties in terms of overlooking or overbearing. It is necessary to consider the impact of noise and disturbance that might be caused by the change of use.
- 5.12 It is noted that planning permission K4753 which allowed the conversion of the former factory into 8 industrial units was subject to a condition limited loading and unloading hours. This condition was imposed to safeguard the residential amenities of adjoining residential properties. It is therefore not unreasonable for this change of use to also have a condition setting out the opening hours. This will be conditioned on the decision notice.

- 5.13 On this basis the change of use would not have an unacceptable impact on the residential amenity of existing residents and can be recommended for approval.
- 5.14 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.
- 5.15 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.
- 5.16 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.
- 5.17 Other Matters
A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.18 Capacity of businesses already exceeded:
The amount of trade/business undertaken by each of the units falls outside the remit of a planning application and cannot be discussed within this forum.
- 5.19 Pollution:
The case has been made by the applicant that overall the change of use would not result in additional traffic into the site. On this basis the proposal would not give rise to more traffic or associated pollution over and above the existing situation. This part of Warmley is not

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.

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. The opening hours shall be restricted to:

Monday - Friday.....8:00am - 7:00pm

Saturday.....9:00am - 5:00pm

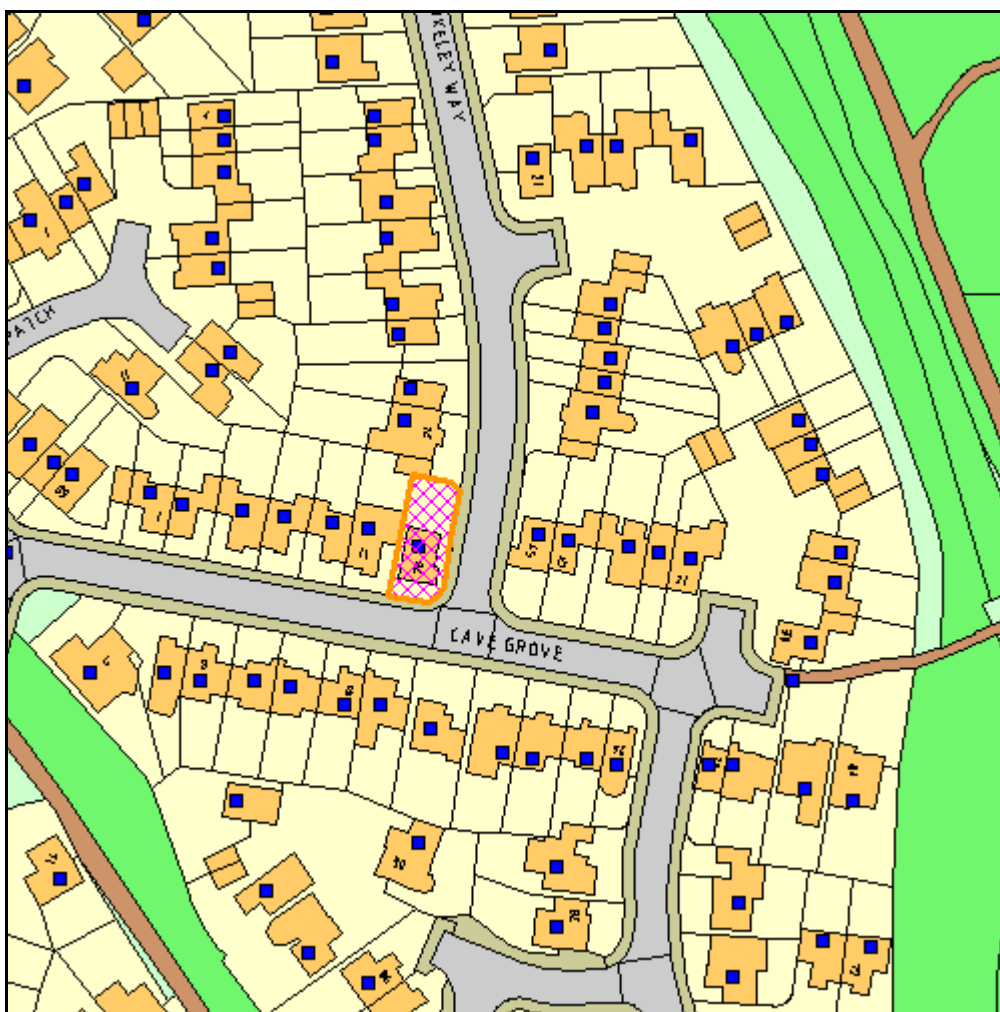
No working shall take place on Sundays or Public Holidays

Reason

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

CIRCULATED SCHEDULE NO. 10/19 – 8 MARCH 2019

App No.:	P19/0912/F	Applicant:	Mr & Mrs Jameson
Site:	26 Berkeley Way Emersons Green Bristol South Gloucestershire BS16 7BZ	Date Reg:	25th January 2019
Proposal:	Erection of single storey front extension and single storey side extension to form additional living accommodation.	Parish:	Emersons Green Town Council
Map Ref:	366747 177076	Ward:	Emersons Green
Application Category:	Householder	Target Date:	22nd March 2019



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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated as a result of a consultation response from Emersons Green Town Council which is contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey front extension and single storey side extension to form additional living accommodation at 26 Berkeley Way, Emersons Green.
- 1.2 The application site relates to a two storey, detached property which is located within the built up residential area of Emersons Green.
- 1.3 The site is located on a corner plot and although it could be argued the residential amenity space is located to the rear of the property, for the purposes of this application the garden is located to the side of the host property. It therefore follows that the proposed extensions sit on the front and side elevations of the host property.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P96/4587
Erection of 56no. dwellings and associated works (reserved matters)
Approved: 18/02/1997

Permitted development rights restricted under conditions 4, 5 and 6.

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
Objection- members have serious concerns that there will not be sufficient private amenity space once the proposed extensions have been constructed.
- 4.2 Sustainable Transport
It is difficult to ascertain from the plans submitted the location of the dwellings parking. However, as the proposed development does not increase vehicular parking requirements for the dwelling and the proposed extension does not appear to affect the parking, there is no basis for a transportation objection.

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.
- 5.2 Design and Visual Amenity
The host dwelling consists of a front porch which extends from the principal elevation of the dwelling by approximately 1.3m and includes a dual pitched roof. The proposed front extension would increase the width of the existing porch by approximately 4.5m but would retain the depth; it would remove the existing gable end roof and replace it with a lean-to roof spanning the entire front extension. This was altered at the request of the Officer to give a more balanced appearance to the principle elevation and to match a number of properties within the surrounding area.

- 5.3 The proposed side extension would extend from the side elevation of the host property by 3.3m and would span the entire width of the side elevation. It would consist of a lean-to roof with an eaves height of approximately 2.3m and an overall height of approximately 3.6m. The proposal is considered to be of an appropriate size and scale within the context of the site.
- 5.4 The materials to be used in the external finish of the proposed development include red brick elevations, interlocking concrete roof tiles and white UPVC windows and doors. All materials would match the existing property and are therefore deemed to be acceptable.
- 5.5 Overall, the proposed development would not be detrimental to the character of the host dwelling or the surrounding area and is of an acceptable standard of design. As such, the proposal is deemed to comply with policy CS1 of the Core Strategy.
- 5.6 Residential Amenity
Policy PSP8 of the PSP Plan (November 2017) 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 Considering the siting and single storey nature of the proposed extensions, they would not appear to result in a material overbearing or overlooking impact, nor is the proposed development considered to significantly impact the existing levels of light afforded to the neighbouring occupiers.
- 5.8 A concern has been raised by the Town Council regarding the loss of private residential amenity space. It is acknowledged that the proposal will occupy additional floor space, however the proposed development would remove less than 50% of the existing garden and it is therefore considered by the Officer that sufficient private amenity space would remain for the occupiers of the host dwelling following development.
- 5.9 Overall, the proposal is not considered to have a detrimental impact on the residential amenity of the surrounding properties or the host dwelling and is therefore deemed to comply with policy PSP8 of the PSP Plan.
- 5.10 Sustainable Transport and Parking Provision
The application is not proposing any additional bedrooms, nor is it impacting the existing access or parking provision. As such, no objections are raised in terms of transport.
- 5.11 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

Contact Officer: James Reynolds
Tel. No. 01454 864712

CONDITIONS

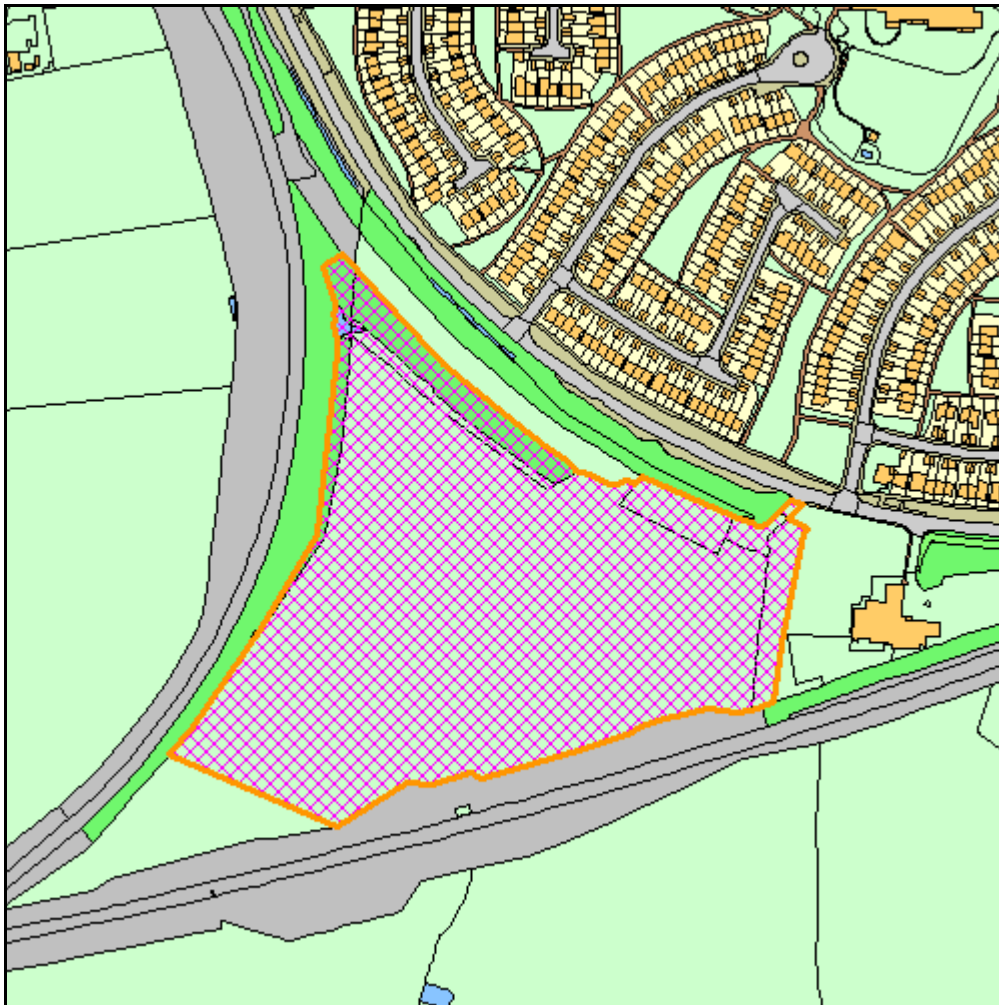
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 10/19 – 8 MARCH 2019

App No.:	PK17/4745/MW	Applicant:	Mr Kevin Berkely Bristol & Avon Transport & Recycling
Site:	Land At Shire Way Community Centre Shire Way Yate South Gloucestershire BS37 8YS	Date Reg:	1st November 2017
Proposal:	Change of use from landfill site (sui generis) to playing fields (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with parking and associated works (resubmission of PK16/3099/MW)	Parish:	Dodington Parish Council
Map Ref:	370531 180508	Ward:	Dodington
Application Category:	Major	Target Date:	10th January 2018



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a result of representations received to the consultation process.

1. THE PROPOSAL

- 1.1 The proposal seeks permission for the change of use of the former landfill site (Sui Generis) on Shire Way to playing fields (Class D2). This would in part be achieved through the importation of up to 80,000 cubic metres of inert soils and sub-soils to a depth of 2 metres in order to both level the land and provide a suitable upper capped surface above the former landfill material, to a standard acceptable for recreational use. This would then be top-soiled and seeded accordingly. The vacant land would provide for two football pitches, a cricket pitch, tennis courts and a training pitch, associated with the adjoining Shire Way Community Centre.
- 1.2 The site itself is a former landfill site. The site was used for landfill from the mid 1980's to the early 1990's. Since then the site has remained dormant and vacant pending suitable restoration and re-use proposals, the culmination of which is this current planning application for change of use. Whilst the land has 'greened' over to some extent it remains derelict and disused. The land forms part of Shire Way Community Centre.
- 1.3 The application site consists of a triangular shaped parcel of land. To the south and western borders the site is enclosed by railway lines. To the northern edge the site is bordered by the Shire Way main road, access to the site would be gained via an existing gated access off Shire Way in the north-eastern corner of the site, as per the original landfill. To the immediate east is Shire Way Community Centre. The nearest residential properties lie between 40 and 60 metres away to the north across Shire Way. The site is located within the Bristol/Bath Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.1 West of England Joint Waste Core Strategy Adopted March 2011
Policy 8 – Landfill, Landraise, Engineering or Other Operations – Principles
Policy 9 - Landfill, Landraise, Engineering or Other Operations – Details
Policy 11 – Planning Designations
Policy 12 – General Considerations

- 2.2 South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development (including Green Belt)
- 2.3 South Gloucestershire Local Plan: Policy, Sites and Places Plan Adopted November 2017
PSP2 Landscape
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP19 Wider Biodiversity
PSP21 Environment and Pollution Impacts

3. RELEVANT PLANNING HISTORY

- 3.1 P84/1130 – Landraising application. Granted by Avon County Council on 1st June 1984. The restoration requirement of this consent was not met.
- 3.2 P92/1613 - Laying out of playing fields. Approved by Northavon District Council, subject to a Section 106 Agreement. Agreement was never signed and therefore the permission was never issued.
- 3.3 P97/1873 – Change of use of former landfill site to playing fields. This was originally approved by South Gloucestershire Council on 11 December 1997, subject the completion of a Section 106 Agreement to secure highway improvements. This was never signed due to ownership issues and other legal issues. The delays in securing the Agreement and changes in circumstance eventually superseded the need for the works. The proposals was reported to Committee in 2001 for a further recommendation for approval to vary the previous resolution and negate the need for the Section 106 Agreement. This consent was approved and issued on 15th November 2001. This consent was time restrained and the commencement date lapsed without implementation.
- 3.4 PK06/1989/F - Change of use from Landfill site (Class Sui Generis) to Playing Fields (Class D2) as defined in the Town & Country Planning (Use Classes) Order 1987 (as amended). Approved 6 July 2007. This permission expired, unimplemented.
- 3.5 PK10/0561/FMW - Change of use from Landfill site (Class Sui Generis) to Playing Fields (Class D2) as defined in the Town & Country Planning (Use Classes) Order 1987 (as amended). Approved 18th June 2010. This permission expired, unimplemented.
- 3.6 PK16/3099/MW - Change of use from landfill site (sui generis) to playing fields (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with parking and associated works. Withdrawn 12th October 2016.

4. CONSULTATION RESPONSES

4.1 Dodington Parish Council

After due consideration it was resolved that Dodington Parish Council object to the planning application as it currently stands. There are a lot of points that are unclear / not satisfactory – and until such time as these are satisfied, the council objects.

The points in question are outlined below:-

Sports

The proposal is for two football pitches and some parking. No changing rooms are proposed, and the rather restricted parking area needs to be planned in more detail to give assurance that (a) there is room for the coaches to turn, and (b) that the car parking spaces are sufficient to avoid parking on the nearby roads, based on evidence of car use on comparable sites or relevant planning guidance.

Without changing rooms and possibly without adequate parking the pitches are unlikely to be viable and cannot be considered to be a genuine contribution to local sports facilities. Without these facilities the application needs to be regarded as "continued landfill" rather "change of use to playing fields". The hours of use also need to be clarified - the times given appear to be the operating hours for the tipping phase, and are not realistic for local sporting facilities.....ie no evening operation and no operation on Sunday's. These factors need to be included as conditions on any planning permission granted.

Traffic

Dodington Parish Council previously objected to the number and frequency of the lorry movements. This objection should be repeated – and should planning be granted a restriction on number of lorry movements / day should be included as a condition. In addition there is no mention of wheel washers, which would be essential to prevent mud being tracked onto Shire Way. These should be a condition on any planning permission granted.

Ecology

The ecological assessments are thorough. There were several minor points that would only be evident on the basis of local knowledge, but they would not affect the overall assessments. Some notable species are present. Accordingly the Ecological Impact Assessment report recommends that 2.6 ha of the scrub mosaic should be retained, and the revised plan incorporates this change. The Consultation Response document says that because the area to be remodelled has been reduced, and because the ecological surveys requested by South Glos have been done "and the recommendations made in the Ecological Impact assessment have been incorporated" it is considered that South Glos's ecological objections have been met. This is not correct - much more detail still needs to be added. Section 4 of the EIA report made a range of detailed recommendations to mitigate species loss that are not in the proposals, both regarding the construction phase and later management. These need to be incorporated in any planning application granted. There is also no clear vision of how the remaining "wild" land would be managed and by whom.

Section 4 of the EIA report says "It is anticipated that any outline planning consent would be subject to a condition that requires the submission and agreement of a Construction Environment Management Plan, which would include a Detailed Ecological Mitigation Strategy with respect to habitats and reptiles. The Detailed Ecological Mitigation Strategy would include an Ecological Enhancement Strategy and a requirement to produce a Habitat Management Plan"

The Ecological Mitigation Strategy and Ecological Enhancement Strategy should incorporate the EIA's detailed recommendations to mitigate species loss. The Habitat Management Plan should include a structure of responsibilities for management of the remaining habitat. Both of these aspects need to be incorporated as conditions of any planning permission granted.

Other Matters / Summary

It was noted in the consultation response (2.2) that there is to be a 'Storage Area' however upon the plans this isn't apparent at all. It was also noted in the consultation response (3.4) that 'Waste may be imported – without permit...' this is of concern to members and needs clarification. Another inaccuracy within the consultation response (7.4) was that the 'Car Park is 1.15mm below playing fields and there will be a ramp.....surely these measurements are wrong?

Members feel that in return for the 'tipping' something needs to be given back to the community – for the community. However the plans that are in front of us currently really don't satisfy the community's requirements.... and as mentioned previously – for all of the above reasons – the Parish Council objects to the plans as they stand.

4.2 Other Consultees

Network Rail

After studying the details submitted and consultation with our Liabilities Manager, Network Rail objects to the above proposal.

The proposal is for a playing field containing 2 full size football pitches which indicates the importation of children and young adults onto the site which currently has no access for the public.

We cannot find within the submitted documentation any proposed boundary treatment or proposed measures to prevent footballs entering Network Rail's infrastructure thus encouraging trespass.

Until we receive the requested information, our objection to this proposal remains.

Further information was requested and subsequently received from the applicants in respect of the concerns raised above.

Our Liabilities Manager has advised he is happy with the 5m height but the documents do not state what type of netting it is. String or weldmesh? Can it be confirmed?

It was subsequently confirmed to Network Rail that the netting would be of string type. No further correspondence was received.

4.3 Sport England

'Support in principal but a number of issues need to be addressed to ensure the proposal is fit for purpose for community sport.

This proposal has been around for a number of years but for whatever reason, previous consents have not been implemented. The current proposal includes 2x adult football pitches and a training area with ancillary facilities at the nearby community centre building. We could not locate an agronomist report detailing the construction detail of the pitches, which takes into account the risk of contamination from the old land fill.

Strategic/Local Need for the Playing Field

The Council are currently undertaking a Playing Pitch and Sport Facility Strategy to assess the current supply and demand and future demand of sports pitches and facilities. This work is complete and awaiting adoption.

For football facilities the Team Generation Rate calculations indicate that by 2036 in the Yate & Chipping Sodbury area a demand equating to an additional 11 teams will be generated (2 senior, 6 youth, 3 mini). The summary of current provision for Yate & Chipping Sodbury indicates a shortfall of adult and mini pitches, with spare capacity for youth and junior football, and further examination on sites in the immediate vicinity indicates there is minimal available capacity on the existing poor quality pitches at QE2 Playing Field (within 500m of the site) and no spare capacity at the nearby Sunnyside facilities (approximately 1.6km from the site). This will be exacerbated by demand arising from the new community in North Yate. It is unclear from the application as to which teams / clubs will relocate to the proposed facilities. There is a 3G facility within 1km of the site and a second within 2km of the site which provide adequate mid-week evening training facilities.

The Football Foundation – on behalf of the FA – advise that the emerging PPS suggests that there is a current shortfall of 0.5 match sessions per week and when considering future demand (2036) there is a future shortfall of 1.5 match sessions per week in the Yate & Chipping Sodbury study area. The strategy also indicates a future shortfall of 1.5 adult match equivalent sessions in the surrounding rural areas.

Given the nature of the proposal, the ECB and RFU have no comments.

Playing Field Design

Sport England recommends that a ground conditions assessment is undertaken by a sports turf specialist/agronomist who can recommend a scheme for

preparing the playing fields to the required specification. The recommended scheme should then be implemented. Detailed guidance on the issues that require consideration is set out in Sport England's guidance 'Natural Turf for Sport'

The Football Foundation – on behalf of the FA – advise if adult pitches are to be provided, the recommended pitch sizes for adult football are 100x64m – so recommend these are provided. There is also a small training area that doesn't show dimensions. Has any consideration been given into this being a 5x5 / 7x7 pitch? A grass pitch used for a training pitch will be overused, unless the area used can be rotated.

Design - Natural Turf Pitches should be designed by a RIPTA registered agronomist to meet The FA Performance Quality Standard (PQS).

Construction –The construction of Natural Turf Pitches should be project managed or signed off by the same RIPTA registered agronomist that produced the design.

Quality – Pitches should pass a PQS test to a 'good' standard before the pitches are used. The testing should be arranged via the FA Pitch Improvement Programme.

Maintenance - In order to keep the quality of the pitches, an appropriate maintenance programme is agreed in-line with the design agronomist recommendations

Recommended sizes for varying age groups can also be provided:

Run-off:

A minimum safety run off 3m must be provided.

A minimum safety run off of 1.82m for all stadia pitches must be provided.

Run off areas must be free from obstructions and be of the same surface as the playing area.

The site operator must undertake a risk assessment to ensure that the run off area is safe and does not pose a risk of injury to a player or spectator. This would include structures immediately outside this 3m area.

There does not appear to be any detail of associated changing facilities or management structure in place once the pitches are built.

Will the pitches be managed and maintained by Shireway Community Centre and are adequate changing facilities available?

The Football Foundation – on behalf of the FA - would like to get further information from the applicant on the justification for adult pitches / ensure pitches meet FA recommended sizes and also information on access to ancillary facilities and the management structure.

Conclusion

Whilst supportive of additional pitches being provided in this area, would need further information on the construction details of the pitches before fully supporting to ensure that any risk of contamination has been mitigated and that

the pitches meet The FA Performance Quality Standard (PQS). This being the case, Sport England offers its support in principal for this this application, as it is considered to meet Objective 3 HOWEVER we raise a number of concerns over the projected provision in relation to meeting technical specifications to ensure that the new provision is fit for purpose for community sport.'

Sport England recommends, based on our assessment that if the Council is minded to approve the application as submitted without amendment, that following recommended conditions should be imposed.

Further information was requested and subsequently received from the applicants in respect of the issues raised above. This was further consulted to Sport England:

'Thank you for the additional information. As you are aware from our November 2017 response, we support the proposal in principal but a number of issues need to be addressed to ensure the proposal is fit for purpose for community sport.'

The Football Foundation on behalf of the FA advise that we need to ensure that the proposal complies with FA/FF specification (designs, construction, quality, maintenance) and to be in line with FA recommended pitch sizes.

It is outlined, 100m x 70m with 3.66m run-off – is the run-off inclusive or additional?

We would also require a suitable pavilion offering changing rooms, toilets and catering facilities to FA/FF standards.

The Glos FA are more than happy to link the agent with a local youth football club if they need help in identifying one.

We are pleased that the agent is willing to include conditions 2-4 as per our response.

We would draw the agent's attention to condition 1 in our response. It is in 2 parts. Whilst the agent may be able to demonstrate having completed 1A a detailed assessment of grounds conditions. But we have not seen the detail as required by 1B – a detailed scheme to provide drained laying pitches to Natural Turf for Sport methodology. Sport England would accept a modified condition 1 which delivers a detailed scheme to provide drained laying pitches to Natural Turf for Sport methodology.

If the Council is minded to approve the application as submitted without amendment, the planning conditions should be imposed securing assessment of ground conditions and a scheme to ensure acceptable quality playing fields, satisfactory construction and layout, a management and maintenance scheme and a community use scheme.

The absence of an objection to this application in the context of the Town and Country Planning Act, does not in any way commit Sport England or any National Governing Body of Sport to support any related funding application.

The Environment Agency

No objection to the proposed development subject to recommended conditions to address potential contamination issues and protect the water environment and the management of surface water.

Landscape Officer

The site is bounded by Shire Way to the north and railway embankments to the south and west. There is a community centre building to the east. There is dense vegetation along Shire Way which will not be affected by the development. Permission has previously been granted for change of use from landfill to playing fields (PK06/1989/F) but is no longer extant. The maximum depth of fill on the previously approved scheme was 2m. The sections submitted to support the current application appear to show a greater depth of fill. Clarification and justification for this has been given due to the underlying topography at the eastern end and the need to have at least 1m of fill prior to the top soil layer, which results in the need to have over 4m fill at the western end.

The layout of the site appears to be slightly random. Minimum of 3.66m runoff margins are provided between the slopes and the edges of the pitches. Sport England is a non-statutory consultee for sport related planning applications and should be consulted to ensure that a high quality scheme is delivered which meet the latest technical specifications. Their Guidance Note 'Natural Turf for Sport' should be followed. In addition the 'National Governing Bodies for Sport: A Database of Design and Technical Information' lists current guidance produced by NGB's should also be consulted.

A ramp is provided between the car park and the pitches. The change in level is given as 1.15m, the ramp should be a maximum gradient of 1:12 which would be approximately 13m long. The ramp shown on the layout plan is estimated to be between 3-4m long which would be too steep for wheelchair users. This needs to be amended and more detailed drawing should be provided.

Detailed specification for the preparation of the soil and seeding in accordance with the Sport England best practice needs to be submitted.

Further details are required regarding the proposed lighting.

Recommendation.

Amendments are required regarding the access ramp prior to determining the application.

Further details are required with regards to any proposed lighting.

In other respects the application is acceptable with regards to policies CS1, CS9, and PSP2.

Further information was requested and subsequently received from the applicants in respect of the issues raised above.

The proposed car parking at the same level as the sports pitches helps to solve the problem of access for people with disabilities arriving by car. The gradient of the ramp is not specified so it is not possible to determine if disabled people arriving on foot or wheelchair will be able to easily access the pitches, the gradient would need to be no steeper than 1:12. I am concerned about the stability of the raised ground for coach and car parking and some sort of barrier might be required along the top of the slope.

Ecology

This is a re-submission of PK16/3099/MW to which comments dated 15th July 2016 relate. This application required further ecological information recommended by accompanying Preliminary Ecological Appraisal (Ramboll Environs, June 2016). This further information has been provided within the Land at Shire Way, Yate: Ecological Impact Assessment (Ramboll Environs, September 2017).

Habitats

The Site is approximately 7ha and lies on previously disturbed land associated with the adjacent railway and landfill activities. There is a dense mix of habitats within the site, although scrub is beginning to succeed grassland.

Habitats present include semi-improved grassland, scrub, marshy grassland, tall ruderals, broad-leaved woodland, swamp and hardstanding. Considering this density of habitats and the historic use of the site, it qualifies as Open Mosaic Habitat (OMH), which is a UK BAP habitat.

Section 4.2 states that the loss of 5.3ha of OMH will be required to facilitate development, a habitat for county importance and known to be a national priority habitat. The next paragraph states:

“It is recommended that the development seeks to retain half (approximately 2.6 ha) of the open-mosaic habitat on the Site.”

Due to the variety of habitats on site it is assumed that the entirety is included as OMH, which would equate to approximately 7ha in area. Therefore, half of the OMH on site would be approximately 3.5ha. Clarification regarding the area of the site, area of OMH (including sub-habitats), area of retained habitat (including sub-habitats) and exactly what proportion of OMH will be retained after development is required.

The continued presence of OMH relies on continued disturbance, without which it would revert to scrub and ultimately woodland. The production of a habitat management plan which could be secured through a planning condition would ensure the retention of OMH in the future.

Protection of retained habitats using robust fencing and adequate signage, based on recommended guidance within BS 5837, with the presence of an Ecological Clerk of Works is welcomed.

Enhancement recommendations include providing OMH habitat creation off-site.

Conclusion

The Site includes several important ecological features typically found amongst open mosaic habitat. The following issues require clarification:

- Clarification regarding the area of the site, area of OMH (including sub-habitats), area of retained habitat (including sub-habitats) and exactly what proportion of OMH will be retained after development is required. The figure in Appendix 4 does not match the proposed development plan (Drawing No. 3273/774/04 Rev. A).*
- A reptile population at the level of importance on this site should not be translocated. Further details on retaining reptiles on site by increasing the area and carrying capacity of retained habitat.*
- Enhancements on for amphibians should be considered and details provided.*
- The results of the recommended bat surveys should be submitted so an assessment of their use of the site can be made.*

At present, proposed mitigation and compensation measures for open mosaic habitat (brownfield), reptiles and invertebrates are inadequate and therefore contrary to PSP19 – Wider Diversity from the Policies, Sites and Places (PSP) Plan (adopted November 2017).

Recommendation

That the above issues are addressed prior to determination.

Further information was requested and subsequently received from the applicants in respect of the issues raised above. Further ecological comments are as follows:

The Ecological Mitigation Plan deals with my previous concerns with the application, and details appropriate methods for protection of species during construction and enhancement measures.

However, the plan lacks any information on who would be responsible for the management of the retained habitat after construction and how that this habitat management will be funded. This is very important for this site as the habitat is an early successional habitat that will become scrubbed over and lose its conservation interest without management. Securing the mechanism that will ensure the continued management of this site should be confirmed before determination of the application.

Additionally, to be useful for those in charge of managing the site in future, it should include a schedule of works for the 15 years or one that is capable of being rolled over yearly or 5-yearly.

Further to this it was confirmed by the applicants that the Shireway Community Centre would be responsible for the management of the retained habitat after construction and for providing for the necessary funding to achieve this. The Shire Way Community Centre will liaise as appropriate with Ramboll Environ

who have prepared the ecological management proposals regarding the aftercare works.

It was confirmed by the Council's ecologist that the document is acceptable and should be included as a compliance condition should planning be granted.

Lead Local Flood Authority

Contrary to Planning Application PK16/3099/MW Consultation Response document dated 10 October 2017 Section 6.2, we believe that the proposed works and increased loading of ground within the vicinity of the culvert will have an impact on its current condition.

As a considerable length of time has elapsed since a condition survey was conducted on the existing culvert, the last known survey is stated as 1998, we therefore require that a CCTV survey of the existing 'culverted watercourse' is to be undertaken within the confines of the proposed site area from, "the upstream Manhole/Access chamber adjacent to the Network Rail embankment and access track to the downstream Manhole/Access chamber, where the direction changes East to West before exiting the site under the second Network Rail Embankment".

The survey is intended to reveal the current condition and the extent of previously stated, faults, fractures and deformation.

The submission of the CCTV survey is therefore required before we may comment further.

Further information was requested and subsequently received from the applicants in respect of the issues raised above. Further drainage comments were thereafter received, as follows:

Drainage and Flood Risk Management Team (Engineering Group - Street Care) has no objections in principle to the Change of Use, but has land drainage concerns, as outlined in the following informative, which should be resolved and/or secured by either, a suitably worded condition or prior to planning approval being granted.

Defective Drainage: An existing 675mm diameter culverted watercourse at extreme depths of 11-12 metres crosses the site (which is shown within Proposals Plan / Drwg. No. 3273/772/04 / Dated 12-03-18) is known to have major faults with severe fractures and deformation which have also been reconfirmed in the submission of a CCTV survey undertaken in January 2016 which was received by the Lead Local Flood Authority in March 2018.

It has been previously recommended as far back as 10th July 2006 within comments submitted for planning application PK06/1989/F that the defective drainage system requires relaying by the land owner.

Additional fill of materials, within the proposed proximity is likely to increase the imposed loading on the drainage system and further exacerbate its condition which, no doubt, is, as a result of excessive ground loading.

To date, we have received no indication nor confirmation that either the system has been relayed or that such works will be incorporated within this proposal.

South Gloucestershire Council are not the landowners of lands which the culverted watercourse lies within, and therefore if there is any evidence to the contrary we would welcome any such submissions.

Proposed Surface Water Drainage:

The concept of the proposal to manage surface water for the 'Change of Use' is acceptable and therefore should our concerns regarding the land drainage issues be resolved we recommend. An updated Sustainable Drainage Assessment and Proposals Plan has been provided. A condition securing compliance with this is acceptable.

Sustainable Transportation

Importation of material and construction of pitches and car park. 80,000m cu., of material is proposed to be imported onto the site over 19 months. 20 tonnes per vehicle.

The DAS has estimated that this will take 19 months with 27 HGV movements a day. 80,000 divided by 19 months each with 4 weeks and 5 working days equates to 210 tonnes per day. I.e. 10 to 11 loads a day or 20 to 22 movements. This will obviously vary depending on weather and progress on site etc., so the predicted 27 movements a day is reasonable and would not have any impact on the network as far as congestion is concerned. I would recommend a Construction Environment Plan to control lorry routing, wheel wash facilities, dilapidation surveys before and after the earth and construction works.

Access.

The existing access off Shire Way is suitable for the earthworks and construction phase, however pedestrian footways will need to be added for the end use. These should be 2m wide on both sides of the access with an additional footpath from the western side of the access across Shire Way linking the footpath on the north side of Shire Way. The levels at both ends of the ramp up to the playing fields indicate a gradient of 22%. To be suitable for wheel chair access a gradient of 5% or 1 in 20 should be provided.

Parking

An area is shown on the submitted plan for parking and the supporting DAS indicates that this will accommodate 14 car spaces, 3 disabled spaces and 4 coaches. The drawing does not show how these spaces will be accommodated and there is no information to support the numbers proposed. Sport England recommend that that 1 space is provided per 3 players and officials plus 1 space per 3 spectators with a minimum of 10. This works out at a minimum of 18 spaces per pitch for 11 a side football matches. 6% or a minimum of 2 of the total should be disabled spaces.

In addition a minibus space should be provided for each pitch plus a minimum of 4 secure cycle parking spaces.

The car parking layout needs to accommodate on site turning for all vehicles including the mini bus. This would also enable access for an emergency vehicle.

Further details are required to address these points.

Further information was requested and subsequently received from the applicants in respect of the issues raised above. Further highways comments were received as follows:

Comments on revised drawing. 3273/772/04 Rev D.

The revised drawing has addressed all of the outstanding highway issues including the provision of a wider access with a pedestrian footway on the western side of the access leading to the footpath on the north side of Shire Way.

The car parking layout and the number of spaces is consistent with the guidance provided by Sport England. I recommend no Transport objections and recommend conditions to secure access splays and cycle parking, prior to use.

Highways Structures

No comment

4.4 Local Residents

Two letters raising certain concerns and issues, were received as follows: 'The landfill site has ecological value. Aquatic life use the site as well as wading birds. There are a number of wild flower and plant species which support biodiversity within the site. Deer frequent the site. I would ask that this is considered before a decision is made.'

'I have no concerns about the use of the land as a playing field but if it is used to play football matches this will attract large crowds to the area. The car parking is already inadequate and at times people park in Shire way causing traffic chaos. If you grant this application will you make sure that the parking is increased to cope and that no parking is allowed on Shire way as this makes the road very dangerous as the road bends and there is a crest of a hill at this point, restricting the view of the road. Also my house fronts onto Shire way and I don't wish to be disturbed by shouting and car doors banging. I bought my house new in 1975 and I have already had to put up with enough noise without making it worse, the place was built in the wrong area to start with please don't add to the problems.'

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The above site history shows various applications for the site and provides a background for its approved and proposed uses. The principle of waste development and restoration has been long established by the previous consents and the importation of material to the levels experienced today. This application seeks to satisfactorily finish the site as a usable piece of land. The more recent consents for use of the land for recreational purposes demonstrate that the principle for the change of use to sports facilities has been considered

acceptable in the past. This is a material consideration, however this principle would also now need to be tested against current policy requirements which have superseded many of the previous plans and policies. What is also demonstrated is that the land has remained derelict for a considerable number of years and requires restoration. It is therefore considered that land improvement to a beneficial after use would bring a reasonably sized plot of land on the urban fringe back into some form of beneficial use and is considered acceptable and beneficial in principle.

5.2 Green Belt

The site is located on the edge of the Green Belt, on the border with the Yate settlement boundary. The proposal, final landform and use are considered to be compatible with Green Belt policy objectives and would retain the openness of the Green Belt.

5.3 Local Amenity

The site is located on an enclosed parcel of land, further separated from the nearest residential properties by Shire Way road. The proposed development and end use is not considered to raise significant material concerns in respect of local amenity. The transportation/importation phase of the development can be adequately contained, taking into account the local highway network, the amount of material and the timescale over which it is proposed to import.

Operations will be limited to standard daytime working. The end use of sports pitches is not considered inappropriate for this location and it is not considered would give rise to significant amenity issues in its own right. The site will in addition result in derelict and un-used land being put into practical and locally beneficial use. A condition on community use of the site is recommended as is an hours of operation condition for on-site works and importation.

5.4 Contaminated Land

The developers on site would take responsibility for protecting the environment from contamination both from existing deposited material and any materials brought in to cap the site. A detailed ground gas assessment has been submitted in support of the application. A condition is recommended securing where necessary remediation of any contamination issues encountered during works which would be incorporated on any consent. Any importation of material would also be subject of the Environmental Licensing regime which would address and control the type and sources of material used.

5.5 Highways

Whilst some stockpiles of topsoil remain on site and will be re-used in the project, the importation of material in order to facilitate the full restoration of the site to a condition suitable for re-use will inevitably involve importation and HGV movements. It is recommended that the duration of the consent for importation be spread over a 20 month period. This allows a suitable and reasonable time for completion taking into account the drier and wetter seasons whilst spreading the length of time over which the development is implemented to reduce traffic movements. A revised Construction Management Plan and Revised Proposals Plan has been provided and is considered satisfactory in highways terms. Compliance with the details is recommended through

condition. Conditions are also recommended that secures visibility splays, internal paths and parking prior to any use. This is considered to satisfactorily address highway issues relating to the proposals.

5.6 Drainage

There have been historic issues with a culvert running from beyond and across part of the site, which in areas appears from surveys to be damaged. Additional survey and CCTV details have also been received. The proposals have been amended with a 10 metre stand-off from the culvert to the east and no placement of material or other operations is proposed to the west, to avoid development in and around the culverts and attempt to address drainage concerns. A surface water drainage scheme has also been submitted and compliance with this will be required. In order to address the ongoing culvert concerns, whilst ensuring that any requirement is proportionate to the extent and nature of the application proposals, a condition is recommended. This would require, prior to any development taking place, detailed modelling information to demonstrate that the restoration works and the restored land would not significantly impact upon the existing drainage infrastructure, or compromise the existing culvert further. Should this not be possible, the alternative would be to repair/ reinstate the culvert. It should also be noted that the responsibility of the provision of adequate drainage, including the culvert remains the responsibility of the landowner Statutory powers can be used if its considered that works need to be undertaken to the culvert to prevent flooding elsewhere.

5.7 Landscape

The land at present is a relatively flat parcel of land, not widely visible from many public vantage points and somewhat enclosed by a combination of the Community Centre itself, the rail embankment and the relatively mature hedgerow/tree border, which is to be retained. It is at present derelict with scrubby overgrowth and of little landscape value. There are no objections in landscape terms. The scheme is considered acceptable in landscape and landform terms ecological management plan is also required through condition.

5.8 Ecology

It is considered that areas of the site, possibly due to its dereliction and re-growth may provide an element of ecological value. This is partly acknowledged in the application submission. A fuller appraisal, plan and recommendation have subsequently been provided identifying any area of potential ecological benefit and provides safeguarding and/or mitigation. It is considered that any such details can be incorporated within the context of the proposed development of the site. It should also be noted that works should be undertaken in accordance with legislation that prevents harm to any protected species that may be affected. The additional details are considered acceptable to the Council's Ecologist, subject to conditions, to secure the ecological mitigation proposed.

5.9 Sports Provision

The principle of restoring the site to sports pitches has been established and is considered acceptable. The comments of Sport England have been noted, acknowledged and incorporated within revisions to the scheme. The proposals

are considered acceptable in this respect, subject to conditions securing construction and layout to approved standards, a community use scheme, incorporating hours of use and access and a management and maintenance scheme for the facility including management responsibilities and maintenance schedule

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 Local 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 conditions.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

2. The development hereby permitted shall not be brought into use until the access (including visibility splays of 2.4m x 50m in both directions) and car / coach parking arrangements have been completed in accordance with the submitted details.

Reason

In the interest of highway safety and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

3. The development hereby permitted shall not be brought into use until a minimum of four secure cycle parking spaces have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable transport choices and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

4. Within 3 months from the date of this permission surface construction details for the internal road, footpaths and parking areas have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed before the sports pitches are brought into use.

Reason

In the interests of highway safety and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

5. The construction phase of the development shall be carried out in strictly accordance with the submitted Construction Management Plan version 1.2 dated 22nd May 2018.

Reason

In the interest of highway safety and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

6. The importation of material for the development hereby permitted shall cease on or before the expiry of 20 months from the date of commencement, which shall be notified to the Local Planning Authority in writing. Upon completion of importation operations the site shall thereafter be restored, in accordance with the approved plans, to a condition suitable for recreational use within a further 6 months.

Reason

To ensure the importation of material to the site is completed within a reasonable timescale and to secure the satisfactory restoration of the site, in accordance with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason

To protect controlled waters and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

8. No development shall take place until a detailed scheme of structural modelling of the impacts of the proposed additional loading upon the culvert, that demonstrate that the proposed development would not have further detrimental impact upon the culvert, have been submitted to the Council for written approval. All works must thereafter be carried out in accordance with the detail submitted.

If this cannot be demonstrated and it is considered that a further detrimental impact would occur, a detailed scheme of remediation for the culvert along the west of the site, shall be submitted to the Local Planning Authority for written approval. The scheme of remediation should be approved and constructed thereafter, prior to the development of pitches and associated works.

For the avoidance of any doubt, remediation works within this context should include, but not be limited to;

- Relaying the existing culvert/pipeline (or provide an equivalent approved alternative) to current design standards that will achieve the same hydraulic capacity of the existing 675mm pipe.
- Prior consultation of any proposed replacement system with Network Rail should be conducted and evidence of their acceptance, will be required to be submitted.

Reason

To ensure that the culvert is safeguarded and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

9. Development shall be implemented in accordance with the surface water drainage details, including SUDS (Sustainable Drainage Systems) in the Sustainable Drainage Assessment dated 23rd May 2018 and Revised Proposals Plan 3273/772/04, received on the 2nd July 2018.

Reason

To ensure adequate drainage provision and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

10. The development hereby approved shall be carried out in accordance with the Ecological Mitigation Plan (Project No. 1700000961), dated 13/03/2018, received by the Council on the 29th June 2018.

Reason

In accordance with the approved plans and details and in the interests of the ecology and biodiversity of the area, and to comply with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

11. The playing fields and pitches shall be constructed and laid out in accordance with the approved plans and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011).

Reason

To ensure the quality of pitches is satisfactory and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

12. Prior to bringing the sports pitches into use a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall thereafter be implemented and complied with in full.

Reason

To ensure that new facility is capable of being managed and maintained to deliver a site which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport, in accordance with National Planning Policy Framework (NPPF)

para 74, and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

13. The use of the sports pitches shall not commence until a community use scheme has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The scheme shall apply to the sports pitches and shall include details of pricing policy, hours of use, access by members/non-members, management responsibilities, a mechanism for review and a programme for implementation. The approved scheme shall be implemented upon the start of use of the development and shall be complied with for the duration of the use of the development.

Reason

To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

14. No more than 80,000 cubic metres of material shall be imported to the site. A written record shall be maintained at all times during the construction of the playing fields and made available to the Local Planning Authority upon request, which gives full details of all inert landfill material brought to the site.

Reason

To ensure a satisfactory form of development in accordance with the approved plans and in the interests of local amenity, and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

15. No construction traffic shall enter or leave the site nor any plant or machinery be operated on the site outside the hours of 07.00 to 19.00 hours Monday to Friday and 07.00 to 13.00 hours on Saturdays. There shall be no working on Sundays, Bank Holidays or Public Holidays.

Reason

In the interests of local amenity and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

16. No topsoil's shall be removed from the site.

Reason

To ensure a satisfactory form of development utilising materials within the site and in accordance with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

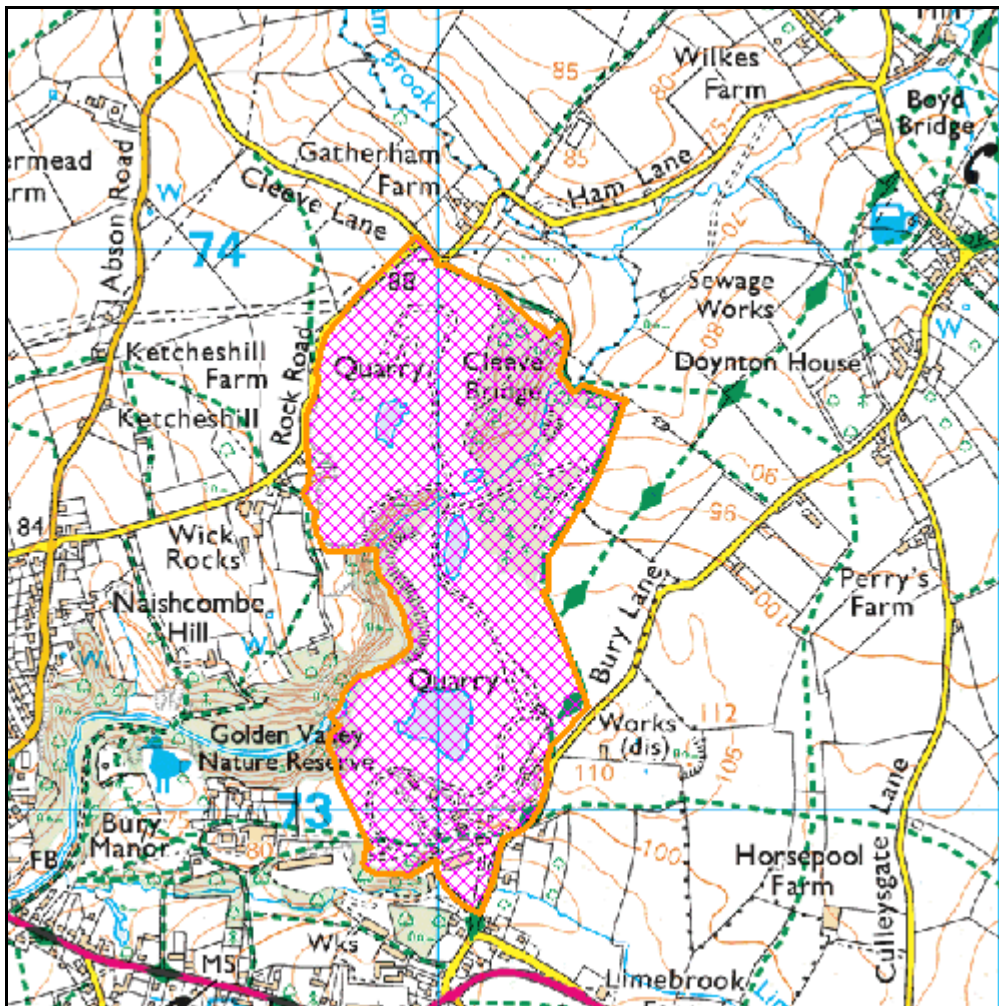
17. Prior to the commencement of development details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To minimise disturbance to locality and to accord with Policies 9 and 12 of the West of England Joint Waste Core Strategy Adopted March 2011.

CIRCULATED SCHEDULE NO. 10/19 – 8 MARCH 2019

App No.:	PK18/5037/RM	Applicant:	Wick Quarry Ltd
Site:	Wick Quarry London Road Wick South Gloucestershire BS30 5SJ	Date Reg:	9th November 2018
Proposal:	Approval of 'appearance' in relation to the erection of wardens lodge (dwelling), greenhouse, poly tunnel, barns, machinery shed, workshop and office with welfare facilities, education centre and business and office units, boat facilities and associated infrastructure (Approval of Reserved Matters to be read in conjunction with hybrid Outline Planning Permission PK15/1959/F).	Parish:	Wick And Abson Parish Council
Map Ref:	370894 172717	Ward:	Boyd Valley
Application Category:	Major	Target Date:	5th February 2019



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 100023410, 2008. **N.T.S.** **PK18/5037/RM**

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

REASON FOR REPORTING TO THE CIRCULATED

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

1. THE PROPOSAL

- 1.1 This application seeks approval of the reserved matters connected to outline planning permission PK15/1959/F. That planning permission granted consent for the restoration of the quarry to a nature reserve and outline permission for a wardens lodge (dwelling), greenhouse, poly tunnel, barns, machinery shed, workshop and office with welfare facilities, education centre and business and office units which would provide over 2000 square metres of space. The application was essentially a hybrid application with full elements, i.e. the restoration of the quarry through importation of material and outline elements, as described above. The principle of the development and the access, landscaping, and layout of the proposals have all been addressed. This reserved matters application seeks permission, pursuant to condition 16 of planning permission PK15/1959/F for the approval of the appearance in relation to the erection of a wardens lodge (dwelling), greenhouse, poly tunnel, barns, machinery shed, workshop and office with welfare facilities, education centre and business and office units (Use Classes B1, B2 and B8), boat facilities and associated infrastructure (access roads, bridges boat houses etc).
- 1.2 Conditions 17 and 24 of PK15/1959/F are also interlinked. Condition 17 sought the submission of the required reserved matters before the expiration of 3 years from the date of the original consent (PK15/1959/F). The permission was issued on the 10th November 2015 and the reserved matters details were submitted on the 6th November 2018, within this timeframe requirement. Condition 24 required that details of a bat access point within the gable/roof of the new wardens residential dwelling, suitable for use by lesser horseshoe bats shall be provided as part of the reserved matters application. The submission also therefore seeks to address these conditions as part of the overall submission.
- 1.3 The site itself is an existing working limestone quarry which has been operational for decades. The quarry complex as a whole covers a total of approximately 42 hectares and consists of two main voids areas, steep benches from previous historic working of the site, haul roads, planting areas and hardstanding towards the frontage of the site where much of the quarry infrastructure, processing plant and ancillary development occurs. Much of the old plant has now been removed from this area, however some workshop buildings and the working hardstanding area remains, and permission to work the quarry exists until 2042 but would be cut short by the restoration proposals contained in PK15/1959/F that seek to restore the whole site on phased basis.
- 1.4 The quarry entrance is located off London Road on the south of the site.

The closest residential properties are located opposite the frontage of the site boundary. The site is located within the designated Green Belt and is outside of the identified Wick settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS1 High Quality Design
CS5 Location of Development
CS9 Managing the Environment and Heritage
CS10 Minerals
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP23 Mineral Working and Restoration
PSP28 Rural Economy
PSP29 Agricultural Development
PSP40 Residential Development in the Countryside
PSP41 Rural Workers Dwellings

West of England Joint Waste Core Strategy Adopted March 2011

Policy 8 Landfill, landraise, engineering or other operations - Principles
Policy 9 Landfill, landraise, engineering or other operations – Details
Policy 11 Planning Designations
Policy 12 General Considerations

2.3 Supplementary Planning Guidance

South Gloucestershire Green Belt SPD

3. RELEVANT PLANNING HISTORY

3.1 There are many consents for individual aspects of quarry plant, workshops office blocks and other development ancillary to the use of the site as a quarry, the permissions below reflect the main consents allowing quarrying, and as such ancillary activities across the site as a whole:

3.2 SG233 – Use of land for surface working of minerals. Permitted 1st November 1948

- 3.3 SG1520 – Extension of quarry workings. Permitted 29th April 1950
- 3.4 SG9862 – Extension to limestone quarry. Permitted 19th November 1969.
- 3.5 N467 – Quarrying on partly excavated land. Permitted 18th December 1974.
- 3.6 NA/IDO/011 – Working of existing quarry and adjoining land. Registered 11th December 1992.
- 3.7 NA/IDO/012 – Surface working of minerals. Registered 11th December 1992.
- 3.8 NA/IDO/013 – Surface working of minerals. Registered 11th December 1992.
- 3.9 NA/IDO/014 – Continued and extended surface working of minerals. Registered 11th December 1992.
- 3.10 NA/IDO/011A – Scheme of conditions for Wick Quarry North. Approved 2nd April 1997.
- 3.11 NA/IDO/012A – Scheme of conditions for Wick Quarry North. Approved 2nd April 1997.
- 3.12 NA/IDO/14A – Scheme of conditions for Wick Main Quarry. Approved 2nd April 1997.
- 3.13 P97/4685/MR – Scheme of Conditions for Wick Main Quarry. Approved 2nd April 199.
- 3.14 P98/4131 – Extension of existing Wick Quarry complex in a north-westerly direction into land at Gatherham Farm. Approved 20th November 2000.
- 3.15 PK15/1959/F - Restoration of quarry to a nature reserve and outline permission of a wardens lodge (dwelling), greenhouse, poly tunnel, barns, machinery shed, workshop and office with welfare facilities, education centre and business and office units. Approved 10th November 2015.
- 3.16 PK18/0222/F- Restoration of quarry to a nature reserve and outline permission of a wardens lodge (dwelling), greenhouse, poly tunnel, barns, machinery shed, workshop and office with welfare facilities, education centre and business and office units (resubmission - PK15/1959/F). Approved 08th November 2018.

4. CONSULTATION RESPONSES

4.1 Wick and Abson Parish Council
No comments received

4.2 Other Consultees

Landscape

Having looked at the submitted information I confirm that as far as the

'appearance' of the buildings, polytunnels, business units etc. are concerned, there is no landscape objection to what's being proposed. The proposed buildings sit within the areas previously defined on the approved masterplan for these respective uses.

Ecology

No objection

Environmental Protection

No adverse comments

Economic Development

No objection

Highway Structures

If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected.

Or

If the application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner.

Sustainable Transportation

This application relates to the 'Reserved Matters' submission to approve conditions no.16, 17 and 24 as attached to the application no. Pk15/1959/F.

The said conditions seeks to provide information on the 'appearance' of structures mentioned. In the case of condition 16, this refers to details of Wardens Ledge – dwellinghouse - and in the case of condition no. 17, this applies for approval of the 'Reserved Matters' referring to in condition 16 and in the case of condition 24, this was imposed to provide details of the Bat access point within the new dwelling.

As none of these conditions specifically mention transportation or highway issues then, we, Transportation Development Control have no highway objection to this application.

Listed Building and Conservation Officer

No comment

Lead Local Flood Authority

Details covering the methods to be used in order to manage surface water runoff have not been specified as part of this application for us to comment on. It is noted that surface water drainage details are covered under condition 22 attached to planning permission PK15/1959/F.

Note: any works carried out on or near the River Boyd, which is classified as a main river, may require a Flood Risk Activity Environmental Permit (formerly known as a Flood Defence Consent) from the Environment Agency.

Arts and Development

No comment

Public Rights of Way Officer

The development will affect the public rights of way that run through the site. Public rights of way LWA53 and LDN 2 run through the area near the business units, including across the road entrance into the visitor centre, and will be essential active travel routes for those using the business units and centre to access facilities in the High Street. For this reason I request improvements be made to the surface of LDN 2 to the south of Bury Manor where it joins Woodcroft lane and LDN 4 footpath. The entrance to the site will require some definition to make sure people walking the footpaths are not in conflict with those accessing the site by vehicle.

When the footpaths were diverted by legal order in 2016, a safe route along the verge of Bury Lane was promised by the applicant. This appears not to have been provided. As Bury Lane Wick is quite narrow, with bends and now quite busy, I request that this is provided as part of the development scheme. The current alignment of the footpaths is protected and safeguarded by Policies Sites and places PSP 10. Any changes proposed to the current alignments will need to be equal or better and the provision of multi use considered on any alternative routes.

The Environment Agency

The Environment Agency has no objections to the proposed development as our interests have been covered under PK15/1959/F, but we wish to reiterate the following comments:

Under the terms of the Environmental Permitting Regulations, the prior written approval of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the River Boyd, designated a 'Main River'. The need for a Flood Risk Activity Permit is over and above the need for planning permission.

Other Representations

4.3 Local Residents

6 letters of objection or raising concerns have been received, as follows:

(i) On the whole, I am in support of the application. However, as pointed out in the last consultation regarding planning, there has been no further thought about the following points.

1. Currently the Old London road running into Bury Lane has no parking restrictions (double yellow lines) on the left hand side opposite S.T Bishop & Co. This makes turning right into London Road dangerous, as it is a blind

corner and you have to move out into the right-hand side of the road to turn right. My concern is that the proposed business units will increase the number of people parking in this area and should be properly considered.

2. The pedestrian access from Old London Road (East) across into the quarry entrance is currently insufficient as there is zero visibility to the right of Bury Lane and the path runs out. This would of course be of concern to anyone crossing this road to use the local garage to shop.

(ii) We object to this application for the following reasons: the application in all due respect nothing less than a industrial/business estate and it will impact on us as direct neighbours with noise and traffic. The site having a shut down of 8.00pm is not acceptable especially in the summer months with our windows open and relaxing in the garden. London road is a relatively small road and this development will bring extra traffic and the application shows parking bays but not enough. This will impact on us with vehicles parking in the road outside our homes, this happens now on a daily basis with vehicles parked all day and sometimes overnight with HGV's parked overnight aswell.

The junction at both ends are a concern due to the everyday traffic as it is now, more traffic will only add more problems.

Please can i bring to your attention an application some years ago by Tracy park in bath road, the application was for a small hotel but was denied by the council due to the impact of extra traffic on the road network at the a420 junction. i feel this planning application and it's size will impact tremendously on London Road and the junctions being just a small road.

(iii) My concern is with the amount of parking places allotted to this development, which I think is not adequate. If so my fear is as a resident of The Old London Road that our road will be used as over spill parking, as has happened at other developments in the area i.e Tower Road Warmley.

The amount of parking on our road has increased with drivers leaving vehicles all day and sometimes overnight. Due to the width of our road this causes problems entering and exiting our properties. This could increase when new parking restrictions are enforced in Wick village.

Since the reinstatement of Wick quarry we on the Old London Road have had to put up with many problems i.e. An increase in heavy traffic(although the new owner stated this would not happen).the speed of these vehicle passing our properties due to the complete lack of regard for the junction at the B.P garage and our safety. The disgusting state of our roads, and lorries mounting our pavements.

We have had no support regarding our concerns from South Glos Council, environmental health dept, Local/Parish councillors or the Police. I hope we will have some support regarding our parking concerns.

(iv) When we moved into this area, we were advised that there was a limited time of blasting, which then was extended, even though residents objected. We were lead to believe that the quarry would be a nature reserve. However there is suggestion of businesses and offices, boating, education centre just to name a few things from the vast list.

The current traffic with all the large lorries mounting the pavements due to them be unable to pass the parked cars on the road where I live as well as the mud bath that is left behind is awful. This is supposed to be cleaned. No one from the council inspects this, they send a driven machine up and down the road. The amount of water that comes from it is a waste of time. It basically just moves the mud from one position to another. And now to learn that there will be an increase in the traffic for the location is awful to learn. Has the impact on the residents been thought of as well as increase of traffic. I totally object to the planning proposal.

(v) The owner has just used the excuse of a nature reserve to dupe the council and members of the public to consider this plan which would cause untold disruption to local residents.

The increase in traffic would be more than a slip road could take. The cars parked on the road now is already causing a hazard. My wife recently broke her arm when trying to avoid the road sweeper which was on her side of the road due to parked cars. And lorries regularly mount the pavement as the road is not wide enough to cope with this amount of traffic I am afraid to let my Grandchildren out of the gate as it is an accident waiting to happen. I have been calling the council on a regular basis to try to get them to police the existing planning conditions. eg. the wheelwash not in use. The road is a mud bath. The drivers disregard to public safety and so any further development would cause more untold problems for the residents.

The development plan itself seems to be more aligned to a trading estate than the eutopia that was submitted to the committee meetings which I attended and opposed to in 2014. I can only hope that the planners now consider the local residents and refuse this application and insist that the owners use the quarry as an asset to the community rather than a business opportunity.

(vi) Overall we are accepting with the change of use at the Quarry, as we were aware of the proposals for the nature reserve before moving here. However, we would like to register our concerns after studying the plans, with regards to the size of the business and office units and the knock on effects this will bring.

Concern 1: The office unit is offering accommodation for 60+ staff and associated visitors. The business units we would anticipate a minimum of 2 staff working in each. The whole nature of start-up businesses is that they are attracting new customers/visitors. We feel there is inadequate parking provided. The provision of cycle racks may provide the necessary green credentials to this application but in practice the majority of people still use their cars. Our concern is over-spill onto the surrounding roads, where commuter cars are already left all day. South Gloucestershire Council,

Badminton Road offices and Tower Road North Business Parks are examples of this.

Concern 2: Access to the site at the main entrance and the proposed visitors entrance. The number of cars entering and exiting the site at peak times will cause disruption and raises safety concerns. Visitors to Bishops Machinery also park close to this junction (a necessity as they are often dropping off heavy machinery) and the addition of extra business park traffic will significantly increase the danger for locals, old and young alike. Also, the crossroad with the A420/Bath Road is already a 'take your life in your hands' junction at peak times, along with the alternative exit at the opposite end of London Road. Waiting times /queues at the junctions will be longer with associated pollution.

Concern 3: The proposed 'opening times' of the business park is 7am until 8pm. We believe that 8pm is unreasonable for residents who will be affected by noise and disruption. Even if an earlier time is implemented, what assurance do we have that these times will be adhered to? and how can these times be enforced? What is there to stop a keen entrepreneur in their start up business from working late?

Concern 4: This is a large project, with extensive construction works. What plans are in place to ensure minimum disruption to local residents whilst this is in progress? We hope that the planners will take our comments and those of other residents on board.'

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle and acceptability of the overall scheme and all its associated elements have been established by the previous consent. The main issue for consideration of this reserved matters application is therefore the design and appearance of the built elements of the previously approved scheme. It is acknowledged that the site is within a Green Belt location, so additional consideration of this will also be necessary.

5.2 Green Belt

The proposals submitted as a package, have been considered as a whole. In this instance the benefits to biodiversity, landscape, education, security of the site and the beneficial ongoing use of a large area of land which would otherwise be indefinitely underutilised are considered to be significant. The existing approval for the site, inclusive of the sites proposed infrastructure, facilities and buildings was a balanced decision, considered acceptable within Green Belt terms. The development the subject of this application, has therefore been considered acceptable in principle, including the built elements. The proposed buildings sit within the areas previously defined on the approved masterplan for these respective uses. The design and appearance of the proposals as submitted is not considered to materially alter the Green Belt considerations or give rise to any additional Green Belt impacts than those previously considered.

5.3 Landscape/Design

The principle of the proposals has been established and the proposed buildings sit within the areas previously defined on the approved masterplan for these respective uses. The reserved matter proposals include details for the appearance of a number of built forms within the restoration site.

Wardens Dwelling

The wardens dwelling is located centrally within the quarry, between the two water bodies. The dwelling in terms of location, footprint and height is as per the parameters of the existing planning permission. The dwelling is a large and modern in style and design, incorporating ochre coloured stone and vertical timber weather boarding walls with dark grey zinc. The occupation of the building is limited to a person responsible for the husbandry of the nature reserve or a widow or widower of such a person, and to any resident dependants, and this is secured by condition. The building incorporates a wardens office and wardens workshop area. The proposals are located in the middle of the quarry area, as part of the wider restoration scheme to nature reserve where the ongoing management can be undertaken and overseen. The location down within the quarry and amongst the restored site would mean it would not be highly visible or impact materially upon any neighbours and there are no landscape objections. The proposals are a brand new development and part of the wider restoration and redevelopment scheme envisaged for the quarry, and there is nothing to directly compare or contrast it with or any streetscene or pattern of development in the immediate vicinity with which it would be compared. As a standalone development the design and attributes of the building, whilst considered to be of modern and large style, are aesthetically acceptable in their own right in the context of the wider application and development.

Green House/Poly Tunnel and Planting areas

These areas are located centrally within the quarry, between the two water bodies, near to the wardens lodge. The buildings in terms of location and footprint and are as per the parameters of the existing planning permission. The buildings would aid the propagation of plants, crops and trees for the ongoing restoration project. The principle of the buildings are acceptable and their proposed design and appearance are considered acceptable within the context of the site and development.

Agricultural Buildings

The agricultural buildings are also located within close proximity to the lodge, centrally within the quarry. The buildings in terms of location and footprint and are as per the parameters of the existing planning permission. Their purpose is to house livestock, machinery and feed. The proposed materials incorporate grey blockwork, vertical timber cladding and grey metal sheet roofing and their appearance is of an agricultural nature. The principle of the buildings are acceptable and their proposed design and appearance are considered acceptable within the context of the site and development.

Boathouses

The boathouses proposed provide access for boats to both separate water bodies. The buildings would consist of buff blockwork, vertical timber cladding and grey metal sheet roofing. Their form, scale and location are considered acceptable within the context of the site and the proposals.

Business/Office Units

The business and office units are located towards the front/existing entrance to the site, within the existing yard and workshop areas. The buildings proposed consist of a mix of ochre colour brickwork, profiled vertical steel sheets and powder coated aluminium doors and windows. The buildings in terms of location and footprint are as per the parameters of the existing planning permission and less than the 8metre height of the existing workshops specified. The design of this aspect of the proposals is considered acceptable for the purposes proposed.

Education Centre

The education centre comprises a two storey facility with reception, office, lobby's conference/teaching area and terrace. The building is located within the southern sector of site and has associated cycle and car parking provision. It would be constructed in a combination of ochre coloured brickwork, profiled vertical steel sheet and powder coated aluminium doors and windows in keeping with some of the other proposed buildings in the vicinity. The facility in terms of location and footprint are as per the parameters of the existing planning permission and the design is considered acceptable.

Access Bridge

The proposed access bridge is a relatively simple structure and is considered acceptable.

There are no landscape objections to the proposals. The timing of the implementation of the various buildings is linked, by condition of the original consent, to phases of the quarry restoration process, as restoration progresses from north to south, culminating in the office and workshop starter units towards the south of the site.

5.4 Local Amenity

The comments above are noted, however it must be considered that this is a reserved matter application to consider the design and appearance of development already approved in principle as part of the wider scheme. Hours of operation and use of the site has been considered and is controlled by the existing permission. An air quality assessment and construction management plan, incorporating a dust management plan are required through condition, ahead of any construction. Any relevant conditions will be re-applied to the reserved matter consent as appropriate. The proposed buildings, inclusive of the business units are at a location and scale consistent with the original application, on the existing hardstanding and yard and workshop area. Given the nature of the site, the existing permission and the location, design and orientation of the proposed buildings, the appearance of the proposed buildings is considered to be acceptable.

5.5 Highways

The comments above are noted, however it must be considered that this is a reserved matter application to consider the design and appearance of development already approved in principle as part of the wider scheme. The use of the site and vehicular movements associated with it has been considered and is controlled by the existing permission. In this respect site access from the road would remain the same as it does for the use of the as a quarry. It was noted in the consideration of the original consent that there was a need and potential for highways improvements within the vicinity of the site in the form of a traffic island onto London Road, and it was considered that the requirement for such improvements was brought forward and was sought and secured as part of the original consent. A plan identifying the highway improvement was provided and a condition secures its implementation prior to bringing any new buildings into use. Car and cycle parking provision associated with the site, in particular the business units was assessed with the original application. This was considered acceptable, meeting the Council's requirements, and this remains the case. A travel plan is also required prior to the occupation of any buildings.

Given the nature of the site, the existing permission and the location, design and orientation of the proposed buildings, the appearance of the proposed buildings is considered to be acceptable.

5.6 PROW

The comments above are noted, however it must be considered that this is a reserved matter application to consider the design and appearance of development already approved in principle as part of the wider scheme. Notwithstanding this, a condition of the original consent sought location, design and timescale for implementation of a permissive footpath for an identified area adjacent to Bury Lane. These details were submitted and approved and the agreed details would commence in September following the start of work on the Business Units which are immediately adjacent, and would be anticipated to take around 3 months to complete. In this respect therefore footpath improvements are secured along Bury Lane.

5.7 Ecology

The wider purpose of the proposals was to support the restoration of the site and the benefits this would bring to bio-diversity and ecology. The submission also seeks to satisfy the requirements of condition 24 of the original consent. In this respect a bat roost is provided on the wardens lodge, and is considered acceptable.

5.8 Consideration of likely impact on Equalities

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

positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. CONCLUSION

6.1 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: Simon Ford
Tel. No. 01454 863714

CONDITIONS

1. Reserved matters shall be begun before the expiry of 2 years from the date of the decision relating to the reserved matters permission or 2 years from completion of the relevant phase as set out in Condition 2 below, whichever is the later.

Reason

To ensure a timely and satisfactory restoration of the site in accordance with the approved plans and in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

2. The development hereby permitted shall be implemented in the phases as set out in Section 4.10 of the Supporting Statement v10 and Drawing No. W22/RDH/11 Rev A.

Reason

To ensure a timely and satisfactory restoration of the site in accordance with the approved plans and in accordance with Policies CS1, CS5 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

3. In terms of the of the business and office units:
 - a) No deliveries shall take place to the site before 07.00 hrs or after 20.00 hrs on any day.

b) There shall be no external loading or unloading of materials or stock on the site before 07.00 hrs or after 20.00 hrs on any day.

c) All roller shutter doors within the units hereby approved, shall be kept closed between the hours of 20.00hrs and 07.00hrs Mon - Sun inclusive.

Reason

To protect the amenities of the locality and in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

4. No built development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.

Reason

To protect the local water environment and the local amenities of the area and in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

5. Prior to the commencement of any building works, an air quality assessment should be undertaken to assess the risk of construction dust impacts. The assessment should be carried out in accordance with current guidance produced by the Institute of Air Quality Management (IAQM); "Guidance on the assessment of dust from demolition and construction" (Feb 2014). An appropriate scheme of mitigation should be identified to minimise the risk of dust impacts on nearby receptors which should be incorporated into a Dust Management Plan (DMP) and/or a Construction Environmental Management Plan (CEMP). The assessment and DMP and/or CEMP should be submitted in writing to the planning authority for approval prior to commencement of the first phase of the scheme.

Reason

In the interests of air quality and to protect the amenities of the locality and in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

6. No new building/business unit shall be brought into use until the off-site highways improvements works have been completed in accordance with drawing no. T435-090-0.

Reason

In the interests of highway safety and to protect the amenities of the locality and in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

7. The occupation of the dwelling shall be limited to a person responsible for the husbandry of the nature reserve or a widow or widower of such a person, and to any resident dependants.

Reason

The permission has been granted solely having regard to the special circumstances of the case and use not in accordance with the requirements of the condition would require the further consideration of the Local Planning Authority in the light of the Development Plan, and any other material considerations.

8. No building shall be occupied until a 'Travel Plan' comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed 'travel Plan' Targets to the satisfaction of the Council.

Reason

In the interests of sustainable transportation, highway safety and to protect the amenities of the locality and in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

9. Prior to the commencement of the building development, a Construction Traffic Management Plan shall be submitted to and approved in writing. The development shall be carried out in accordance with the approved details. For the avoidance of doubt, the construction traffic management plan shall (include but not be limited to) Contractor parking arrangements, location and details of wheel washing facilities, times of delivery, hours of working, vehicle routing, storage of materials and full details of any construction compound.

Reason

In the interests of highway safety and the amenity of the area during construction, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013. , this is required prior to commencement as it relates directly to the manner of construction.

This is a pre-commencement condition to ensure that any impacts relating to construction traffic are addressed at an early stage.

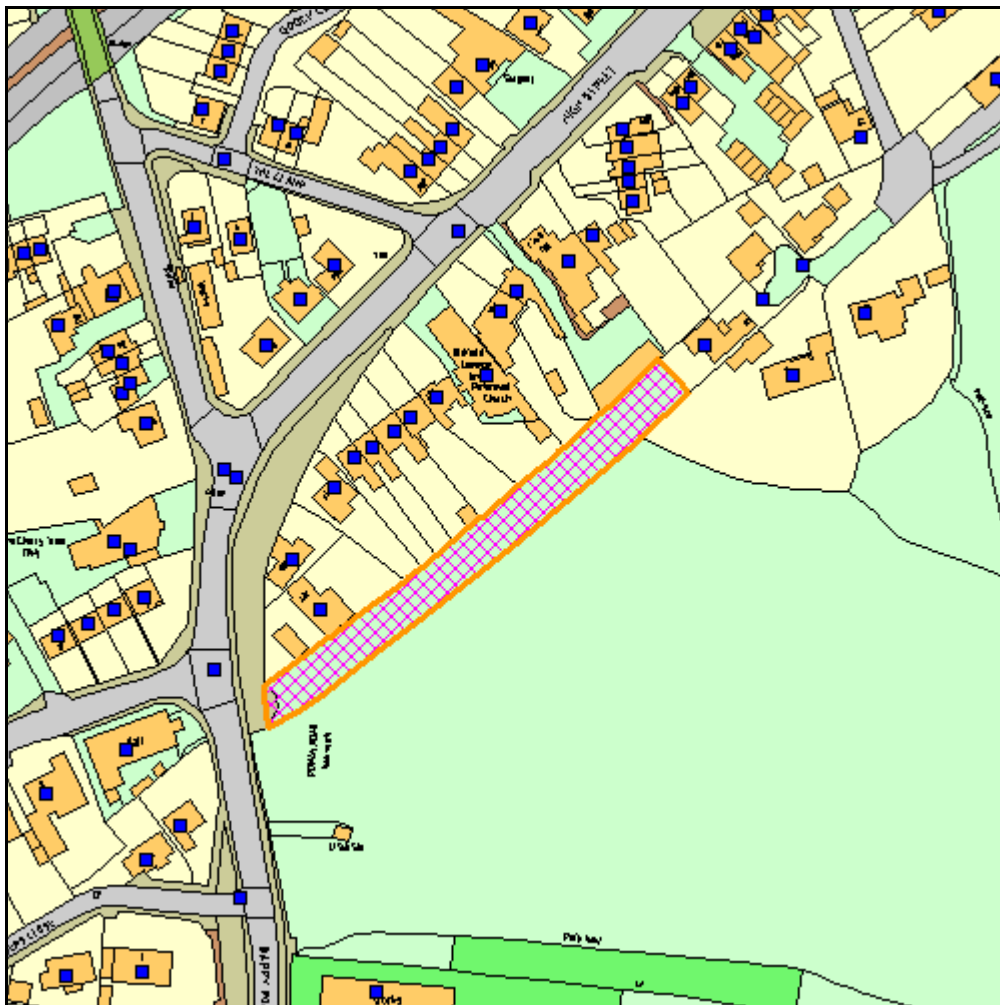
10. No new building/business unit shall be brought into use until the off-site highways improvements works have been completed in accordance with drawing no. T435-090-0.

Reason

In the interests of highway safety and to protect the amenities of the locality and in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

CIRCULATED SCHEDULE NO. 10/19 – 8 MARCH 2019

App No.:	PK18/5202/F	Applicant:	Mr & Mrs Eric Woolley
Site:	Dramway Barn Barry Road Oldland Common Bristol South Gloucestershire BS30 6QX	Date Reg:	23rd November 2018
Proposal:	Erection of a detached double garage with associated works.	Parish:	Bitton Parish Council
Map Ref:	367421 171066	Ward:	Bitton
Application Category:	Householder	Target Date:	16th January 2019



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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as a representation has been received by the Parish Council and 4no local residents which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a detached garage at Dramway Barn, Barry Road, Oldland Common.
- 1.2 The application site consists of a detached bungalow. The eastern boundary marks the edge of the Bristol and Bath Green Belt and the western boundary is primarily adjacent to a row of Grade II listed cottages.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage.

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP11 Transport
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/4922/F
Erection of detached garage (part retrospective).
Approved: 08/01/2018
- 3.2 PK13/3516/F
Erection of 1no detached dwelling with access, parking and associated works.
Approved: 12/12/2013

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Councillors objected to this application and echoed the views expressed by the South Gloucestershire Council Conservation Officer
- 4.2 Sustainable Transport
No objection
- 4.3 Listed Building & Conservation Officer
- The original design concept for the dwelling was a mews style so the development appeared simply as a converted modest and former agricultural building. The proposed second garage goes against this concept.
 - Appears overtly domestic with a double up-and over garage door and standard domestic doors to the side.
 - The appearance of another domestic garage could be intrusive into the setting of the adjacent listed terrace.
 - The increase in built form will be visible from the south in views from Barry Road and so the suggested screening will be of limited benefit.
 - If you feel there is sufficient justification of another outbuilding, then a more considered design is required to avoid this site appearing to be overdeveloped by domestic outbuildings.
 - Query the proposed materials.
 - The structure should be in my view reduced in scale and its form should help break down its massing.
- 4.4 Tree Officer
No comments received
- 4.5 Planning Enforcement
No comments received
- 4.6 Archaeology
Although the site lies on the route of the Dramway, previous building activity is likely to have damaged the asset. As such there is no objection to the application.

Other Representations

4.7 Local Residents

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

- Loss of views to fields
- Overdevelopment of the site
- Existing garage has not been finished-still unrendered.
- An additional garage would appear intrusive and contrived
- Disproportionate addition

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

5.2 Green Belt

The application does not fall within the Green Belt, but is immediately adjacent to it on the eastern boundary. It is therefore necessary to assess the impact on the openness of the Green Belt under the provisions of the NPPF. The site is long and narrow in nature and runs perpendicular to the Grade II listed terrace to the western boundary. The proposal would be single storey and relatively modest in size. Considering the siting of the proposal it would not appear to significantly impact existing views of the Green Belt from the public realm. It is therefore considered that there would be no significant detrimental impact on the openness of the Green Belt arising from this proposal. As such, it is considered that the proposal accords with the NPPF.

5.3 Heritage

To the western boundary lies a terrace of Grade II listed properties nos. 207-215, High Street that date from the mid-19th Century. The proposal is considered to be of a sufficient separation distance and modest size as not to cause substantial harm to the heritage assets and their setting. However, to ensure that the proposal is sympathetic to the adjacent listed buildings it is considered necessary to include a condition on the decision to ensure all materials match those of the host dwelling.

5.4 Design and Visual Amenity

The existing dwelling sits at the rear of the plot and it benefits from a long driveway that is the width of the site. The proposal would sit between the host dwelling and an existing detached garage; the proposal would be separated by a distance of approximately 10.5 metres from the existing garage and host dwelling respectively.

5.5 The proposed garage would have a width of approximately 4.9 metres and a depth of approximately 6.2 metres; an attached garden store would extend a further 1.4 metres at a width of approximately 1.9 metres. It would consist of a dual pitched roof with an eaves height of approximately 2.1 metres and an overall height of approximately 4.6 metres. Concerns have been raised of overdevelopment of the site and that the garage would be a disproportionate addition. Although two detached garages of a similar size is somewhat unusual, the existing driveway is relatively large and therefore it is the opinion of the Officer that the proposed development is considered to be of an appropriate size and scale within the context of the site as to not appear disproportionate to the host dwelling. The proposed garage would be equally spaced between the existing garage and host dwelling and would not break the building line of the existing built form, the layout is therefore not considered to be contrived and is acceptable in terms of design. As such, subject to a condition relating to materials, the proposal is deemed to comply with policy CS1 of the Core Strategy

5.6 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) 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 The proposed garage would sit on the eastern boundary and would be located approximately 10.5 metres equally from the host dwelling and existing garage. To the west of the proposal is the rear garden of no. 213 High Street, separated from the proposal by approximately 5 metres and a 1.8 metre high fence. Concerns were raised by the neighbouring occupiers of a loss of view onto the adjacent fields. However, the right to a view is not a material planning consideration and considering the single storey nature and siting of the proposal it is not considered to significantly impact the existing outlook of the neighbouring properties to such a degree as to warrant refusal. Furthermore, the applicant has adjusted the orientation of the proposed garage so the gable end is facing the neighbouring properties to the west, this is considered to further reduce any potential impact on residential amenity. Due to the modest size, siting and scale of the proposal it is not considered to negatively impact neighbouring occupiers in terms of overbearing, overlooking or loss of light. As such, the proposal is deemed to comply with policy PSP8 of the PSP Plan.

5.8 Sustainable Transport and Parking Provision

The proposed garage complies with the South Gloucestershire Council residential parking standards. Furthermore, there would be no change in the access from the highway, and sufficient off-street parking is provided. Therefore, no objections are raised in terms of transport.

5.9 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.

5.10 Other Matters

The exterior finish of the existing garage has not yet been completed. However, it is not conditional that the existing garage must be completed in order to erect further development. It is hoped that the exterior finish of the existing garage would be completed during the construction of the proposed new garage.

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: James Reynolds
Tel. No. 01454 864712

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).

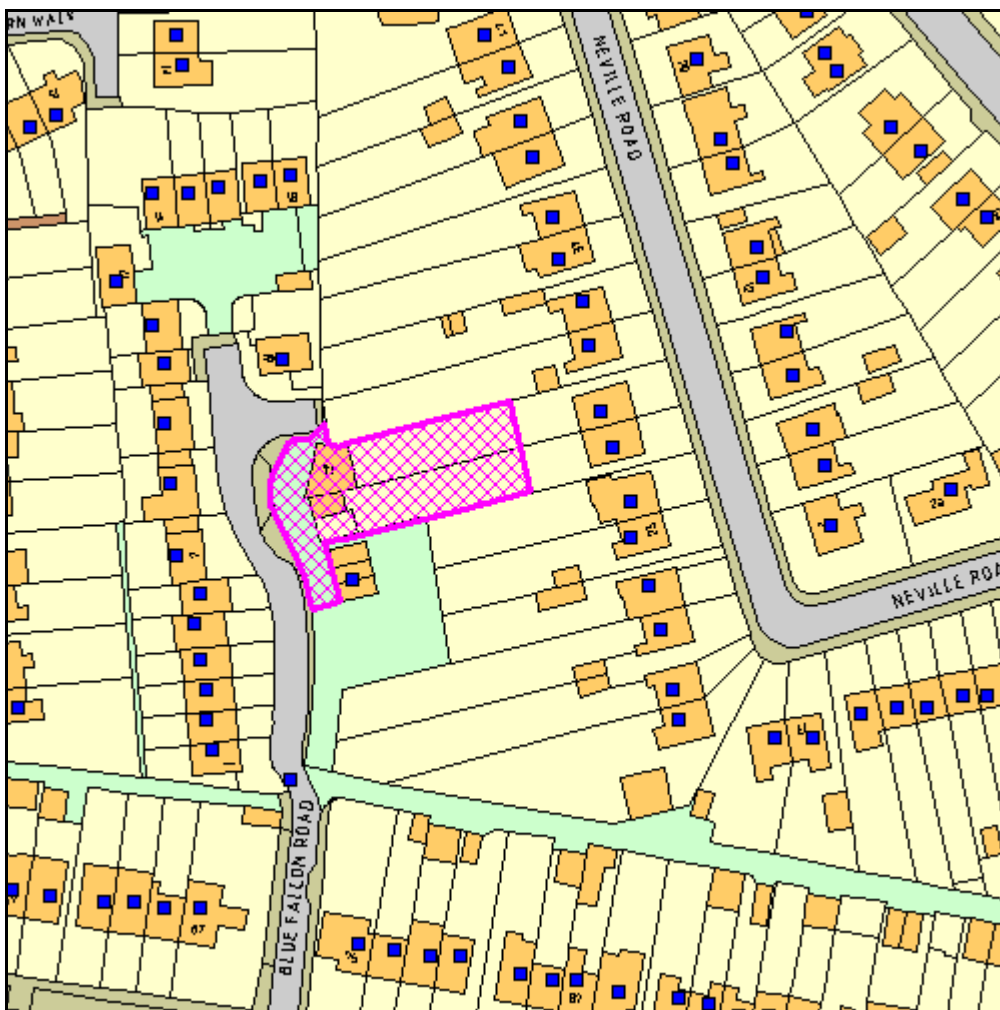
2. The materials to be used in the construction of the external surfaces of the garage hereby permitted shall match those used in the existing dwelling.

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.

CIRCULATED SCHEDULE NO. 10/19 – 8 MARCH 2019

App No.:	PK18/5219/F	Applicant:	Mr Leslie And Paul Wilcox And Skuse
Site:	Land To The Rear Of 29-31 Neville Road Kingswood Bristol South Gloucestershire BS15 1XX	Date Reg:	21st November 2018
Proposal:	Erection of 2no dwellings with new access, parking and associated works. (re-submission of PK18/2055/F).	Parish:	None
Map Ref:	365121 174496	Ward:	Kings Chase
Application Category:	Minor	Target Date:	14th January 2019



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N.T.S. PK18/5219/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

The application has been subject to representations contrary to the findings of this report, with the number of contrary representations made exceeding a total of three. 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 erection of 2no. dwellings with new access, parking and associated works. The application relates to land to the rear of no's. 29-31 Neville Road, Kingswood.
- 1.2 The application site comprises the western portion of the curtilages associated with no's. 29 and 31 Neville Road, Kingswood. The site extends to 0.07 hectares, and currently accommodates garages and rear parking areas associated with the existing properties. The proposed dwellings would front on to, and would be accessed via Blue Falcon Road; to the west of the site.
- 1.3 The site is located within the urban fringe area of Kingswood. The location is distinctly sub-urban in character. The locality is characterised by a mix of predominantly 1930's/1940's semi-detached and terraced houses with more recent town houses to the west, on the opposite side of Blue Falcon Road.
- 1.4 The application forms of a resubmission of withdrawn application PK18/2055/F.
- 1.5 A revised site location plan was received by the Local Planning Authority on 13th December 2018. The change to the application site boundary triggered a further round of consultation, which ran from 14th December 2018 – 8th January 2019.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework Feb 2019
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
CS15	Distribution of Housing

CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing

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
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP43	Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

Application Site

3.1 **PK18/2055/F**

Erection of 2no. dwellings with new access, parking and associated works.

Withdrawn: 02.08.2018

3.2 **PK05/2356/F**

Erection of 2no. 3 storey semi-detached dwellings.

Withdrawn: 12.09.2005

Other Relevant Applications

3.3 **PK16/0444/F – Blue Falcon Road (South of Site)**

Demolition of existing garage and erection of 2no. new dwellings and associated works.

Approved: 24.03.2016

3.4 **PK01/0342/F – Blue Falcon Road (East of Site)**

Erection of 17 No. dwellings with new access road and associated works.

Approved: 14.11.2001

4. **CONSULTATION RESPONSES – FIRST ROUND OF CONSULTATION**

4.1 Town/Parish Council
The area is unparished

4.2 Other Consultees

Sustainable Transport
Discrepancies between plans which needs to be addressed.

Lead Local Flood Authority
No objection

Highway Structures
No comment

Environmental Protection
No objection subject to informative.

Contaminated Land Officer
No objection subject to condition.

The Coal Authority
No objection subject to conditions.

Other Representations

4.3 Local Residents
A total of 8 letters of objection were received during the first round of consultation. The main concerns raised are summarised below:

Design

- Proposed houses are out of keeping with street.
- Together with recently approved bungalows, houses will make road look messy.

Residential Amenity

- Houses will block views to countryside.
- First floor will look in to first floor of existing houses opposite.
- Proposed houses will overlook recently constructed bungalows.

Transport

- How will construction vehicles access site?
- Construction traffic caused issues during erection of neighbouring bungalows.
- Road was left in poor state.
- More houses will increase parking pressures along Blue Falcon Road. Already parking issues in area.

- Parked vehicles block emergency/delivery vehicles.
- Cannot see how vehicles will enter and exit proposed spaces.

Other

- Appears that proposal will result in loss of trees. Only vegetation along street.
- Safety of children in road will be further compromised.

5. CONSULTATION RESPONSES – SECOND ROUND OF CONSULTATION

5.1 Town/Parish Council
The area is unparished

5.2 Other Consultees

Sustainable Transport

Following the submission of revised plans, satisfied with the proposed access and parking arrangement. As such, no objection subject to conditions securing submission of Construction Environmental Management Plan and provision of parking spaces.

Lead Local Flood Authority

No objection

Highway Structures

No further comment

Environmental Protection

No further comment

Contaminated Land Officer

No further comment

The Coal Authority

Comments remain unchanged

Other Representations

5.3 Local Residents
A total of 3 letters of objection were received during the second round of consultation. The main concerns raised are summarised below:

Design

- Proposed houses out of character.
- Tarmac driveways not in keeping with area.
- Proposal is overdevelopment.

Residential Amenity

- New houses will overlook houses opposite and will obscure views.

Transport

- Construction traffic for recent development caused access issues and caused damage to the street – still not rectified.
- Proposal would result in loss of on-street parking – already at a premium.
- Parking spaces appear awkward. Likely that occupants will park on-street.

Other

- Lots of down time during construction of previous bungalows. Residents left looking at building site for months. Should ensure that this does not happen again.
- Loss of Trees.
- Proposal will devalue neighbouring property on Neville Road.

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

The application seeks permission for the erection of 2no. dwellings. 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, and within defined settlement boundaries. The application site is located within the area defined as the east fringe of the Bristol urban area. As such, based solely on the location of the site within the context of the Council's locational strategy for development, the principle of the development is acceptable.

- 6.2 The development is acceptable in principle under the provisions of policy CS5, and it is acknowledged that the provision of a new dwelling towards housing supply would have a modest socio-economic benefit. However the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm. For this type of development at this location, the further areas of assessment are; impacts on visual amenity, impacts on residential amenity, and impacts on the surrounding transport network.

6.3 Design and Visual Amenity

Policy CS1 of the Core Strategy seeks 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. Policy CS1 is fully compliant with design guidance in the NPPF.

- 6.4 The proposed dwellinghouses would front on to Blue Falcon Road, with vehicular access also gained off of this residential street. The dwellings would be set some distance from Neville Road, and would not be seen in views with other properties along Neville Road. As such, the overall design approach should be informed by the built environment along Blue Falcon Road.
- 6.5 Blue Falcon Road consists of a relatively modern housing development. The existing properties along the street largely consist of terraced rows of 2-3 storey townhouses. A pair of semi-detached chalet bungalows were recently approved and constructed on the site immediately to the south of the application site. The houses in the vicinity are finished in a mixture of light render and buff brick.
- 6.6 The proposed dwellinghouses would comprise a semi-detached pair of chalet bungalows. The proposed bungalows would be of a similar scale and form to the neighbouring bungalows to the south; albeit slightly narrower. Due to the topography of the site, the northern bungalow would hold an elevated position in comparison to the southern bungalow. Each property would incorporate two pitched roof dormers at their front elevation, with a single dormer to the rear. In terms of other architectural features, it appears that front bay windows would be introduced, which would assimilate the front elevation of the neighbouring bungalows. It has been stated that the dwellings will be finished in a mixture of render and brick. This is considered an appropriate approach, however in order to ensure a satisfactory standard of external appearance, further details of proposed materials will be requested by condition.
- 6.7 Overall, given the fairly mixed vernacular in the area, and on the basis that the bungalows would be of a similar appearance to adjacent bungalows to the south, it is not considered that the proposed buildings would appear as unnatural additions to the streetscene.
- 6.8 Furthermore, on the basis of the proposed dwellings being situated along a cul-de-sac, they would not hold a prominent position within the locality and would only be viewed from the public areas offered along Blue Falcon Road. As such, the overall impact of the development on the character of the wider area would be limited.
- 6.9 For the reasons set out above and subject to a condition requiring further details of materials to be submitted and agreed, it is considered that an acceptable standard of design has been achieved. The proposal would not cause significant harm to visual amenity, and the development accords with policy CS1 of the Core Strategy.
- 6.10 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

- 6.11 Given the degree of separation, it is not considered that the construction of the proposed bungalows would have any significant impact on the residential amenity of any residents of Neville Road. Furthermore, given their relatively modest scale and the degree of separation between the proposed bungalows and existing properties along Blue Falcon Road to the north and west, it is not considered that the erection of the proposed dwellings would have any significant impact on the residential amenity of existing occupants, through any increased sense of overbearing, overshadowing or overlooking.
- 6.12 The nearest neighbouring properties comprise the recently constructed bungalows to the south. Whilst the proposed bungalows would be set on slightly higher ground, on the basis that they would follow largely the same building line as the properties to the south, it is not considered that the development would result in any significant sense of overbearing or loss of outlook. Furthermore, the arrangement of openings would avoid any overlooking, with the only first floor side-facing windows proposed to be obscurely glazed and fixed shut. On this basis, there would be no direct line of sight in to neighbouring windows or on to neighbouring land. A condition will be applied to any consent, ensuring that any first floor windows inserted in to the side elevations of the dwellings are obscurely glazed and fixed shut.
- 6.13 Overall, it is not considered that the presence or occupation of the proposed dwellinghouses would have any unacceptable impacts on residential amenity. However it is acknowledged that some disturbance and disruption is likely during the construction period. Whilst this is not considered to sustain a reason for refusing the proposal (as a construction period forms part of any development proposal), a condition will be attached to any decision, restricting the permitted hours of operation during the construction phase.
- 6.14 In terms of the amenity of future occupants of the dwellings, it is considered that sufficient internal space and external amenity space would be provided. Given the substantial size of the curtilages, it is also considered that a sufficient area of external amenity space would be retained for each of the existing dwellings at the site.
- 6.15 Subject to the aforementioned conditions, it is not considered that the development would have any unacceptable impacts on residential amenity. The proposal is therefore considered to accord with policy PSP8 of the Policies, Sites and Places.
- 6.16 Transport
In terms of access, it is noted that vehicular access to the site was previously gained via a rear access lane. The entrance to the lane was situated to the south of the site, towards the junction between Blue Falcon Road and New Cheltenham Road. This lane also provided access to the neighbouring site to the south.
- 6.17 However following the approval of application ref. PK16/0444/F and the development of the neighbouring site, the existing access was stopped up, and a new access point off Blue Falcon Road created. The relocated access was considered to be more suitable in highway safety terms.

- 6.18 The proposed dwellings would share the same access point off Blue Falcon Road. A private driveway area would be extended to the north, and would provide vehicular access to the two proposed bungalows. The transport officer considers the access point to be suitable, and it is not considered that the moderate intensification of its use brought about by the provision of two new dwellings would have any severe impact on highway safety.
- 6.19 In terms of proposed parking arrangements, two tandem parking spaces would be provided for each dwelling, and would be located to the frontage of the semi-detached pair. Each dwelling would contain a total of 3 bedrooms, and the provision of two parking spaces for each property complies with the Council's minimum parking standards, as set out in policy PSP16 of the Policies, Sites and Places Plan. The provision of two spaces for each dwelling will be secured by condition.
- 6.20 It is acknowledged that tandem parking spaces are often awkward, as by their very nature, one vehicle will often be blocked in by the other. However on the basis that the development only consists of two dwellings, the overall impact is not considered to be severe. It is considered more likely that the occupants of the dwellings would utilise the private spaces located immediately to the frontage of the dwellings, rather than on-street parking spaces in the area.
- 6.21 A vehicle swept path analysis has been submitted in support of the application. This indicates that, whilst it may require a degree of manoeuvring, vehicles could utilise the private driveway area to exit on to Blue Falcon Road in a forward gear. In any case, given the quiet residential nature of the cul-de-sac, vehicles are unlikely to be travelling at high speeds. As such, even if vehicles were to exit the site in a reverse gear, this would unlikely result in a significant highway safety hazard. Overall, the proposed parking arrangements for the new dwellings are considered acceptable.
- 6.22 It is acknowledged that the creation of the new residential dwellings, and the sub-division of the existing curtilages, will remove the rear parking provision for the existing dwellings at no's. 29 and 31 Neville Road. However submitted plans indicate that two parking spaces will provided to the frontage of each dwelling. As such, a sufficient on-site parking provision will be retained, and subject to a condition securing the retention of the spaces, there are no concerns in this regard.
- 6.23 The concerns raised regarding the potential loss of on-street parking spaces following development have been taken in to account. However vehicular access to the off-street parking spaces would be gained via the existing access serving the recently constructed properties to the south. As no new access point would be created, there would be no loss of on-street parking spaces.
- 6.24 For the reasons set out above, it is not considered that the development would place increased pressure on on-street parking, or have any severe impact on highway safety. This is on the basis that an adequate provision of on-site parking spaces is proposed. Furthermore, the site forms a sustainable urban location, and any new dwellings are therefore less likely to be entirely dependent on the use of private vehicles.

- 6.25 The concerns raised by residents regarding accessibility issues and damage to the highway caused during the construction period have been taken in to account. To this end, the transport officer has recommended that a condition be attached to any decision, requiring a Construction Environmental Management Plan (CEMP), be submitted to and agreed in writing with the Local Planning Authority. This is to be agreed prior to the commencement of work, and complied with at all times. The CEMP will cover matters such as access and damage. Given the narrow nature of Blue Falcon Road, and on the basis that residential properties are located in close proximity to the site, it is considered both reasonable and necessary to attach a condition to this effect to any consent.
- 6.26 Subject to the conditions set out above, there are no fundamental concerns with the development proposal from a transportation perspective. The proposal is considered to comply with policy CS8 of the Core Strategy and Policies PSP11 and PSP16 of the Policies, Sites and Places Plan.
- 6.27 Landscaping
The surrounding area is predominantly residential, and as such it is not considered that the development would have any significant landscape impacts. However limited details relating to boundary treatments and proposed landscaping features have been provided. The concerns raised regarding the loss of existing trees have also been taken in to account, and it is acknowledged that the trees do positively contribute to the streetscene. As such, it is considered appropriate to attach a condition to any consent, requiring a more detailed scheme of landscaping be agreed prior to the commencement of works at the site.
- 6.28 Historic Coal Mining
The site is situated in an area of historic coal mining, and as such falls within the defined Development High Risk Area. It has therefore been identified that there are coal mining features and hazards in the area. A Coal Mining Risk Assessment was submitted in support of the application. This was accepted by the Coal Authority, who raise no objection to the proposal subject to conditions requiring further ground stability investigations to be carried out. Conditions to this effect will be attached to any decision.
- 6.29 Environmental Impacts
A drainage plan has been submitted and has been accepted by the Lead Local Flood Authority. As such, there are no concerns regarding site drainage or flood risk.
- 6.30 Given the domesticated nature of the site and the built up nature of the immediate locality, it is unlikely that the existing site has high ecological potential. As such, it is not considered that the development would cause harm to existing wildlife habitats.
- 6.31 However there is information to suggest a historic landfill site lies within 250m of the site which could give rise to unacceptable risks to the proposed development. As such, a further desk study will need to be undertaken to identify any potential risks. Subject to the results of the study, further

investigations and remediation may need to be carried out. Conditions requiring further investigations to be carried out prior to the commencement of the development will be appended to any decision.

6.32 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.

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

6.34 Other Matters

In terms of the speed at which the development is carried out, this is not a factor that can be controlled by the Local Planning Authority, as there are various factors which could affect the implementation of any permission.

6.35 In terms of the impact of the development on the value of surrounding properties, this is not a planning matter and as such has no bearing on the assessment or outcome of the application.

6.36 Overall Planning Balance

The proposal would provide two additional 3-bed dwellinghouses within a sustainable location in South Gloucestershire, which would represent a socio-economic benefit.

6.37 No significant harm arising from the development has been identified. Whilst the proposed parking arrangements are slightly awkward, on the balance of probabilities, they are more likely to be used by prospective occupants than on-street parking. As such, any harm in this regard would be very modest, and is not considered to outweigh the benefits of the proposal. The proposal therefore succeeds and it follows that planning permission should be granted.

7. CONCLUSION

7.1 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.

7.2 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.

8. **RECOMMENDATION**

- 8.1 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. Prior to the application of any external materials, details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained as such.

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. Prior to the first occupation of the dwellings hereby permitted, and at all times thereafter, the proposed first floor windows on side-facing elevations of the dwellings shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being a minimum of 1.7m above the floor of the room in which it is installed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The hours of working on site during the period of construction shall be restricted to 0730 - 1800 on Mondays to Fridays and 0800 - 1300 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 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.

5. Prior to the first occupation of the dwellings hereby approved, the off-street parking facilities for the both approved dwellings and the existing dwellings at no's. 29 & 31 Neville Road, as well as the manoeuvring area, cycle and bin facilities relating to the approved dwellings shall be provided in accordance with the Proposed Site Plan (Drawing no. 3003/11) hereby approved. For clarity, provision shall be made for the parking of a minimum of 2 vehicles (measuring at least 2.4m by 4.8m) for each dwellinghouse. The parking spaces and manoeuvring area shall be 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; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

6. A site specific Construction Environmental Management Plan (CEMP), shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement of work. The CEMP as approved by the Council shall be fully complied with at all times. The CEMP shall address the following matters:

- (i) Measures to control dust from the demolition and construction works approved.
- (ii) Adequate provision for the delivery and storage of materials and provision of suitable contractor's parking on-site.
- (iii) Measures to control the safe movement of construction traffic on the access road including the use of a Banksman for all reversing movements.
- (iv) Deliveries shall only take place Monday to Friday between the hours of 09:15 to 15:00 and 09:15 to 12:00 Saturday. No deliveries shall take place on a Sunday.
- (v) Details of how construction work is to be managed to ensure that the access road is not obstructed.
- (vi) Details of how residents using the access road and adjacent properties will be kept informed about the programme of works including the timing of large vehicle deliveries.
- (vii) Contact details for the Site Manager.
- (viii) The applicant/contractor to rectify any damage to the public highway arising from the development works to full satisfaction of the Highway Authority.

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; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

These details are required to be agreed prior to the commencement of development, as the condition directly relates to the construction period.

7. Prior to the commencement of development, a plan showing the trees and other vegetation to be protected, and details of any proposed landscaping and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved details and thereafter retained as such.

Reason

To protect the character and appearance of the surrounding landscape, to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development to avoid causing damage to existing trees and vegetation during any ground works, and to avoid any unnecessary remedial action in the future.

8. 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 CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Parts of the condition are required to be carried out prior to commencement of development as they need to ensure the extent of contamination is known prior to the principal building works, and to ensure that appropriate mitigation is made for any contamination found.

9. Prior to the commencement of development, a scheme for intrusive site investigation into the coal mining legacy issues on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To establish if remedial works to treat areas of shallow mine workings are required and to ensure the safety and stability of the proposed development to accord with Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

This information is required prior to the commencement of development as it is first necessary to establish whether historic coal mining has affected the stability and safety of the land, prior to any development commencing on site.

10. Prior to the commencement of development, the intrusive site investigations as required by condition 8 shall be undertaken in accordance with the approved scheme. This shall be followed by the submission of a report to the Local Planning Authority, setting out the findings of the intrusive site investigations.

Reason

To establish if remedial works to treat areas of shallow mine workings are required and to ensure the safety and stability of the proposed development to accord with Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

This information is required prior to the commencement of development as it is first necessary to establish whether historic coal mining has affected the stability and safety of the land, prior to any development commencing on site.

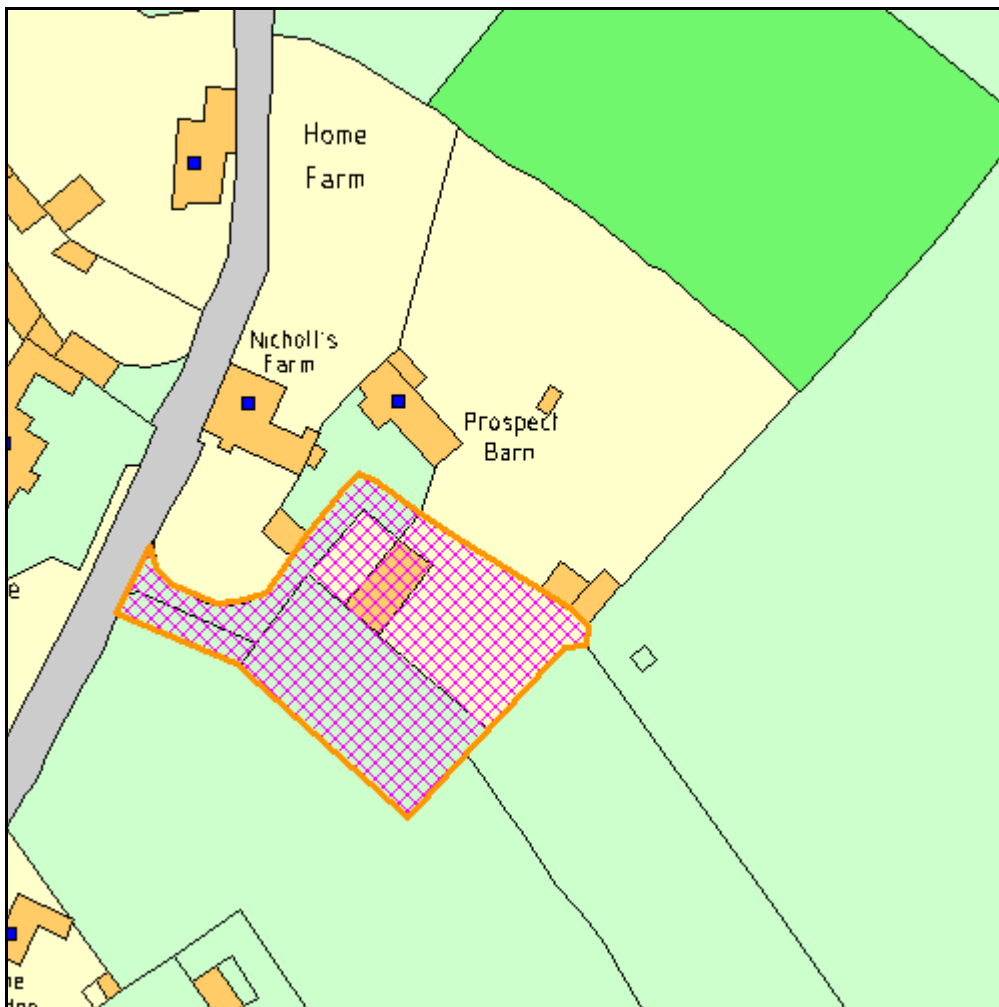
11. Should intrusive site investigations carried out in accordance with conditions 9 and 10 require remedial works, details shall be submitted to the Local Planning Authority for written approval and development should be carried out in accordance with the approved details.

Reason

To ensure the safety and stability of the proposed development and to ensure any necessary remedial works are carried out prior to the commencement of development. To accord with Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 10/19 – 8 MARCH 2019

App No.:	PK18/6429/F	Applicant:	Mr Michael Williams
Site:	The Old Stables Off Bury Lane Bury Lane Doynton South Gloucestershire BS30 5SR	Date Reg:	20th December 2018
Proposal:	Conversion of existing barn and erection of single storey side and rear extension and detached garage to form 1 no. dwelling with associated works (resubmission of PK18/4397/F).	Parish:	Doynton Parish Council
Map Ref:	371908 173925	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	13th February 2019



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 100023410, 2008. **N.T.S.** **PK18/6429/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

Representations have been made by both the parish council and a local member, which are 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 conversion of an existing barn and the erection of a single storey side extension, a single storey rear extension and detached garage to form 1no. dwelling with associated works. The application relates to The Old Stables Off Bury Lane, Bury Lane, Doynton, and forms a resubmission of withdrawn application PK18/6429/F.
- 1.2 The application site consists of a building originally constructed as workshop/tractor store, stables and hay loft. The site forms part of a cluster of buildings which originally formed part of Nichols Farm. The building consists of a main pitched roof element, with a dormer set in to the rear-facing roof slope at a first floor level. A single storey pitched roof element is attached to the north-east facing side of the main element.
- 1.3 The site is located outside of the defined settlement boundary of Doynton, but within the Doynton Conservation Area, the Bristol and Bath Green Belt and the Cotswolds AONB. The site is situated in close proximity to the Grade II listed Doynton House.
- 1.4 Planning permission was previously granted under application ref. PK17/4571/F to convert the building to a 3-bed dwelling with an attached garage.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework Feb 2019
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
CS16	Housing Density

CS17 Housing Diversity
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP38 Development within Existing Residential Curtilages, Including
 Extensions and New Dwellings
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

Applications

3.1 PK18/4397/F

Extension and alterations to existing stables to facilitate conversion to 1No. dwelling and associated works and erection of 1 No. detached garage.

Withdrawn: 03.12.2018

3.2 PK17/4571/F

Extension and alterations to existing stables to facilitate conversion to 1no. dwelling and associated works.

Approved: 27.02.2018

3.3 PK16/6575/F

Conversion of existing barn to form 1no new dwelling with access and associated works.

Withdrawn: 12.01.2017

Pre-application Advice

3.4 **PRE18/0612**

Change of use/conversion of the stables to 3-4 bed dwelling.

Response Provided: 15.08.2018

Conclusions

Overall, were this proposal to be submitted as a full application, it would not gain officer support and a recommendation of refusal would be made. This is on the basis that the proposed works would detrimentally impact the character, appearance and setting of the existing building and the conservation area as a whole. The proposed garage would also encroach in to the adjacent countryside, and the domestication of the curtilage would cause harm to the character and appearance of the surrounding rural landscape and therefore the AONB. The proposals would also constitute inappropriate development in the Green Belt.

The proposal is not considered to be an appropriate form of development at this very sensitive location. The proposal would be contrary to a number of Development Plan policies, as well as national policy relating to the Green Belt. It is therefore strongly recommended that the proposal is not progressed to full application stage.

4. **CONSULTATION RESPONSES**

4.1 Doynton Parish Council

Support – changes requested over existing consent are not excessive and will in no way detract from appearance of site. Building is from 1980s and has no historical content and site has not been a working farmyard and is already domestic in appearance with derelict tennis court and chain link fence. Also note that neighbours who objected to original proposal now support revised scheme.

4.2 Other Consultees

Conservation Officer

- Difference between this application and previous scheme appears to be:
 - Removal of rooflights.
 - Remodelling of the previously proposed conservatory to form what is now more of a “sun room”, as it features a tiled roof with a steeper pitch in comparison to the slack pitch of the glazed conservatory roof.
 - Reduction in scale of detached garage.

- Removal of rooflights is a welcome change, but would only be of benefit if PD rights are removed.
- Single storey projecting extension remains an extension that is not required to enable the building to be reasonably converted. Change in roof materials aids in integration, but extension still does nothing but serve to detract from character and scale of building.
- The gable of the dual pitched roof also has the unfortunate effect of competing with the gable of the first floor hay loft entrance, which post conversion will be the only distinctive feature of the building which reflects its agricultural origins.
- Shame to dilute its prominence by a projecting extension that has more to do with internal experience than character and appearance.
- As previously mentioned, approach for conversion should be simplicity and restraint.
- Reduction in garage is noted, but would still cause cumulative level of harm to legibility of origins of building.

Ecology Officer

No objection subject to conditions

Lead Local Flood Authority

No objection

Sustainable Transport

No objection

Highway Structures

No objection

Archaeology Officer

No comment

Other Representations

4.3 Local Residents

One comment of support was submitted during the statutory consultation period. The main points raised are set out below:

- Supportive of the positioning of the proposed garage which alleviates our concerns with previous proposal (where the garage proposed abutted the shared access driveway and would have resulted in residents and visitors temporarily blocking the driveway).

4.4 Councillors

A representation, supporting the application, was made by Cllr. Stephen Reade. The main points raised are summarised below:

- It has been stated that this application will be detrimental to the historic nature of the host property. The host property is not historic, it is 1980's.

- The applicant plans to remove a tarmac tennis court as part of the application. This in itself must be applauded as an environmental improvement.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application relates to the conversion of an existing barn to provide a new residential unit. The site is situated outside of any defined settlement boundary and within the Green Belt. Policy CS5 of the Core Strategy sets out the Council's locational strategy for development. CS5 directs development to urban areas and defined settlement boundaries. The application site is located outside of any settlement boundary, as defined on the Proposals Map. Under policy CS5, any land outside of urban areas or defined settlement boundaries can be considered as open countryside. CS5 states that development in the open countryside will be strictly limited.

5.2 However policy PSP40 of the Policies, Sites and Places Plan does allow for certain types of residential development in the countryside. The policy outlines that the conversion and re-use of existing buildings for residential purposes will be acceptable where:

- i. the building is of permanent and substantial construction; and
- ii. it would not adversely affect the operation of a the rural business(es) or working farm(s); and
- iii. any extension as part of the conversion or subsequently is not disproportionate to the original building; and
- iv. if the building is redundant or disused; the proposal would also need to lead to an enhancement of its immediate setting.

5.3 PSP40 also sets out that in all of the above circumstances, development proposals including any alterations, extensions or creation of a residential unit, will be acceptable where they do not have a harmful effect on the character of the countryside, or the amenities of the surrounding area.

5.4 Under approved application PK17/4571/F, the criteria as set out above were considered to be satisfied. With regards to clauses (i) and (ii), it is not considered the current proposal materially differs from the approved scheme. An assessment of the proportionality of the proposed extensions (iii) will be made in the Green Belt section of this report. An assessment on the impact of the proposal on the immediate setting of the building (iv), will be made in the design/heritage section of this report. The impact of the development proposal on the character of the countryside and the amenities of the surrounding area will also be made later in this report. As such, the acceptability of the development in principle hinges on the further areas of assessment.

5.5 Green Belt

Policy CS5 and CS34 of the Core Strategy and policy PSP7 of the Policies, Sites and Places Plan support the protection of the Green Belt from inappropriate development. The NPPF also attaches great importance to the Green Belt – with the fundamental aim of preventing urban sprawl and keeping the land open in nature. In order to achieve this, there is a general presumption against inappropriate development in the Green Belt. However certain categories of development are not considered to be inappropriate. These exception categories are set out in paragraphs 145 and 146 of the NPPF.

5.6 The proposal seeks to convert and extend an existing stable building to form a 4-bed dwelling. The proposal also involves the removal of an existing tennis court to the south-west of the main building, to be partially replaced by a detached 3-bay garage/gravel driveway, and partially by a wild flower meadow. The proposed additions to the building would also extend on to land currently occupied by the tennis court. At present, there is a clear distinction between the existing agricultural building and the tennis court, and as such the court is not considered to form part of the curtilage of the building. The proposed replacement of the court would see the curtilage of the building extended. The impact of this on the openness of the Green Belt will therefore be reviewed.

5.7 Each element of the proposal as set out above will be reviewed against Green Belt policy, to determine whether the development proposal would be an appropriate form of development in the Green Belt.

Conversion of existing building

5.8 Paragraph 146 of the NPPF sets out certain forms of development in the Green Belt that are not inappropriate, provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. One such form of development is the re-use of buildings provided that the buildings are of permanent and substantial construction.

5.9 As part of the assessment of the previously approved application PK17/4571/F, the case officer was satisfied that the existing building formed a sufficiently permanent and substantial construction. As such, the conversion of the existing building to a residential unit was considered to fall in the predefined exception category for development in the Green Belt. On this basis, it is not considered that the straight conversion of the existing building would constitute inappropriate development in the Green Belt. The previous approval also established that the building could be successfully converted in to a residential unit with only a minor extension to the building required.

Extension to existing building

5.10 Paragraph 145 of the NPPF relates to new structures in the Green Belt, and sets out certain types of development that should not be considered as inappropriate. One of the exception categories is the extension of a building provided that it does not result in a disproportionate addition over and above the original size of the building.

- 5.11 Under application ref. PK17/4571/F, the only extension to the existing building proposed was the erection of a relatively modest garage, to be attached to the north-east facing side of the existing building. The ridge line of the proposed garage was to be set lower than that of the existing single storey element. This extension was considered to represent a proportionate addition to the building, with the form of the original building sufficiently respected.
- 5.12 The current proposal no longer seeks to extend to the north-east. Instead, a single storey pitched roof element is proposed at the south-west facing side elevation. A 'sun room' is also proposed, and would project from the rear of the proposed side extension. As such, the main pitched roof section with first floor dormer would have a single storey projection to either side. To add to this, the proposed sun room would project to the south-east beyond the existing rear building line.
- 5.13 With regards to whether or not the proposed side and rear extensions would appear as disproportionate additions to the original building, it is noted that the proposal would increase the overall volume of the building, beyond the scale of extension approved under the application PK17/4571/F. Whilst the scale of the extensions is not necessarily considered to be excessive, whether or not any extensions appear as proportionate additions does not rely solely on scale; the extent to which any extensions integrate in to existing form is also a key consideration.
- 5.14 The existing linear form of the building is defined, and the small extension approved under the previous application respected this. Whilst the proposed side extension would continue the linear form, it would result in the main central element being flanked on either side by single storey elements. Furthermore, the proposed rear extension would project to the south-east, thus breaking the existing building line. The form of the existing building is defined, and it is not considered that the proposed extensions, when viewed together, would appear as proportionate additions which respect the original form. The proposed extensions are therefore considered to constitute an inappropriate form of development in the Green Belt, as they do not fall in to the exception category relating to extensions.

Detached garage

- 5.15 Due to the degree of separation, it is not considered that the proposed detached garage would read as an addition to the main dwelling. Furthermore, the building would not replace an existing building.
- 5.16 It is however acknowledged that one of the exception categories as set out in paragraph 145 of the NPPF is the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

- 5.17 The garage would be erected in an area currently taken up by an existing tennis court. Whilst a tennis court could be considered as being developed land, a review of the planning history of the site indicates that the tennis court does not benefit from planning permission. Furthermore, no certificates have been granted demonstrating that the tennis court has become lawful through the passing of time.
- 5.18 Notwithstanding this, due to its dilapidated state, it is acknowledged that the court appears to have been in-situ for some time. Furthermore, historic aerial photographs indicate that the tennis court was constructed prior to 1991. As such, through the passing of time and on the balance of probability, the tennis court structure is lawful. As such, despite the absence of any formal evidence, it is accepted that the tennis court could be considered as forming previously developed land.
- 5.19 However the redevelopment of a previously developed site in the Green Belt will only be acceptable where that development does not have a greater impact on openness. The only features of the tennis court which would be considered as having any impact on openness are the surrounding chain link fence and the net associated with the court. These are not substantial structures, and as such their impact on the openness of the land is limited. By contrast, the proposed 3-bay garage would have a much greater sense of massing and built form. Overall, it is considered that a large domestic building would have a greater impact on openness than a tennis court. As such, the erection of the garage is not considered to be an appropriate form of development in the Green Belt.

Extension of Curtilage

- 5.20 Whilst the tennis court structure can be considered lawful through the passing of time, the defined land use has not been established. The court is not clearly associated with any property, and as such it is not possible to determine whether or not the court relates to a residential unit. In any case, this application is not the means by which to establish land use, which should be established through a certificate of lawfulness.
- 5.21 As previously discussed, the court does not form part of the curtilage of the existing building at the site. There is a clear boundary between the tennis court and the main building and its existing curtilage. Furthermore, the building has been in an agricultural use, and as such there is no clear relationship between the building and the court; the two are simply located next to one another.
- 5.22 The proposal seeks to remove the court, to provide space for the provision of extensions, a garage/driveway and meadow. The distinction between the building and the land to the south-west would be lost, and the curtilage therefore extended.
- 5.23 Given the lack of evidence regarding land use, it is reasonable to consider the incorporation of the land to the south-west of the building in to its residential curtilage as the change of use of land to residential. Paragraph 146 outlines that the change of use of land in the Green Belt may be appropriate, provided

that it preserves the openness of the land and does not conflict with the purposes of including land within it.

- 5.24 As already discussed, the proposed extensions, garage and driveway would be located on the former tennis court. Whilst the land shown to the southern corner of the site is shown as a meadow, given the lack of distinction between this land and proposed garden areas, this would also likely become part of the curtilage of the residential building.
- 5.25 Whilst permitted development rights could be restricted to control the erection of new structures within the curtilage, it would not be reasonable for the Local Planning Authority to restrict the siting and storage of domestic paraphernalia on the land to the south-west of the main building. Given that the land would contain several structures, as well as an unrestricted amount of domestic paraphernalia, it is considered that the conversion of the land to a domestic use would have a greater potential to degrade openness, than the current arrangement. As such, the change of use of land would be an inappropriate form of development in the Green Belt.
- 5.26 National policy outlines that inappropriate development in the Green Belt should be resisted, except in very special circumstances. No case for very special circumstances has been made, and it is considered unlikely that any very special circumstances exist, which clearly demonstrate that the principles of Green Belt policy should be overridden. The development is therefore contrary to policies CS5 and CS34 of the Core Strategy, policy PSP7 of the Policies, Sites and Places Plan and the provisions of the NPPF.
- 5.27 Design, Visual Amenity and Impact on Heritage Assets
Policy CS1 of the Core Strategy seeks 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. Policy CS34 of the Core Strategy seeks to protect, conserve and enhance rural areas' distinctive character, beauty, wildlife, landscape, biodiversity and heritage.
- 5.28 Policy PSP17 of the Policies, Sites and Places Plan and policy CS9 of the Core Strategy relate to conservation, and seek to protect the character and appearance of conservation areas and the significance and setting of heritage assets such as listed buildings.
- 5.29 The previously consented proposal sought to convert the building to a 3-bed dwelling, with the addition of a modest garage extension. The proposal also sought to provide a modest driveway area to the front of the property, with a substantial rear garden provided to the south-east of the dwelling. On the basis that the proposal only involved minor alterations to the building itself, it was considered that the character of the building and its setting would be preserved. The proposal was therefore considered to accord with design and heritage policies, as well as the principles of policy PSP40.

- 5.30 The current proposal seeks to replace the attached garage extension with an alternative side extension, to be located at the other end of the building. A rear extension and detached garage, as well as a more extensive driveway area, are also proposed.
- 5.31 As identified by the conservation officer, given the highly sensitive location, the conversion of any redundant agricultural building to form a residential unit should be one of simplicity; as to retain the rural character of the site and avoid creating an overtly domestic dwelling. It is fully acknowledged that the existing building is not historic, and as such its conversion would not result in the loss of significant historic fabric.
- 5.32 Nevertheless, the building is of an interesting design, with the first floor hay loft entrance considered a distinctive feature of the building which reflects its agricultural origins. The overall form is considered to be typical of a rural building, and reflective of its predominantly rural surroundings. When assessing the impact of the development from both a visual and heritage perspective, the main consideration is the impact of the conversion on the character and appearance of the building and site as a whole, as opposed to the impact on any historic fabric. Given the location of the site within the Doynton Conservation Area, any harm that the development would have in this regard would subsequently affect the character and appearance of the conservation area.
- 5.33 In terms of the proposed side extension, the provision of this element would result in the central two storey element being flanked on either side by a single storey element. Whilst this would represent a move away from the form of the original building, this would follow the existing building line, and the overall scale and form of the extension would be consistent with the existing single storey element. As such, when considered in isolation, it is not considered that the provision of the proposed side extension would cause any significant harm to the character and appearance of the building and its immediate setting.
- 5.34 However when considered together with the proposed rear extension (sun room), which would project from the side extension, the original form of the host building becomes diluted. The rear projection would fail to respect the linear form of the building, and would appear as a particularly domestic addition. Furthermore, as identified by the conservation officer, the proposed gable design would create an element of visual competition between the extension and the distinctive hay loft entrance.
- 5.35 The proposed detached garage would, together with the associated area of gravelled driveway, also appear as a prominent and overtly domestic addition to the site. Whilst the provision of a flat, sedum roof would reduce the prominence of the building to some extent, it is still considered that the 3-bay garage would add to the overall sense of domestication.

- 5.36 Overall, the combination of the extensions to the building, and the provision of a large detached garage and associated extended driveway are considered to result in an overly domesticated site, which no longer reflects its informal and rural background. It is considered that the agricultural origins of the building would be lost, with its relationship with the surrounding site also diluted.
- 5.37 One of the key aims of policy PSP40 is ensuring that any proposal to convert a rural building enhances its immediate setting and seeks to preserve the character of the countryside. For the reasons set out above, it is considered that the proposal fails to do this. The proposal is therefore contrary to policy PSP40 and there is therefore an in principle issue with the development. The proposal is also considered contrary to policies CS1 and CS34 of the Core Strategy.
- 5.38 Whilst the site is not readily visible from public areas, the rural appearance and character of the site is considered to be reflective of, and contribute to the Doynton Conservation Area. The Doynton Conservation Area SPD describes the built environment within Doynton as being “characterised primarily by a relatively humble rural vernacular”. The existing building together with its immediate surroundings are considered to reflect the prevailing vernacular. Whereas the previously approved scheme would have preserved this vernacular to some extent, the conversion now proposed is unsympathetic, and would erode the rural character of this part of the conservation area. The proposal is therefore considered contrary to policy CS9 of the Core Strategy, and PSP17 of the Policies, Sites and Places Plan.
- 5.39 Landscape/AONB Impact
Policy PSP2 of the Policies, Sites and Places Plan outlines that Development proposals should seek to conserve and where appropriate enhance the quality, amenity, distinctiveness and special character of the landscape.
- 5.40 PSP2 also outlines that within the Cotswolds AONB, great weight will be given to the conservation and enhancement of the natural and scenic beauty of the landscape whilst taking account of the biodiversity interest and the historic and cultural heritage. Where development is proposed in a location which would affect the setting of the AONB, it must be demonstrated that it would not adversely impact upon the natural beauty of the AONB.
- 5.41 With regards to the impact on the surrounding landscape and wider AONB, it is considered that the alterations to the existing building on-site would have a fairly limited impact. Whilst the provision of a garage and gravelled parking area would increase the sense of domestication, it is not considered that the overall impact on the surrounding landscape would be severe.
- 5.42 It is noted that the proposal involves the removal of an existing tennis court, to be partially replaced by a detached garage and driveway, and partially by a wild flower meadow. Had the application had a recommendation of approval, a condition would have been applied to any consent, requiring a detailed scheme of landscaping to be submitted post-determination. Subject to a suitable scheme of landscaping being agreed, it is unlikely that the proposal would have a severe impact on the wider landscape or the natural beauty of the AONB.

That said, the issues relating to the impact of the development on the character of the site and its immediate surroundings remain.

5.43 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.44 No issues regarding the impact of the conversion have been identified as part of any previous applications. Overall, it is considered that the converted building would have an acceptable relationship with neighbouring residential properties, and as such the residential amenity of neighbours would not be detrimentally affected.

5.45 Had the application been recommended for approval, in the interests of preserving the amenity of existing residents during the construction period, a working hours condition would have been attached to any consent.

5.46 In terms of amenity space, an ample rear/side garden area would be provided. Overall, it is not considered that the proposal would have any unacceptable impacts on residential amenity, and the development is therefore considered to comply with policy PSP8 of the Policies, Sites and Places Plan.

5.47 Transport

In terms of access, vehicular access from the highway would be gained from the same shared driveway which formed part of the previously approved application. As such, there are no concerns with regards to access.

5.48 It is noted that an additional gravelled driveway area would be provided to the front/side of the dwelling. It is not considered that the new arrangement would have any negative impact in terms of highway safety, and it is also considered that an adequate number of on-site parking spaces would be provided. Overall, there are no concerns from a transportation perspective.

5.49 Ecology

An Ecological Appraisal and Bat Survey Report (Crossman Associates, September 2017) have been submitted alongside the application. These have been found to be acceptable by the ecology officer. No objection is raised subject to the development being carried out in accordance with the findings of the report, further details of lighting being submitting, and bat boxes and swallow nesting sites being provided. In the event of an approval, conditions to this effect would have been attached to any consent.

5.50 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.

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

5.52 Planning Balance

In terms of benefits of the proposal, it is acknowledged that the proposal would provide additional internal space for the occupants of the property, as well as a large garage for the parking of vehicles etc. It is acknowledged that the partial replacement of the tennis court with a wild flower meadow would have some visual and ecological benefit.

5.53 However these benefits are not considered to outweigh the identified harm. Furthermore, the removal of the tennis court and its replacement with a meadow is not considered to be reliant on the other elements of the development being carried out. The tennis court could be removed, and the land reverted back to a more natural state, without the extensions to the property and detached garage being implemented.

5.54 It is still considered that the further extension of the property and creation of a detached garage and associated driveway would erode the rural character of the site, with some of the rural integrity of the building also lost. It is also considered that the development would represent an inappropriate form of development in the Green Belt. The harms identified above outweigh the benefits, and the proposal therefore fails.

6. CONCLUSION

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

6.2 The recommendation to **refuse** permission has been taken having regard to the policies and proposals in the South Gloucestershire 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 **REFUSED**.

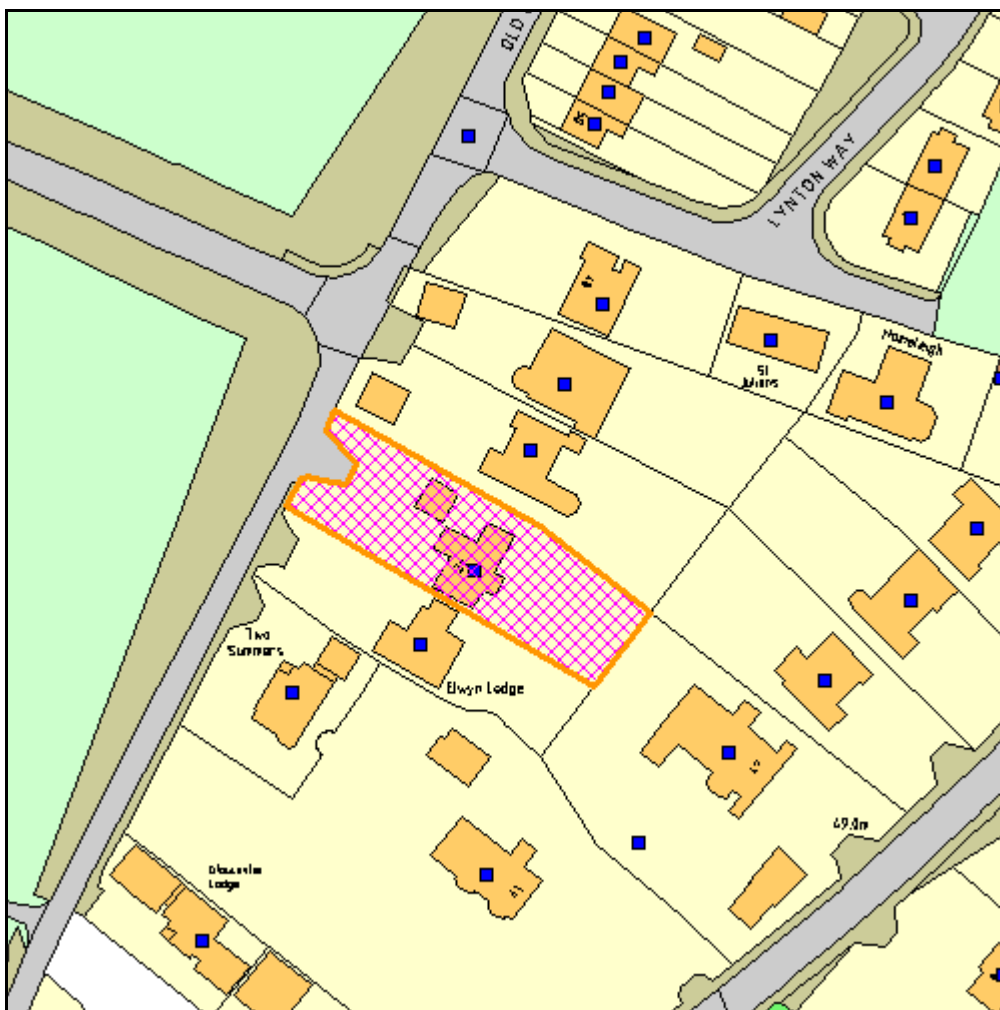
Contact Officer: Patrick Jackson
Tel. No. 01454 863034

REFUSAL REASONS

1. The site is located within the Bristol/Bath Green Belt and the proposed extensions to the building, erection of a detached garage, and extension of residential curtilage do not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.
2. The combination of the extensions, detached garage and substantial driveway would result in the domestication of the site; eroding its predominantly rural and informal character. The extensions to the dwelling would also alter the form of the building, diluting its agricultural origins and appearing as disproportionate additions. The detrimental impacts to the building and its setting would in turn cause harm to the character and appearance of the Doynton Conservation Area, with the development failing to successfully integrate in to an area characterised by a humble, rural vernacular. The proposal is therefore contrary to policies CS1, CS9 and CS34 of South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and Policies PSP1, PSP7 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

CIRCULATED SCHEDULE NO. 10/19 – 8 MARCH 2019

App No.:	PT18/6509/F	Applicant:	Mr Ravi Kumar
Site:	Rustington 42 Old Gloucester Road Frenchay Bristol South Gloucestershire BS16 1QW	Date Reg:	24th December 2018
Proposal:	Erection of two storey side and rear extension and raising of roofline to form additional living accommodation. Conversion and extension of garage to form studio with installation of canopy	Parish:	Winterbourne Parish Council
Map Ref:	363612 178134	Ward:	Frenchay And Stoke Park
Application Category:	Householder	Target Date:	18th February 2019



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 100023410, 2008. **N.T.S.** **PT18/6509/F**

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule as comments of objection from the local parish council have been received. These are contrary to the officer recommendation and according to the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two storey front, side and rear extensions and raising of roofline to form additional living accommodation. Conversion and extension of garage to form studio with installation of canopy at Rustington, 42 Old Gloucester Road, Frenchay.
- 1.2 The application site relates to a two storey, detached bungalow property which is located within a residential area of Frenchay.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

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 Standards

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/0376/F – Approved - 29.03.2005

Construction of dormer window to front elevation to facilitate loft conversion.

- 3.2 P86/1920 – Approved - 16.07.1986
Erection of detached double domestic garage

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

The comments of the Parish Council are Objection. This is over development of the site which does not appear to satisfactorily address the parking situation. The Parish Council is minded to call this plan in to sites

Sustainable Transport

The proposed development will remove vehicular parking from the existing detached garage to facilitate its conversion to a separate studio apartment.

The plans submitted show that there is adequate space within the frontage of the site to provide the required level of vehicular parking to comply with South Gloucestershire Council's residential parking standards.

Subject to a condition that the garage building (studio) is not sub-let or sub-divided from the main host dwelling at any time, there is no transportation objection raised.

Other Representations

4.2 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

It is considered that the proposed works could be tantamount to a new dwelling. This would be acceptable in principle due to the location for the host site.

5.2 Annex Test

For a proposal to be an annex it should only contain ancillary accommodation to the main dwelling and have some form of functional and physical reliance upon the main dwelling. Ultimately, the resultant development should be one planning unit i.e. one household rather than two separate dwellings.

In this instance the proposal has all the elements of principal living accommodation (i.e. one bedroom, a bathroom, and a lounge) that would enable it to be used as an independent unit of residential accommodation. However, the annex will be located in close proximity to the house and will share access, parking, and amenity space with the host dwelling, thus it is considered to meet the criteria of an annex as a physical and functional reliance can be demonstrated. Notwithstanding this, it is usual for a condition to be imposed restricting the use of the annex to be ancillary to the main dwelling and that it cannot be used independently of that dwelling. Subject to this condition, there would be no objection to the erection of an annex at this site.

5.3 Design and Visual Amenity

The application seeks full planning permission for the erection of a two storey front, side and rear extensions and raising of roofline to form additional living accommodation. Conversion and extension of garage to form studio with installation of canopy.

Garage extension and conversion

- 5.4 The proposed outbuilding will sit in the existing garage footprint, albeit with a slight enlargement to its north east elevation. Whilst the built form will remain, the existing garage door will be part infilled and replaced with 1.no window. This alteration will allow for the garage to be converted into an annex ancillary to the main dwellinghouse.

Two storey rear

- 5.5 The proposed two storey rear extension will have a maximum height of 7metres, extend approximately 2metres from the existing rear wall and have a width of approximately 13metres. The proposal will incorporate a centrally located hipped element which will introduce a modern black brick finish against white rendered elevations.

Two storey front and side

- 5.6 The two storey front and side extension will have a maximum height of 7.6 metres, a total width of 4metres and a depth of approximately 5.9metres. The proposal will introduce 1no. window to the principal elevation at ground floor level and 1no window and 1.no Juliet balcony at first floor level. A front facing gable is proposed with a slight reduction in ridge height, this is seen to increase the levels of subservience between the proposed extension and the host dwelling. The proposal will introduce black brick and dark grey windows.

Roofline and rooflights

- 5.7 The application site is a detached bungalow, the existing dwelling is gabled on both sides, with two gable dormers featured on the principal elevation. The proposal seeks to raise the existing ridge line by up to 1.8metres, the eaves will also be raised by approximately 2.2metres. The proposed will introduce 3.no rooflights to the principal elevation and 3.no rooflights to the rear elevation.

- 5.8 Cumulatively, it is recognised that this proposal represents a significant enlargement over what was originally once a detached bungalow with a gabled roof. PSP38 allows for development within existing residential curtilages that fall within defined settlement boundaries providing they respect the building

- line, scale and are of a high standard of design. It is considered that all the extensions proposed are reasonably conventional ways to extend this dwelling-type. It is considered that the design and scale of the proposal creates an addition that would appear in keeping with the local area.
- 5.9 The proposal is considered to have a modern standard of design and though it differs from the host property, which is not of noteworthy design quality, it is not considered to result in an unacceptable impact. Notwithstanding this, any further increase in the size and footprint of the building may prejudice the retention of adequate amenity space. It is therefore considered necessary to impose a restriction on the dwellings permitted development rights in order to allow for the local planning authority to consider any further impact on future developments.
- 5.10 An objection was received from the Parish Council that is concerned that the proposal would result in overdevelopment of the site. It is worth drawing attention to the fact that the proposal would only result in the development of approximately 43.6 m² of the garden which was not previously occupied by the dwelling; leaving more than an ample amount of outdoor amenity space. Furthermore, both the front and rear extensions will not project further than the adjacent properties or be closer to the boundary of the curtilage than the existing dwelling; therefore would not create any additional overbearing impact on the adjacent occupiers
- 5.11 Residential Amenity
Policy PSP38 of the PSP Plan (November 2017) 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.
- 5.12 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. Due to the location of the extensions, it is not considered that its erection would materially harm the residential amenity at any of the adjoining properties. Due to levels of separation, it is not deemed that the proposed extensions would impact upon the residential amenity enjoyed at properties nearby.
- 5.13 The proposal will occupy additional floor space, however sufficient private amenity space will remain following development and there is no objection with regard to this.
- 5.14 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP38 of the PSP Plan (November 2017).
- 5.15 Sustainable Transport and Parking Provision
As a result of the proposed development, the number of bedrooms within the property would increase from a total of 5 to 6 (including the annex).

South Gloucestershire Residential Parking Standards SPD outlines that properties with 5+ bedrooms must make provision for the parking of a minimum of 3 vehicles, with each parking space measuring a minimum of 2.4m x 4.8m.

5.16 Objections were raised by the local parish in regards to the proposal not providing satisfactory parking facilities. It is noted that as part of the proposal the existing detached garage will be converted to living accommodation. Notwithstanding this, submitted plans show that four parking spaces are to be provided to the front of the property and that ample space remains. On this basis, it is considered that the minimum parking provision for a 5+ bed property can be provided on-site. Furthermore, there are no objections on highways grounds.

5.17 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Westley Little
Tel. No. 01454 862217

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. 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, D, and E), 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 allow the local planning authority to manage any future development at the site, to accord with Policies CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and paragraph 145 (d) of the National Planning Policy Framework.

3. The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Rustington, 42 Old Gloucester Road, Frenchay, Bristol, South Gloucestershire, BS16 1QW.

Reason

The development has been permitted on the particular circumstances of the case and the development would require further assessment to be used as a separate residential dwelling with regard to internal dimensions of the annex, amenity, access, and private amenity space, to accord with policies CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; policies PSP8, PSP16, PSP38, and PSP43 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the NPPF.