



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF PLANNING, TRANSPORTATION AND STRATEGIC
ENVIRONMENT**

CIRCULATED SCHEDULE NO. 38/11

Date to Members: 30/09/11

Member's Deadline: 06/10/11 (5pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by the Planning and Transportation Committee on 21 November 1996. The procedure is designed to increase the effectiveness and efficiency of the Development Control Service. Under the arrangement reports are circulated on a weekly basis.

The reports assess the application, consider representations which have been received, and make a recommendation regarding the proposal. The procedure is designed to ensure that Members are aware of any concern expressed by interested parties in their ward and indicate a recommendation.

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **by email within five working days of the publication of the schedule (by 5pm)**. If there has been no 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, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee**

PLEASE NOTE: THE CIRCULATED SCHEDULE PROCESS IS ONLY OPEN TO THE ELECTED MEMBERS OF SOUTH GLOUCESTERSHIRE COUNCIL.

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of Planning, Transportation and Strategic Environment know 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 the end of Thursday) (see cover page for the date).

To refer an application(s) members are asked to email MemberReferral@southglos.gov.uk providing details of

- Application reference and site location
- Indicate whether you have discussed the application(s) with the case officer and/or area planning manager
- Indicate whether you have discussed the application(s) with ward member(s) if the site is outside of your ward
- The reason(s) for the referral

The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Development Control Committees or under delegated powers including:

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development

GUIDANCE FOR 'REFERRING' APPLICATIONS

Members are entitled to refer any application for consideration by the relevant DC Committee or Sites Inspection Committee, before a decision has been made. However as call-ins will delay the decision on an application in the interests of improving the effectiveness and efficiency of the Development Control service, this option should only be exercised after careful consideration. Members are therefore asked to take account of the following advice:

- Before referring an application always speak to the case officer or Area Planning 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**
- Always make your referral request by e-mail to MemberReferral@southglos.gov.uk, where referrals can be picked up quickly by the Development Services Support Team. If in exceptional circumstances, you are unable to e-mail your request, please contact 01454 863518, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

CIRCULATED SCHEDULE – 30 SEPTEMBER 2011

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK11/1251/F	Approve with Conditions	Star Vale Farm Horton Road Horton South Gloucestershire BS37 6PN	Cotswold Edge	Little Sodbury Parish Council
2	PK11/1549/F	Approve with Conditions	Precision Profiles Ltd Southway Road North Common South Gloucestershire BS30 8TY	Oldland	Bitton Parish Council
3	PK11/2539/EXT	Approve with Conditions	2 Peache Road Downend South Gloucestershire BS16 5RN	Downend	Downend And Bromley Heath Parish Council
4	PK11/2544/F	Approve with Conditions	23 North Street Downend South Gloucestershire BS16 5SY	Downend	Downend And Bromley Heath Parish Council
5	PK11/2652/F	Approve with Conditions	20 Court Road Oldland Common South Gloucestershire BS30 9SP	Oldland	Bitton Parish Council
6	PT10/2630/O	Approved Subject to	Astra Zeneca Avlon Works Severn Road Hallen South Gloucestershire BS10 7ZE	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
7	PT11/2434/F	Approve with Conditions	Barnes Court Whitley Mead Stoke Gifford South Gloucestershire BS34 8XT	Frenchay And Stoke Park	Stoke Gifford Parish Council
8	PT11/2475/F	Approve with Conditions	Field Off Vicarage Lane Olveston South Gloucestershire BS35 4BT	Severn	Olveston Parish Council
9	PT11/2476/F	Approve with Conditions	43 Woodlands Road Charfield Wotton Under Edge South Gloucestershire GL12 8LT	Charfield	Charfield Parish Council
10	PT11/2577/F	Approve with Conditions	43 Harry Stoke Road Stoke Gifford South Gloucestershire BS34 8QH	Frenchay And Stoke Park	Stoke Gifford Parish Council
11	PT11/2597/F	Approve with Conditions	Land North Of 113 Woodend Road Frampton Cotterell South Gloucestershire BS36 2HX	Frampton Cotterell	Frampton Cotterell Parish Council

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of objections from the Parish Council and a local resident; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the siting of a temporary agricultural workers dwelling for a period of three years at Star Vale Farm, Horton. The dwelling is required in connection with a combined Alpaca Farm/Cattery/Farm Shop enterprise. An existing farm building would be utilised for the 20-pen Cattery, a Farm Shop and as a farm workshop and feed store. A new polytunnel and timber barn for alpaca housing is also proposed. An existing access, shared with neighbouring Star Vale Farmhouse would be utilised to access the site from Horton Road across Sodbury Common. It is proposed to open the Farm Shop and Cattery to the public 7 days a week between 07.30-19.00hrs.
- 1.2 The existing farmstead has an isolated location, to the west of Horton Road; on the edge of Old Sodbury Common and about 1km to the north-east of Chipping Sodbury. As such the site lies in open countryside but has no special landscape designation. Star Vale Farmhouse and its curtilage bounds the site to the north-east; the house is a Grade II Listed Building. The existing application site comprises a large farm building and associated area of hard-standing (formerly the base of previous farm buildings). The adjoining paddocks to the north-east and west are also in the applicant's ownership. A caravan located at the south-western end of the existing farm building is unauthorised.
- 1.3 It is proposed to locate the temporary agricultural workers dwelling on the south-western edge of the yard. The position of the dwelling has been revised to meet concerns raised by the Conservation Officer. The dwelling would comprise a single-storey, 3-bedroom, log cabin, measuring 18.3m long and 6m wide with a roof ridge at 4m and eaves at 2.2m; there would also be a small area of side decking. The polytunnel would be located adjacent to the log cabin to the west and measure 15.2m long by 3.6m wide; a domed roof would have a maximum height of 2.5m. The proposed alpaca barn would measure 18m by 4.5m with a mono-pitch roof to a maximum height of 2.5m and this would be located in the field immediately to the south/south-west of the log cabin. It is also proposed to improve the existing block-work and corrugated metal sheet farm building by rendering the block-work and replacing the corrugated sheeting with timber boarding. Incorporated within the application is a package treatment plant and underground 5000 litre water tank both located within the yard.
- 1.4 The application is supported by the following documents:
- Design and Access Statement
 - Proposed Business Plan
 - Agricultural Appraisal
 - Statement of Significance

- Transport Assessment

2. **POLICY CONTEXT**

2.1 National Guidance

PPS1 - Delivering Sustainable Development
 PPS5 - Planning for the Historic Environment
 PPS7 - Sustainable Development in Rural Areas
 Ministerial Statement by the Rt Hon Greg Clark MP 23 March 2011
 The Draft National Planning Policy Framework (DNPPF) July 2011

2.2 Development Plans

Joint Replacement Structure Plan (Adopted Sept. 2002)

Policy 1 - Sustainable Development Objectives.
 Policy 2 - Location of Development.

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design in New Development
L1	Landscape Protection and Enhancement
L4	Forest of Avon
L9	Species Protection
L13	Listed Buildings
L17&18	The Water Environment
EP1	Environmental Pollution
EP2	Flood Risk and Development
EP6	Contaminated Land
E7	Conversion and Re-Use of Rural Buildings
E8	Farm Diversification
E9	Agricultural Development
T8	Parking Standards
T12	Transportation Development Control Policy
H3	Residential Development in the Countryside
E7	Conversion and Re-use of Rural Buildings
LC12	Recreational Routes

South Gloucestershire Core Strategy, Submission Draft Dec. 2010

CS1 High Quality Design
 CS9 Managing the Environment
 CS30 Yate and Chipping Sodbury

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.
 South Gloucestershire Landscape Character Assessment as adopted Aug 2005.
 The South Gloucestershire Landscape Character Assessment (Adopted) August 2005 – Landscape Character Area 5:- Wickwar Ridge and Vale.

3. RELEVANT PLANNING HISTORY

The following relate to the farmhouse.

- 3.1 P85/2764/L - Demolition of outbuildings.
Listed Building Consent approved.
- 3.2 PK05/2580/LB - Demolition of single-storey front and rear additions. Conversion of attached 1.5 storey barn to provide 2 storey living accommodation including 2 storey rear extension, single-storey lean to extension (inc rooflight), dormers to front and side, new stack, blocking of existing openings and creation of new windows.
Approved 12 Oct 2005
- 3.3 PK05/2648/F - Erection of single and two storey rear extensions. Alteration to roofline of annexe and installation of 2no. front and 1no. side dormer windows. Installation of chimney stack.
Approved 11 Oct 2005.
- 3.4 PK09/0313/LB - Demolition of single storey front and rear additions. Conversion of attached 1.5 storey barn to provide 2 storey living accommodation including 2 storey rear extension, single storey lean to extension (inc rooflight), dormers to front, side and rear, new stack, blocking of existing openings and creation of new windows, (Amendment to previously approved scheme PK05/2580/LB)
Listed Building Consent approved 7 April 2009.

Enforcement History

- 3.1 COE/05/0849 - Stationing of mobile home.
Closed
- 3.4 CAE/05/0220 - Stationing of mobile home.
Closed
- 3.5 COM/10/1090 - Caravan being used for residential purposes..
Pending consideration.

4. CONSULTATION RESPONSES (including internal consultees of the Council)

4.1 Little Sodbury Parish Council

Object. The concerns raised are summarised as follows:

- There are doubts that the applicant has a wayleave or easement across Sodbury Common to access the site.
- Not a viable scheme; there is already a functioning Cattery operating less than 1 mile away at Chase Boarding, Mapleridge Lane.
- The scheme is not in accordance with Local Plan Policy – retail outlet accessed across Common land.
- The existing residential caravan is unauthorised.

- The Common is used by dog walkers and the Model Aeroplane Club – dogs and planes would easily spook the Alpacas.
- Proposed Polytunnel would adversely affect the Cotswolds AONB, Cotswold Way and adjacent Grade II Listed Farm House.

4.2 Public Rights Of Way (PROW)

There would be no effect on the nearest recorded public right of way LSL/1/10.

4.3 Technical Support Street Care

No objection subject to a condition to secure a SUDS drainage scheme.

4.4 Sustainable Transport

Following the submission of a Transportation Statement, officers note that there is good visibility on the approaches to the farm. There would be a net reduction in trips to/from the site if the applicant lives on the site. The applicant is also proposing to tarmac the first 15m of the 200m track over which, she has legal right to pass. Officers raise no objection subject to a condition to secure the submission of a Travel Plan for written approval, prior to any open days taking place.

4.5 Landscape Officer

There is no 'in principle' landscape objection to the proposals, however new native planting should be introduced within and around the site to fully comply with Local Plan and Core Strategy policy. Consequently a planting plan should be submitted as a condition of planning.

4.6 Environmental Protection

No adverse comments.

4.7 Agricultural Assessment Agent

There is an intention and ability to farm Alpacas and create a Cattery and a Farm Shop. With everything combined there is a functional need for a presence on site out-of-hours. With everything in place the business could become viable. There is policy support for the need for a temporary dwelling to allow the business to be developed.

4.8 The Open Spaces Society

No response

4.9 Police Community Safety Officer

No response

4.10 Archaeology

No objections.

4.11 Conservation Officer

No objection to the revised location but would recommend conditions covering the samples of cladding and render and the protection of the landscaping/submission of landscaping proposals to minimise the potential visual impact of the scheme. An informative should also be added to advise the applicant that this application does not cover signage and that a separate

application for advertisement consent may be required depending on what is proposed.

Other Representations

4.13 Local Residents

4no. e-mails of objection have been received, the concerns raised are summarised as follows:

- Log cabin not needed as Starvale Farmhouse is for sale.
- Adverse impact on Star Vale Farmhouse – a Listed Building.
- Numerous Catteries in the area already.
- Applicant not qualified to run a Cattery.
- Inadequate shared access.
- Has planning permission been granted for signposting?
- Unauthorised caravan on site for 4 years.
- Alpaca business is not a profitable business.
- Applicant would require numerous workers to help run the business.
- Concerns about travellers occupying the site and Common.
- Increased traffic generation would result in a traffic hazard on Horton Road.
- Poor visibility at access onto unrestricted road.
- Cattle graze on the Common and roads.
- Polytunnels are ugly.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is located within the open countryside. National Guidance PPS7 and Policy H3 of the South Gloucestershire Local Plan allow for the erection of permanent dwellings for agricultural purposes, subject to a number of criteria being satisfied. Policy H8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, relating to the erection of dwellings for agricultural workers, is not in fact a saved policy and is therefore not material in the determination of this application. Policy E8 relates to farm diversification and permits the use of existing buildings for farm shops subject to criteria discussed below. Policy E7 permits the conversion and re-use of rural buildings for employment uses also subject to criteria discussed below. Similarly Policy E9 relates agricultural development. Policy L13 requires development to preserve the setting of Listed Buildings. The recent DNPPF is a material consideration within which the Government sets its aims and objectives for the planning system. The document encourages support for sustainable development that supports job creation and economic growth.

- 5.2 PPS7 para. 10 states that: 'Isolated new houses in the countryside will require justification for planning permission to be granted. Where the special justification for an isolated new house relates to the essential need for a worker to live permanently at or near their place of work in the countryside, planning authorities should follow the advice in Annex A to this PPS'. Annex A of PPS7 with regard to temporary agricultural dwellings states at para.12 that 'If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first

three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:

- (i) Clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- (ii) Functional need (see para.4 of Annex A)
- (iii) Clear evidence that the proposed enterprise has been planned on a sound financial basis;
- (iv) The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) Other normal planning requirements, e.g. on siting and access, are satisfied.

5.3 The application relates to a log cabin, which is appropriate for a temporary agricultural workers dwelling. With regards to the criteria listed above, the applicant has submitted an Agricultural Appraisal and Business Plan of the proposed enterprise. The Council commissioned an appropriately qualified agent from Gloucestershire County Council, to appraise the proposals under the terms of PPS7 and the following is based on his assessment:

5.4 Background Information and Current Situation

The applicant recently purchased the property now referred to as Starvale Farm Barn towards the end of 2010. There was a mobile home (the unauthorised caravan) already on the site, where the applicant has been living since.

About two or three years previous to this, the applicant started to build up a herd of Alpacas which were, up until recently, kept with another Alpaca producer. Now that she has purchased this block of land, it is the applicant's intention to expand the enterprise into a viable enterprise and at the same time start a cat boarding business together with a farm shop. The proposed temporary dwelling would support these enterprises.

The applicant previously lived at the family farm (Lydes Farm, Doddington) where the majority of the property was sold off in 2009. However the applicant retains a barn and two acres, which she intends to utilise in conjunction with the land at Horton.

Star Vale Farm consists of 15 acres of pasture plus the farm building in a ring fence.

5.5 Enterprises

Alpacas

The main enterprise is intended to be Alpaca production together with Alpaca products. The applicant already has 16 females of which a few have already given birth. In addition, the applicant has bought a share in a stud male which

secures various stud fees. Prices for Alpacas vary; however the applicant is aiming towards the top end of the market, starting off with a good gene pool with animals from an established herd that has already gained high reputation.

The intention is to also spin and produce garments and other Alpaca products for sale via the proposed farm shop.

Cattery

The applicant's daughter-in-law already runs a successful cat grooming business locally. It is proposed to utilise part of the existing farm building to run a combined cattery and grooming service. The proposal is to have 20 cat places with this element of the enterprise, which would be run by the applicant's daughter-in-law.

Farm Shop

The intention is to sell products, which predominantly come directly from the farm, especially garments and other fleece off-shoots of the Alpacas. It is also proposed to grow vegetables and plants to be sold through the farm shop outlet together with some cat products.

5.6 Dwellings

The applicant currently lives on site in a small caravan having sold her home at Lydes Farm, Doddington in 2009. No other dwellings are owned by the applicant.

5.7 Buildings

There is a large fully enclosed steel-framed building with a concrete floor, already on the site, which has been used as a workshop in the past.

5.8 Labour

At present the applicant herself carries out all the day-to-day husbandry work.

5.9 Proposals

Area

The applicant is not actively seeking to increase the acreage which she presently owns.

Future Enterprises

The intention is to build up the Alpaca herd to 50 or so breeding females and start selling females, and if fortunate, a stud male or two.

Buildings

A polytunnel would be erected in which to grow produce for the farm shop. It is also proposed to erect a building to provide Alpaca pens and handling area.

Dwellings

The proposal is to erect a log cabin, which would replace the existing caravan which would be removed from the site.

5.10 Conclusions based on PPS7

In accordance with Clause 12 to Annex A to PPS7, if a new dwelling is essential to support a new farming activity on a newly created unit, it would normally for the first three years be provided by a temporary home, which can easily be dismantled if necessary. Initially it would have to satisfy a number of criteria as follows:

Firm Intention and Ability – 12 (i)

The applicant has been keeping Alpacas for up to two years and has previously kept animals and run a livery at Lydes Farm, Doddington. The applicant therefore has adequate livestock experience to run an Alpaca enterprise. The applicant's daughter-in-law has the experience to run the cattery. There is a firm intention to create an Alpaca business, cattery and associated farm shop outlet.

Functional Need – 12 (ii)

The majority of the day-to-day activities for the Alpaca enterprise would normally be routine and would not necessarily require somebody to be living on site. Female Alpacas however are sensitive to disturbance and are prone to losing their unborn young if put under stress and this is a difficult issue to manage; it would therefore be preferable if there was somebody available to provide around-the-clock care and vigilance, especially since the business relies on the value of the progeny. Alpacas can however be mated to give birth during a certain time of the year e.g. Summer. The main need to be on site full-time is around birth and could therefore be considered semi-seasonal rather than full time. However the applicant seeks to breed alpacas all year round so that she has progeny to sell all year round, which is considered vital to the cash flow of the business.

There is a risk leaving any livestock unattended, however under clause 6 to Annex A (PPS7) the protection against theft or injury by intruders would not be sufficient to justify the functional need.

The cattery proposal, whereby up to 20 cat places could be occupied, would probably require an on-site presence as many cat owners would not be prepared to leave their animals where there was not round-the-clock attention.

Taking the proposed cattery together with the proposed Alpaca proposals, there would be an overall requirement, for there to be somebody living on site to allow these enterprises to build up.

Sound Financial Basis – 12 (iii)

The projected figures in the Business Plan are optimistic. The Alpaca industry has taken a downturn in recent years in respect of the ease of sales, although nationally the number of Alpacas falls short of that which would be required for a fleece industry, i.e. implies there is still space for new entrants.

However, if the applicant is able to sell one or two quality females per year and the cattery proves a success, then there is a possibility that the overall business would be viable.

Other Dwellings – 12 (iv)

There are no other suitable dwellings on the site that are available to the applicant.

Conclusion

There is an intention and ability to farm Alpacas and create a Cattery and a Farm Shop. With everything combined, there is a functional need for there to be an out-of-ours presence on-site. With everything in place the business could become viable. There is policy support for the need for a temporary dwelling to allow the business to be developed.

5.11 Design and Conservation Issues

Star Vale Farm is a grade II listed 17th century farmhouse, located in an isolated position on Sodbury Common. It is a traditional South Gloucestershire style vernacular farmhouse, of two-storeys, with prominent attic gables facing the common. It is rendered, with a clay tile roof and brick stacks, and has a slightly smaller extension to the north, which may have originally been an attached barn but is now part of the main farmhouse. The farm is surrounded by outbuildings, both historic and modern, many of which are in a deteriorating condition. The larger modern structures, once part of the agricultural setting of the farm, are considered to detract from the setting of the listed building and appear as imposing and intrusive structures when viewed from the main road cutting through the common.

- 5.12 The location of the temporary workers dwelling has been revised to push it well into the corner of the site and away from the listed building. It would not be seen in shared views from the common and should remain unobtrusive due to the existing planting that screens the site. The larger shed would now be clad in render and timber boarding, which is generally lighter in appearance than the stone cladding originally proposed.
- 5.13 The building would be one of many structures that surround the listed building, many of which are makeshift or in deleterious condition. The application proposes enhancements to one of the buildings as well as the introduction of a further building in the site, which could be seen as further eroding the isolated setting of the listed building. However, officers have to take into consideration the temporary nature of the proposal and the fact that it does not set a precedent for a new permanent dwelling on the site, which would have to be considered on its own merits.
- 5.14 In this respect, a temporary dwelling on the site in the location proposed is unlikely to have a substantial impact on the setting or significance of the adjacent Star Vale Farm given the other structures that separate them. It would be advisable to add a condition requiring the retention of the planting that currently acts as a screen between the site and the common. If the existing tree/hedge cover is removed, this would open up views into the site and of the

- new structures, which could harm the character of the locality and the setting of the listed building.
- 5.15 Subject to further conditions to secure samples of the render and timber cladding to the existing building, officers are satisfied that the scale, design and appearance of the scheme would accord with Policy D1 and in accordance with Policy L13 would preserve the setting of the nearby Listed Building.
- 5.16 Residential Amenity
The nearest residential property is Star Vale Farmhouse to the north-east, but the proposed mobile home would be located a reasonable distance from the house and would also be reasonably well screened from view by existing structures within the curtilage of the farm house. It is not considered that the proposal would have any overshadowing or overbearing effect on the neighbouring dwelling.
- 5.17 It is considered that there are no issues of inter-visibility or loss of privacy. Whilst there may be an increase in traffic generation to the site, this is likely to be sporadic throughout the day. The applicant's agent has confirmed that the proposed hours of opening for the Farm Shop and Cattery would be 07.30hrs–19.00hrs daily. Given the scale and nature of these operations, disturbance for the neighbouring residential property is not likely to be significant, especially given that the site is an active farm and farming activities are ongoing throughout the day. The Farm Shop and Cattery would be ancillary to the principal Farming use and any expansion of these elements would require planning permission in their own right. Officers propose to impose conditions, to restrict the hours of opening to those quoted above, and to prevent the Cattery/Shop from being operated entirely separate from the farming use. Subject to these conditions, the impact on residential amenity is deemed to be acceptable.
- 5.18 Transportation issues.
The existing yard area would be utilised for parking (6-12 spaces) and turning and the applicant has confirmed that she has right of way to pass over the existing access track across the Common. The access is shared by Starvale Farm, which is now a residential holding. A Transport Statement has been submitted that estimates the likely traffic generation to be as follows:
- Stud Service - 12 visits per/year.
Farm Shop - 32 per/month.
Cattery - With 60% occupancy 12 customers per week.
2-3 Special Open Days per year i.e. 1 at Christmas and 1 or 2 during the Spring/Summer – possibly 50-75 vehicles per day. (permitted under GPDO exemption).
- For open days parking on the remainder of the yard or in the adjacent field could be used.
- 5.19 Officers have noted that there is good visibility on the open approaches to the site. Furthermore by living on the site, the applicant would reduce vehicle movements by 120-150 movements per month. It is also noted that the

- applicant proposes to tarmac the first 15m of the 200m access track over which she has legal right to pass.
- 5.20 Officers do have some concerns in respect of the proposed Open Days but this can be covered by a condition to secure a Travel Plan to cover these days. The Travel Plan would need to demonstrate the traffic management. Consideration would need to be given to the prevailing weather conditions.
- 5.21 With no objections from the Councils Transportation Officer the proposal is considered acceptable in transportation terms and accords with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.22 Environmental and Drainage Issues
There are no objections on environmental grounds. In terms of drainage, the Councils Drainage Engineer has raised no objection to the proposal subject to a condition to secure the prior submission and approval of a SUDS drainage scheme. No public foul sewers are readily available so foul disposal is proposed to be to a package treatment plant. The proposal therefore accords with Policies L17 & L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.23 The Farm Shop
Policy E8 permits farm diversification, including Farm Shops, provided that the volume and nature of goods sold, would not have a significant adverse effect on shopping facilities available in nearby settlements, and the proposal is of a scale, which is consistent with its rural location.
- 5.24 The proposed Farm Shop would be relatively small and located within a small part of the existing farm building. The applicant has submitted a breakdown of the items likely to be sold from the shop; these are predominantly sourced from within the site and comprise garments and other fleece off-shoots of the Alpacas. It is also proposed to grow vegetables and plants to be sold through the farm shop outlet, together with some cat products. A condition could be imposed to ensure that no less than 90% of the sales from the shop are sourced from the farm.
- 5.25 The Agricultural Building
In accordance with Policy E9 the proposed agricultural building, required to house the Alpacas, would be erected on land, which is in use for agriculture. There would be no existing suitable underused buildings available on the site. Adequate provision is made for the access and manoeuvring of livestock and machinery. The building would be well related to the temporary dwelling and existing farm building and yard.
- 5.26 The Cattery
The proposed Cattery falls into the *Sui Generis* use class. In this case it would be ancillary to the main Alpaca Farm use but would utilise an existing rural building of sound construction. Whilst not a rural enterprise in the truest sense, it is not unusual to find Catteries located away from urban areas for the following reasons:
- A minority of cats are noisy.

- Litter trays need to be cleaned on a regular basis and in an urban location disposal bags awaiting collection can cause odours. The litter is more easily disposable in a rural setting.
- Cats prefer a peaceful setting.
- Some cats need walking and this is best achieved in a rural setting.

The demand for Catteries is increasing and the proposal, whilst making a small contribution to the rural economy, would also complement the nearby Dog Kennel at Chase Farm. The supporting text to Policy E8 states, at para. 7.71, that '*Farm diversification can help farmers stay in business and can provide facilities for local people and tourists in rural areas where there may otherwise be few. Moreover enterprises such as these may provide opportunities to re-use traditional farm buildings, particularly where parking can be contained within the farmyard*'. On balance therefore, officers are satisfied that this element of the proposal, together with the Farm Shop, is in accordance with Policy E8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.27 Other Concerns Raised

Of the other concerns raised that have not been addressed above:

- Chase Boarding, Mapleridge Lane is apparently a dog kennel only and does not cater for cats.
- The existing caravan is unauthorised and would be moved off the site prior to occupation of the temporary dwelling. This would be secured by condition.
- Whilst dogs are exercised on the Common they would not have access to the Alpacas.
- The Model Aeroplane Club have a Code of Conduct that restricts their flying over private houses and farm buildings. The applicant has never seen a Model Aeroplane fly over the land at Star Vale Farm.
- Whilst Star Vale Farmhouse may be for sale, the proposed business is not yet established, so purchase of the farmhouse is considered too greater commitment at this stage.
- Potential occupation of the land or Common by travellers, would be unauthorised and is not considered a reasonable justification for refusal of the application.

6. CONCLUSION

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

The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

- a) The proposed use would not give rise to a material loss of amenity to the adjacent occupiers. The development therefore accords with Policies E8, E9 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) It has been assessed that the proposed development has been designed to respect and maintain the massing, scale, proportions, materials vernacular and overall design and character of the rural location. The development therefore accords to Policies E7 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (adopted) 2007.
- c) The proposal would provide adequate visibility at the access onto Horton Road and adequate off street parking within the site. The proposal would not give rise to unacceptable levels of traffic generation. The proposal is therefore considered to be acceptable in highway safety terms in accord with Policies E8, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.
- d) The proposal is considered to be of a good quality design and layout, which integrates well with the rural context and landscape. The proposal would not result in material harm to the visual amenity of the countryside or setting of the Cotswolds AONB. The proposal therefore accords with Policies L1, L2 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006.
- e) Consideration has been given to the proposal's impact on protected species in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.
- f) The scheme demonstrates a good standard of sustainability in accordance with the requirements of Policy D1 of the South Gloucestershire Local Plan (Adopted)
- g) Consideration has been given to the environmental and drainage aspects of the proposal in accordance with the requirements of Policies L17 & L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.
- h) The existing building is considered to be structurally sound and capable of conversion in accordance with Policy E7(A) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- i) The proposed development would preserve the setting of the nearby Listed Building in accordance with Policy L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- j) The volume and nature of goods sold from the Farm Shop would not have a significant adverse effect on shopping facilities available in nearby settlements in accordance with Policy E8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application be GRANTED subject to the conditions listed on the decision notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

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 building hereby permitted shall be removed and the land restored to its former condition on or before 3 years from the date of this decision; in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason

To enable the Local Planning Authority to fully re-assess the viability of the alpaca enterprise over the longer term, prior to the mobile home being removed, and in accordance with Annexe A of PPS7 - 'Sustainable Development in Rural Areas'.

3. The occupation of the mobile home hereby permitted shall be limited to a person solely or mainly breeding alpacas on the site, or widow or widower of such a person, and to any resident dependants.

Reason

The site is not in an area intended for development and the development has been permitted solely because it is required to accommodate a person working in agriculture or forestry, and to accord with Annexe A of PPS7 - 'Sustainable Development in Rural Areas'.

4. The hours of working on site during the period of construction/conversion shall be restricted to 07.30 to 18.00 Mondays to Fridays, and 08.00 to 13.00 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 minimise disturbance to neighbouring properties and to accord with Policies E8, E9 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of development, drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions

(e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policies L17 _ L18 , EP1, EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policies L17 _ L18 , EP1, EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. There shall be no storage of containers or caravans on the site at any time, be that temporary or otherwise.

Reason 1

To ensure the satisfactory appearance of the development and to protect the setting of the Cotswolds AONB and visual amenity of the rural landscape in general and to accord with Policies , D1, L1, L2, and E7(C) of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2

To protect the setting of the nearby Listed Building and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

8. Samples of the proposed cladding, demonstrating the colour, type and texture are to be submitted and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. Development shall be carried out in accordance with the agreed sample.

Reason 1

To ensure the satisfactory appearance of the development and to protect the setting of the Cotswolds AONB and visual amenity of the rural landscape in general and to accord with Policies , D1, L1, L2, and E7(C) of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2

To protect the setting of the nearby Listed Building and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. A sample panel of the render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason 1

To ensure the satisfactory appearance of the development and to protect the setting of the Cotswolds AONB and visual amenity of the rural landscape in general and to accord with Policies , D1, L1, L2, and E7(C) of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2

To protect the setting of the nearby Listed Building and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason

To minimise light spillage and to protect neighbouring residential amenity and to accord with Policies , D1, EP1, E8 and E9 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. The hedgerow on the front (south-eastern) boundary of the site shall be retained in situ and maintained at a height of no less than 2 metres at all time along its entire length.

Reason 1

To screen the development and ensure the satisfactory appearance of the development and to protect the setting of the Cotswolds AONB and visual amenity of the rural landscape in general and to accord with Policies , D1, L1, L2, and E7(C) of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2

To screen the development and to protect the setting of the nearby Listed Building and to accord with Policy L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

12. No less than 90% of the goods/produce sold from the Farm Shop hereby approved, shall originate from within the farm holding within which the farm shop is located.

Reason 1

To limit traffic generation in the interests of sustainability and highway safety in accordance with Policies E8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Reason 2

To limit the effect on shopping facilities available in nearby settlements in accordance with Policy E8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

13. Prior to the first open day taking place at the site, a Travel Plan shall be submitted to and approved in writing by, the Local Planning Authority. The Travel Plan should include a demonstration of the traffic management to be implemented for the event(s) with particular reference to periods of inclement weather.

Reason

In the interests of highway safety and to ensure traffic is adequately managed within the curtilage of the site and along the access in accordance with Policies T12 and E8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

14. The Farm Shop and Cattery hereby approved shall not be open to the public outside the following hours 07.30hrs to 19.00hrs, Mon to Sun inclusive including Bank Holidays.

Reason

To minimise disturbance to neighbouring occupiers and to accord with Policy E8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

15. The Farm Shop and Cattery hereby approved, shall only be used in conjunction with the farm holding within which they are located and shall not be sub-let to any other operator.

Reason

To minimise traffic generation to the site and to restrict over intensification of the use of the site in the interests of highway safety and to accord with Policies T12 and E8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

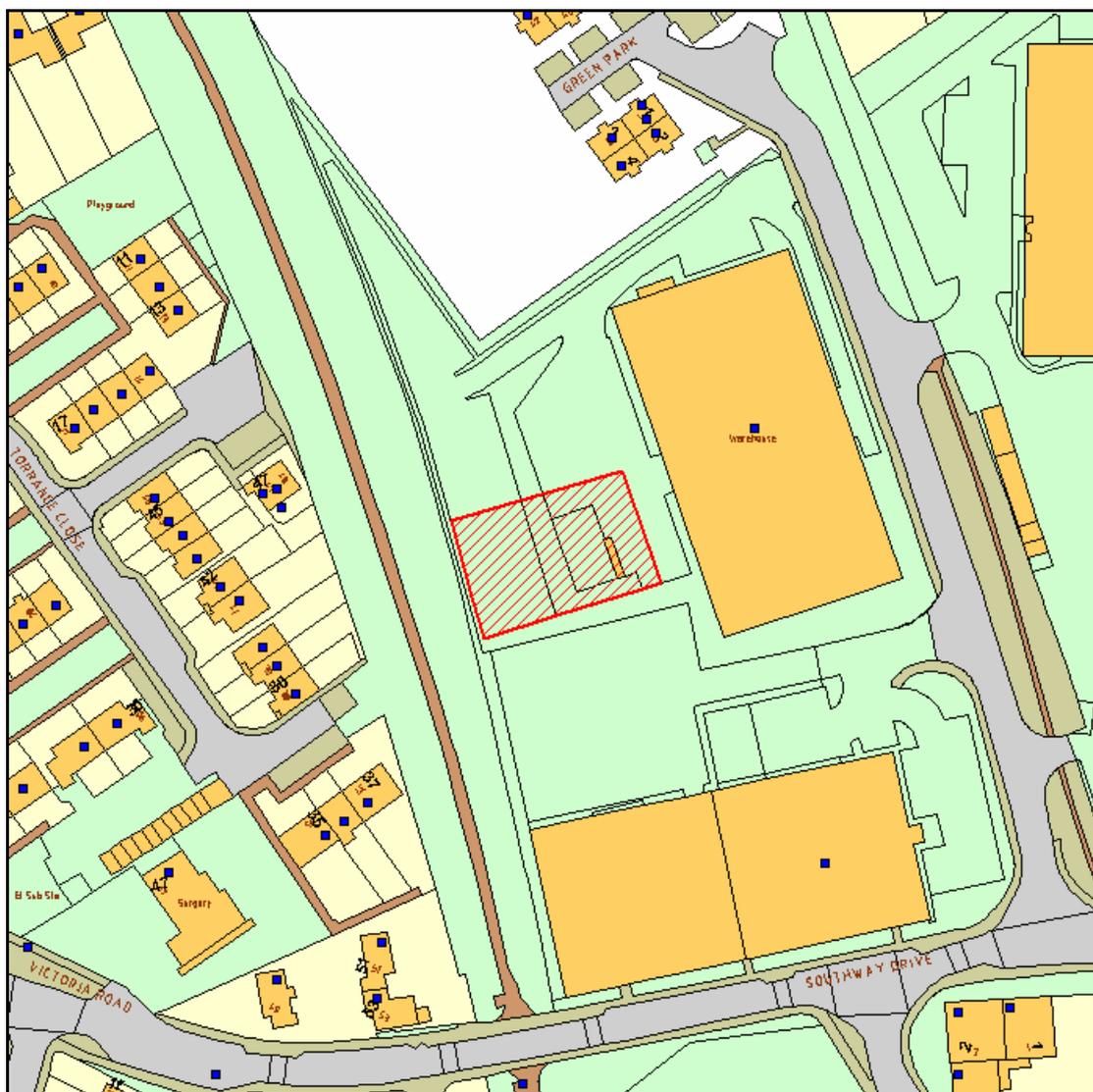
16. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason 1

To screen the development and ensure the satisfactory appearance of the development and to protect the setting of the Cotswolds AONB and visual amenity of the rural landscape in general and to accord with Policies , D1, L1, L2, and E7(C) of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/11 – 30 OCTOBER 2011

App No.:	PK11/1549/F	Applicant:	Mr R Avery
Site:	Precision Profiles Ltd Southway Road North Common Bristol South Gloucestershire	Date Reg:	23rd May 2011
Proposal:	Erection of warehouse for storage use ancillary to existing B2 use. (Resubmission of PK10/1975/F)	Parish:	Bitton Parish Council
Map Ref:	367693 172479	Ward:	Oldland Common
Application Category:	Minor	Target Date:	12th July 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/1549/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Objections have been received from the Parish Council regarding the proposed development.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a warehouse to be used in conjunction with an existing B2 use on site for storage purposes. This application is re-submission of a recently refused planning application for a similar proposal (PK10/1975/F).
- 1.2 The site of the proposed warehouse lies within the designated safeguarded employment area of Warmley.

1(b) Background/Information submitted in support of application

- The proposal is to erect a new warehouse to allow additional storage capacity for the expanding business
- Having additional storage on site reduces the need to acquire new premises of site

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
Ministerial Statement, Planning for Growth 23rd March 2011

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Design
- E3 Proposals for assessing proposals for employment development
- E4 Safeguarded Employment Area
- T12 Transportation Development Control Policy
- L1 Landscape Protection and Enhancement
- L9 Species Protection
- EP1 Environmental Pollution

- 2.3 Supplementary Planning Guidance
Design Checklist
Trees on Development Sites

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/1975/F Erection of warehouse
 Refused 2010 on residential amenity, ecological
 And landscaping grounds

- | | | |
|-----|---------------|--|
| 3.2 | PK07/1578/F | Change of use from B2 to B8
Refused October 2007 |
| 3.3 | 97/4145 | Erection of factory and storage tanks B2 use
Approved |
| 3.4 | PK06/3262/RVC | Vary hours of operation
Approved December 2006 |
| 3.5 | PK06/2657/VAR | Vary hours of operation
Withdrawn October 2006 |

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Councillors object to this application which they fear will create further movement of heavy trucks. Should the application be successful Councillors request that a condition be imposed requiring the roof colour to be grey to match existing buildings.

4.2 Other Consultees

Environmental Protection

No objection subject to planning conditions, addressed in detail under paragraph 5.5 of this report

Technical Support (Street Care)

No objection subject to a condition relating to SUDS

Tree Officer

No objection

Transportation Officer

No objection subject to planning conditions, addressed in detail under paragraph 5.6 of this report

Other Representations

- 4.3 Local Resident
No response

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy E3 of the adopted South Gloucestershire Local Plan advises planning permission will be granted for employment generating uses, subject to the satisfaction of criteria set out in Policy E3, which is listed below: The application site is a safeguarded economic site under Policy E4 of the SGLP.

- 5.2 In addition the Council's Core Strategy has been submitted to the Secretary of State and is awaiting examination in public. As such the Core Strategy is considered to carry clearly less weight than the adopted Development Plan. However, the policy relating to Safeguarded Employment Areas renamed Safeguarded Areas for Economic Development is to be retained in principle (currently named Policy CS12) and the application site will remain within a safeguarded area. The supporting text relating to Policy CS12 advises that opportunities to redevelop existing employment sites, through intensification or re-modelling will be encouraged. Redevelopment can increase productivity through the more efficient use of land and enable the site to make a better contribution to the local area through better design and improving the number and range of jobs available.
- 5.3 Since the determination of planning application PK98/4456 National Guidance PPS4 Planning for Sustainable Economic Growth has replaced PPG4. PPS4 advises that Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic development should be treated favourably.
- 5.4 In addition material to the determination of this application is a recently refused planning application PK10/1975/F that sought permission for a warehouse for ancillary storage purposes. This is addressed in detail below. One of the key planning consideration is whether or not this revised application has overcome those planning objections.
- 5.5 **A. Development would not have unacceptable environmental effects; and**
The application site relates to that of a safeguarded employment site. Residential properties are sited west of the application site at a distance of 25.0m separated by a cycle track. Adjoining the northern boundary of the application site are 10 live work units. It should be noted that planning permission has recently been granted to allow the remaining 30 units yet to be built to be used solely for residential purposes. The proposal has been assessed by the Council's Environmental Protection Team who has raised no objection to the proposed warehouse, as the only access to the building appears to be the roller door to the southern end of the building. Any existing site conditions should equally apply to the proposed warehouse. In order to protect the amenity of local residents during the period of construction, it is recommended conditions relating to Construction sites should be attached to the permission, to apply during the period of demolition/construction. The application form states that hours of operation on the site are as existing i.e Monday-Friday. As the unit is to be used ancillary to the main B1 use on site, it is considered that the proposed use in this location would not have an unacceptable impact.

The previous planning application was refused on the grounds that in the absence of an ecological survey the Council was unable to fully assess the impact of the scheme on the nearby ecological buffer along the eastern boundary. This refusal reason has been overcome as the revised scheme has moved the building away from the boundary and further into the site. It is

considered the revised scheme by reason of its location and ancillary use for storage purposes will not have any unacceptable environmental effects.

The Council's Drainage Engineer has confirmed that no objection is raised on drainage grounds subject to the imposition of a drainage condition requiring the submission and approval of SUDS details.

5.6 **B. Adequate provisions is made for servicing and delivery requirements and development would not give rise to unacceptable level of vehicular traffic, especially heavy goods vehicles, or on street parking, to the detriment of the amenities of the surrounds area and highway safety; and**

The proposal is to erect a new warehouse to allow additional undercover storage for the existing business. The new building if constructed would affect some part of the existing car park and for this reason the applicant is proposing changes to the existing parking layout. The parking area is currently unmarked. It is proposed to mark-out the parking area which will provide maximum of 55 spaces. The applicant is further proposing to relocate cycle shed to the north of the upper car park.

The existing site benefits from having two separate accesses and the delivery vehicles follow a one-way route round the site. The existing site accesses would remain unchanged.

Objections have been raised from the Parish Council with regards to further movements of heavy vehicles at this location. On this issue It is considered that having additional storage on site would reduce the need to provide storage area further a field which would be more damaging to the environment due to the additional vehicles having to travel longer distances. Notwithstanding this and in acknowledging the Parish Council's concerns, it is considered appropriate to impose a number of planning conditions restricting the use of the building to storage of materials in connection with the main building on the site and there shall be no subletting or letting of this unit. Further conditions recommended with regards car parking and outside storage of materials.

5.7 **C. Development would not prejudice existing residential amenities; and**

The application site relates to that of a safeguarded employment site. Residential properties are sited west of the application site set back at a distance of 25.0m and separated by a cycle track. Adjoining the northern boundary of the application site is a partially constructed scheme for live work units and 30 residential units. As addressed above no objection is raised on grounds of noise and disturbance as a result of the proposed development.

The previous application however was refused on the grounds the proposed building by reason of its scale and siting i.e. tight against the adjoining boundary would adversely affect the residential amenities of the future occupiers of those live work units. This planning refusal reason has been overcome, as the proposed building has been moved further into the site away from the adjoining boundary.

The agent has confirmed that hours of operation shall remain the same. It is therefore recommended that previous hours of operation approved on this site shall be imposed.

5.8 **D. The character of the area or settlement is not adversely affected**

With the exception of the live/work units under construction at the end of Southway Drive, the immediate locality bordered by the cycle track to the west, exhibits an industrial character. The proposed building by reason of its design and scale is considered appropriate in this location. It will have red coloured cladding walls to match the existing building in site. The Parish has requested that in the event planning permission is granted a condition should be imposed requiring the roof colour to be grey to match existing buildings. A condition will be imposed requiring the roofing materials match existing in terms of colour.

The previous application was refused on the grounds that in the absence of an Aborigicultural Implications assessment the Council was unable to fully assess the impact of the proposed development on existing trees and landscaping that borders both sides of the proposed site. It was considered that a building in this location could result in removal of landscaping which would clearly have a harmful impact on the character of the immediate landscape. Due to the revised location of the proposed building, this objection has been overcome.

The Council's Tree Officer has advised as no objection is raised as no trees will be affected by the proposed development, due to the proposed siting of the building

5.9 **E. The maximum density compatible with the site's location, its accessibility and its surroundings is can be achieved and**

Given the scale of the proposed development in relation to the site, it is considered that it satisfies the above criteria.

5.10 **F. In the case of travel intensive B1 (office) development, the site is well served by public transport**

The proposal relates to a warehouse, which is to be used for ancillary storage purposes in conjunction with the existing B1 use on site, and will generate 4-5 additional staff. The site is on a regular bus route which will allow for the use of public transport. There is existing cycle parking for additional staff.

6. CONCLUSION

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

a) The proposed building by reason of its scale, siting and restricted hours of operation and use will not have an adverse impact on the existing amenities of neighbouring occupiers in terms of noise and disturbance -Policy E 3 and EP1 of the South Gloucestershire Local Plan

b) The proposed building by reason of its scale, design and siting will not have an adverse impact on the visual amenities of the area as it relates solely to change of user- -Policy E 3 and D1 and EP1 of the South

c) The proposed building would not have an adverse impact on highway safety -Policy E 3 and T12 of the South Gloucestershire Local Plan

7. RECOMMENDATION

7.1 Planning permission be granted subject to the following planning conditions.

Contact Officer: Tracey Price
Tel. No. 01454 863424

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 use of the building hereby authorised shall only be used within the following hours 06:00am-22:00pm Mondays to Fridays and 09:00am-18:00pm Saturdays with no working on Sundays or Bank Holidays.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The proposed warehouse hereby approved shall at no time be sublet or sud divided from the existing warehouse (B2 use) on site as shown with the owbership of the applicatnt on approved dwg./R009/01 A.

Reason

In the interest of highway safety and to limit commercial traffic movements and to accord with Policies E3 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the occupation of the building hereby authorised, all car parking spaces as shown on approved dwg.R009/03B shall be marked out on site in accordance with the approved plan. The car parking spaces and manoeuvring area shall not be used therefore for any purpose other than the parking and manoeuvring of vehicles.

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 Policies E3, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the occupation of the building hereby authorised, the cycle shed as shown on approved dwg.R009/03B shall be provided in accordance with the approved plan. The cycle shed car shall not be used thereafter for any purpose other than for the purposes of cycle parking.

Reason

To encourage means of transportation other than the private car, to accord with Policy 10 T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No outside storage of material/goods/waste or plant shall take place at the premises.

Reason

To ensure the satisfactory provision of parking facilities and manoeuvring facilities at all times and to accord with Policies E3, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The use of the building hereby authorised shall be limited to the storage of materials in connection with the main B2 use of the existing building on site.

Reason

In the interest of highway safety and to limit commercial traffic movements and to accord with Policies E3 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The rating level of the noise emitted from the site shall not exceed 50 dBA by day and 40 dBA by night. The Noise level shall be determined at the site boundary. The measurement and assessment shall be made according to BS4142:1990.

Reason

To safeguard the amenity of adjoining residents and to accord with policy E4 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts)within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.(Delete as appropriate)

10. The colour of the roof building shall match the existing building on site.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/11 – 30 SEPTEMBER 2011

App No.:	PK11/2539/EXT	Applicant:	Mr Goodarz Nikovee
Site:	2 Peache Road Downend Bristol South Gloucestershire BS16 5RN	Date Reg:	16th August 2011
Proposal:	Erection of 1no. detached and 2no. semi detached dwellings with access and associated works. (Consent to extend time limit implementation for PK08/1887/F).	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365434 176768	Ward:	Downend
Application Category:	Minor	Target Date:	7th October 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/2539/EXT**

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

This planning application has been referred in light of comments received from a local resident regarding the proposed development.

1. THE PROPOSAL

- 1.1 The application is seeking an extension on the time limit attached to application reference PK08/1887/F at 2 Peache Road, Downend. The original application was for the erection of 1 no. detached and 2 no. semi detached dwellings with access and associated works and was approved on 22nd August 2008. This application was registered on the 16th August prior to the expiry date.
- 1.2 The application site relates to a two storey semi detached locally listed dwelling and garden land within the established residential area of Downend.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing as revised June 9th 2010
PPG13 Transport
PPS5
Ministerial Statement 9th June 2010

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
H2 Proposals for Residential Development within the Existing Urban Area
L1 Landscape Protection and Enhancement
L17 & L18 The Water Environment
EP1 Environmental Protection
EP7 Unstable Land
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control
L15 Locally Listed Buildings

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1 High Quality Design
CS5 Location of Development
CS16 Housing Density
CS17 Housing Diversity

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/1887/F Erection of 1 no. detached and 2 no. semi detached Dwellings with access and associated works
Approved with conditions August 2008
- 3.2 PK07/1352/F Erection of 2 Houses
Approved with conditions Aug 2007

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection
- 4.2 Drainage Engineer
No objection subject to previous planning condition
- 4.3 Listed Building Officer
No objection addressed under paragraph 5.5 of this report
- 4.4 Tree officer
No objection

Other Representations

- 4.5 Local Residents
1 letter of been received from a local resident wanting to put the following on record but also advising that no objection is raised to the proposed houses. The Planning officer has summarised those comments as follows:
- Application form refers to shared and communal parking area
 - I am putting it on record that I have no intention of sharing a parking area
 - I will not allow anyone to block my driveway
 - Is the Council aware that the planned entrance/exit is parallel to an existing bus stop of bus stop
 - Otherwise no objection to the houses.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The principle of development was accepted as a part of the previous application PK08/1887/F. Since the determination of the previous application the South Gloucestershire Core Strategy (Submission Draft) has been issued as identified in section 2.2 of this report. In addition to this, national government guidance has been revised - Planning Policy Statement 3: Housing, was reissued on 9th June 2010 to reflect concerns regarding the redevelopment of neighbourhoods, loss of Green Space and the impact upon local character.

5.2 Analysis of Proposal

In assessing this application to extend the time limit for implementation, it is necessary to assess any material changes in either policy and any other material considerations since the approval of the previous application.

5.3 The local plan policies against which the application was considered against remains the same as those considered in 2008, in particular Policies H2 and H4. Central Government Policy has altered since 2008 with the amendments to PPS3. The changes to PPS3 involved the exclusion of private residential gardens from the definition of previously land and the removal of the national indicative density target of 30 dwellings per hectare. However, the policies in the local plan, policies H2, H4 and D1 already require that proposals are assessed for their impact upon the character of the area and that proposals make efficient use of land.

5.4 In addition to the above, the South Gloucestershire Core Strategy Submission Draft was published December 2010. Whilst this document is a material consideration in the determination of planning applications, it will be afforded less weight than the adopted Local Plan at this stage. Policies of relevance within the core strategy include CS1 High Quality Design, CS5 Location of Development, CS16 Housing Density and CS17 Housing Diversity. It is considered that the proposal meets the requirements of the relevant Core Strategy policies, in addition to those of the existing Local Plan.

5.5 The agent is of the view the existing buildings on site were locally listed after the PK08/1887/F application was determined and this therefore is a new material planning consideration as part of this current application. The Planning officer can confirm the buildings were in fact locally listed at the time of PK08/1887/F application and this was addressed accordingly. The main change to policy however has been the replacement of PPG15 with PPS5 which extends the definition of heritage assets to include buildings that have been identified by the Council as being of local architectural or historic interest; locally listed. Policies HE7 and HE8 relate to development affecting such buildings. Policy HE7 states that 'local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.' Policy HE8 goes on to states that 'the effect of an application on the significance of such a heritage asset or its setting is a material consideration in determining the application.' As the impact of the development was originally considered in 2008 having careful regard to the scale, massing and position of the proposed new development, the decision was in accordance with the guidance now enshrined in PPS5. Consequently, no objection is raised to the extension of the time limit

5.6 Physical changes and visual impact

No material changes have taken place to the physical environment within or immediately surrounding the application site since application PK08/1887/F. Consequently it is considered that the extension in time is acceptable in this instance.

All conditions attached to the previous application will be carried forward to this extension of time application unless the conditions have already been discharged.

5.7 Parking and Highway Safety

At the time of the previous planning application PK08/1887/F all issues relating to satisfactory levels of on site car parking for the existing dwelling no.2 Peache Road and future occupiers of the development and manoeuvring were fully considered and considered acceptable subject to a planning condition which will be carried forward. No changes in policy or material changes in the immediate area have occurred since the previous recommendation, as such the proposal is still considered to be in accordance with Local Plan policies.

5.8 The following should be noted. The current owner of no.2 Peache Road who is not the applicant has advised that whilst they raise no objection to the proposed dwellings they want the following put on record:

- No intention of sharing a parking area
- Will not allow anyone to block my driveway

5.9 It should be noted at the time the previous application PK08/1887/F was being considered by the Council the applicant sold no.2 Peache Road and the new owners moved in during the course of the application being considered. It would appear the new owners had not been made aware of the application by the previous occupier. It should be noted however the Council had sent out a letter of consultation to no.2 but the previous owner would have received that. Clearly there was a responsibility of the seller of the house land to inform the new occupiers of the application.

5.10 The previous application was approved on the basis that car parking would be provided for the existing occupiers of no.2 and the future occupiers of the development. The space for no.2 has been specifically marked out on the approved dwg. On that basis the Council raises no objection. The agent has confirmed as part of this current application, that the applicant is still able to comply with that condition in terms of providing car parking spaces. Those issues as raised the neighbour are civil matters that will need to be resolved between no. 2 and the applicant. Clearly if development is taking place on land not within the applicant's ownership this planning permission will not override that and an informative will be imposed advising that.

5.11 The neighbour has flagged up that a bus stop is parallel with the proposed exit and entrance of the development. The Council's Highway Officer has confirmed both bus stops within close proximity of the application site were in place prior to both the previous planning approvals granted for this site (PK07/2322/F and PK08/1887/F). The Planning officer is therefore of the opinion that this does not materially affect the application.

5.12 Residential Amenity

The impact of the proposal was assessed as part of the previous application and given the scale and position of the proposal it was not considered that the proposed development would have any significant detrimental impacts on residential amenity. It is therefore considered that the proposal is still in accordance with national and local government guidance.

5.13 Drainage

The drainage engineer still raises no objection to the proposal. As such subject to the attachment of the same conditions, a condition to ensure the submission of details of sustainable drainage system submission of a there are no objections to the proposal.

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.

a) Despite the additional policy consideration in the form of South Gloucestershire Core Strategy Submission Draft December 2010, and amendments to PPS3 the proposal is still considered to comply with the requirements of both Central and Local Government policy.

b) No material changes have taken place in physical terms since PK08/1887/F was approved. As the proposal PK08/1887/F was considered acceptable in residential amenity and highway terms, this extension of time is also considered to be acceptable in residential amenity and highway terms. The development therefore accords to Policy H4, H2, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions.

Contact Officer: Tracey Price
Tel. No. 01454 863424

CONDITIONS

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

Reason

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

2. No development shall take place until samples of the roofing and external facing materials proposed to be used for the approved dwellings and boundary wall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of proposed landscaping and areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development.

Reason

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development.

5. No development shall take place until drainage details proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (eg soil permeability, watercourses, mining culverts) within the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policies EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policies EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

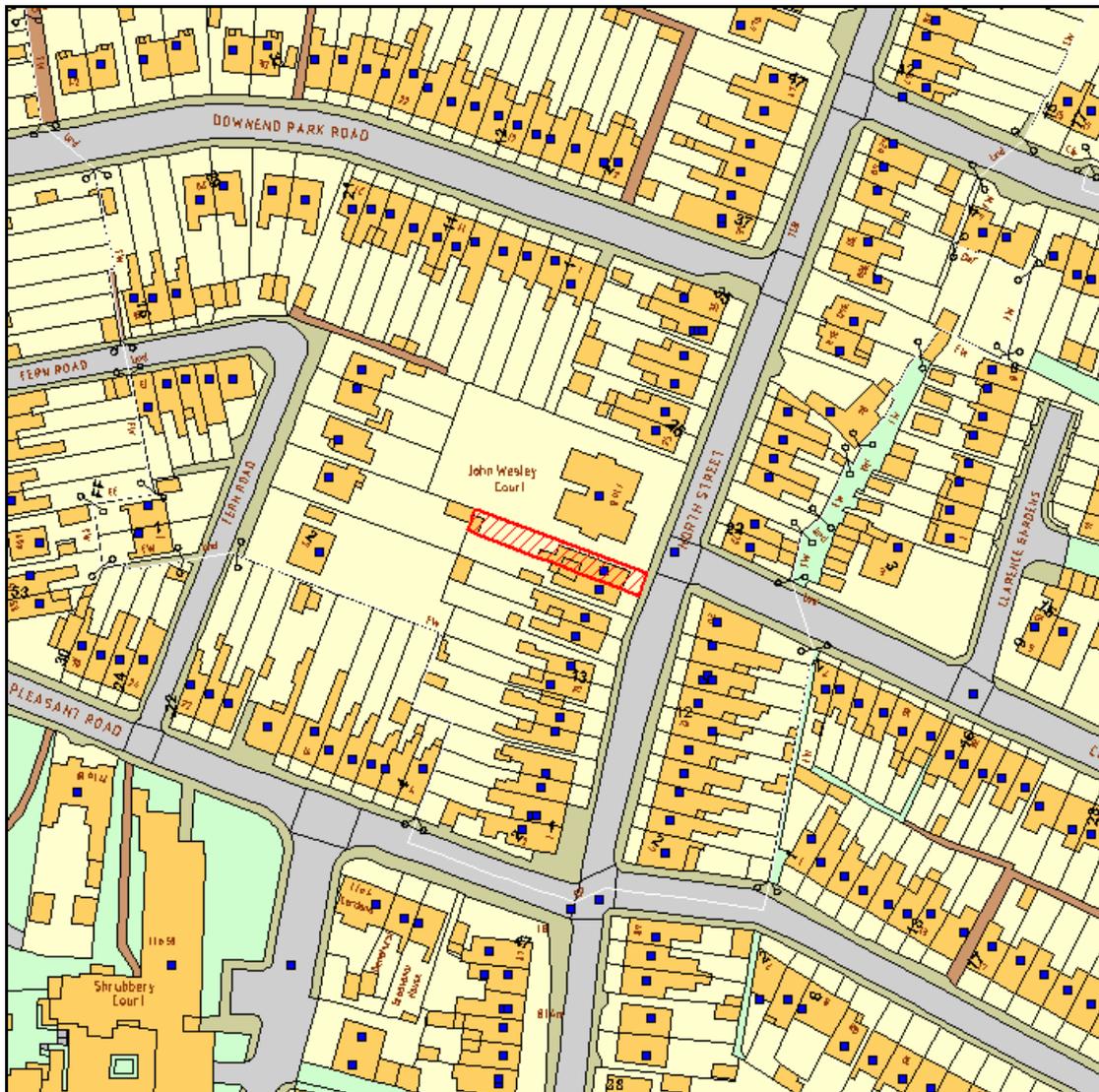
7. The off-street parking facilities for all vehicles for the existing occupiers of No.2 Peache Road and the future occupier of the development as shown on dwg.no. 598W70/200B hereby approved shall be provided before the buildings are first occupied and shall have a bound surface material and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/11 – 30 SEPTEMBER 2011

App No.:	PK11/2544/F	Applicant:	Mr Geoff Bowyer
Site:	23 North Street Downend South Gloucestershire BS16 5SY	Date Reg:	18th August 2011
Proposal:	Erection of two storey and single storey rear extension to provide additional living accommodation. Installation of first floor window to side elevation.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364928 176209	Ward:	Downend
Application Category:	Householder	Target Date:	11th October 2011



© South Gloucestershire Council 2007. all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/2544/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to an objection raised by the adjoining resident.

1. THE PROPOSAL

- 1.1 The applicant is seeking full planning permission for the erection of a two storey and single storey rear extension at 23 North Street, Downend. The proposed extensions would measure 4.1 metres wide by a maximum of 4.2 metres in depth and would have an overall height to ridge of 7 metres. The proposal also includes the installation of two new first floor side elevation windows, one of which would be obscurely glazed.
- 1.2 The property is a two storey semi-detached dwelling and is located within a residential area of Downend.
- 1.3 During the course of the application amended plans were requested to reduce the depth and height of the first floor of the proposal. Amended plans were received as requested and the first floor has been reduced to 2.9 metres in depth and the eaves height has been lower by 300mm.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T8 Parking Standards

South Gloucestershire Core Strategy, submission Draft December 2010
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objections

Other Representations

4.2 Local Residents

One letter of objection and a sketch drawing of the proposal has been received from a local resident raising the following concerns:

- Neighbouring kitchen has a transparent roof as such proposal would result in loss of light
- Enjoyed light in the kitchen for more than 20 years and maybe in the position under English property law to claim ancient lights and forbid the works to go ahead at all.
- Sketch shows scale and impact of the development

Following the submission of amended plans a further letter of objection has been received raising the following points:

- Appreciates that the development has been reduced in scale but does not alter opinion that the proposal would cause a significant reduction in light to kitchen
- Still great reduction ion light to kitchen

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that extensions should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

5.2 Design / Visual Amenity

The proposed extension is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. The extension is quite large, however the extension has been reduced in scale and given the lower ridge and eaves height the proposal is considered to appear subservient to the main dwelling. Furthermore, the proposal is well proportioned and given the various rear extensions in the vicinity it is considered that the resultant building would remain In keeping with the scale of the surrounding dwellings. The proposed addition would incorporate materials to match those of the main dwelling, assisting the successful integration of the extension with the host dwelling.

The proposed extension would be to the rear of the existing dwelling and would not be readily visible from the public realm. It is therefore considered that the proposal would not be harmful to the character and appearance of the principal dwelling and street scene.

5.3 Residential Amenity

The proposed extension would replace an existing mono pitch two storey extension and a single storey lean to rear extension which both measure 3.3 metres in depth. The proposed extension has been reduced in scale as such the first floor element would now measure 2.9 metres in depth and the eaves and ridge height would be 300mm lower than the main ridge and eaves.

The adjoining property, No. 21 North Street has existing single storey rear extensions that would be adjacent to the proposed two storey and single storey extension. Part of the adjoining properties existing single storey extension has a clear roof and serves a kitchen. Whilst it is accepted that the proposal would inevitably result in some loss of light to this room, given the fact that the proposal is located to the north of adjoining dwelling it is not considered that the extension would result in any significant additional overshadowing over and above that which is currently experienced from the existing two storey extension located to the south of the kitchen. Furthermore, the eaves and depth of the proposal has been reduced to ensure that the impact that the proposal would have on the first floor rear window of No. 21 North Street is minimal. Overall, given the depth, height and orientation of the proposal, it is considered that a refusal reason on overshadowing or overbearing grounds could not be substantiated or justified at appeal.

Concern has been raised that the proposal would result in a loss of light to the neighbouring properties kitchen and that a case for ancient lights could be brought forward forbidding the works to go ahead. With regard to the right to light, a right to light does come into existence if it has been enjoyed uninterrupted for 20 years or more. It should be noted that planning permission does not override the legal right to light however where a right to light is claimed, this is a matter of property law rather than planning law.

The proposal includes the addition of three new first floor windows, one on the rear elevation and two on the side elevation. One side elevation window would serve a bathroom and one would serve a bedroom. These side elevation windows would face the blank side elevation of John Wesley Court and the rear elevation window would overlook the garden of the property. Given the location of these windows, it is not considered that the proposal would result in any significant increase in overlooking or loss of privacy over and above that from the existing first floor windows. It is considered that there are no issues of inter-visibility or loss of privacy. Furthermore, sufficient garden space would remain to serve the property. Therefore the impact on residential amenity is subsequently deemed acceptable.

5.4 Parking and Highway Safety

The application property does not benefit from any off street parking. The proposal would be increasing the size of the dwelling from a two bedroom dwelling to a three bedroom dwelling, however given the sustainable location of the property close to the main Staple Hill High Street and close to bus stops it is not considered that there are any objections on highway safety grounds.

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 proposed extension is of an appropriate standard in design and reflects the character of the main dwelling house and surrounding properties. Furthermore the it is considered that the extension would not significantly harm the amenities of the neighbouring properties by reason of loss of privacy, overbearing impact or overshadowing and the parking provision would remain in compliance with Policy T8. As such the proposal accords with Policies D1, T8 and H4 of the South Gloucestershire Local Plan (Adopted) 2006.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application be approved subject to the following conditions.

Contact Officer: Kirstie Henshaw
Tel. No. 01454 865207

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. 38/11 – 30 SEPTEMBER 2011

App No.:	PK11/2652/F	Applicant:	Mr And Mrs J Davis
Site:	20 Court Road Oldland Common South Gloucestershire BS30 9SP	Date Reg:	24th August 2011
Proposal:	Erection of two storey and single storey extensions to form 1No. new dwelling with access and associated works. Erection of single storey extension to existing garage to form 1No. new garage. Erection of a 1.8 metre high fence at the boundary with Westcourt drive.	Parish:	Bitton Parish Council
Map Ref:	367137 171426	Ward:	Oldland Common
Application Category:	Minor	Target Date:	17th October 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK11/2652/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Objections have been received, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two bedroom dwelling, with the appearance of a two storey side extension, along with the erection of an additional garage attached to the property's existing one and the erection of a 1.8 metre high new boundary fence to Westcourt Drive.
- 1.2 The site is currently the side garden of a semi-detached two storey dwelling which fronts Court Road. The first floor of the host dwelling is pebbledashed and the ground floor and side elevation red brick. There is an existing detached garage and a parking space in front of it at the end of the rear garden. The proposed garage would stand next to this, with a further parking space in front of this. Under this proposal, the side/rear garden would be split between the host and the new dwellings. The proposed fence would enclose the new rear garden. At present there is a similar fence, but set back into the side garden.
- 1.3 Material considerations in this case include the fact that opposite the site across Westcourt Drive as well as Court Road are side extensions similar to that now proposed and the proposed dwelling has been designed to reflect this character in the local street scene. Changes to the design have been requested and received, ensuring that there is no side projection the main building line of the side of the extension and that the front door is located in the side elevation instead of the Court Road frontage.

2. POLICY CONTEXT

- 2.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transportation
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 Development within residential cartilages
T8 Parking Standards
T12 Highway Safety

South Gloucestershire Core Strategy -Submission Draft (December 2010)
CS1 High Quality Design
CS17 Housing diversity

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Councillors objected to the proposals for the following reasons: 1) the proposed development would constitute an over-intensification of the use of the site; 2) the high fence along the Westcourt Drive boundary would appear overpowering, enclosing and intimidating; 3) the additional garage access would increase traffic movements at a difficult junction; 4) the fence would restrict the view of drivers emerging from the garage area; 5) the new building would be too close to the boundary. The house opposite has more land to the side of the property and should not be seen as a precedent to support this application.

4.2 Other Consultees (including internal consultees of the Council) Sustainable Transportation

The applicant is seeking permission to construct a new dwelling within the garden of the existing property. To the rear of the new dwelling, the applicant is proposing a new garage, which will be constructed along side the existing garage belonging to the property no. 20 Court Road. The main transportation issue is provision of parking for the development. In this respect, the applicant is proposing, total of four parking spaces with his development. Two parking spaces will be allocated to the existing property and two spaces will be allocated for the new dwelling. This level of parking is considered to be in compliance with the Council's parking standard.

There is an existing vehicular access serving the existing property off Westcourt Drive. This access will be increased in width to suit the location for the new parking and garage.

In view of the above therefore, there are no highway objections to this application but I recommend the following conditions.

- 1) Prior to occupation of the new dwelling provide off-street parking in accordance with the submitted and approved plans and subsequently maintain them.
- 2) Any works on the public highway and in association to the site access shall be carried out to full satisfaction of the Council's Street-Care Manager.
- 3) Car parking space shall be surfaced with bound surfaced material and it shall then be maintained satisfactory thereafter.
- 4) Provide a 2 x 2 metre visibility splay next to the parking space for pedestrian safety.

Other Representations

4.3 Local Residents

7 letters of objection have been received, citing the following concerns:

- the proposal would turn the adjoining semi into an end-terrace, decreasing its value
- A second garage entrance so close to the junction would increase dangers to road users and pedestrians

- The additional garage will force people to park closer to the junction
- The dwelling would be too big for its plot
- The design is not aesthetically pleasing
- The traffic generated would add to local congestion
- Reduction in visibility for drivers approaching the junction
- If approved, speed bumps should be built and yellow lines added to the junction and contractors vehicles prevented from using Westcourt Drive
- The building and fence will reduce light into the rear garden of No. 22
- The proposed fence, in conjunction with the one opposite, will cause a tunnel effect along Westcourt Drive
- Inadequate off street parking provided

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. As stated above, the main material consideration is the urban form locally, where the other side gardens around this junction and the Croft have been developed in a manner similar to that proposed by this application. The site lies within the urban area and therefore the principle of residential development is acceptable, subject to the following analysis:

5.2 Impact on Residential Amenity

The proposed dwelling would stand to the side of the existing semi-detached property on site. It would feature a three metre deep single storey projecting element at the rear and would be set back from the front building line of the host dwelling. Windows are proposed to face front and back. It is not considered that the proposal would give rise to any overlooking of rear gardens that would worsen the current pattern of overlooking and that, in its position shielded by the host dwelling, it would not have any overbearing impact on any neighbouring property, including the host dwelling. At the same height as the current garage, extending this building is also considered to have no impact on residential amenity. With regard to the amenity space for each dwelling, the residual house would have some 54 square metres of private space in its remaining rear garden and the new two bedroom dwelling some 45 square metres. These space standards accord broadly with the local average for Court Road and as such are considered to be acceptable. It is considered that the proposal would have no adverse impact on residential amenity and accords with policy H4 of the Local Plan in this respect.

5.3 Design/ Visual Amenity

In the case of the appearance of the proposed extension to form a new dwelling, the design has taken into account the local character of the area, defined by the existing side extensions, as well as the host dwelling. A Design and Access Statement has been submitted to accompany the proposal. The proximity of the new dwelling from the site boundary has been reduced in the amended plans. The size of the proposed extension is considered to demonstrate the appropriate degree of subservience to the host dwelling in order to read as an extension, when viewed from the front.

When viewed from Westcourt Drive, it would have a blank appearance, lightened only by the inclusion of an unobtrusive front door to serve the property. The materials selected would match the host dwelling, as made clear on the drawings. The design is considered to respect local distinctiveness in respect of scale, materials and detailing. The garage would, appropriately, match that to which it would be attached and the boundary fence replicates that to be found within the site's garden at present, only along the boundary. It is considered that the design of the proposal is appropriate and accords with policy D1 and the relevant part of policy H4 of the Local Plan.

5.4 Transportation Issues

The consultation process has raised a number of concerns over parking and highway safety. The host dwelling would maintain its two off street parking places and the proposed two bedroom dwelling would have a further two spaces under this proposal, one in the garage and an open space in front of it. This is considered adequate to meet likely traffic generation from the modestly sized new dwelling and meets the Council's maximum parking standards. The access is in broadly the same place as the existing one, albeit closer to the junction. It is considered that subject to the conditions listed at 4.2 above, the proposal would not compromise existing levels of highway safety for all road users, including pedestrians. It is not accepted that the erection of the boundary fence will have an impact on highway safety on approach to the junction and in any event, a conifer hedge, for instance, could be grown in the existing garden along the boundary which would not fall within planning control. The junction itself has its own visibility splay. The proposal is therefore considered to provide adequate off street parking and no compromise existing levels of highway safety, according with policy T12 of the adopted Local Plan. Other concerns raised through the consultation process in regard to highway matters include the new access forcing people to park closer to the junction. People would not park in front of the access, but any displaced on street parking which could occur would not necessarily have to park in a position closer to the junction. Regarding the requested speed bumps and yellow lines, these measures could not reasonably be related to the erection of one additional two bedroom dwelling.

5.5 Other Issues

The consultation process has raised two other issues not addressed above. These are the tunnel effect created by having a boundary fence up to the site boundary. In this regard it should be noted that the fence only requires planning permission as it would run next to a highway and is not of an excessive site to enclose a garden. The road and footway is 8.8 metres wide at the narrowest point between private properties and it is not considered that over this distance, two fences would be perceived as creating a tunnel effect, to the detriment of visual amenity. The other point raised is the terracing effect and its impact on house value. The planning system cannot take account of its impact on house values, but in visual terms the proposed dwelling has been designed so that it reads as an extension rather than a new dwelling, in common with other nearby development and, as explained above, is considered to be an appropriate design solution.

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 proposed extension would create a well designed new dwelling of a size which broadens the diversity of local housing. It would provide adequate off street parking and provide adequate, private amenity space for both the proposed and residual dwelling, without affecting existing standards of residential and visual amenity or highway safety. The proposal accords with policies H4, D1, T8 and T12 of the adopted South Gloucestershire Local Plan.
- 6.3 The recommendation to approve permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is approved, subject to the conditions shown below.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

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

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

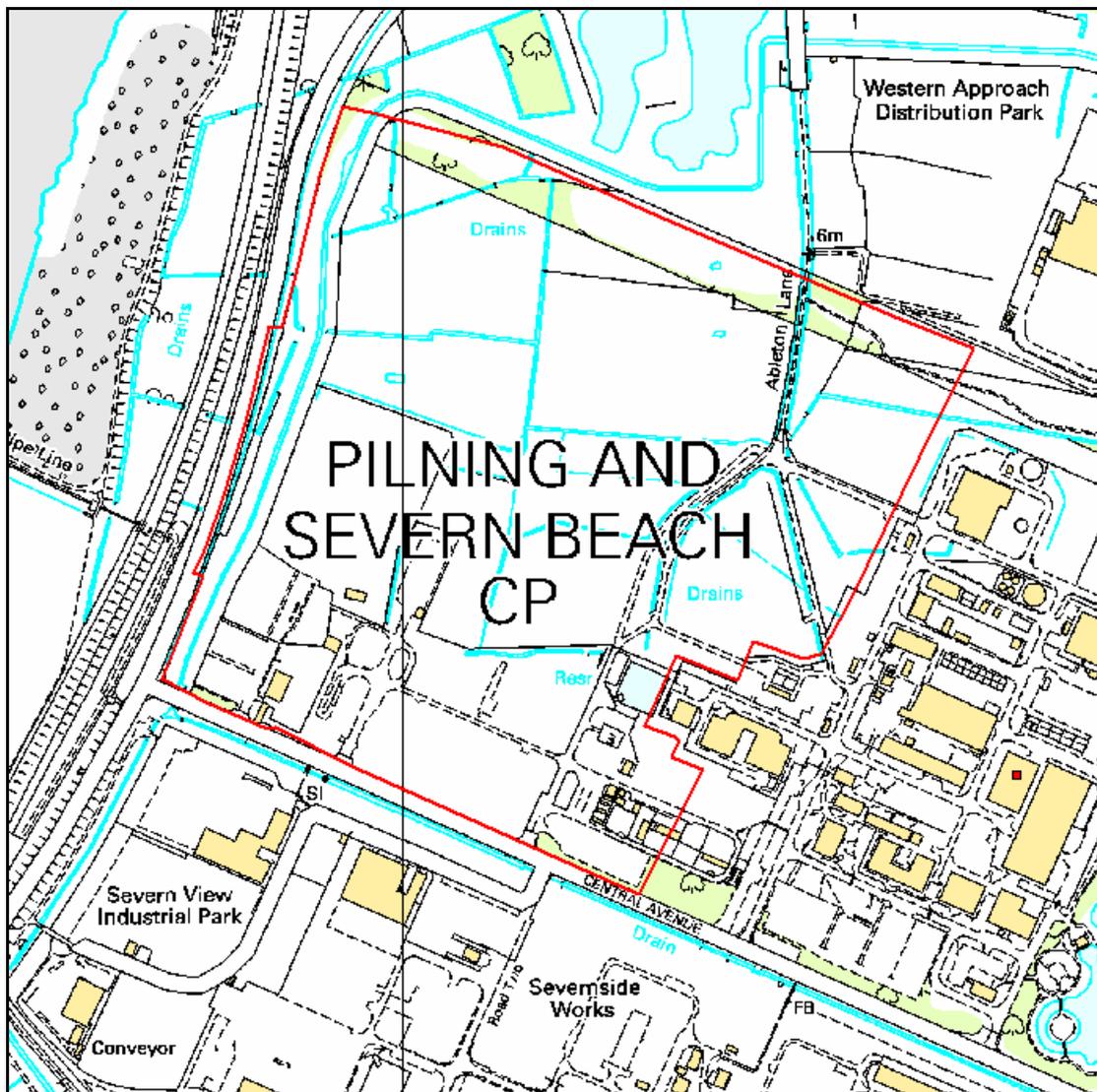
3. Notwithstanding the approved plans, prior to the first occupation of the dwelling hereby approved a 2 metre x 2 metre visibility splay shall be provided at the northern end of the fence line and thereafter retained.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/11 – 30 SEPTEMBER 2011

App No.:	PT10/2630/O	Applicant:	Bericote Properties Ltd And AstraZeneca Plc
Site:	Astra Zeneca Avlon Works Severn Road Hallen Bristol	Date Reg:	20th October 2010
Proposal:	Development of 31.96ha of B2, B8 and ancillary B1 uses, with highway infrastructure, car parking and associated works. Outline including access with all other matters reserved.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354570 183240	Ward:	Pilning And Severn Beach
Application Category:	Major	Target Date:	7th February 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT10/2630/O

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as it contains an update to the recommendation and amendment to some conditions approved subject to the signing of a S106 agreement on Circulated Schedule no. 28/11 in July 2011. This previous report is appended to this update report.

1. UPDATED REPORT

- 1.1 The reasons for the updated report is to include a further head of term relating to securing the proper construction of the access junction of the A403 and the clearance of Ableton Lane for cyclists and pedestrians. These had been agreed with the applicant, but were omitted from the previous recommendation.
- 1.2 Amendments are required to a number of conditions to enable the development to come forward in an appropriately phased manner, and have been requested by the applicant. Given this is an outline application for speculative development, it is considered appropriate to deal with the build out programme of the site in this way.
- 1.3 Given that this is an update report for an application that has already been approved, subject to the signing of a S106 agreement, the above are the only issues that can be taken into account.
- 1.4 It is considered that the proposed amendments to the heads of terms for the S106 agreement and the conditions are appropriate and these updates are recommended for approval.

7. RECOMMENDATION

- 7.1 That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
 - £200, 000 towards traffic management works at and through the villages of Pilning and Easter Compton and accommodation works on the Blackhorse Hill approach to the M5 junction 17
 - *Authority be given to the Head of Legal Services to prepare and seal an appropriate highway agreement to secure the proper construction of the access junction off the A403 and clearance of Ableton Lane for cyclist and pedestrians*
 - £197, 800 towards the creation of or qualitative or quantative improvements of formal sports pitches within 5km of the site
 - £15, 000 towards a feasibility study to find a suitable area for creation or improvement of formal sports pitches

- Not to carry out any ground disturbance or commence operational development in any part of the site until an archaeological site investigation in relation to the land is completed to the satisfaction of the Council,, and any further works required as a result of the archaeological site investigation shall be carried out to the satisfaction of the Council in accordance with the timescale identified in the archaeological investigation brief
 - Monitoring fee at 4% of total S106 contributions
- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- 7.3 If the S106 agreement is not signed and sealed within 6 months of this determination, then , in view of the length of time, the application should either:
- (a) Return to the Development Control Area Committee for reconsideration
 - (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a Section 106 Agreement, for the reasons listed in Section 7.1

Contact Officer: Sarah Tucker
Tel. No. 01454 863780

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

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

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

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

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

Reason

In accordance with the letter from the Chief Planner, Department of Communities and Local Government dated 30 April 2009

4. The development hereby permitted shall be begun either before the expiration of seven years from the date of this permission, or before the expiration of two years

from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

In accordance with the Chief Planners letter, Department of Communities and Local Government dated 30 April 2009

5. Application for the approval of the reserved matters shall be in accordance with the parameters described in the design and access statement hereby approved and the Development Framework Plan, drawing numbered 30077-PL-103H received by the Council on 26 April 2011.

Reason

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

6. The development hereby permitted shall not exceed a maximum of 119,660 sq m gross floorspace and shall be provided in a maximum of 6 units and such units shall not be internally sub-divided to create additional self-contained units, without the prior written approval of the Local Planning Authority.

Reason

To encourage means of transportation other than the private car, to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The development hereby permitted shall include one unit to be occupied by a Class B8 use including any ancillary Class B1 or B2 accommodation as specified in the Town and Country Planning (Use Classes) Order 1987 (as amended) with a minimum gross floorspace of 40,000 sq.m.

Reason

To encourage means of transportation other than the private car, to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. In addition to the unit referred to in Condition No.7 above, the remainder of the floorspace hereby permitted shall not exceed 69,296 sq.m gross floorspace in total and shall be restricted to Use Classes B2 and/or B8, (including any ancillary B1 accommodation), as specified in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason

To encourage means of transportation other than the private car, to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to the occupation of each unit of the development hereby permitted, a comprehensive Travel Plan for B2 units greater than 2000 sq.m and B8 units greater than 5000 sq.m shall be submitted to and approved in writing by the Local Planning Authority and Local Highway Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport) and implemented in accordance with the approved document. Units of lesser size shall manage their travel demand in accordance with the approved Travel Plan Framework.

Reason

To encourage means of transportation other than the private car, to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Each comprehensive Travel Plan shall be prepared in line with the approved Travel Plan Framework document (IMA Transport Planning, September 2010, IMA-09-043), plus prevailing policy and best practice, and shall include as a minimum:

- The identification of targets for trip reduction and modal shift derived from trip rates shown in Table 2 below for the unit controlled by Condition No.8 and the trip rates shown in Table 1 below for the units controlled by Condition No.9 and provided in the September 2010 Transport Assessment (IMA-09-043) and which meet SMART (Specific, Measurable, Attainable, Relevant, Time-bound) criteria;

Table 1: General B8 and B2 Units

	B8 Trip Rates per 100m2			B2 Trip Rates per 100m2		
	In	Out	Total	In	Out	Total
AM	0.3	0.2	0.5	0.34	0.08	0.42
PM	0.1	0.14	0.24	0.07	0.43	0.5

Table 2: Large B8 Unit

	Large B8 Trip Rates per 100m2		
	In	Out	Total
AM	0.18	0.099	0.279
PM	0.194	0.121	0.315

- Submission of a timetabled implementation plan;
- The mechanisms for monitoring and review: monitoring to take place at 40% occupancy and then after 1 year, 3 years and 5 years;
- The fallback arrangements and measures to be applied in the event that trip reduction targets are not reached and trip rates contained in the September 2010 Transport Assessment shown in Table 2 above for the unit controlled by Condition No.8 and the trip rates shown in Table 1 above for the units controlled by Condition No.9 are exceeded;
- The management arrangements including the appointment of a suitably trained Travel Plan co-ordinator to an agreed timescale or timetable and its operation thereafter and a mechanism for joint working between the component elements of the development;

All the recommendations and proposed actions contained within the approved Travel Plans shall be implemented in accordance with the timetable contained therein, and the approved Travel Plans (or any variation of the Travel Plans agreed in writing with the Local Planning Authority who shall consult with the Highways Agency acting on behalf of the Secretary of State for Transport) shall be operated thereafter strictly in accordance with the details approved.

Reason

To encourage means of transportation other than the private car, to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Vehicular access and access by pedestrians and cyclists to the development hereby permitted shall be in accordance with the approved Development Framework Plan as set out in Drawing numbered 30077-PL-103H received at the Council on 26 April 2011. These access points shall be formed, laid out, constructed and drained before any building served by such vehicular, pedestrian or cycle access is first occupied in accordance with detailed drawings as shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the construction of the development (save for such preliminary works as the Local Planning Authority may approve in writing).

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

In order to ensure the adequate protection of archaeological remains, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. No phase (or sub-phase) of the development hereby permitted shall be commenced (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), until the following components of a scheme to deal with the risks associated with contamination of that phase (or sub-phase) of the site have been submitted to and approved in writing by the Local Planning Authority:

1) A site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2) The site investigation results and the detailed risk assessment from 1) above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in 2) above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason

To protect controlled waters.

14. 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 the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason

To protect controlled waters.

15. Piling or any other foundation designs using penetrative methods shall only be undertaken with the prior written express consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect controlled waters.

16. Prior to the commencement of development of each phase or sub-phase (save for such preliminary works as the Local Planning Authority may approve in writing) a Landscape Management Plan for that phase or sub-phase, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, including the proposed on-site and off-site conservation areas, shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include the following elements:

- Explanation of the landscape proposals
- Detail, extent and type of new planting (NB planting to be of native species of regional provenance, where possible)
- Details of the retention of existing vegetation, where possible
- Details of maintenance regimes of existing vegetation and new planting, both short and long term
- Details of any new habitat created on site
- Details of treatment of site boundaries and/or buffers around water bodies
- Details of planting within water bodies
- Details of profiles and levels within water bodies

The development shall be carried out in accordance with the approved Landscape Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect the character and appearance of the area to accord with Policies D1, L1, E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

17. All works on site shall be subject to the great crested newt mitigation strategy agreed with the Council as set out in the Environmental Statement dated September 2011 (including further information submitted March 2011) that will form the basis of an European species licence application under Regulation 53/56 of the Habitat Regulations 2010. All works shall be carried out in accordance with the mitigation strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure health and wellbeing of nearby wildlife and habitats and in accordance with Policy L9 of the local plan.

18. The development hereby permitted shall be carried out in accordance with the Hedgehog, Song Thrush and Invertebrates mitigation measures identified for this site and set out in the Environmental Statement dated September 2010 (including the further information dated February 2011, submitted in March 2011) unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure health and wellbeing of nearby wildlife and habitats and in accordance with Policy L9 of the local plan.

19. A contingency strategy for grass snakes and slow-worms should reptiles be found on site shall be drawn up and agreed in writing with the Council prior to development commencing. The development shall be carried out in accordance with the agreed strategy unless otherwise agreed in writing by the Local Planning Authority

Reason

To ensure health and wellbeing of nearby wildlife and habitats and in accordance with Policy L9 of the local plan.

20. Prior to commencement of the development hereby permitted (save for such preliminary works as the Local Planning Authority may approve in writing) a Wildlife Management Plan, based upon the principles set out in the Environmental Statement dated September 2010 (including the further information dated February 2011, submitted in March 2011), including long-term objectives, management responsibilities, monitoring strategies for at least a period of 5 years, public access strategy and maintenance schedules for all wildlife habitats on the site, including the proposed on-site and off-site conservation areas, and the provision of an qualified and licensed ecological 'clerk of works' to oversee monitoring, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with this approved Wildlife Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure health and wellbeing of nearby wildlife and habitats and in accordance with Policy L9 of the local plan.

21. No construction of any phase or sub-phase of the development shall take place (save for such preliminary works as the Local Planning Authority may approve in writing) until drainage details for that phase or sub-phase of the development incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, culverts) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies (L17/L8/EP1) of the South Gloucestershire Local Plan (Adopted) January 2006.

22. No construction of any phase or sub-phase of the development shall take place (save for such preliminary works as the Local Planning Authority may approve in writing) until a detailed scheme for the disposal of foul water generated by that phase of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and no building in that phase shall be occupied until the sewage disposal works to serve that phase or sub-phase have been completed in accordance with the approved details and are operational unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies (L17/L8/EP1) of the South Gloucestershire Local Plan (Adopted) January 2006.(Delete as appropriate)

23. The development shall be implemented in accordance with the ecology mitigation measures relating to construction noise impacts at Orchard Pools, as set out in the Environmental Statement dated September 2010 (including the further information dated February 2011, submitted in March 2011) including the following:
- The peak level of noise during the construction phase shall not exceed 70dB (LA01,1hr) as measured at the southern edge of Orchard Pools
 - Any piling on any part of the site shall commence at the furthest point and work towards the Pools with the nearest piling carried out last
 - Piling should avoid high tide periods and shall be limited to daylight hours
 - A monitoring scheme shall be implemented to monitor the effect of construction works on the wintering bird assemblage using Orchard Pools. Details of the monitoring scheme shall be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on the site.

Reason

To minimise disturbance to nearby wildlife and to accord with Policy L9 of the Local Plan.

24. Prior to the first use or occupation of any of the development hereby permitted, an acoustic fence of up to 4 metres in height, including a sound absorbent facing on the southern or service yard side of the fence, shall be erected along the northern boundary of the operational site in accordance with full design and layout details to be submitted to and approved in writing by the Local Planning Authority before its installation. The acoustic fence shall be installed and thereafter retained in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To minimise disturbance to nearby wildlife and to accord with Policy L9 of the Local Plan.

25. No development shall take place of any phase or sub-phase, including any works of clearance or demolition, (save for such preliminary works as the Local Planning Authority may approve in writing) until a Construction Management Plan for that phase or sub-phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Construction Management Plan shall be adhered to throughout the construction period on the site unless otherwise agreed in writing with the Local Planning Authority. The Plan shall include details of the following:
- the parking of vehicles of site operatives and visitors,
 - loading and unloading of plant and materials,
 - temporary buildings on the site,
 - temporary lighting during construction works,
 - enclosure of working areas,
 - storage of plant and materials used in constructing the development,
 - noise limits at the site boundary and working hours during construction,
 - arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent public highways,
 - measures to control the emission of dust and dirt during construction,
 - the management of surface water and protection of the rhines on the site,
 - dewatering operations during excavation,
 - safe management of contaminated land during construction,
 - arrangements for the storage of fuels and chemicals,
 - relevant contact points for site management and monitoring.

Reason

To minimise disturbance to nearby wildlife and to accord with Policy L9 of the Local Plan.

26. Notwithstanding the details shown on the Site Levels & Site Sections drawing (Drawing No. 30077-PL-110C) submitted with the application, the development hereby permitted shall ensure that finished floor levels [of the buildings] are set no lower than 7.6m above Ordnance Datum (AOD).

Reason

To prevent non-point sourceflooding, and to accord with Policies L17, L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

27. No development shall take place of any phase or sub-phase (save for such preliminary works as the Local Planning Authority may approve in writing) until a Site Waste Management Plan for the construction phase of that phase or sub-phase of the development has been submitted to and approved by the Local Planning Authority in writing. The Site Waste Management Plan shall include details of:

(a) The volume and nature of site waste which will be generated through the demolition, site clearance, site levelling and/or excavation process.

(b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, water bodies, mounds and any other ground features.

(c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.

(d) The volume of additional fill material which may be required to achieve, for example, permitted finished levels or ground contours prior to construction.

(e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

The construction of the development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure that site waste arising from the site is minimised.

28. The development hereby permitted shall achieve a minimum of Building Research Establishment Environmental Assessment Method (BREEAM) level of 'very good' (or the equivalent standard which replaces the Building Research Establishment Environmental Assessment Method, which is to be the assessment in force when the development concerned is registered for assessment purposes).

Reason

In order to provide a sustainable form of development and in accordance with Policy D1 of the adopted Local Plan.

29. No phase or sub phase of the development hereby permitted shall be commenced until details of any floodlighting and external illuminations, including measures to control light spillage for that phase or sub phase shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To minimise disturbance to wildlife and neighbouring occupiers

CIRCULATED SCHEDULE NO. 28/11 – 22 JULY 2011

App No.:	PT10/2630/O	Applicant:	Bericote Properties Ltd And AstraZeneca Plc
Site:	Astra Zeneca Avlon Works Severn Road Hallen Bristol	Date Reg:	20th October 2010
Proposal:	Development of 31.96ha of B2, B8 and ancillary B1 uses, with highway infrastructure, car parking and associated works. Outline including access with all other matters reserved.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354570 183240	Ward:	Pilning And Severn Beach
Application Category:	Major	Target Date:	7th February 2011



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

PT10/2630/O

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representations have been received that are contrary to the Officer's recommendation. Furthermore, the application is recommended with a proposed planning obligation.

1. THE PROPOSAL

- 1.1 The proposal seeks outline planning permission for the development of 31.96ha of B2, B8 and ancillary B1 uses, with highway infrastructure, car parking and associated works. The application is in outline, but includes access, with all other matters reserved.
- 1.2 The site consists of part of the Astra-Zeneca site, bounded by Severn Road to the west and Central Avenue to the south, with the existing Astra-Zeneca works to the east and Orchard Pools and Ableton Lane to the north. The site is part greenfield, formerly agricultural, now disused, at the northern end of the site and brownfield, formerly part of the Astra-Zeneca works at the southern end. There are 2 adult football pitches and one cricket wicket, all unused on site. The site is mostly flat, with a large drainage rhine on the western edge of the site, and well a established tree belt screening the site from three sides.
- 1.3 The northern, greenfield part of the site, which is the majority of the site, is allocated under Policy E2, Severnside policy, and the southern, brownfield part of the site is allocated under Policy E4, Safeguarded employment land. The site also lies within the Coastal Zone, as defined on the proposal map. The site also lies within the area covered by the '1957' consent (see Planning History below)
- 1.4 The proposed main access to the site from Severn Road, with another vehicular access off Central Avenue, which is not an adopted highway. A pedestrian access is shown, linking to Ableton Lane. Outside the maximum building envelope, the plans show the creation of a conservation area to the north of the side, adjacent to Orchard Pools, the retention of the landscape buffer and rhine on the western edge of the site, and an area of landscaping on the southern boundary of the site. The application is supported by a Transport Assessment and an Environmental Impact Assessment.

2. POLICY CONTEXT

- 2.1 National Guidance

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPG13	Transport
PPG17	Planning for Open Space, Sport and Recreation
PPS25	Planning and Flood Risk

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
L1	Landscape Protection and Enhancement
L3	Coastal Zone
L9	Species Protection
L11	Archaeology
EP2	Flood Risk and Development
T12	Transportation Development Control Policy
E2	Sevenside
E3	Criteria for Assessing Proposals for Employment Development Permitted by E4
E4	Safeguarded Employment Areas
LC1	Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
LC9	Protection of Open Space and Playing Fields

South Gloucestershire Core Strategy Proposed Changes Version (December 2010)

CS1	High Quality Design
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS9	Environmental Resources and Built Heritage
CS11	Distribution of Economic Development Land
CS12	Safeguarded Areas for Economic Development
CS35	Sevenside

3. RELEVANT PLANNING HISTORY

- 3.1 SG4244 Planning permission over a 1000 acres for the development of factories for the production of chemical and allied products, construction of offices, warehouses, stores, reservoirs, pumphouses, canteens, clubs, hostels, training establishments, amenity and welfare buildings, sports pavilion and sports and playing fields. 27 November 1957. This permission is called the '1957 consent', and is an 'open' permission with very little restrictions on it. The original ICI factory, and Central Avenue, was built under this permission. This permission was challenged by the Council in 2000, but was found sound and capable of implementation in its current form by the Courts in 2003.
- 3.2 SG4244/A Outline planning permission for the development of 22.55 acres for the construction and operation of factories for the production of chemical and allied products and construction of offices, warehouses, stores, reservoirs, pumphouses, canteens, clubs, hostels, training establishments, amenity and welfare buildings, sports pavilion and sports and playing fields. 13th July 1958. This is known as the '1958' consent and geographically extends the above consent and is similarly 'open' in terms of restrictions on it. It is also capable of implementation in its current form.

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish Council

The parish council has no comment to make on the general principle of development at the site. However, it is strongly opposed to 2 points with the application:

- Whilst accepting that the shaded area which is sought to be developed it is imperative that the building line is maintained at that which already exists and that no buildings be constructed nearer to the A403 than the disused social club mix and the newly constructed industrial use buildings alongside. This will provide a proper wildlife corridor and a breathing space between the road and buildings.
- The parish council objects in the strongest possible terms to the construction of another road leading out onto the A403, particularly as it would be nearer to the bend on the A403 and Ableton Lane access to Severn Beach and would create further problems within that area. The parish council believes that access onto the site should continue via Central Avenue and by no other routes.

4.2 Other Consultees

Highways Agency

No objection to the application but directs conditions to be attached to the planning permission if granted regarding:

- Restrictions on employment floorspace
- Restrictions on B1 floorspace
- Travel plan for B2 units required in line with the Travel Plan Framework

Environment Agency

The Environment Agency originally objected to the application in relation to flood risk. Following discussion with the applicant's drainage consultants and the Council, the Agency withdrew their objection, subject to condition relating to the height of the finished floor levels on site.

Natural England

Natural England originally objected to the proposal in its current form due to insufficient information on the impacts of noise, disturbance and habitat loss. They did not object to the principle of development of this site and understood its importance for the local economy.

Following the submission of an addendum to the Environmental Statement, Natural England withdrew its objection to the application, provided the additional mitigation measures set out in the ecological addendum are secured through suitably worded planning conditions and/or obligations to underpin and ensure that these will be implemented should the Council be minded to grant consent. They also made comments regarding: Orchard Pools, Conservation Zone wildlife management and loss of coastal floodplain grazing marsh.

Strategic Distribution Land Ltd

SDLL is a neighbouring landowner of the site, and owns and controls a large amount of the area covered by the 1957 consent. They have objected on the following grounds:

- The approach taken by the applicant with regard to extant permissions in the Transport Assessment fails to recognise that the 1957 and 1958 permission remain lawfully implementable without the need for further permissions.
- Whether the scale of the proposed development is consistent with the applicant's property rights over Central Avenue, given that SDLL own the freehold interest on the road
- The approach taken with the regard to the cumulative effects of the development proposed in the Environmental Statement of the development permitted under the 1957 and 58 consents
- Concerns regarding the level of impact mitigation for the effects of the development on the strategic road network
- Concerns regarding the application coming forward prior to the preparation of a Strategic Framework Plan
- Concerns regarding the loss of sports pitches on site

Further to this objection, SDLL's transport consultants submitted an analysis of the transport assessment for the proposed development, and have stated that they consider that this is a material consideration that should be taken into account in the assessment of the application.

Avon Wildlife Trust

The Wildlife Trust questions whether the development is really necessary and has raised concerns regarding the loss of terrestrial habitat for a small breeding population of great crested newts, mitigation of the net loss of bird feeding area, request for a watervole survey, and concerns that the development may restrict bird sightlines from Orchard Pools.

Coal Authority

No observations

Sport England

Sport England has sent in two letters. The letter dated 7 January 2011 states that Sport England opposes developments that result in the loss of playing fields in all but exceptional cases, whether the land is in public, private or educational use. They oppose development on playing fields unless at least one of the five exceptions in the policy as set out in PPG17 are met. Sport England considers that the site has the capacity to be brought back into use for sporting use and in the light of this, Sport England objects to this proposals on the grounds that the development will lead to the significant loss of existing playing fields and conflicts with current Government Guidance and our National Playing Field policy.

The second letter, dated 7 July 2011, was received following negotiations with the applicant to provide for a contribution to be included in a S106 for the creation or enhancement of formal sports facilities within 5km of the site, including a contribution towards a feasibility study to find these facilities, to

alleviate the loss of the sports pitches on the site (more detail in paragraphs 5.7-5.9 below).

This letter states that as the proposed S106 contributions do not meet any of the exceptions set out in the National Playfield Fields Policy, Sport England has to make a technical objection to this planning application. However, the note the complexities of the site and note that this is a private sports ground, used by workers and is no longer in operation and has an unknown future. Sport England would prefer an identified project(s) to direct the financial contribution prior to the granting of planning permission but note the developer's commitment to fund a feasibility study. The Football Association and the English Cricket Board would like to be stakeholders in the development of the feasibility study to ensure football and cricket gain from the loss of the Astra Zeneca playing field.

Health and Safety Executive

The HSE advice produced by the PADHI planning advice software tool, states that the HSE does not advise on safety grounds against the granting of planning permission in this case.

4.3 Local Member Consultation

In advance of any revised proposals in respect of the consultation process for engaging local Members, the local member has been consulted in relation to the package of S106 obligations negotiated for this current application. Cllr Robert Griffin, made the following comments with the regard to the proposed S106 obligations:

'The traffic management through Easter Compton and Pilning is an admirable scheme. I do not except you to have enough funds for a pavement on the Black Horse Hill. With regard to the football pitches, could Pilning Park next to Pilning Village Hall be possible sites for a football pitch? Just suggestions.'

Other Representations

4.4 Local Residents

No response received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Local Plan Employment Policy Assessment

The greenfield part of the site is allocated under Policy E2, whilst the brownfield part (including the sports pitches) are included under Policy E4. The site also lies within the Coastal Zone.

5.2 Policy E2 states that the Council is committed to realising the long-term economic potential for the strategic location at Severnside, with a view of achieving a comprehensive, integrated and sustainable form of development. The policy sets out the current expectations for development, which include:

- Broad range of employment uses based on the opportunities for B2 and B8 uses

- Provision of necessary highway infrastructure
- Provision of a level of public transport that will provide a realistic alternative to the car
- Balancing of the employment with the ecology and landscape value of the area
- Measures to avoid the unacceptable risks to flooding in the area

The policy further states that until a comprehensive development strategy is prepared, no further significant development will be permitted, apart from that allocated under Policy E4.

- 5.3 The whole of the application site lies within the area covered by the 1957 consent. The brownfield part of the site, including the sports pitches, has already been developed under the 1957 consent (as part of the original ICI complex) and therefore falls to be considered under the modern planning regime. However, the northern part of the site (the majority of the site), is greenfield, and therefore could be developed, without the need for any further planning permissions, for the uses proposed in this application. The southern part of the site is allocated under Policy E4, for which the use for employment use, including B8 uses, is acceptable in principle.
- 5.4 The area of the 1957 consent that can be built out with no further planning permission is very large (260 ha) and the current site, at 31.96ha is a small proportion of this, approximately 12%. Whilst Policy E2 requires a comprehensive development strategy for the Severnside area outside of that allocated by Policy E4, it is material that the site is within the large geographical extent of the 1957 consent, which is far larger than the current application site. It is also material that the majority of the site could be built out under the 1957 consent with no requirement for any further planning permissions. It is further material that the part of the site allocated under Policy E4 does not require a comprehensive development strategy. As such, it is considered that the context of the 1957 consent is a material consideration that weighs heavily in favour of the acceptability of the proposals. Given this, the proposed use of the whole of the application site, including that not covered by Policy E4, is considered acceptable.
- 5.5 Coastal Zone Local Plan Policy Assessment
The site lies within an area defined as a Coastal Zone under Policy L3. Policy L3 states that development within the undeveloped coastal zone will only be permitted where the proposal requires a coastal location and cannot be accommodated elsewhere.
- 5.6 As stated above, a large part of the site is undeveloped. However, it is a material consideration that the site lies within the area of the 1957 consent. The context of the site in relation to the 1957 consent is set out in paragraph 5.4 above. Since this is a material consideration of some considerable weight, the proposals are considered acceptable within the Coastal Zone. Further analysis relating to floodrisk are detailed below in para 5.34-36.

5.7 Assessment regarding the loss of playing fields

The site includes 2 football pitches and a cricket wicket, formerly worker's on site sport's facilities. They have been unused for some time, however, the proposal will result in the loss of these sports facilities. Policy LC9 states that the development of existing formal open space, or land last used for playing fields will only be permitted in certain circumstances. The relevant criteria are:

- The development would not result in or add to a deficiency of public open space, or the loss of space performing a significant recreational function
- Proposal includes provision of a replacement facility of at least equivalent benefit to existing users at an alternative site

5.8 Sport England have also objected to the loss of the playing fields and that the proposals are therefore contrary to their playing fields policy, which is incorporated into PPG17. To replace the sports facilities lost, a search in the local area was undertaken in accordance with the Council's PPG17 audit but no suitable facility was found in the local area that would accord with the requirements of Circular 05/05 nor the Community Infrastructure Levy Regulations regarding contributions included in S106 agreements. Given this, it was considered appropriate to include within a S106 agreement a contribution for the creation or enhancement of sports facilities within slightly wider area (up to 5km from the site), as well as a contribution towards a feasibility study to find such a site/existing facilities to be improved. The contribution was calculated from using data set out in the Council's Infrastructure Delivery Plan and results in a contribution of £197 800 for the provision of two football pitches and a cricket table, and £15 000 for a feasibility study to find a suitable site within 5km of the site.

5.9 Following the negotiation of this proposed contribution with the applicant, Sport England did not withdraw their objection, as the proposal still results in the loss of the pitches, but noted the complexities of the site and the fact that the site is a private sports ground, no longer in operation. Whilst Sport England would prefer identified projects to direct the financial contribution to prior to the granting of planning permission, they noted the developer's commitment to funding a feasibility study.

5.10 Given Sport England's comments, the fact that the proposal would result in loss of open space *not* performing a significant recreational function (as it has been unused for some time), and that the developer is willing to fund provision for either replacement facilities or enhancement of existing facilities within 5km of the site, the loss of the playing fields on site is, on balance, acceptable, and a refusal reason based on Policy LC9 or PPG17 could not be robustly substantiated at appeal.

5.11 Transportation

The application is supported by a Transport Assessment the scope of which was agreed to reflect the existing traffic conditions in the Severnside area and those that the Council could reasonably foresee within the timescale of the proposed development. This approach offered an opportunity to assess the actual impact of the development proposal on current conditions. The brown field area has a benefit of an established baseline traffic generation and the '57/'58 consent area is subject to no further traffic analysis for planning

- purposes. The Council in conjunction with the Highways Agency have extensively modelled the Severnside area, including a range of development options, all of which included the '57/'58 consented land. The impacts of the cumulative effect of the total development potential of the area are therefore well understood and have been widely discussed. It is considered unnecessary to reiterate this previous work for every discrete development in the Severnside catchment area, including this proposal.
- 5.12 The Transport Assessment recommends measures to influence travel patterns of workers in so far as they can be influenced in an area of such poor public transport provision. The measures proposed include minor junction modification works at the A403/B4064 Pilning junction and modest improvements for walkers. A travel Plan is also recommended for the individual developments.
- 5.13 In addition to the Transport Assessment, the applicant has provided details of the forecasted traffic that would use the strategic road network. Forecasted traffic is likely to access the motorway network through the B4055 to junction 17 of the M5. This will increase adverse traffic impact through Pilning, Easter Compton and on the Blackhorse Hill arm of the M5 junction 17. As such, mitigation works are recommended and the applicant has agreed to the proposed mitigation contribution of £200, 000 which would include traffic management works at and through the village of Pilning, and Easter Compton and accommodation works on the Blackorse Hill approach to the M5 junction 17. Whilst a new footway alongside Blackhorse Hill would be an appropriate safety measure, it has not been possible to provide this, as the priority for this scheme is to provide measures to manage vehicle speeds in the villages. There is, however, a strong likelihood of that measure being taken into further account when considering any future planning applications in the proximity of the B4055.
- 5.14 With regard to the Parish Council comments regarding access, the proposed access onto the A403 is considered acceptable and in accordance with current guidance on roads and bridges. It is therefore considered that this access is appropriate for the development. Furthermore, it should be noted that Central Avenue is not adopted highway and is therefore outside of the control of the Council.
- 5.15 Conditions will be recommended relating to restriction on floorspace of various use classes, and the inclusion of a Travel Plan for the B2 and B8 units as directed by the Highways Agency. Subject to the addition of these proposed conditions and the S106 obligation outline above, there are no transportation objections to the proposal.
- 5.16 Landscape, Design and Visual Amenity
The site is not covered by any statutory landscape designations and therefore are no TPO trees on site. The Landscape Officer agrees with the conclusions of the landscape and visual assessment within the Environmental Assessment and confirms that there are no in principle landscape objections to the site. Since landscape is a reserved matter, and only an indicative layout is supplied, further details will be required to fully assess the landscape implications to the proposals. Detailed landscape plans identifying existing vegetation (retained

- and to be removed) should be submitted, together with planting details and long term management proposals, as well as details in the change in the level of the development platform.
- 5.17 The site lies within an existing industrial area, and whilst the majority of the site is greenfield, it lies visually within an existing industrial complex, with the former Terra Nitrogen site opposite. Directly to the north-east of the site lies 'G-Park' which has a number of large warehouses. To the east of the site lies the area of the 57 consent, where the spine road has been recently constructed and this will be built out over a period of time. In this location, therefore, any development has to be seen in this industrial/warehousing context. Whilst appearance, layout and scale are reserved matters and will therefore be assessed at a later date if outline planning permission is approved, the scale parameters are set out in the Design and Access Statement, and these control the overall widths, heights and depths of the proposals.
- 5.18 The Urban Design Officer has stated that the Design and Access Statement generally provides clear principles with regard to layout, amount, landscaping, scale and appearance, although has concerns with some ambiguous statements. However, it is considered in the general industrial and warehousing context of which this site forms a part, the proposed scale parameters are acceptable and the proposal will, overall form a development appropriate to the area, and the Design and Access Statement will result in an acceptable form of development at reserved matters stage. The applicants have stated that proposed buildings on site will be BREEAM 'Very Good' standard, and this will be recommended by a condition. As such, it is not considered that the proposal would not result in harm to the visual amenity of the area, and is in accordance with Policy D1.
- 5.19 Ecology
The application site itself is not covered by any statutory or non-statutory nature conservation designations. However, it lies opposite the foreshore of the Severn Estuary, designated as a Site of Special Scientific Interest (SSSI) under the Wildlife & Countryside Act 1981 (as amended) and a Special Protection Area (SPA) under EC Directive 79/409 on the Conservation of Wild Birds ('the Birds Directive'). The Estuary is also a Special Area of Conservation (SAC) under European Directive 92/43/EEC ('the Habitats Directive 1992'), implemented in Britain by the Conservation (Natural Habitats & c) Regulations 2010 ('the Habitat Regulations'); and a Ramsar Site under the Ramsar Convention on the Conservation of Wetlands of Importance. It has also been designated as a Site of Nature Conservation Interest (SNCI) under Local Plan Policy L8.
- 5.20 Following consultation with the Council's Ecologist and Natural England, the applicants produced an addendum to the Environmental Impact Assessment to address the issues raised.

5.21 Protected Species

The habitat surveys found no evidence of use of the site by badgers, water voles, otters or bats. There was evidence of a population of great crested newts on site.

5.22 Great crested newts are afforded full protection under European and national law (European Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora ('The Habitats Directive 1992'), implemented in domestic law by the Habitat Regulations 2010. As a European Protected Species (EPS), a licence under Regulations 53 and 56 of the 2010 Regulations is required for development to be lawful. For a licence to be issued, the application has to satisfy the following three 'tests' under Regulations 53/56:-

- *For the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of social or economic nature and beneficial consequences of primary importance for the environment;*
- *There is no satisfactory alternative;*
- *The action authorised will not be detrimental to the maintenance of the population of the species at a favourable status in their natural range.*

5.23 As part of the amendments to the proposed scheme a 'conservation area' including a habitat for newts was made larger and the proposed building line pulled back so that the area was appropriate for habitats of various species. With regard to the three tests above under Regulations 53/56 of the Habitat Regulations the following assessment is made:

- The application is in the public interest as it provides imperative economic development in a defined, allocated employment area within South Gloucestershire, including part of the 57 consent area that could be built out without any of the controls required as part of this application. Furthermore PPS4 excludes any requirement for assessment of need for economic development, so that the need for this development is therefore presumed.
- Given that the site is within an allocated employment area, and also within the 57 consent area, of which a much larger area than the application site will be built out under the 57 consent with little in the way of planning controls, it is considered that there is no satisfactory alternative
- The population of great crested newts within the application site is small and fragmented, situated within a hostile environment of degraded habitat, and because of this there is some doubt about its long term viability. Given this, it is considered that the mitigation strategy will provide some positive long-term benefits for the population by relocating it into a well-sized area of good quality habitat, thereby enabling it to develop and expand. Accordingly, it is considered that the application passes the 'favourable conservation status' test

As such it is considered that the three tests under Regulations 53/56 of the Habitat Regulations are passed, and the development would be lawful.

- 5.24 The conservation area proposed on site will also provide habitat for species that are included UK Biodiversity Action Plan including: song thrush, hedgehog, invertebrates, and slowworms.
- 5.25 Ecologically Important Features on site
The addendum to the Environmental Impact Assessment states that 6.7ha of coastal floodplain grazing marsh will be lost within the development footprint. To address this loss, the applicants propose to compensate by setting aside an off-site area of habitat (outside the application site but within their control) to the east and south-east of the application site, totalling 8.8ha. this land would have been grazing marsh prior to it being drained and agriculturally improved and could be managed sympathetically to reinstate its value and function for local wildlife. A management plan for this land will be controlled by a proposed condition. As such, the loss of coastal floodplain and appropriate mitigation is considered appropriate.
- 5.26 The proposal includes the loss of some hedgerows. To off-set this loss, the Environmental Impact Assessment indicates that 2.2km of hedgerow will be planted as part of the landscaping design of the scheme, designed with a long-term management plan of the new hedge system to benefit wildlife. This will be controlled by an appropriately worded condition.
- 5.27 Severn Estuary Special Protection Area (SPA)
The application site is located within the coastal floodplain of the Severn Estuary, SSSI, SPA and Ramsar Site (see paragraph 5.18 above). Regulation 61 of the Habitats Regulations (2010) requires that where a 'plan or project' is likely to have a significant effect on the European features of interest of a SPA, SAC and is not '*directly connected with or necessary to the management of the site*' it should be subject to an '*appropriate assessment*' prior to granting any consent or permission. Whilst the application site lies outside the European designation site boundary, the same legal protection applies to the qualifying species outside the boundary of SPA/Ramsar sites.
- 5.28 To the north of the site lie two pools, Orchard Pools, that were constructed for ecological mitigation for the development of G-Park (originally called 'Western Approach Park'). The Environmental Impact Assessment records that Orchard Pools are used by several species of waterfowl that form part of the internationally important assemblage of wildlife that qualifies the Estuary as a SPA. Concerns were raised by the Council's Ecologist and Natural England regarding the proximity of the development to these pools, and the potential disturbance to these important wildfowl. As such, the building line of the proposed buildings on site was moved back into the site itself, with a wider conservation zone acting as a buffer between the built development and Orchard Pools. This performs two functions: provides a better sight-line for the birds flying to Orchard Pools, and reduces noise disturbance for birds on the pools.
- 5.29 Information supplied in the addendum to the Environmental Impact Assessment indicates that the background noise level at Orchard Pools is in the mid-40's decibels (dBA). The estimated peak noise level of passing trains along the Severn Beach line is between 52-59 dBA. The noise from piling in the

construction phase is calculated at 75dBA at the southern end of Orchard Pools and 67 dBA at the northern end. Post construction operations are calculated as having a level of between 45-53 dBA at Orchard Pools. Mitigation measures are proposed (including the erection of a noise barrier) so that construction noise levels are reduced to not exceed 70 dBA. 70 dBA is considered the maximum noise that the birds will tolerate at habitats. Given this, the proposed mitigation strategy, which will be conditioned, and the fact that construction will be for a temporary period, both the Council's Ecologist and Natural England consider that proposals will not have a detrimental effect on the SPA.

- 5.30 The Council's Ecologist raised the issue of the walkway within the conservation zone on site, which is not considered appropriate, however, this issue will be dealt with at reserved matters stage when the detailed design is applied for.
- 5.31 As stated in paragraph 5.26 above, the development must be the subject of an 'appropriate assessment' under the Habitat Regulations. The appropriate assessment, which has been agreed by Natural England, has concluded that proposal is not likely to have a significant effect overall on the European Features of Interest within the Severn Estuary SPA/Ramsar for the following reasons:
- Three species of wintering wildfowl were recorded on the fields on site or at Orchard Pools. The actual loss of the fields on site will not have a significant effect on the European designation in itself through a direct loss of habitat. The numbers of European designated waterfowl recorded (shelduck and curlew) on these fields were considerably less than 1% of the overall population of each species within the Severn Estuary SPA. Therefore the loss of these fields will not have a significant effect on the conservation objectives of the European designated site.
 - With regard to noise and disturbance during construction and operational phases, the application includes a package of measures to reduce construction noise levels across Orchard Pools to 70dBA, and operational noise to between 54-53 dBA.
 - The layout of the development includes a conservation area of new semi-natural habitat between the built form and Orchard Pools. It will provide a new wetland habitat and will act as a buffer zone between the development and Orchard Pools.
- 5.32 With regard to the Parish Council comments regarding building lines , it is considered, that with the recommended conditions, the effect on the wildlife on site will be suitably mitigated, and in the case of Great Crested Newts, improved. Furthermore, there will be an appropriate landscape buffer to Severn Road, which will be detailed in future reserved matters applications, since landscaping is a reserved matter. It is also material that the majority of the site could be built out without any further planning permissions under the 1957 consent without any mitigation for wildlife. As such, it is considered that the proposed building lines are acceptable in landscape and ecological grounds.
- 5.33 In conclusion, the proposed scheme, including proposed on-site and off-site mitigation is acceptable when assessed by local, national and European ecological policy and regulations.

5.34 Archaeology

The applicants have submitted an archaeological desk top study and a series of geophysical surveys and on the basis of this information the Council's Archaeologist considers it unlikely that remains of national importance will be revealed during the development and that as such archaeological issues can be dealt with by conditions requiring the submission and agreement of a programme of archaeological works to be undertaken prior to the determination of any reserved matters applications. There is however a need for co-ordination of the archaeological works during their eventual publication and this is best covered by including the requirement to carry out the further programme of archaeological work within the S106 agreement, so that they can be coordinated across the site as whole.

5.35 Flood Risk and Drainage

The site lies in flood zone 3a- an area that is of high probability of flooding. The proposed development, when assessed by the Flood Risk Vulnerability Classification in PPS25, is a 'less vulnerable' use. Whilst PPS25 indicates that this type of development is appropriate, the 'exception test' in PPS25 must be passed, as development is within an area characterised for its high probability of flooding. The exception test has the following criteria:

- It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk
- Development should be on developable previously developed land, or if not, that there are no reasonable alternative sites on developable previously developed land
- A Flood Risk Assessment (FRA) must demonstrate that the development will be safe, without increasing flood risk elsewhere

5.36 With regard to the first criterion of the exception test- the site is within an allocated employment area and within the area of the 57 consent. Furthermore, the Local Plan directs large warehousing development to this area within South Gloucestershire, due to the large size of warehousing units in general and the area's links to the strategic road network. It is also material that the majority of the site could be built out under the 57 consent, without the need for any further planning permissions. As such, it is considered that the first criterion of the exception test is passed. With regard to the second test- the site is partly on previously developed land, and partly on greenfield land. However, given that the greenfield part of the site, which is the larger part of the application site, could be built out without any further planning permission, it is considered that the second criterion is passed. With regard to the FRA, it has been negotiated between the applicants and the Environment Agency that the development must ensure that the finished floor levels are set no lower than 7.6 above Ordnance Datum (AOD). This ensures that the development will be safe from flooding. Whilst this raising of levels on site will result in some displacement of existing flood storage capacity, this has to be seen in the context of 57 consent as a whole, which, due to the 'open' nature of the planning permission, has no controls on flood risk or flood plain displacement at all. Since the current application site is such a small part of the overall area of the 57 consent, representing 12% of the overall developable area, it is considered that this loss

of flood storage capacity, when viewed as a part of overall 57 consent area, will have a minimal effect. Given the above it is considered that the exception test is passed and the proposal in conformity with PPS25.

5.37 Subject to conditions requiring the finished floor levels to be set at 7.6 AOD and conditions relating to contamination, as requested by the Environment Agency, the flood risk and drainage implications of the proposal are acceptable.

5.38 Residential Amenity

There are no residential properties within the vicinity of the site, so there are no residential amenity issues arising as a result of the proposal.

5.39 Conclusion on analysis of assessment of planning application

The brownfield part of the site, allocated under Policy E4 is acceptable in principle when assessed against this policy. The greenfield part of the site could be built out under the 57 consent without any further planning permissions, and as such, this is a material consideration of some weight in terms of both the allocation under Policy E2 and the Coastal Zone allocation. The proposal will result in the loss of playing fields, and this is mitigated with an appropriate S106 obligation to provide or improve provision within 5km of the site. With regard to transportation, traffic generated from the proposal is likely to increase impacts on Easter Compton, Pilning and the Blackhorse Hill arm of junction 17 of the M5. To mitigate this, a S106 obligation is proposed to include traffic management works in these villages, as well as accommodation works at the Blackhorse Hill arm of junction 17. Landscape, external appearance, scale and layout are reserved matters to be decided at a later date, if the application is approved, and the Design and Access Statement is considered appropriate for guiding reserved matters applications. The scheme includes a conservation zone, which mitigates against any increase in disturbance to birds in Orchard Pools, and provides habitat for protected species and other species on site. Loss of coastal floodplain on site is also mitigated. The development is lawful when considering the effects on great crested newts and the impact on the European designated estuary and the surrounding area is not considered significant and in accordance with the Habitat Regulations. There are no adverse archaeological impacts of the proposal. Given the size of the development in comparison with the overall implementable area of the 57 consent, the flood risk implications of the proposal are acceptable. There are no residential amenity issues with the proposal. As such, the proposals are considered acceptable.

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 brownfield part of the proposal is in accordance with Policy E4 of the Local Plan. The greenfield part of the proposal does not accord with all the criteria of Policy E2, or Policy E3 but given that this part of the site could be implemented without any further planning permissions under the 57 consent, and the fact

that it represents only 12% of the total developable area of the 57 consent, this is a material consideration that weighs heavily in favour of the development. The proposal, due to the proposed mitigation in the form of a S106 obligation to find replacement or improved sports facilities, is in accordance with Policies LC1 and LC9. The transportation implications of the proposal, due to the mitigation proposed in terms of traffic management improvements and improvements to junction 17 of the M5 are in accordance with Policy T12. The proposed Design and Access Statement is appropriate to inform the reserved matters application and is in accordance with Policy D1 and L1. The proposal, due to various ecological mitigation, is in accordance with Policy L9. The development is also lawful when assessed by the Habitat Regulations with regards to protected species. The development is also lawful as an appropriate assessment undertaken as required by the Habitat Regulations has concluded that there will be no significant effect on the Special Area of Conservation. The proposed archaeological implications of the proposal are in accordance with Policy L11. The proposal, given that it represents only 12% of the total overall developable area of the 57 consent, is in accordance with Policy EP2 and PPS25.

- 6.23 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- £200, 000 towards traffic management works at and through the villages of Pilning and Easter Compton and accommodation works on the Blackhorse Hill approach to the M5 junction 17
 - £197, 800 towards the creation of or qualitative or quantitative improvements of formal sports pitches within 5km of the site
 - £15, 000 towards a feasibility study to find a suitable area for creation or improvement of formal sports pitches
 - Not to carry out any ground disturbance or commence operational development in any part of the site until an archaeological site investigation in relation to the land is completed to the satisfaction of the Council,, and any further works required as a result of the archaeological site investigation shall be carried out to the satisfaction of the Council in accordance with the timescale identified in the archaeological investigation brief
 - Monitoring fee at 4% of total S106 contributions
- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

- 7.3 If the S106 agreement is not signed and sealed within 6 months of this determination, then , in view of the length of time, the application should either:
- (a) Return to the Development Control Area Committee for reconsideration
 - (b) The application should be refused due to the failure to secure the Heads of Terms listed above under a Section 106 Agreement, for the reasons listed in Section 7.1

Contact Officer: Sarah Tucker
Tel. No. 01454 863780

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

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

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

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

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

Reason

In accordance with the letter from the Chief Planner, Department of Communities and Local Government dated 30 April 2009

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

Reason

In accordance with the Chief Planners letter, Department of Communities and Local Government dated 30 April 2009

5. Application for the approval of the reserved matters shall be in accordance with the parameters described in the design and access statement hereby approved and the Development Framework Plan, drawing numbered 30077-PL-103H recieved by the Council on 26 April 2011.

Reason

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

6. The development hereby permitted shall not exceed a maximum of 119,660 sq m gross floorspace and shall be provided in a maximum of 6 units and such units shall not be internally sub-divided to create additional self-contained units, without the prior written approval of the Local Planning Authority.

Reason

To encourage means of transportation other than the private car, to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The development hereby permitted shall include one unit to be occupied by a Class B8 use including any ancillary Class B1 or B2 accommodation as specified in the Town and Country Planning (Use Classes) Order 1987 (as amended) with a minimum gross floorspace of 40,000 sq.m.

Reason

To encourage means of transportation other than the private car, to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. In addition to the unit referred to in Condition No.7 above, the remainder of the floorspace hereby permitted shall not exceed 69,296 sq.m gross floorspace in total and shall be restricted to Use Classes B2 and/or B8, (including any ancillary B1 accommodation), as specified in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason

To encourage means of transportation other than the private car, to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Prior to the occupation of each unit of the development hereby permitted, a comprehensive Travel Plan for B2 units greater than 2000 sq.m and B8 units greater than 5000 sq.m shall be submitted to and approved in writing by the Local Planning Authority and Local Highway Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport) and implemented in accordance with the approved document. Units of lesser size shall manage their travel demand in accordance with the approved Travel Plan Framework.

Reason

To encourage means of transportation other than the private car, to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Each comprehensive Travel Plan shall be prepared in line with the approved Travel Plan Framework document (IMA Transport Planning, September 2010, IMA-09-043), plus prevailing policy and best practice, and shall include as a minimum:
 - The identification of targets for trip reduction and modal shift derived from trip rates shown in Table 2 below for the unit controlled by Condition No.8 and the trip rates shown in Table 1 below for the units controlled by Condition No.9 and provided

in the September 2010 Transport Assessment (IMA-09-043) and which meet SMART (Specific, Measurable, Attainable, Relevant, Time-bound) criteria;

Table 1: General B8 and B2 Units

	B8 Trip Rates per 100m2			B2 Trip Rates per 100m2		
	In	Out	Total	In	Out	Total
AM	0.3	0.2	0.5	0.34	0.08	0.42
PM	0.1	0.14	0.24	0.07	0.43	0.5

Table 2: Large B8 Unit

	Large B8 Trip Rates per 100m2		
	In	Out	Total
AM	0.18	0.099	0.279
PM	0.194	0.121	0.315

- Submission of a timetabled implementation plan;
- The mechanisms for monitoring and review: monitoring to take place at 40% occupancy and then after 1 year, 3 years and 5 years;
- The fallback arrangements and measures to be applied in the event that trip reduction targets are not reached and trip rates contained in the September 2010 Transport Assessment shown in Table 2 above for the unit controlled by Condition No.8 and the trip rates shown in Table 1 above for the units controlled by Condition No.9 are exceeded;
- The management arrangements including the appointment of a suitably trained Travel Plan co-ordinator to an agreed timescale or timetable and its operation thereafter and a mechanism for joint working between the component elements of the development;

All the recommendations and proposed actions contained within the approved Travel Plans shall be implemented in accordance with the timetable contained therein, and the approved Travel Plans (or any variation of the Travel Plans agreed in writing with the Local Planning Authority who shall consult with the Highways Agency acting on behalf of the Secretary of State for Transport) shall be operated thereafter strictly in accordance with the details approved.

Reason

To encourage means of transportation other than the private car, to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Vehicular access and access by pedestrians and cyclists to the development hereby permitted shall be in accordance with the approved Development Framework Plan as set out in Drawing numbered 30077-PL-103H received at the Council on 26 April 2011. These access points shall be formed, laid out, constructed and drained before any building served by such vehicular, pedestrian or cycle access is first occupied in accordance with detailed drawings as shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the construction of the

development (save for such preliminary works as the Local Planning Authority may approve in writing).

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

In order to ensure the adequate protection of archaeological remains, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. No phase (or sub-phase) of the development hereby permitted shall be commenced (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), until the following components of a scheme to deal with the risks associated with contamination of that phase (or sub-phase) of the site have been submitted to and approved in writing by the Local Planning Authority:

- 1) A site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- 2) The site investigation results and the detailed risk assessment from 1) above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in 2) above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To protect controlled waters

14. 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 the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason

To protect controlled waters

15. Piling or any other foundation designs using penetrative methods shall only be undertaken with the prior written express consent of the Local Planning Authority. The

development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect controlled waters

16. Prior to the commencement of development (save for such preliminary works as the Local Planning Authority may approve in writing) a Landscape Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, including the proposed on-site and off-site conservation areas, shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include the following elements:

- Explanation of the landscape proposals
- Detail, extent and type of new planting (NB planting to be of native species of regional provenance, where possible)
- Details of the retention of existing vegetation, where possible
- Details of maintenance regimes of existing vegetation and new planting, both short and long term
- Details of any new habitat created on site
- Details of treatment of site boundaries and/or buffers around water bodies
- Details of planting within water bodies
- Details of profiles and levels within water bodies

The development shall be carried out in accordance with the approved Landscape Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect the character and appearance of the area to accord with Policies D1, L1, E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

17. All works on site shall be subject to the great crested newt mitigation strategy agreed with the Council as set out in the Environmental Statement dated September 2011 (including further information submitted March 2011) that will form the basis of an European species licence application under Regulation 53/56 of the Habitat Regulations 2010. All works shall be carried out in accordance with the mitigation strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure health and wellbeing of nearby wildlife and habitats and in accordance with Policy L9 of the local plan.

18. The development hereby permitted shall be carried out in accordance with the Hedgehog, Song Thrush and Invertebrates mitigation measures identified for this site and set out in the Environmental Statement dated September 2010 (including the further information dated February 2011, submitted in March 2011) unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure health and wellbeing of nearby wildlife and habitats and in accordance with Policy L9 of the local plan.

19. A contingency strategy for grass snakes and slow-worms should reptiles be found on site shall be drawn up and agreed in writing with the Council prior to development commencing. The development shall be carried out in accordance with the agreed strategy unless otherwise agreed in writing by the Local Planning Authority

Reason

To ensure health and wellbeing of nearby wildlife and habitats and in accordance with Policy L9 of the local plan.

20. Prior to commencement of the development hereby permitted (save for such preliminary works as the Local Planning Authority may approve in writing) a Wildlife Management Plan, based upon the principles set out in the Environmental Statement dated September 2010 (including the further information dated February 2011, submitted in March 2011), including long-term objectives, management responsibilities, monitoring strategies for at least a period of 5 years, public access strategy and maintenance schedules for all wildlife habitats on the site, including the proposed on-site and off-site conservation areas, and the provision of an qualified and licensed ecological 'clerk of works' to oversee monitoring, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with this approved Wildlife Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure health and wellbeing of nearby wildlife and habitats and in accordance with Policy L9 of the local plan.

21. No construction of any phase of the development shall take place (save for such preliminary works as the Local Planning Authority may approve in writing) until drainage details for that phase of the development incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, culverts) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies (L17/L8/EP1) of the South Gloucestershire Local Plan (Adopted) January 2006.

22. No construction of any phase of the development shall take place (save for such preliminary works as the Local Planning Authority may approve in writing) until a detailed scheme for the disposal of foul water generated by that phase of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and no building in that phase shall be occupied until the sewage disposal works to

serve that phase have been completed in accordance with the approved details and are operational unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies (L17/L8/EP1) of the South Gloucestershire Local Plan (Adopted) January 2006.(Delete as appropriate)

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

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

Reason

To minimise disturbance to nearby wildlife and to accord with Policy L9 of the Local Plan

24. Prior to the first use or occupation of any of the development hereby permitted, an acoustic fence of up to 4 metres in height, including a sound absorbent facing on the southern or service yard side of the fence, shall be erected along the northern boundary of the operational site in accordance with full design and layout details to be submitted to and approved in writing by the Local Planning Authority before its installation. The acoustic fence shall be installed and thereafter retained in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To minimise disturbance to nearby wildlife and to accord with Policy L9 of the Local Plan

25. No development shall take place, including any works of clearance or demolition, (save for such preliminary works as the Local Planning Authority may approve in writing) until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Construction Management Plan shall be adhered to throughout the construction period on the site unless otherwise agreed in writing with the Local Planning Authority. The Plan shall include details of the following:

- the parking of vehicles of site operatives and visitors,
- loading and unloading of plant and materials,
- temporary buildings on the site,

- temporary lighting during construction works,
- enclosure of working areas,
- storage of plant and materials used in constructing the development,
- noise limits at the site boundary and working hours during construction,
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent public highways,
- measures to control the emission of dust and dirt during construction,
- the management of surface water and protection of the rhines on the site,
- dewatering operations during excavation,
- safe management of contaminated land during construction,
- arrangements for the storage of fuels and chemicals,
- relevant contact points for site management and monitoring.

Reason

To minimise disturbance to nearby wildlife and to accord with Policy L9 of the Local Plan

26. Notwithstanding the details shown on the Site Levels & Site Sections drawing (Drawing No. 30077-PL-110C) submitted with the application, the development hereby permitted shall ensure that finished floor levels [of the buildings] are set no lower than 7.6m above Ordnance Datum (AOD).

Reason

To prevent non-point sourceflooding, and to accord with Policies L17, L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

27. No development shall take place (save for such preliminary works as the Local Planning Authority may approve in writing) until a Site Waste Management Plan for the construction phase of the development has been submitted to and approved by the Local Planning Authority in writing. The Site Waste Management Plan shall include details of:

- (a) The volume and nature of site waste which will be generated through the demolition, site clearance, site levelling and/or excavation process.
- (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, water bodies, mounds and any other ground features.
- (c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
- (d) The volume of additional fill material which may be required to achieve, for example, permitted finished levels or ground contours prior to construction.
- (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

The construction of the development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure that site waste arising from the site is minimised.

28. The development hereby permitted shall achieve a minimum of Building Research Establishment Environmental Assessment Method (BREEAM) level of 'very good' (or the equivalent standard which replaces the Building Research Establishment Environmental Assessment Method, which is to be the assessment in force when the development concerned is registered for assessment purposes).

Reason

In order to provide a sustainable form of development and in accordance with Policy D1 of the adopted Local Plan.

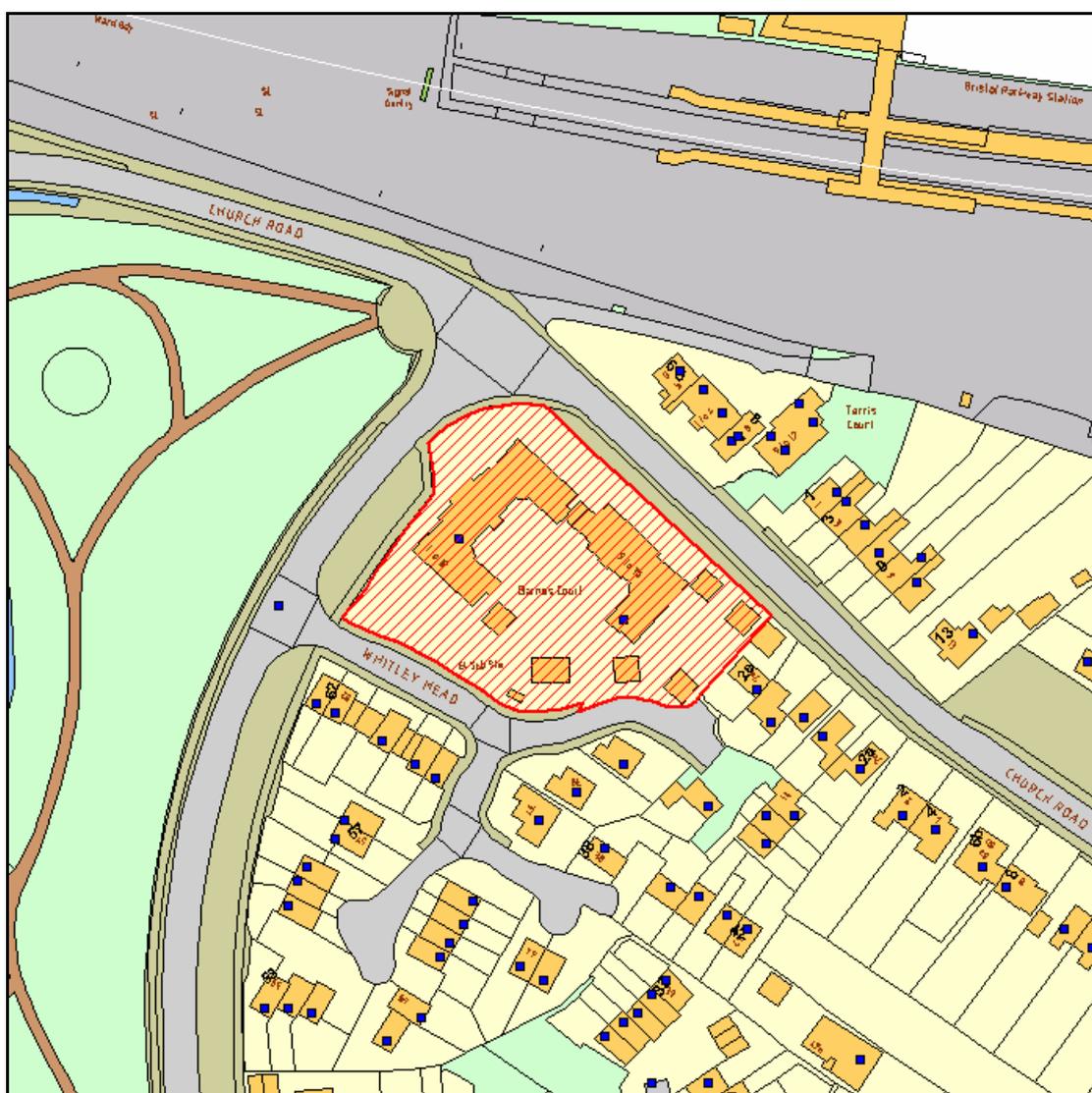
29. No phase or sub phase of the development hereby permitted shall be commenced until details of any floodlighting and external illuminations, including measures to control light spillage for that phase or sub phase shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To minimise disturbance to wildlife and neighbouring occupiers

CIRCULATED SCHEDULE NO. 38/11 – 30 SEPTEMBER 2011

App No.:	PT11/2434/F	Applicant:	Bristol Investment Properties Limited
Site:	Barnes Court Whitley Mead Stoke Gifford Bristol South Gloucestershire	Date Reg:	17th August 2011
Proposal:	Erection of 4 no. self-contained flats with revised access arrangements (Resubmission of application PT10/1498/F)	Parish:	Stoke Gifford Parish Council
Map Ref:	362318 179499	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	10th October 2011



© South Gloucestershire Council 2007. all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT11/2434/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule in view of the letters of objection that have been received.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 4 self-contained flats and for alterations to an existing access.
- 1.2 The application relates to Barnes Court, a 3-storey flatted development to the rear of Bristol Parkway railway station accessed via Whitley Mead.
- 1.3 There is a history of planning applications that have sought permission for additional units at Barnes Court; those focused on the current application site have all been refused. Further to these decisions, discussions with the agent have focused upon reducing the size/ scale of the development to help ensure that the proposal might be acceptable in visual/ residential amenity terms.
- 1.4 As part of these discussions the number of units has also been reduced given that the building now proposed was to accommodate 8 additional flats. However, further to Officer concerns regarding the internal size of these units, the proposal would now provide only 4 additional units.

2. POLICY CONTEXT

2.1 National Guidance

PPS1: Delivering Sustainable Development
PPS3: Housing
PPG13: Transport

2.2 Development Plans

South Gloucestershire Core Strategy Proposed Changes (December 2010)

CS1: High Quality Design
CS16: Housing Density
CS17: Housing Diversity
CS18: Affordable Housing

South Gloucestershire Local Plan (Adopted) January 2006

D1: Achieving Good Quality Design in New Development
H2: New Residential Development
L1: Landscape Protection and Enhancement
L5: Open Areas within the Existing Urban Areas/ Settlement Boundaries
L18: The Water Environment
T7: Cycle Parking
T8: Parking Standards
T12: Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P88/3109: Erection of 27 houses and 30 flats; construction of associated estate road. Permitted: 5th February 1989
- 3.2 PT07/2048/F: Erection of 12 self-contained flats; erection of link extension to existing flats to form 2 additional flats, office and laundrette. Refused: 12 October 2007
- 3.3 PT08/2013/F: Erection of 10 self-contained flats; erection of link extension to existing flats to form 2 additional flats; office and laundrette; alterations to access. Refused 30 September 2008
- 3.4 PT10/1498/F: Erection of 10 self-contained flats and associated works; alterations to access (Resubmission of PT08/2013/F). Permitted: 28 September 2010
- 3.5 PT10/1499/F: Erection of three-storey link extension between existing flats to form two additional flats with a laundrette and office on the ground floor. Refused: 14 September 2010

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No comments received
- 4.2 Other Consultees
Highways DC: no objection subject to conditions
Drainage: no objection in principle
Ecology Officer: no objection
Environmental Services: no objections in principle

Other Representations

- 4.3 Summary of Local Residents Comments
3 letters received (2 the same) expressing the following concerns:
- Reduction in parking would exacerbate existing parking problems;
 - It would infill an area of open landscaped space that makes a positive contribution to the quality, distinctiveness and character of the area;
 - It would comprise an over development of the site;
 - It would fail to integrate with the existing Barnes Court development;
 - It would result in a loss of privacy to neighbouring residents;
 - Increase in single occupancy flats would increase noise/ disturbance;
 - Increase in rented units would further increase unacceptable turnover of occupants;
 - There is no acceptable need given housing underway at Filton/ Harry Stoke/ Hewlett Packard sites;
 - Residential development on this site has been previously refused.

5. PRINCIPLE OF DEVELOPMENT

5.1 Planning policy H2 allows the principle of residential development subject to considerations of design, residential amenity and highway safety. Further, policy CS17 of the emerging Core Strategy advises that in order to support mixed communities in all localities, proposals should provide a wide variety of housing type and size to accommodate a range of different households including families, single persons, older persons and low income households.

5.2 Nonetheless, at the time of the previous planning applications, it has been noted that the area of open space to which this application relates makes a positive contribution to the quality, distinctiveness, and character of the area. In this regard, planning policy L5 advises that within the existing urban areas/settlement boundaries, development will not be permitted where it would adversely affect the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality.

5.3 Design/ Visual Amenity

Barnes Court comprises two three-storey blocks of flatted accommodation on the corner of Westfield Drive and Whitley Mead to the rear of Bristol Parkway Station. The development dates to the late 1980's and includes two-storey housing within Whitley Mead. The flatted accommodation occupies a prominent corner position at the entrance to this cul-de-sac and is inward facing overlooking a central courtyard that provides parking. This courtyard is enclosed around three corners with the fourth opening out to a grassed area that runs to the front of this development with the buildings set back from Whitley Mead.

5.4 The first two refusal reasons in respect of application PT10/1498/F read:

'The proposed development, by virtue of its position and large scale would infill an existing area of open landscaped space at a prominent position to the front of Barnes Court that is considered to make a positive contribution to the quality, distinctiveness and character of the area. The proposal is therefore considered to be contrary to the provisions of PPS1 and PPS3, Planning Policies D1, L1 and L5 of the South Gloucestershire Local Plan (Adopted) January and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.'

'The proposed development, by virtue of its layout, size, design and detailing would comprise an over development of the site that would fail to integrate with the existing Barnes Court development. The proposal would therefore detract from the visual amenity of the locality and is considered to be contrary to the provisions of PPS1 and PPS3, planning policies D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.'

5.5 In view of the above, it is noted that this previous scheme sought approval for a far more intensive form of development that would have provided 10 flats over

a much larger floor area. In this instance, the scale of development has been considerably reduced allowing a smaller building that would provide only 4 flats. In so doing, its footprint would align with that of the existing development and allow the retention of much of the area of open space to the front of this flatted development with additional grassed areas also now provided either side of the single new access. On this basis, it is considered that this revised scheme does address the first refusal reason listed above with it also noted that the existing carports either side of existing dual access arrangements would also be removed.

- 5.6 These changes also help address the second refusal reason in that the layout and size of the development are now considered to be acceptable with these alterations also addressing the perceived over development of the site. However, the detailed design of the build was not subject to discussion apart from general comments as to whether a design approach mirroring that of the existing development or a contrasting contemporary scheme (possibly including a flat roof) might be preferable. In response, there was no strong preference albeit there was some limited concern that the latter approach might draw undue attention to the build that was not considered appropriate in this location.
- 5.7 In view of the above, the submitted plans seek to replicate the existing development and in this regard, it is noted that the Design and Access Statement does little to explain this design approach but instead offers a detailed narration of the discussions held with Officers over the course of the differing planning applications and which concluded with a preference for a similar design approach due to the small scale of the development.
- 5.8 In response, there is no objection to this design approach but there is an objection to the lack of detailing and bland appearance of the proposal; it is not even readily apparent where the entrance is. Nevertheless, it is considered that this issue could be dealt with by an appropriately worded condition in the event that planning permission is approved through the use of different coloured brick beneath the windows (as per the existing development), windows of the same height to match the existing and with the use of timber or glass for the recessed central stairwell to help reduce the overall massing of the building. It is considered that these alterations would help address the 'detailing' of the development to ensure that this previous refusal reason would also be fully addressed.
- 5.9 For the above reasons, the revised proposal is now considered to be acceptable having regard to issues of design/ visual amenity with no objection to the application on this basis.
- 5.10 Residential Amenity
The existing layout allows an open corner to the Barnes Court complex that follows through to the aforementioned open landscaped area. This arrangement allows a sense of openness that benefits both the occupiers of Barnes Court and the residential units opposite. This consideration gains further significance in view of the site topography that slopes down towards Westfield Lane.

5.11 The previous application attracted the following refusal reason:

'The proposed development, by reason of its size, design and position in relation to the existing Barnes Court would have an unacceptable overbearing impact on the residential amenity of the existing residents. The proposal is therefore considered to be contrary to the provisions of PPS1 and PPS3, Planning Policies D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.'

5.12 In this instance, as noted the scale of development has been considerably reduced as has the height of the building with a conventional two-storey structure now proposed; it is considered that this helps to reduce the impact of the development on these existing residents although it is noted that the proposal would still have an enclosing effect that would largely remove the current sense of openness. Nonetheless, on balance, this amended scheme is considered acceptable in residential amenity terms with any associated refusal reason unlikely to prove sustainable. To this extent, it is also noted that the end facing windows opposite the proposal are small, appear secondary whilst that at ground floor is already set behind the carport whilst the new build would also be set apart from this wall. Further, it is also noted that the proposal would retain the open area of green space to the front of the development that is considered to be significant in residential amenity terms with further grassed open space also provided in lieu of the existing carport and dual accesses.

5.13 Having regard to the impact on those residents to the opposite side of Whitley Mead, it is considered that the level of separation retained to these properties and the reduced scale of the development would ensure that no significant adverse impact in residential amenity would be caused.

5.14 For these reasons, there is no objection to this application having regards to issues of residential amenity.

5.15 Highway Safety

There was no highways objection to the previous application for 10 new units. In this instance, it would appear that 23 spaces would be available after the completion of the development and as such, comments from the Councils Highways Officer advise that the site is in a sustainable location close to public transport, shops, services and employment opportunities. With this in mind car ownership cannot be assumed thus it is considered that the information contained within the Transport Statement justifies a departure from the Councils maximum car parking standards.

5.16 Further, it is advised that a minimum aisle width of 5.5m would normally be anticipated between parking spaces and although this standard has not been adhered to, it is considered that any inconvenience is likely to be slight and restricted to the site rather than the adjoining highway. Further, it would not be anticipated that there would be any material increase in service vehicles using the site.

5.17 In view of the above, there is no transportation objection to this application subject to a condition in respect of cycle parking and the specification of the new access.

5.18 Affordable Housing

There is no requirement for affordable housing given that the application falls under the threshold as prescribed by policy H6 (and the lower threshold identified by policy CS18 of the emerging Core Strategy. However, given the status of this document, it is considered that limited weight can be attached to this lower threshold figure.

5.19 Community Services

Application PT10/1498/F attracted the following two refusal reasons:

'Inadequate provision is made towards the mitigation of the development upon the loss of open space and the proposal fails to provide any contribution towards the maintenance/ provision of open space within the locality. The proposal is therefore considered to be contrary to Planning Policy LC8 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.'

'Inadequate provision is made towards the mitigation of the development on local library services with the proposal failing to provide a contribution. The proposal is therefore considered to be contrary to Planning Policy LC1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.'

5.20 In this instance, the application falls under the threshold (10 units) for these contributions thus there are no objection to the application on this basis.

6. CONCLUSION

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

6.3 The recommendation to GRANT permission is for the following reasons:

1. The size, scale and massing of the proposal would relate to that of the existing development and ensure the retention of the existing area of open amenity space to the front of the development. The proposal is therefore considered to accord with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Proposals for Residential Development)

and L5 (Open Areas) of the South Gloucestershire Local Plan (Adopted) January 2006.

2. Subject to condition, the design of the proposal would be acceptable and compliant with Planning Policies D1 (Achieving Good Quality Design in New Development) and H2 (Proposals for Residential Development) of the South Gloucestershire Local Plan (Adopted) January 2006.
3. The proposal would not cause any significant adverse impact in residential amenity and would accord with Planning Policy H2 (Proposals for Residential Development) of the South Gloucestershire Local Plan (Adopted) January 2006.
4. The proposal is considered to be acceptable in highway safety terms and would accord with Planning Policies T8 (Parking Standards) and T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local plan (Adopted) January 2006.

7. **RECOMMENDATION**

7.1 Planning Permission is **GRANTED** subject to the following conditions:

Contact Officer: Peter Burridge
Tel. No. 01454 865262

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 building hereby permitted shall match those used in the existing Barnes Court flatted development (including windows).

Reason

To ensure a satisfactory standard of external appearance and to accord with Planning Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Notwithstanding the submitted details, prior to the commencement of development, amended elevations of the building showing an enhanced level of detail shall be submitted to and approved in writing by the Local Planning Authority. Development shall accord with these approved details. For the avoidance of doubt, this amended detailing shall allow for changes in colour to the brick finish below the windows, an amended windows design (to match that of the existing building) and alterations to the proposed stairwell.

Reason

To ensure a satisfactory standard of external appearance and to accord with Planning Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development detailed plans showing the provision of cycle parking facilities in accordance with the standards set out in Planning Policy T7 of the South Gloucestershire Local Plan (Adopted) January 2006 shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

To encourage means of transportation other than the private car, to accord with Planning Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Planning Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Full construction details of the proposed works in respect of the new vehicular access shall be submitted to and agreed in writing by the Local Planning Authority. Development shall accord with these approved details.

Reason

In the interests of highway safety, and to accord with Planning Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Planning Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with planning policy L18 of the South Gloucestershire Local Plan (Adopted) January 2006.

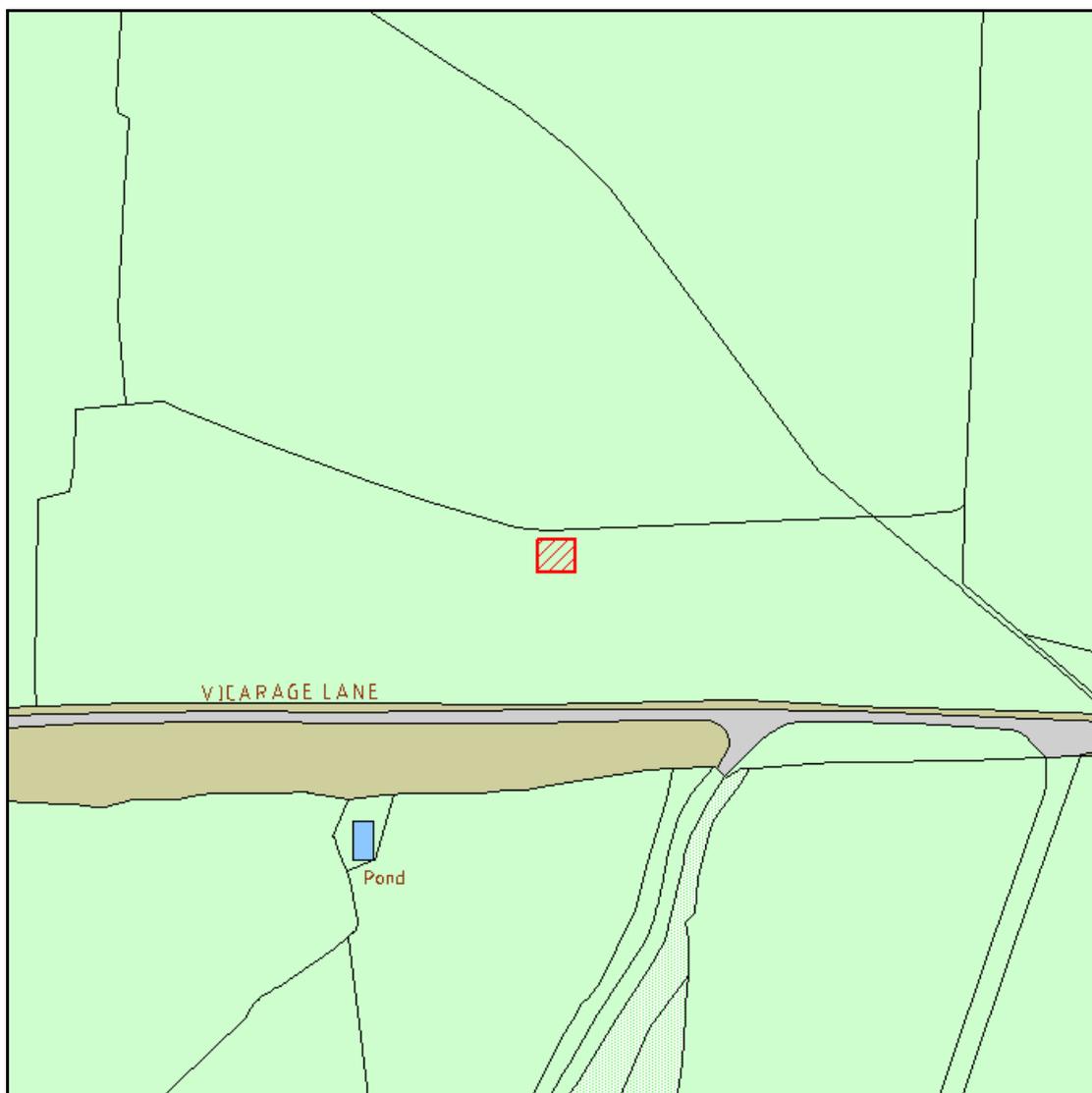
9. No windows shall be inserted at any time in the north west elevation of the building.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Planning Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/11 – 30 SEPTEMBER 2011

App No.:	PT11/2475/F	Applicant:	Mr R Poole
Site:	Field Off Vicarage Lane Olveston Bristol South Gloucestershire BS35 4BT	Date Reg:	18th August 2011
Proposal:	Erection of an agricultural building for feed storage and cattle shelter. (Resubmission of PT11/1416/F).	Parish:	Olveston Parish Council
Map Ref:	360220 187244	Ward:	Severn
Application Category:	Minor	Target Date:	10th October 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT11/2475/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as representations were made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of an agricultural building for feed storage and cattle shelter. This is a resubmission of application PT11/1416/F which was withdrawn following Officers concerns regarding the location of the proposed agricultural building. The building is now to be sited in a revised location.
- 1.2 The application site relates to an agricultural holding with the intention of rearing livestock.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS4	Planning for Sustainable Economic Development
PPS7	Sustainable Development in Rural Areas

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
E6	Employment Development in the Countryside
E9	Agricultural Development
EP1	Environmental Pollution
GB1	Green Belt
L1	Landscape Protection and Enhancement

Emerging Development Plan

Core Strategy Proposed Changes Version (December 2010)

CS1	High Quality Design
-----	---------------------

2.3 Supplementary Planning Guidance

Development in the Green Belt (June 2007)
South Gloucestershire Council Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/1416/F - Erection of an agricultural building for feed storage and cattle shelter. Withdrawn

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council

Objection – questions the requirement of the building.

4.2 Other Consultees

Landscape Officer

No objection.

Transportation

No objection.

Drainage

No objection subject to condition.

Other Representations

4.3 Local Residents

One letter of objection received making the following points:

- This building will be placed in the middle of an important view of the Severn Valley from the popular public viewpoint at the top of Vicarage Lane. It is appreciated that the animals in this field may need shelter, but feel sure the building could be sited less conspicuously and made of more sympathetic materials.

5. ANALYSIS OF PROPOSAL

5.1 Policy GB1 of the Local Plan allows in principle for the construction of new buildings for agriculture.

Policy E9 of the Local Plan relates to the erection of agricultural buildings. Permission is therefore granted subject to the satisfaction of the following criteria:

5.2 **They are sited on land which is in use for agricultural purposes and there are no existing suitable underused buildings available;**

5.3 The building proposed here is sited on an agricultural holding. On visiting the site it appeared that there is no ongoing agricultural use on the part of the field to be used for keeping cattle, however this is an open area of agricultural pasture land. On the far western side of the field the owner is growing vegetables. The applicant's Design and Access Statement states that the buildings will be used in conjunction with the rearing of livestock consisting of

6no. cattle. Overall, it is accepted that the land is of an agricultural use and that there are no other agricultural buildings on the land that could be utilised and so the principle of constructing an agricultural building on the site is considered acceptable.

5.4 Adequate provision is made for access and manoeuvring of machinery and livestock to avoid the perpetuation, intensification or creation of a traffic hazard;

5.5 There is an existing access to the site from Vicarage Lane, an unclassified road. The proposed use and new agricultural building would not generate a high level of traffic. It is considered that the low level of traffic generated by the proposal would not prejudice highway safety. The Council's Highways Officer has raised no objection to the proposal.

5.6 Development would not have unacceptable environmental effects;

5.7 The Council's drainage engineer has requested a condition requiring information regarding sustainable drainage systems be submitted to the Council prior to the commencement of development and this is considered appropriate. There are no other issues in respect of the environment.

5.8 The proposal would not prejudice the amenities of people residing in the area.

5.9 The proposed building would be located away from any nearby residential properties and therefore there would be no overbearing or loss of privacy impact.

5.10 Landscape / Design

The Council's Landscape Officer raised concern over the positioning of the building under the previous application (PT11/1416/F) which was withdrawn. The building was proposed to be located in the middle of the field to the north and thus would impede views across to the Severn Estuary, particularly from the access point to the field where there is a Public Right of Way (PROW). Following pre-application discussion it was suggested that the proposed building should be located in the western half of the field down the hill. The applicant said that this was not possible as due to the steep slope it would be dangerous for cattle to go up and down the hill, particularly in winter months when the ground is wet and loose. It was therefore suggested that the building should be located adjacent to the road against the existing vegetation on the field boundary. It is considered this minimises the impact of the building on views across the site and the Landscape Officer now does not raise an objection. It is not considered the proposed building would therefore have any widespread visual impacts. It is considered there are no landscape objections to the proposal in the context of Policies L1 and E9.

5.11 In terms of design, the building is proposed to be constructed of dark green plastic coated steel with steel fencing and gates around the yard giving the building a fairly agricultural appearance. A condition will be attached to the

decision notice requesting details of the colour to be used as this will aid the buildings appearance in its rural surroundings. The size and scale of the building is considered appropriate given the size of the site and other agricultural buildings in the local area.

6. CONCLUSION

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

The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

- a) The proposal would not prejudice highways safety, residential amenity or have any unacceptable environmental effects. The proposal therefore accords to Policy E9 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The design of the proposed building is considered acceptable and it would not have an unacceptable impact on the surrounding landscape. The proposal therefore accords to Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.
- c) The proposal represents appropriate development within the Green Belt. The proposal therefore accords to Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of PPG2.

7. RECOMMENDATION

- 7.1 That planning permission is **GRANTED** subject to the following conditions.

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

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

Reason

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

2. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g.

soil permeability, watercourses, mining culverts)within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

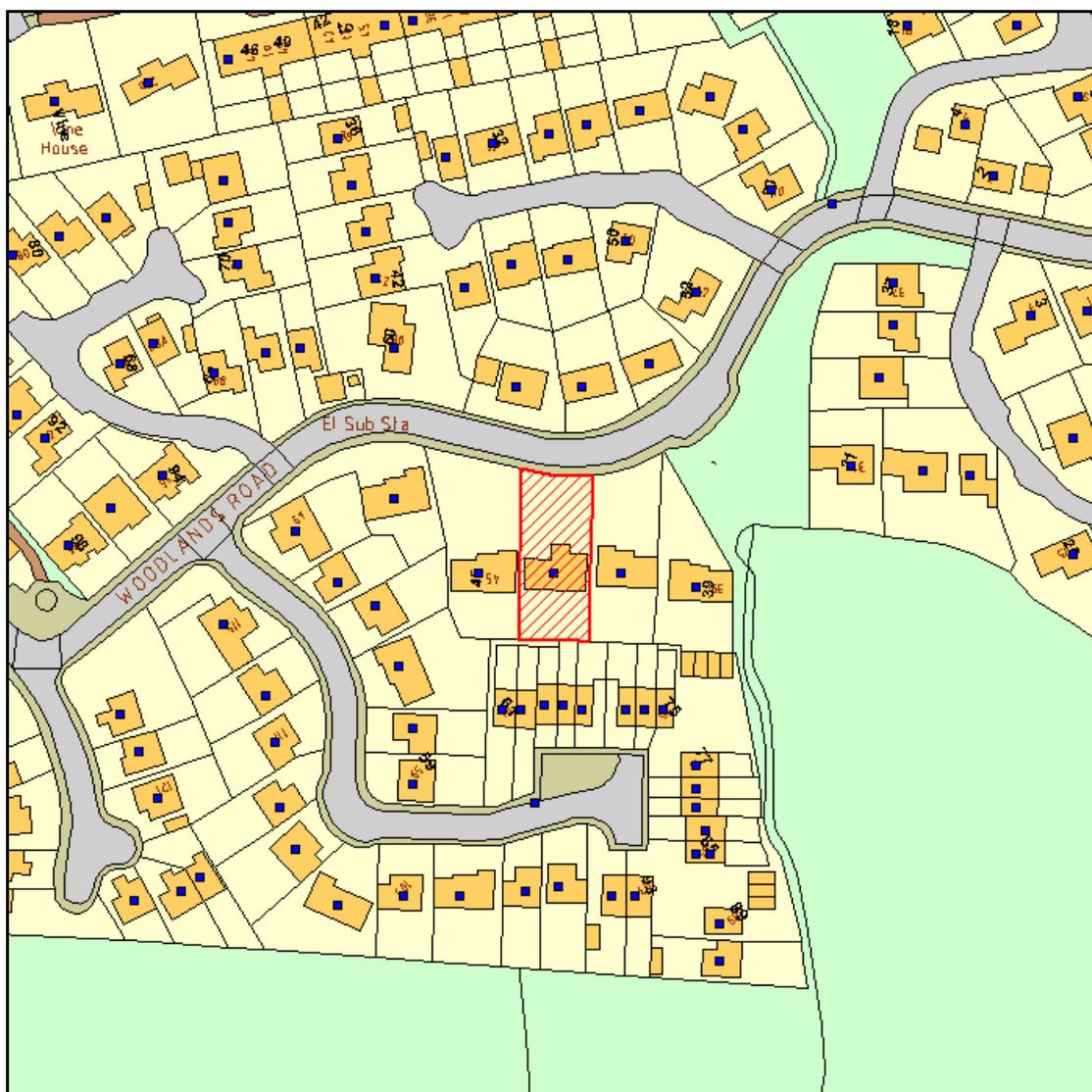
3. Prior to the commencement of development details of the colour of roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to protect the character of the landscape and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/11 – 30 SEPTEMBER 2011

App No.:	PT11/2476/F	Applicant:	Mr And Mrs S Brown
Site:	43 Woodlands Road Charfield Wotton Under Edge South Gloucestershire GL12 8LT	Date Reg:	9th August 2011
Proposal:	Erection of single storey rear extension to provide additional living accommodation	Parish:	Charfield Parish Council
Map Ref:	372471 191773	Ward:	Charfield
Application Category:	Householder	Target Date:	28th September 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT11/2476/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a representation was made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey rear extension to provide additional living accommodation.
- 1.2 This is a detached dwelling located within the defined settlement boundary of Charfield. An amended block plan was received showing the correct tree to be removed as a result of the development. The original block plan showed the incorrect tree.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG13	Transport
Draft National Planning Policy Framework	

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Achieving Good Quality Design
H4	Development within Existing Residential Curtilage
L1	Landscape Protection and Enhancement
T12	Transportation Development Control Policy for New Development

Emerging Development Plan

Core Strategy Proposed Changes Version (December 2010)

CS1	High Quality Design
-----	---------------------

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant history.

4. CONSULTATION RESPONSES

4.1 Charfield Parish Council

No objection raised.

4.2 Other Consultees

Transportation

No objection.

Tree Officer

No objection.

Other Representations

4.3 Local Residents

One letter of objection received raising the following concerns:

- Tree in neighbouring property approximately 2 foot from the proposed extension, there is concern that the proposed extension may impact adversely upon the health of the tree

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the Local Plan states that *proposals for development within existing residential curtilages*, will be permitted subject to certain criteria. The principle of the development is therefore acceptable subject to the following detailed assessment.

5.2 Residential Amenity

Overbearing Analysis

Due to the overall scale and size of the proposed development and sufficient boundary treatment between the neighbouring properties in the form of a 1.8 m high fence the proposal would not be overbearing on the residential amenity of neighbouring occupiers.

Privacy Analysis

The proposal is single storey and there is an existing party boundary fence approximately 1.8 m in height so therefore there would be no overlooking or loss of privacy as a result of the proposal.

Amenity Space

Whilst the proposed extension does project into the rear garden its modest size means that sufficient garden space will remain to serve occupiers of the property.

Highway Safety Analysis

As the extension is located at the rear of the property it will not impact on the property's parking arrangements, located at the front of the house, nor will it prejudice highway safety.

5.3 Design / Visual Amenity

The proposal is modest in scale and fits with the character of the existing property. Its location to the rear of the building together with the chosen construction materials, which match the palette of materials displayed in the existing building, means that this is an appropriate addition to the dwelling and streetscene. The proposal is well screened from the public realm to the side and rear and therefore there is no harm caused to the visual amenity.

5.4 Trees

A small ornamental tree located within the applicant's rear garden is to be removed in order to facilitate the development. Another ornamental tree in the rear garden of no. 41 Woodlands Road, Charfield may require some pruning in order to facilitate the development as it overhangs onto the application site. The Council's Tree Officer states that no significant trees will be affected by the proposed development and so no objection is raised in terms of trees.

6. CONCLUSION

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

The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

- a) The proposed extension would not give rise to an adverse overbearing effect or a material loss of privacy to nearby occupiers. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.
- b) The proposed extension has been designed to respect and maintain the massing scale, proportions, materials and overall design and character of the existing dwelling and the surrounding area. The development therefore accords to Policy D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted) 2007.

7. **RECOMMENDATION**

7.1 That planning permission is **GRANTED** subject to the conditions attached to the decision notice.

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

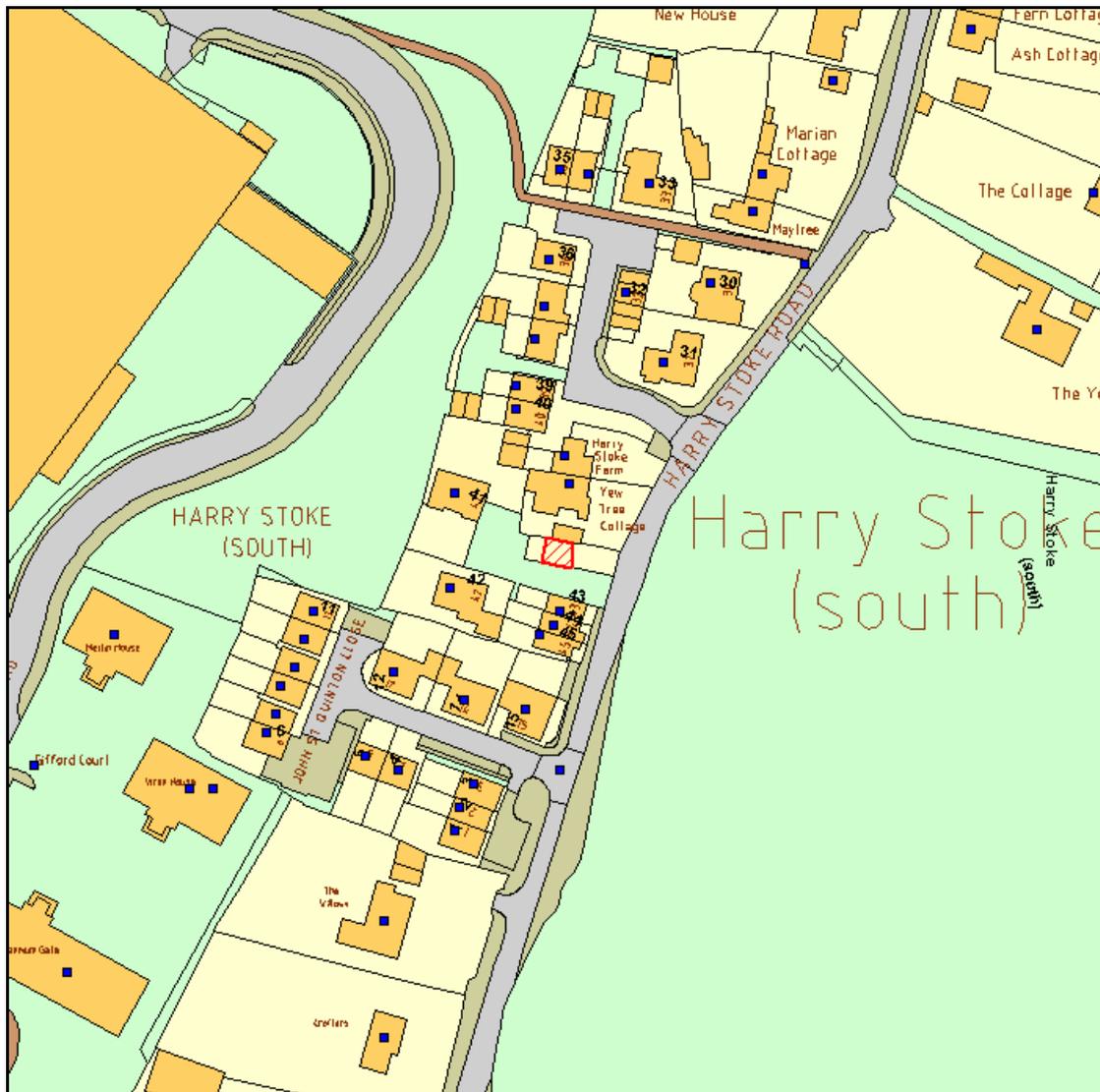
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 38/11 – 30 SEPTEMBER 2011

App No.:	PT11/2577/F	Applicant:	Ms L Wilson
Site:	43 Harry Stoke Road Stoke Gifford South Gloucestershire BS34 8QH	Date Reg:	23rd August 2011
Proposal:	Change of use of land from incidental open space to parking area in connection with private dwelling (retrospective).	Parish:	Stoke Gifford Parish Council
Map Ref:	362029 178798	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	14th October 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT11/2577/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to a letter of objection received from a local resident contrary to the Officer's recommendation. The applicant has also requested that Condition 1 be amended to allow the time limit for resurfacing the parking area be extended from 6 months to a year.

1. THE PROPOSAL

- 1.1 This full application relates to the retrospective change of use of land from incidental open space to car hardstanding area for the dwellings of 43 and 44 Harry Stoke Road, Stoke Gifford. The proposed area of land measures 5m in depth by 8.5m in length. It has been gravelled and is located adjacent to the boundary of Yew Tree Cottage but shielded from this property by a 1.3m stone wall with 2m close board timber fencing behind. To the north and south of the site lies parking spaces and to the west the access drive serving a small enclave of 5 dwellings.
- 1.2 The car parking spaces are proposed for the properties of 43 and 44 Harry Stoke Road located to the west of the site and owned by the applicant. These properties form a terrace of 3 dwellings, each with one allocated car parking space. The applicant wishes to transfer the one car parking space associated with 43 Harry Stoke Road to 44 Harry Stoke Road giving this property 2 parking places, and use the land in question to form 3 parking places for no.43.
- 1.3 The land was originally shown as a small landscaped area as part of the original permission but this was never implemented. The land is in the ownership of the applicant.

2. POLICY CONTEXT

2.1 National Guidance

PPS1	Delivering Sustainable Development
PPG13	Transport

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1	Design
H2	Proposals for Residential Development within Existing Urban Area and Defined Settlement Boundaries.
H4	Development Within Existing Residential Curtilages, Including Extensions and New Dwellings
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

South Gloucestershire Core Strategy -Submission Draft (December 2010)

CS1	High Quality Design
-----	---------------------

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3458/F Erection of 16 dwellings and garages with associated access and landscaping.
Approved 28 July 2004.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No response received.
- 4.2 Sustainable Transport
No objection.

Other Representations

- 4.3 Local Residents
2 letters have been received, 1 in support of the application making the following comments:- 'double yellow lines on the road have made parking for those of us with only one space absolutely impossible – where on earth are residents and visitors supposed to park when there is quite literally no alternative nearby'.

The other letter raises the following concerns:-

- a) does the land belong to the applicant?
- b) area should be used for parking by all who use shared access drive;
- c) surface is poor, of gravel and not in keeping with the rest of the drive.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
This retrospective application relates to the change of use of incidental open space to hardstanding at Harry Stoke Road, Stoke Gifford. The land was originally shown as a small landscaped area but this was never implemented. By the applicant's admission, the land has been used for car parking since 2007, when it was gravelled.
- 5.2 It is clear that the land has been used for car parking purposes for a number of years and having regard to the parking spaces immediately to the north and south of the site, the proposal is considered to be acceptable in visual amenity terms. It also appears that parking is a problem in the area due to the lack of on-street parking options in the vicinity as the road has double yellow lines. Furthermore, it is noted that the maximum standards for residential development have been removed from National Policy with an indication that these should be set locally. It is also noted that in light of this the Council is currently undertaking a review of its parking standards set against policy T8 of the adopted local plan.

- 5.3 As a consequence no objection has been raised by the Council's Transportation engineer. It is considered appropriate however to impose a condition requiring that the surface be block paved and of similar appearance to the adjacent parking and driveway in the interests of visual amenity. The applicant has requested that instead of 6 months given to resurface the parking area can this be extended to a year. Officer's are of the view that a twelve-month period is a reasonable request and as such the original condition has been amended accordingly.
- 5.4 Furthermore, it is recognised that the parking area lies directly adjacent to Yew Tree Cottage. However, no material adverse impact upon residential amenity is considered to result from the proposal due to the existing boundary treatment, which consists of a 1.3m stone wall and 2m close boarded timber fencing behind. The application is therefore considered acceptable.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to grant permission is for the following reasons:-
1. The proposed car parking area will not detract from the visual or residential amenity of the area and will alleviate existing on-street parking problems. The proposal would therefore accord with Planning Policies D1 (Achieving Good Quality Design in New Development) and T12 (Transportation Development Control Policy) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

- 7.1 Planning permission be granted subject to the conditions attached to the decision notice.

Contact Officer: Vivian Butt
Tel. No. 01454 863427

CONDITIONS

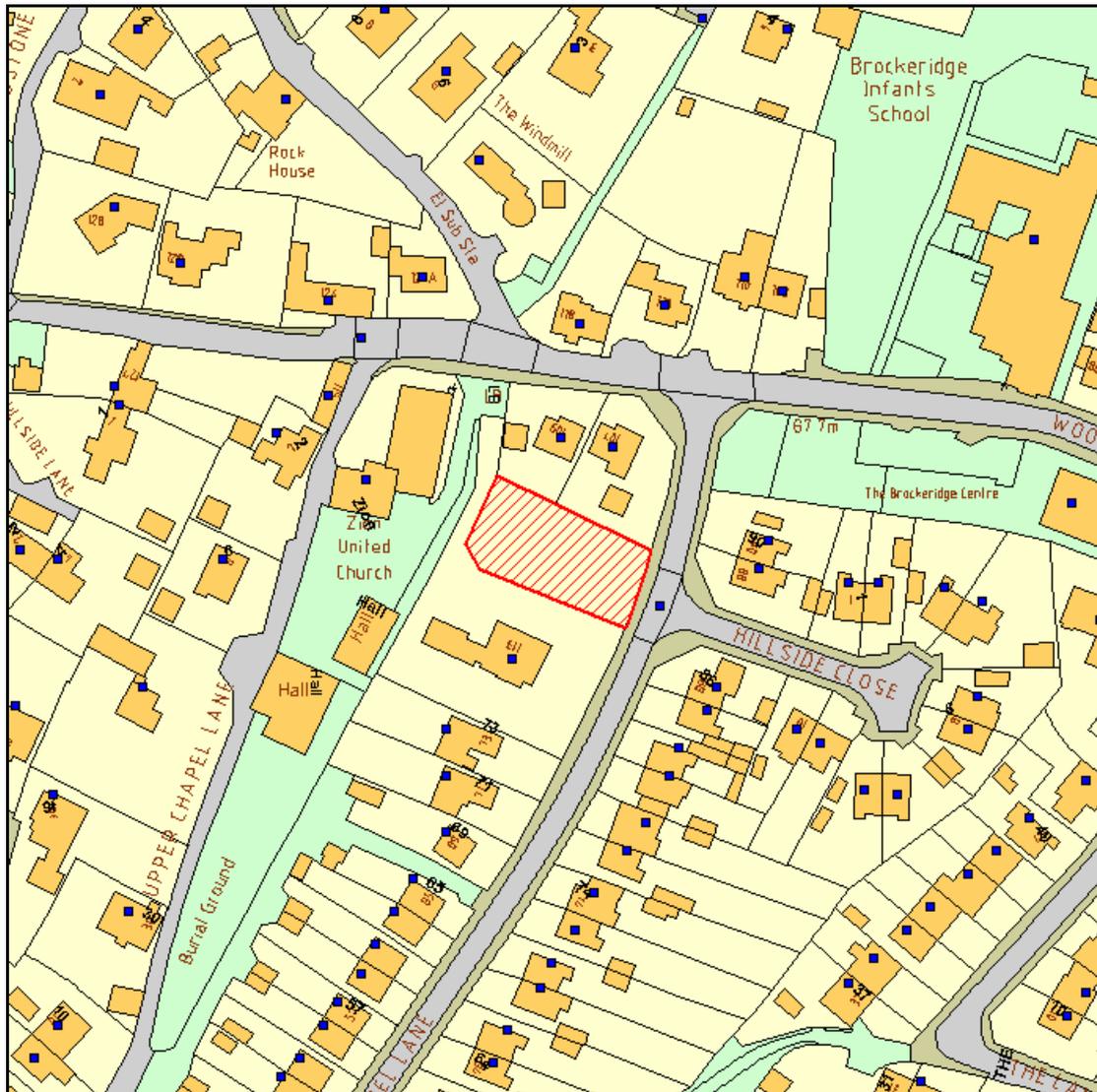
1. Within 12 months of the date of this decision, the parking area shall be resurfaced with block paving of similar colour and design to the adjacent parking and driveway, the details of which shall be submitted to and approved in writing by the Council within 6months of this decision notice. The development when carried out shall conform to the details so approved.

Reason

To ensure the satisfactory appearance of the development and to accord with policies D1, H2, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2011.

CIRCULATED SCHEDULE NO. 38/11 – 30 OCTOBER 2011

App No.:	PT11/2597/F	Applicant:	Mr D Phippend
Site:	Land North Of 113 Woodend Road Frampton Cotterell Bristol South Gloucestershire BS36 2HX	Date Reg:	23rd August 2011
Proposal:	Erection of 1no. detached dwelling with access and associated works.	Parish:	Frampton Cotterell Parish Council
Map Ref:	367202 181236	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	13th October 2011



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the
 Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT11/2597/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a representation was made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1no. detached dwelling with access and associated works.
- 1.2 The application site relates to garden land associated with no. 113 Woodend Road, Frampton Cotterell and lies within the defined settlement boundary of Frampton Cotterell. Outline planning permission was granted under application PT10/3338/O for the erection of 1no. dwelling (Outline) with Access, Layout and Scale to be determined. All other matters reserved. The application was a resubmission of PT10/2825/O for erection of 2no. dwellings which was withdrawn by the applicant following Officer's concerns.
- 1.3 The applicant has decided not to submit 'reserved matters' in relation to the approved outline permission and is instead submitting this full planning application for consideration. The approved outline permission PT10/3338/O is however a material consideration and holds weight in the determination of this application.

2. POLICY CONTEXT

2.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
Written Ministerial Statement: Previously Developed Land and Density (9 June 2010)
Draft National Planning Policy Framework: Published 25 July 2011
Written Ministerial Statement: Planning for Growth (23 March 2011)

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design
EP1 Environmental Pollution
H2 Proposals for Residential Development within the Defined Settlement Boundaries
H4 Development within Existing Residential Curtilage
L1 Landscape Protection and Enhancement
L5 Open Areas within Defined Settlements
L9 Species Protection
T8 Parking Standards
T12 Transportation Development Control Policy for new Development

Emerging Development Plan

Core Strategy Proposed Changes Submission Publication Draft (December 2010)

CS1	High Quality Design
CS5	Location of Development
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT10/2825/O - Erection of 2no. dwellings (Outline) with access to be determined. All other matters reserved. Withdrawn.
- 3.2 PT10/3338/O - Erection of 1no. dwelling (Outline) with Access, Layout and Scale to be determined. All other matters reserved. (Resubmission of PT10/2825/O). Approved.
- 3.3 PT11/1889/F - Erection of 1 no detached dwelling with access and associated works. Approved.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

No objection subject to the planning authority satisfying itself that the development will not block light to the neighbouring property (107 Woodend Road).

4.2 Other Consultees

Transportation

No objection subject to condition.

Ecology

No objection.

Drainage

No objection subject to condition.

Landscape

No objection subject to condition.

Environmental Protection

No objection subject to condition.

Other Representations

4.3 Local Residents

One letter of objection received raising the following concerns:

- The dormer window on front elevation would lead to an overbearing impact / loss of light
- Detrimental impact upon neighbours enjoyment of the garden
- Outline application referred to a two storey dwelling with no dormers shown on indicative elevation drawings. Proposed is a three storey dwelling
- Gross ground floor area is larger than outline
- Velux window on side of dormer will overlook into neighbouring property
- Three storey dwelling will be out of character

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated within the defined settlement boundary of Frampton Cotterell, as shown on the South Gloucestershire Local Plan Proposal Maps (Adopted) January 2006. PPS3 (Housing), the Joint Replacement Structure Plan and Policies H2 and H4 of the Local Plan allows for new residential development within settlement boundaries and the curtilages of dwellings. On this basis the proposed development would be acceptable in principle.

5.2 PPS3 expects schemes to make an effective use of the site by achieving the maximum density compatible with the sites accessibility, environmental constraints, and its surroundings. The expectation under Policy H2 of the Local Plan states that all developments will achieve a minimum density of 30 dwellings per hectare.

5.3 Notwithstanding this policy context in June 2010 the Coalition Government issued a Ministerial Statement under the title of '*New Powers for Local Authorities to Stop 'Garden Grabbing'*'. The Ministerial Statement has raised some important points regarding the design and density of new residential development. Firstly the statement reiterated the need to ensure that residential development does not result in the overdevelopment of neighbourhoods, the loss of green space, and impact upon local character. These matters can be

reasonably resisted on the basis of existing policies (D1, L5, H2, and H4) within the South Gloucestershire Local Plan.

- 5.4 The second point relates to the requirement in PPS3 for all new residential developments to achieve the national indicative density target of 30 dwellings per hectare. This policy objective was reflected in Policy H2(b) of the South Gloucestershire Local Plan which stated that the maximum density compatible with the sites location should be achieved, but with an expectation that it will achieve a minimum density of 30 dwellings per hectare. The Ministerial Statement has removed the requirement for new residential development to achieve the national indicative minimum density, and thus very limited weight should be given to Policy H2(b).
- 5.5 The remaining advice in PPS3 states *“Good design is fundamental to using land efficiently...”* (Para. 48) and *“Careful attention to design is particularly important when chosen local strategy involves intensification of the existing urban fabric. However when well designed and built in the right location, it can enhance the character and quality of an area”* (Para. 49). *“Density is a measure of the number of dwelling that can be accommodated on a site or in an area. The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.”* (Para. 50)
- 5.6 On this basis in this application the need to achieve an efficient use of land is still an important material consideration. However this need should be carefully balanced against the requirement to consider the character of the area and whether the proposal is good quality design. Policy D1 of the South Gloucestershire Local Plan recognises this, and density is one of the design factors that this policy requires to be assessed.

5.7 Density

The proposed site extends to approximately 0.07 hectare. The proposal is for a single dwelling which will achieve a density of 14 dwellings per hectare. It was noted on site that the properties immediately adjoining the site (namely no's 107, 109 and 113) all benefit from fairly large plot sizes and as a consequence the new property would be in keeping with the densities of surrounding properties. In terms of its relationship within the plot it is considered that due to the relative close proximity of the front of no. 113 Woodend Road and the rear elevations and rear garden space of no's 107 and 109 Woodend Road, that 1no. dwelling is the most appropriate and efficient use of the land and this was established through the approved outline application PT10/3338/O. The siting of 1no. dwelling on the site is therefore considered appropriate in density terms.

5.8 Design / Visual Amenity

Siting and Overall Layout

- 5.9 The siting and layout of the dwelling within the plot is considered appropriate in visual terms given the plot sizes in the immediate surrounding area. The dwelling is sited a sufficient distance from no. 113 Woodend Road and from no.'s 107 and 109 Woodend Road for there to be no adverse impact upon the setting of these dwellings.

Size, Scale and Massing

- 5.10 The dimensions of the proposed dwelling are very similar to that of the one approved at outline (PT10/3338/O). The height of the dwelling would be the same as the approved at outline in that it would not exceed the height of no. 113 Woodend Road and this will be conditioned as it was in the outline application. The proposed dwelling would be approximately 1 m deeper (largely due to the front gable) and 0.4 m wider. The attached garage adds additional footprint of 4 m in width and 8 m in depth but is single storey and considered an acceptable addition. The principle of siting a dwelling of this size was established under the outline application PT10/3338/O. Concern has been raised from a local resident that the dwelling approved at outline stage was to be 2 storey whereas the one now proposed is 3 storey. Whilst this is true the dimensions of the proposed dwelling are very similar to that of the one proposed at outline. Whilst there are no examples of 3 storey dwellings in close proximity to the site, the dwelling is not considered oversized (the front gable is the same size as the one at no. 113 Woodend Road) and the third storey is facilitated by the front gable, rooflights and a modest sized dormer window. Overall, whilst the proposal deviates slightly from the outline in terms of size the scheme is considered acceptable given the sites overall context.

Appearance, Detailing and Visual Impact

- 5.11 The front elevation of the dwelling, including the garage and chimney, will comprise of random local sandstone to match no. 113 Woodend Road, and also include stone quoins to all corners of the dwelling and garage. The side and rear elevations will be finished in render. Windows will be timber flush casements also similar to no. 113's windows finished with paint. All windows will also have stone sills to match the size and form of no. 113. External doors will be constructed from timber and the garage doors will be timber side hung doors. The front elevation of the property will have a feature bay window (which no. 113 also has) and a timber oak framed porch. It is considered important to have some of the design principles taken from no. 113 as this is the property that the new dwelling will be most closely associated with in visual terms. Nevertheless the new dwelling will also differ from no. 113 in having a second floor with dormer window and uniquely shaped windows to the front. Overall, the visual impact of the new dwelling is considered acceptable subject to a condition requiring full details of all external construction materials to be agreed with the local planning authority.

- 5.12 Residential Amenity

Overbearing / Loss of Light

- 5.13 The height of the dwelling would be the same as the approved at outline in that it would not exceed the height of no. 113 Woodend Road and this will be conditioned. The proposed dwelling would be approximately 1 m deeper (largely due to the front gable) and 0.4 m wider. The attached garage adds additional footprint of 4 m in width and 8 m in depth but is single storey. The principle of siting a dwelling of this size was established under the outline application PT10/3338/O. A front gable is also proposed but this is at the far side of the new dwelling from no. 107 Woodend Road and it is not considered this would have a significant impact on light levels into the rear of this property. The proposal is therefore considered acceptable in terms of overbearing / loss of light impact.

Overlooking / Privacy Analysis

- 5.14 Fenestration is proposed to the front and rear elevation and the nearest windows of neighbouring properties are all a sufficient enough distance away for there to be no loss of privacy and this was established in the approved outline planning application. Two small conservation rooflights are proposed on the side of the front gable end. The main purpose of these rooflights is to provide light into the internal living space and they are at a height above floor level at which an unacceptable level of overlooking would be very unlikely. In any event the windows are a sufficient distance from neighbouring properties and in the case of the one facing no. 107 Woodend Road the rooflight is largely obscured by the smaller dormer window.

5.15 Construction Period

Due to the close proximity of the application site to nearby properties a condition will be attached to the decision notice restricting working hours during construction.

5.16 Transportation

The proposed and existing access points associated with this proposal are considered to be acceptable and appropriate for the scale of development, and as such there is no transportation objection to this development subject to a condition to require that the visibility splays indicated on submitted plan number 113WR.AUG11.P.1 are permanently kept clear of any obstructions greater than 1 m high.

5.17 Landscape / Environmental Issues

Neither the Council's Tree or Ecology Officer's raised an objection to the scheme. The Landscape Officer has requested a condition requiring a 1:200 scale detailed planting plan be submitted to provide detail regarding the proposed native hedgerow indicated on Cohere Associates 'Proposed Site Plan, dwg.no.113WR.AUG11.P.1.' Some tree planting within the front garden, which would aid mitigation and compensate for the removal of the section of evergreen hedge is also considered appropriate. Finally, the Council's Drainage Engineer requests a SUDS condition and this is also considered appropriate.

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/refuse permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.
- 6.3 The recommendation to grant permission is for the following reasons:
1. The proposed layout has been configured to allow a form of development that would be in keeping with the general pattern of residential development within the locality and be of an acceptable size, scale and form. As such, the proposal would be compliant with Planning Policies D1 (Achieving Good Quality Design in New Development), H2 (Residential Development) and H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
 2. The proposal would provide an appropriate level of density having regard to the site, its location and accessibility. As such, the proposal is considered to be compliant with the requirements of planning policy H2 (Residential Development) of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of PPS3.
 3. The proposal would not cause any significant adverse impact to residential amenity. The proposal is therefore considered to accord with Planning Policies H2 (Residential Development) and H4 (Development within Residential Curtilages) of the South Gloucestershire Local Plan (Adopted) January 2006.
 4. The proposal is considered to be acceptable in highway safety terms and compliant with Planning Policies T8 (Parking Standards) and T12 (Transportation Development Control Policy for New Development) of the South Gloucestershire Local Plan (Adopted) January 2006.
 5. The proposal has considered all environmental issues associated with the site and there are no constraints to granting planning permission on this basis. The proposal is therefore considered to accord with Planning Policies EP1 (Environmental Pollution) and L9 (Species Protection) of the South Gloucestershire Local Plan (Adopted) January 2006.

7. RECOMMENDATION

7.1 Planning Permission is **GRANTED** subject to the following conditions:

Contact Officer: William Collins
Tel. No. 01454 863425

CONDITIONS

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

Reason

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

2. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The hours of working on site during the period of construction shall be restricted to Monday - Friday 07.30 - 18.00 and Saturday 08.00 - 13.00 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 Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule to the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, C, D, E and F), 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

Due to the location of surrounding properties and limited size of the plot, any further extensions will require the further consideration of the Local Planning Authority, to accord with Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The height of the proposed dwelling as illustrated in the 'Proposed Plans, Elevations & Sections' drawing as received by the Council on 18th August 2011 shall be adhered to specifically in respect of the ridge height of the new dwelling not exceeding the ridge height of no. 113 Woodend Road (also known as 'Hillside'), Frampton Cotterell.

Reason

To protect the character and appearance of the area, the residential amenity of neighbouring occupiers and to accord with Policies D1, H4 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the first occupation of the dwelling hereby approved the vehicular access and associated visibility splays shall be constructed in accordance with drawing '113WR.AUG11.P.1'. There shall be no obstruction to visibility exceeding 1 metre in height within the splayed areas.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of development full details and samples 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.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Prior to the commencement of development a 1:200 scale planting plan providing detail regarding the proposed native hedgerow indicated on Cohere Associates Proposed Site Plan, dwg.no.113WR.AUG11.P.1, existing trees and proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.