



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF ENVIRONMENT AND COMMUNITY SERVICES**

CIRCULATED SCHEDULE NO. 32/15

Date to Members: 07/08/15

Member's Deadline: 13/08/15 (5.00pm)

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 Environment of Community Services 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 and 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 Management Technical Support Team. Please note a copy of your referral e mail will appear on the website. **If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, 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.

Dates and Deadlines for Circulated Schedule
During August Bank Holiday Period 2015

Schedule Number	Date to Members 9am on	Members Deadline 4.30pm on
No.35/15	Friday 28 August	Friday 04 September

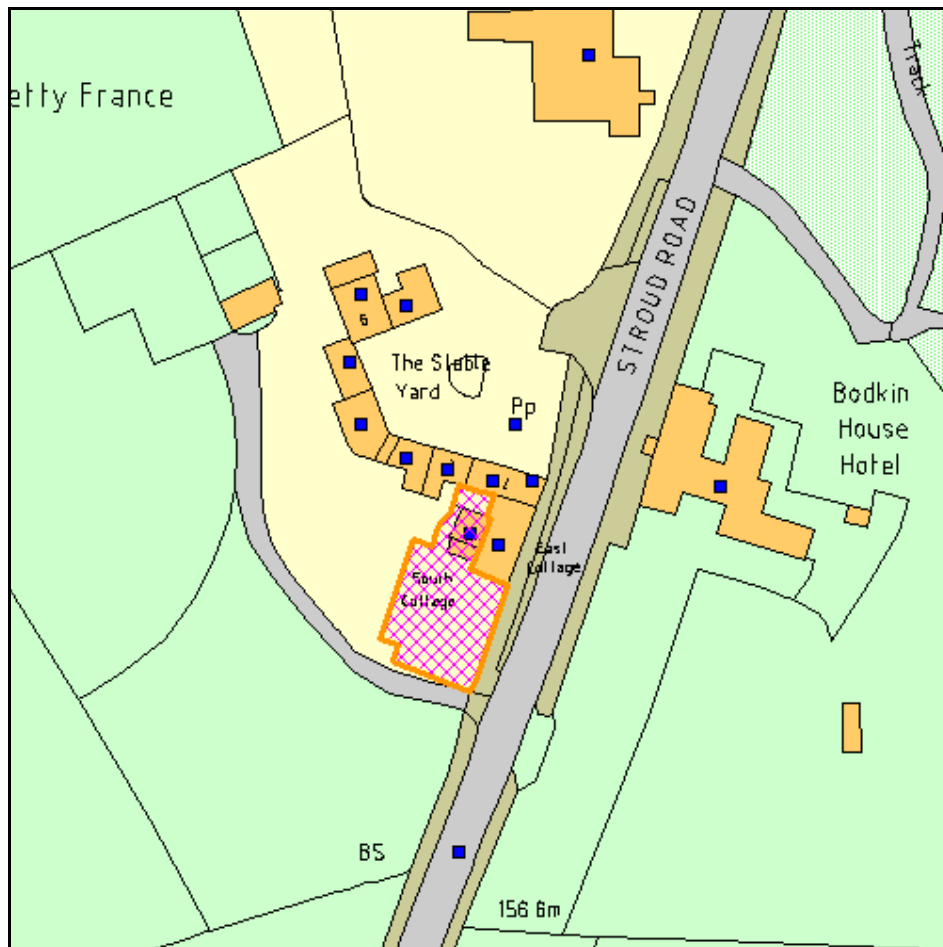
Above are details of the schedules that will be affected by date changes due to August Bank Holiday.

CIRCULATED SCHEDULE 07 August 2015

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK15/1885/LB	Approve with Conditions	South Cottage Petty France Badminton South Gloucestershire GL9 1AF	Cotswold Edge	Hawkesbury Parish Council
2	PK15/1954/F	Approve with Conditions	20 Court Road Oldland Common South Gloucestershire BS30 9SP	Oldland	Bitton Parish Council
3	PK15/2641/F	Approve with Conditions	36 - 38 Buckingham Gardens Downend South Gloucestershire BS16 5TW	Downend	Downend And Bromley Heath Parish Council
4	PK15/2761/F	Approve with Conditions	Co-op Store 33-39 High Street Hanham South Gloucestershire BS15 3DJ	Hanham	Hanham Parish Council
5	PK15/2896/CLP	Approve with Conditions	35 Chesterfield Road Downend South Gloucestershire BS16 5RH	Downend	Downend And Bromley Heath Parish Council
6	PT15/0493/F	Refusal	Land At Frenchay Park Road Frenchay South Gloucestershire BS16 1LG	Frenchay And Stoke Park	Winterbourne Parish Council
7	PT15/0510/F	Refusal	Lockleaze Recreation Ground Stoke Gifford South Gloucestershire BS16 1FD	Frenchay And Stoke Park	Stoke Gifford Parish Council
8	PT15/0871/F	Approve with Conditions	Bradley Stoke Cricket Ground Baileys Court Road Bradley Stoke South Gloucestershire BS32 8BH	Bradley Stoke South	Bradley Stoke Town Council
9	PT15/1956/RVC	Approve with Conditions	The Lime Works Itchington Quarry Itchington Road Tytherington South Gloucestershire	Ladden Brook	Tytherington Parish Council
10	PT15/2436/F	Approve with Conditions	Pleasure Gardens 37 Station Road Severn Beach South Gloucestershire BS35 4PL	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
11	PT15/2731/F	Approve with Conditions	75 Watleys End Road Winterbourne South Gloucestershire BS36 1PN	Winterbourne	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 32/15 – 7 AUGUST 2015

App No.:	PK15/1885/LB	Applicant:	Mr D Falconer
Site:	South Cottage Petty France Badminton South Gloucestershire GL9 1AF	Date Reg:	18th June 2015
Proposal:	Erection of two storey extension to form additional living accommodation and internal alterations to existing staircases and insertion of new window and door to west elevation (Resubmission of application PK06/3431/LB).	Parish:	Hawkesbury Parish Council
Map Ref:	378697 185401	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	22nd July 2015



© 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. PK15/1885/LB

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This listed building consent application has been submitted to the Council's Circulated Schedule procedure following an objection received from a local resident which is contrary to the recommendation detailed within this report.

1. THE PROPOSAL

- 1.1 The application seeks listed building consent for the erection of a two storey extension to form additional living accommodation, internal alterations to existing staircases, and the installation of a new door and window to the west elevation.
- 1.2 The application has been submitted alongside an associated householder application for the same proposal, ref. Pk15/1886/F.
- 1.3 The application relates to a two-storey dwelling known as South Cottage situated to the rear of East Cottage, which directly fronts onto the A46. South Cottage is a grade II listed property.
- 1.4 The site is within the Cotswolds Area of Outstanding Natural Beauty (AONB) and is adjacent to a Public Right of Way which runs to the south of the site.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
L13 Listed Buildings

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Environment & Heritage

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/1886/F Pending Consideration
Erection of two storey extension to form additional living accommodation and internal alterations to existing staircases and insertion of new window and door to west elevation (Resubmission of application PK06/3405/F)
- 3.2 PK06/3431/LB & PK06/3405/F Approve with conditions 16/01/2007
Erection of two storey extension to form additional living accommodation. Internal alterations to existing staircases and insertion of new windows and door to west elevation. (Resubmission of application PK06/0969/LB)

- 3.3 PK06/1307/F & PK06/0969/LB Withdrawn 24/05/2006
Erection of two storey extension and single storey extension to form additional living accommodation with covered walkway. Internal alterations to existing staircases and insertion of new windows and door to west elevation.
- 3.4 PK04/0386/LB& PK03/3736/F Approve with conditions 15/03/2004
Erection of two storey rear extension, installation of replacement windows and various internal works.
- 3.5 PK01/0847/LB Approve with conditions 03/07/2001
Conversion of part of existing hotel (C1) to form 2 no. dwellings (C3) and erection of detached garage.

4. **CONSULTATION RESPONSES**

4.1 Hawkesbury Parish Council
No comment received.

4.2 Other Consultees

Public Rights of Way
No objection subject to informative.

Open Spaces Society
No comment.

Listed Building and Conservation
No objection subject to conditions.

Council for British Archaeology
No comment.

Georgian Group
No comment.

Twentieth Century Society
No comment.

Society for the Protection of Ancient Buildings
No comment.

Victorian Society
No comment.

Ancient Monuments Society
No comment.

Other Representations

4.3 Local Residents

One letter of objection has been received stating the following:

- How will the bathroom extraction work and have concerns about mechanical extraction being fitted in the doorway between the cottages as this is very noisy
- Extraction route for the cooker hood is not shown and we ask this does not vent out into our courtyard garden
- Gully between the cottages gets blocked due to leaf fall, and building the extension will make this difficult to access
- Rainwater goods must be suitable size to deal with volume of water
- Want to be updated on anything which will affect East Cottage during construction

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The only issue to consider in this application is the impact of the proposed works on the special architectural and historic significance of the listed building.

5.2 Consideration of Proposal

South Cottage is a grade II listed building. As noted within the description of development, the proposed scheme is a resubmission of a previous approval. When previously approved schemes are resubmitted, the opportunity to make some amendments is often taken but in this case the design of the scheme is exactly the same as that approved in 2006. In light of this there are no objections to the proposed scheme.

5.3 A condition on the 2006 approval implied that the design and scale of the balusters were not considered acceptable, and instead they should be simple square section balusters no larger than 20mm by 20mm. The plans within this resubmission have not been updated to show this, and so it is necessary to reapply this condition to this application, as well as the conditions requiring further details of the flues, eaves, verges and ridges, a sample of the stone tiles to be submitted and a panel of natural facing stone to be erected on site, details of internal materials, details of the external paint finish, and details of the proposed external joinery and fenestration, and external electrical fittings. Subject to these conditions, the development is considered acceptable and in accordance with with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

5.4 Other Issues

Objections regarding the construction and disposal of rainwater have been received from the adjacent cottage known as East Cottage. These issues do not fall under the remit of a listed building consent, the aim of which is to assess the impact of the proposed works on the special architectural and historic significance of the listed building.

6. CONCLUSION

6.1 The recommendation to approve Listed Building Consent has been taken having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained within the National Planning Policy Framework.

7. RECOMMENDATION

7.1 That listed building consent is **GRANTED**.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

2. Notwithstanding the submitted staircase details, the balusters shall be simple square section balusters no larger than 20 x 20mm.

Reason

To ensure the detail of the components of the balustrade are of design that is appropriate to the building, thereby preserving the special architectural or historic interest which it possesses in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)

3. Prior to the commencement of the works hereby approved, large scale details of the following items shall be submitted to the local planning authority for approval;
 - Flues;
 - Eaves, verges and ridges

No works shall be commenced until the local planning authority has given written approval, for the submitted details and works shall be constructed exactly in accordance with the details so approved.

Reason

A pre-commencement condition is required in order to ensure that (in the absence of approved detailed plans) the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed

Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

4. Prior to the commencement of development a representative sample panel of natural facing stone, of at least one metre square, showing the stone, coursing, mortar and pointing, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency.

Reason

A pre-commencement condition is required to ensure that this aspect of the physical works serve to preserve the architectural and historic interest of the listed building, in accordance with 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out at the NPPF

5. Prior to the commencement of the relevant works hereby approved, samples of the proposed stone roof tiles shall be submitted to the local planning authority for written approval and the materials used shall comply exactly with the details so approved.

Reason

A pre-commencement condition is required because no sample has been submitted in support of the application and so prior approval is required to ensure these works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

6. Prior to the commencement of development of the works hereby approved full details of the proposed floors, and the proposed ceiling and internal finishes (in respect of which approval is expressly reserved) shall be submitted to the local planning authority for approval. No works shall commence until written approval has been given by the local planning authority, for the submitted details and, the materials used shall comply exactly with the details so approved. For the avoidance of doubt, plaster finishes to historic walls and ceilings shall be traditional lime hair plaster and floors shall be natural stone or timber floors.

Reason

In the absence of detailed construction and finishes plans, a pre-commencement condition is required to ensure that that prior to implementation, the proposed works are appropriate to the building so the architectural and historic interest of the listed building is preserved, all in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

7. Prior to the commencement of the works hereby approved, details of the proposed external paint finish shall be submitted to the local planning authority for approval. No works shall be commenced until written approval has been given by the Council, and the painting shall be carried out exactly in accordance with the sample so approved.

Reason

In the absence of any details regarding the paint finishes, a pre-commencement condition is required to ensure that prior to implementation, the works are appropriate in respect that they serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

8. Prior to the commencement of the works hereby approved details of the proposed external joinery and fenestration finishes shall be submitted to the local planning authority for approval. No works shall commence until the local planning authority has given written approval. The finish of the fenestration and joinery shall comply exactly with the details so approved. No alteration of the approved finish shall take place without written approval of the local planning authority. For the avoidance of doubt all external joinery shall be painted and not stained.

Reason:

In the absence of any detailed construction and finishes plans, a pre-commencement condition is required to ensure that prior to implementation, the construction and finishes of the external joinery and fenestration are appropriate so they help serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

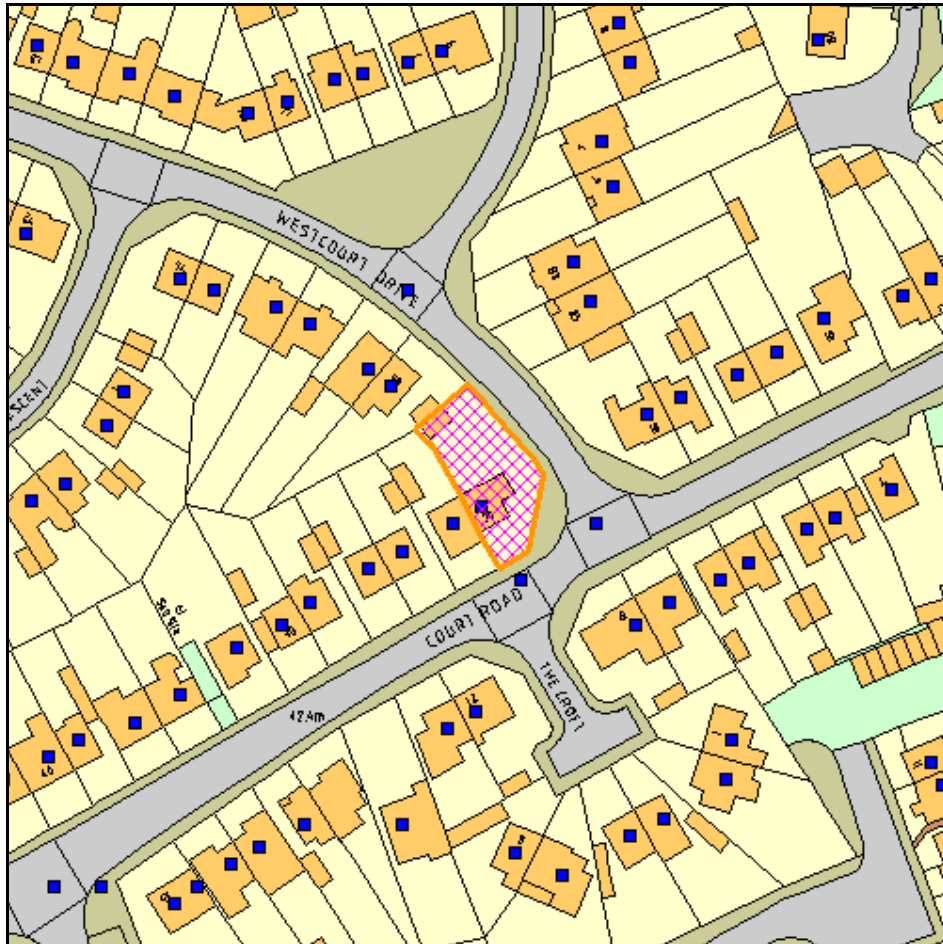
9. Prior to the commencement of the works hereby approved, full details of the proposed external electrical fittings including lights, meter boxes and security alarms (in respect of which approval if expressly reserved) shall be submitted to the local planning authority for approval. No works shall be commenced until the local planning authority has given written approval, for the submitted details and the works shall be constructed exactly in accordance with the details so approved.

Reason:

A pre-commencement condition is required because in the absence of any detailed plans or elevations that would enable an assessment to be made over the potential visual effect of such items, prior to the construction of the relevant works, these details are required to ensure that they help to serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013). This pre-commencement condition will also help ensure no remedial works will be required if inappropriate and unauthorised fixtures were attached to the elevations of the listed building.

CIRCULATED SCHEDULE NO. 32/15 – 7 AUGUST 2015

App No.:	PK15/1954/F	Applicant:	Mr John Davis
Site:	20 Court Road Oldland Common Bristol South Gloucestershire BS30 9SP	Date Reg:	11th June 2015
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.(Renewal of PK11/2652/F).	Parish:	Bitton Parish Council
Map Ref:	367137 171426	Ward:	Oldland Common
Application Category:	Minor	Target Date:	5th August 2015



© 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. PK15/1954/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks renewal of a full planning permission for the erection of a two- storey side extension, to create a new 2-bedroom, end of terrace (of three) dwelling house. It is also proposed to provide an additional single-garage and parking space to the rear and to erect a 1.8 metre high new boundary fence to Westcourt Drive, to enclose the rear garden.
- 1.2 The site is currently the side/rear garden of a semi-detached, two-storey dwelling, which fronts Court Road. The first floor of the host dwelling is pebble dashed and the ground floor and side elevation red brick. There is an existing detached garage and a parking space at the end of the rear garden. The proposed garage would stand next to this, with a further parking space in front. 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.
- 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. Furthermore, planning permission PK11/2652/F for an identical scheme was approved 7 Oct. 2011; this permission has however now expired, hence the need for this current application.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework 27th March 2012.
The National Planning Practice Guidance 2014

2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013

CS1 - High Quality Design

CS4A – Presumption in Favour of Sustainable Development

CS5 - Location of Development

CS6 - Infrastructure and Developer Contributions

CS8 - Accessibility

CS9 - Managing the Environment and Heritage

CS17 - Housing Diversity

CS18 - Affordable Housing

CS23 - Community Infrastructure and Cultural Activity

CS24 - Green Infrastructure, Sport and Recreation Standards

CS29 - Communities of the East Fringe of Bristol Urban Area

South Gloucestershire Local Plan (Adopted) January 2006

- L1 - Landscape Protection and Enhancement
- L5 - Open Spaces
- L9 - Species Protection
- H4 - Development in Residential Gardens
- EP2 - Flood Risk and Development
- EP4 - Noise-sensitive development
- T7 - Cycle Parking
- T12 - Transportation Development Control Policy for New Development
- LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
- LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions)
- LC12 - Recreation Routes

2.3 Supplementary Planning Guidance

- Trees on Development Sites SPG (Adopted) Nov. 2005.
- The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.
- Affordable Housing SPD Adopted Sept.2008.
- South Gloucestershire Council Residential Parking Standards (SPD) Adopted.

2.4 Emerging Plan

Proposed Submission: Policies, Sites & Places Development Plan March 2015

- PSP1 - Local Distinctiveness
- PSP2 - Landscape
- PSP3 - Trees and Woodland
- PSP5 - Undesignated Open Spaces within Urban Areas and Settlements
- PSP6 - Onsite Renewable & Low Carbon Energy
- PSP8A - Settlement Boundaries
- PSP8B - Residential Amenity
- PSP11 - Development Related Transport Impact Management
- PSP16 - Parking Standards
- PSP19 - Wider Biodiversity
- PSP20 - Flood Risk, Surface Water and Watercourses
- PSP21 - Environmental Pollution and Impacts
- PSP39 - Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 PK11/2652/F - 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 1.8m high fence at the boundary with Westcourt Drive.
Approved 7 Oct 2011.
- Enforcement
- 3.2 COM/15/0064/OD - Site clearance after expiry of PK11/2652/F
Closed

4. **CONSULTATION RESPONSES**

4.1 Bitton Parish Council

Councillors objected strongly to this application for the following reasons:

- 1) the proposed development would constitute an over-intensification of the use of the site, more than doubling the footprint;
- 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 and opposite other garages;
- 4) the fence would restrict the view of drivers emerging from the garage area and obstruct the view of drivers negotiating the bend;
- 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

Lead Local Flood Authority

No comment.

Highways Structures

Details of excavations and the temporary support that is to be provided during construction are to be submitted to satisfy the highway authority that support to the highway is provided at all times.

Transportation D.C.

No objection subject to a 2m x 2m visibility splay at the northern end of the boundary fence and any new garage having internal dimensions of 6m x 3m.

Other Representations

4.3 Local Residents

6no. letters/e-mails of objection were received. The concerns raised are summarised as follows:

- The proposed fence will obstruct views for pedestrians and cars coming from Court Rd. to Westcourt Drive.
- The junction is busy at school times – St Annes Primary and Sir Bernard Lovell Schools lie nearby.
- With the door to the side of the house, delivery vehicles will cause an obstruction in the junction.
- Increased on-street parking around junction.
- The new house will be too near the road.
- Inadequate garden space.
- The driveways will be opposite other driveways – too much activity close to junction.
- Inadequate on-site parking provision.
- High fences either side of Westcourt Drive will cause an overpowering and unsightly tunnel effect.

- Not in-keeping.
- Yellow lines should be introduced around the junction.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The acceptance in principle of the residential development of this site has previously been established with the approval of PK11/2652/F and this weighs heavily in favour of the current scheme. Officers therefore need only to consider if anything has changed since the approval of PK11/2652/F that would now justify refusal of the scheme.

5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.3 The South Gloucestershire Local Plan: Core Strategy was adopted by the council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2012 (NPPF). The “saved” policies of the South Gloucestershire Local Plan (adopted 2006) also form part of the extant Development Plan.

5.4 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only very limited weight can currently be given to the policies therein.

5.5 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.

5.6 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe.

5.7 Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation. This policy stance is replicated in Policy CS17 of the Core Strategy which makes specific reference to the importance of planning for mixed communities including a variety of housing type and size to accommodate a range of different households, including families, single persons, older persons and low income households, as evidenced by local needs assessments and strategic housing market assessments.

5.8 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: *Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and*

around town centres and other locations where there is good pedestrian access to frequent public transport services. The site is considered to lie in a sustainable location, close to a mix of local amenities including schools, shops, public houses, sports facilities and employment opportunities with good pedestrian and highway links, including various bus service routes in and out of the city with links to surrounding areas.

- 5.9 Local Plan Policy H2 is not a saved policy; there is no prescribed minimum density requirement for housing development. The NPPF however seeks to make efficient use of land in the Urban Area for housing. One dwelling on this specific plot was previously considered acceptable and is also considered to make the most efficient use of this plot in the Urban Area, which is a requirement of the NPPF.
- 5.10 Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits development within existing residential curtilages, including extensions to existing dwellings and new dwellings subject to criteria that are discussed below. Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 seeks to secure good quality designs that are compatible with the character of the site and locality.

Scale and Design Issues

- 5.11 The scale and design of the proposed dwelling is the same as previously approved. Account has been taken of the local character of built development in that there are similar two-storey extensions to nearby nos. 19 and 18. The extension has been sufficiently set down and back as to achieve an acceptable degree of subservience to the host dwelling and to maintain the symmetry of the existing pair of semi-detached dwellings. The proposed gable end would replicate that of the existing dwellings and would integrate well within the existing built form. The proposed eaves level would be the same as the existing dwelling. The materials to be used in construction are indicated on the submitted plans as matching those of the host dwelling. In many respects the proposed extension would be in balance with the extension to the side of no.18 located on the opposite side of the Westcourt Drive junction with Court Road.
- 5.12 The proposed garage would be attached to the existing garage but would be slightly longer. Nevertheless the general design and appearance would not look out of place within the street-scene.
- 5.13 The proposed 1.8m fence would in fact only enclose the rear garden of the new dwelling and would be located behind the existing low brick boundary wall. Elsewhere the existing low brick wall would continue to bound the site to the front and side, immediately adjacent to the Westcourt Drive/Court Rd. junction. In design terms the fence is not considered to be excessive in height, such fences are commonplace next to footpaths and roadways in urban areas. The garden could equally be enclosed by a tall hedge without the need for planning permission. Whilst a fence and hedge of similar scale encloses the side and front garden of no.18 opposite, officers consider that as the respective fences would be 9m apart, the impact on the street scene would not be so enclosed as to justify refusal of the application. A similar arrangement was approved under PK11/2652/F.

- 5.14 On balance therefore the scale and design is acceptable and would not have a significant adverse impact on the character of the street scene and surrounding area and as such would accord with Local Plan Policy H4, Core Strategy Policy CS1 and the requirements of the NPPF.

Impact on Residential Amenity

- 5.15 The two-storey element of the proposed dwelling would not extend beyond the front or rear elevations of the existing house. Whilst there would be a 3.2m deep rear element, this would be single-storey only with a mono-pitch roof and eaves set at only 2.2m. The proposal would not therefore be overbearing for neighbouring occupiers.
- 5.16 Whilst there are windows proposed to front and rear there would be ample separation distances to the nearest dwellings. Whilst there would be some overlooking of neighbouring gardens, this would be from an acceptable distance and angle. Officers consider that some overlooking of neighbouring property is inevitable in densely populated urban locations, especially if the most efficient use of land is to be achieved in line with government expectations.
- 5.17 The side elevation of the existing house (no.20) contains a landing and bathroom window at first floor level. These windows face a first floor window in the gable end of no.18. The side elevation of the proposed dwelling would have no windows at first floor level and only a door and small kitchen/dinner window at ground floor level; the latter being mostly screened by the proposed 1.8m fence. There would therefore be no loss of privacy due to inter-visibility between no.18 and the new dwelling; in any case the respective extensions would be some 18m apart.
- 5.18 In terms of amenity space provision for the existing and proposed dwellings; notwithstanding the front garden areas, there would be approximately 48sq.m. retained to the rear of no.20 and 51.5 sq.m. enclosed by the fence to the rear and side of the proposed new dwelling. These amounts compare very favourably with the other houses along Court Road and as such are considered to be acceptable.
- 5.19 Having regard to the above, the proposal is not considered to have a significant adverse impact on residential amenity to justify refusal of the application.

Transportation Issues

- 5.20 As previously (see PK11/2652/F), a number of concerns have been raised regarding parking and highway safety issues. The host 3-bedroom dwelling would retain its two parking spaces whilst two spaces would be provided for the new 2-bedroom dwelling. This level of off-street parking accords with the minimum requirements of Appendix A of the recently adopted South Gloucestershire Residential Parking Standards.
- 5.21 The access to the parking area would be broadly in the same place as the existing one, albeit closer to the junction of Court Rd. with Westcourt Drive. The Council's Transportation Officer raises no objection to this arrangement subject

to a visibility splay of 2m x 2m being maintained at the northern end of the fence line so, to provide adequate visibility for a driver emerging from the garage/parking space, thus ensuring acceptable provision is made in respect of visibility onto the pedestrian footway. At officer request, this visibility splay is now shown on the submitted plans.

- 5.22 Regarding the resident concerns about the impact of the proposed 1.8m boundary fence on the views of drivers negotiating the bend near the junction of Court Rd./Westcourt Drive; it should be stressed that the fence would only be erected around the proposed rear and rear/side garden of the proposed dwelling and **not** around the front garden and front side garden areas, where only the existing low brick wall would be retained.
- 5.23 Having visited the site, the officer is satisfied that there is acceptable forward visibility at this location and the proposed fence would not impede driver's vision. Furthermore there is adequate visibility at the junction of Court Road/Westcourt Drive. It should be re-iterated that an equally high conifer hedge could be grown on the boundary without the need for planning permission.
- 5.24 Other concerns raised through the consultation process with 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.
- 5.25 Regarding the pedestrian access to the side of the house, this is not in the bell-mouth of the junction and it is already possible for casual parking to take place here. Delivery lorries could park further down Westcourt Drive or utilise the access to the rear of the site. The proposed arrangement is no different to that previously approved. Regarding the requested yellow lines around the junction, these measures could not reasonably be justified by the erection of one additional two bedroom dwelling.
- 5.26 The proposal is therefore now considered to provide adequate off-street parking and would not compromise existing levels of highway safety. As such the proposal would accord with Local Plan Policy T12 and H4 as well as NPPF para. 32.

Landscape Issues

- 5.27 There are no landscape features of note within the site that would be affected by the scheme. As an existing residential garden of modest size, the site is not considered to be an open green space worthy of retention under Local Plan Policy L5.

Environmental Issues

- 5.28 The environmental issues remain as for the previous consent. There remain no environmental grounds for refusal. The site does not lie within a zone at high risk of flooding, neither is it in a Coal Referral Area. Whilst there may be some disturbance for local residents during the construction phase, this would be on

a temporary basis and the hours of working could be adequately controlled by condition.

5.29 Affordable Housing

The proposal is for 1no. new dwelling only, which is below the Council's threshold (10) for affordable housing provision.

5.30 Community Services

The proposal is for 1no. new dwelling only, which is below the Council's threshold (10) for contributions to Community Services.

S106 and CIL Matters

5.31 As a result of the 28th Nov. 2014 update to the NPPG, the following amendments to National Policy came into force:

- Developments of 10 units or less **and** with a combined gross floorspace of no more than 1000sq.m. **will not be** required to make S106 contributions.
- In designated rural areas a lower threshold of 5 units or less applies, where no affordable housing or tariff style contributions can be sought.
- In designated rural areas, for developments of 6-10 units, only a cash payment is payable upon completion of units.

5.32 In this instance the proposal falls below the first threshold and is therefore not required to make S106 contributions.

5.33 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. The introduction of CIL charging has however been delegated to the Director of ECS. CIL charging commenced on 1st August 2015 and as such this application is now liable to CIL charging if approved.

5.34 5 – year land supply.

A recent appeal decision APP/P0119/A/14/2220291 – Land South of Wotton Road, Charfield, established (para. 146) that the Council can currently only demonstrate a 5-year housing land supply sufficient for 4.64 years. As there is provision for windfall sites in the calculation, this weighs in favour of the proposal, which would make a contribution, albeit a very small one, to the housing supply within South Gloucestershire.

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 proposal is much the same as that previously approved under PK11/2652/F. Despite some policy changes in the interim, officer's consider that there is nothing to justify refusal of the scheme as now proposed.

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

7. RECOMMENDATION

7.1 That planning permission 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 off-street parking facilities (to include the proposed garage) shown on the Proposed Plan Drawing No. A556-PL-02C hereby approved shall be provided and surfaced in a bound material, before the dwelling 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 T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2015 and The South Gloucestershire Residential Parking Standards (Adopted) 2014.

3. Notwithstanding the details shown on the plans hereby approved, 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 new fenceline on Westcourt Drive and thereafter retained as such.

Reason

In the interest of highway safety and the amenity of the area, and to accord with Policies T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2015 .

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

Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

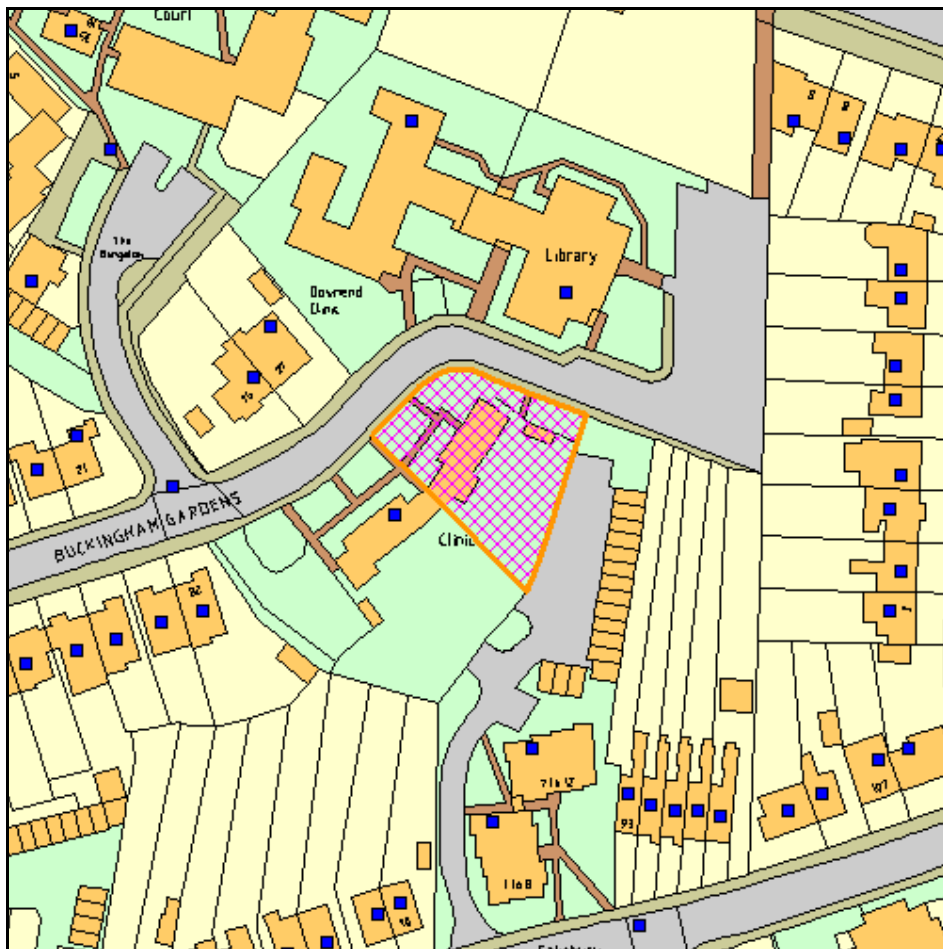
The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

In the interests of the amenities of neighbouring occupiers and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and the requirements of the NPPF.

CIRCULATED SCHEDULE NO. 32/15 – 7 AUGUST 2015

App No.:	PK15/2641/F	Applicant:	Mr Mark Bristow
Site:	36 - 38 Buckingham Gardens Downend Bristol South Gloucestershire BS16 5TW	Date Reg:	25th June 2015
Proposal:	Erection of rear conservatory and installation of solar panels to roof and change of use from redundant NHS offices and child clinic (sui generis) to Childrens Day Nursery (Class D1) as defined in Town and Country (Use Classes) Order 1987 (as amended).	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365408 176673	Ward:	Downend
Application Category:	Minor	Target Date:	18th August 2015



© 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. PK15/2641/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been submitted to the Council's Circulated Schedule procedure following objections received from local residents and the Parish Council which are contrary to the recommendation detailed within this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a change of use from a redundant NHS office building and child clinic on Buckingham Gardens, Downend (sui generis) to a childrens day nursery (Class D1) as clarified in the Town and Country (Use Classes) Order 1987 (as amended).
- 1.2 The application also proposes a rear conservatory, and the installation of solar panels to the roof.
- 1.3 Until recently, the site was used by North Bristol NHS Trust. The redevelopment of this site forms part of the Trust's CCHP Estate Strategy which was approved in September 2009.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Policy Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

LC4 Education and Community Facilities
EP4 Noise Sensitive Development
T7 Cycle Parking
T8 Parking Standards
T12 Highway Safety

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS23 Community Infrastructure and Cultural Activity

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/1966/F Approve with conditions 03/07/2015
Demolition of existing building and erection of 1no. detached dwelling and 2no. semi detached dwellings with associated works including 6no. parking bays.
(Re-submission of PK15/1304/F)

This is yet to be implemented on the adjacent plot but the existing building has been demolished.

- 3.2 PK14/3573/F Approve with conditions 12/11/2014
Conversion of redundant healthcare offices (Sui Generis) to form 4no. semi detached properties (Class C3) with parking spaces.
This planning permission has not been implemented.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
Objection due to totally inadequate parking provision. The area is already congested and Downend Library is losing customers due to the lack of parking spaces as the car park is shared with the Medical Centre next door.

4.2 Other Consultees

Community Enterprise

No comment.

Sustainable Transport

No objection subject to conditions.

Ofsted, Early Years

No comment received.

Early Years and Childcare Section

No comment received

Lead Local Flood Authority

No comment.

Other Representations

- 4.3 Local Residents
Four letters of objection have been received stating the following points:
- Parking is problematic and will only be made worse
 - Will experience noise pollution in adjacent residential properties, and in the flats to the south
 - Bin collection will be a struggle and difficult for larger vehicles to access the site due to the narrow nature of the street
 - Not enough parking provided

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
In assessing applications for educational buildings planning policy CS23 and CS1 of the Core strategy are particularly relevant. Policy CS23 specifically relates to supporting the provision or improvement of community infrastructure such as childcare facilities. CS1 is an overarching design policy which seeks that the siting, form, scale, height, massing, detailing, colour and materials are

informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Policy LC4 is positive about the provision of such a building provided, like policy CS23, it is sustainably located for accessibility by cycle and walking. It should also not prejudice residential amenities or have adverse environmental or transportation effects.

5.2 Design

With the exception of the conservatory, most of the alterations to the building are small, and are intended to modernise the property and make it more energy efficient. UPVC windows and doors are to be installed, along with a solar panel system on both the front and rear roof slope. Due to the height of the property, the solar panels are not considered to have a detrimental impact on the character of the street scene, and the use of sustainable forms of energy is encouraged. The conservatory is to extend to the rear and will be constructed in white UPVC to match the proposed windows and doors. The height, form and scale of the conservatory shown is acceptable, however the elevations are not particularly detailed and so a condition on the decision notice will request that a more detailed elevation showing the detailed design of the conservatory is submitted for approval. Subject to this, the design is in accordance with policy CS1 of the Core Strategy (Adopted) December 2013.

5.3 Residential Amenity

A number of residents have expressed concern regarding noise pollution from the nursery, particularly given the close proximity to three recently approved dwellings at 32-34 Buckingham Gardens, a planning permission which is yet to be implemented. Whilst an increase in noise level is expected, it is not considered to be detrimental to residential amenity as the opening times of the nursery are to be restricted to 7am to 7pm Monday to Friday only, and the play area is to be enclosed by a 2 metre timber fence. An objection has also been received from the Salisbury Park flats to the south, however due to the distance between the application site and the flats it is not considered that significant noise pollution will be experienced. In order to keep the noise level to an acceptable level, a condition stating that no more than 16 children will be allowed in the rear garden at any one time will be attached to any planning permission granted. The number 16 has been reached as this allows for the entire class of children aged 0-2 years to be outside at the same time (15 children), or the entire class of children aged 2-3 years to be outside together (16 children). The class(s) of 32 older children will be split into two groups for outdoor play forming two groups of 16. This number of children is deemed acceptable for planning purposes, however it should be noted that the applicant is required to gain the relevant certificates from Ofsted prior to opening the nursery, who may require the maximum number stated within this proposal to be reduced.

5.4 Transport

The existing use of the site is that of an office of 185m sq, which would have generated a demand for around 5 car parking spaces under policy T8 of the Local Plan. Due to the plot being subdivided and housing being approved to the south, there are currently no dedicated parking spaces for this building. The proposal indicates that there will be up to 15 staff and the maximum parking standard for a nursery with this number of staff is 1 space per 2 staff, so 7-8

parking spaces. The application has shown that the site can provide four off-street parking spaces plus 1 drop off space. Given that no car parking spaces are currently provided for the office there would be a net gain of 1-2 less car parking spaces off-site. Drop off and pick up can occur on-street and at the nearby Library car park especially first thing in the morning before the Library opens at 09:30. The site is in an accessible urban location and Stanbridge Primary School is a short walk away.

- 5.5 Adequate visibility is available from the parking spaces given the slow speeds of approaching traffic around the adjacent bend. It is recommended that an additional footpath is provided from a point opposite the library so that pedestrians can access the building without having to walk between parked cars. This can be conditioned on the decision notice, and there is no transportation objection 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.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Trudy Gallagher

Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. Prior to the commencement of development, detailed elevations showing the style of the conservatory shall be submitted to the Local Planning Authority for written approval, and the development shall proceed in accordance with the agreed details.

Reason

To ensure a good quality to design and to accord with policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013. This is required prior to commencement as it is integral to the construction of the conservatory.

3. The nursery hereby approved shall not be open outside of the following hours; Monday to Friday 07:00 to 19:00. There shall be no opening hours on Saturday or Sunday.

Reason

In the interests of residential amenity in accordance with the requirements of Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006

4. The number of children outside within the rear garden area shall not exceed 16 at any time.

Reason

In the interests of residential amenity in accordance with the requirements of Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006

5. The development shall not be brought into use until a footpath link to the building is provided from Buckingham Gardens from a point opposite the library in accordance with details to be submitted to and approved in writing by the Local Planning Authority beforehand.

Reason:

To provide a safe and suitable access for pedestrians and to accord with Policy T12 of the South Gloucestershire Local Plan (adopted) January 2006.

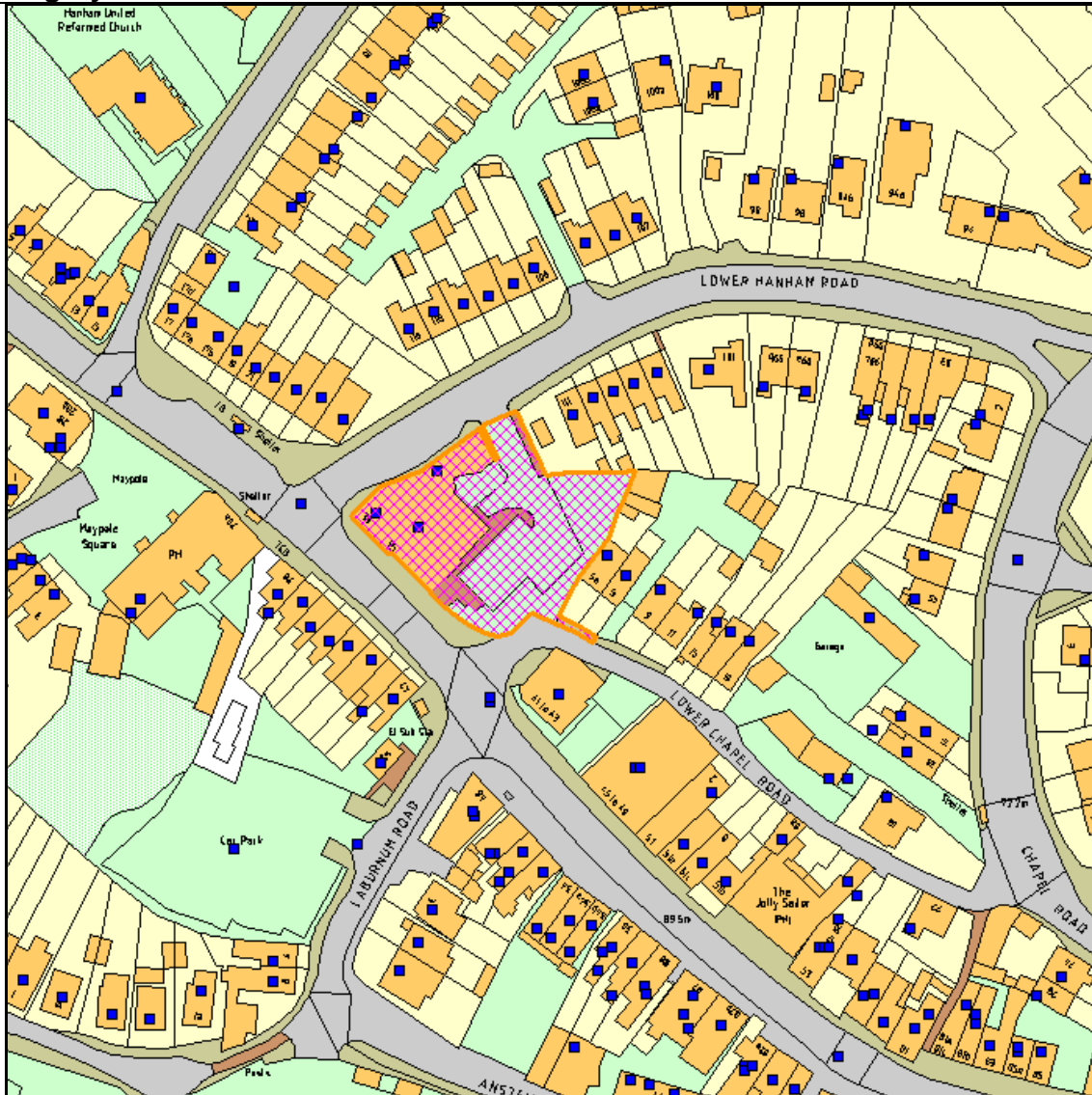
6. The development shall not be brought into use until the on-site car parking, cycle parking and access arrangements have been completed in accordance with the submitted details.

Reason

In the interest of highway safety and promoting sustainable transport choices and to accord with Policy T12, T7 and LC4 of the South Gloucestershire Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 32/15 – 7 AUGUST 2015

App No.:	PK15/2761/F	Applicant:	The Co-operative Group
Site:	Co-op Store 33-39 High Street Hanham South Gloucestershire BS15 3DJ	Date Reg:	29th June 2015
Proposal:	Installation of 2no. air conditioning units within new acoustic screen, and 1no. condensing unit.	Parish:	Hanham Parish Council
Map Ref:	364098 172464	Ward:	Hanham
Application Category:	Minor	Target Date:	19th August 2015



© 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.** **PK15/2761/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination to take into account comments of objection received from nearby occupiers.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the installation of two air conditioning units and surrounding acoustic screen and one condensing unit at a retail unit in Hanham.
- 1.2 The air conditioning units would be located on the north east elevation of the shop and would be screened by a 3 metre wide by 2.2 metre high acoustic screen. The condensing unit would be located on the south east elevation within the existing plant.
- 1.3 The application site is currently occupied by the Co-operative Food. Plans also indicate the reconfiguration of the car park; this does not require planning permission.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS9 Managing the Environment and Heritage
CS14 Town Centres and Retail
CS29 Communities of the East Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

EP4 Noise Sensitive Development
T12 Transportation
RT8 Small Scale Retail Uses

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/0078/F Refusal 25/02/2015
Enlargement and reconfiguration of existing car park. Creation of new vehicular access
- 3.2 PK02/2640/F Approve with Conditions 03/02/2003
Retention of existing warehouse. (Amendment to planning permission PK01/2419/F dated 26 Feb 2002 for "Partial demolition of existing shop units, erection of a food retail unit (A1), construction of parking and service area and alterations to elevations of retained shop units")

- 3.3 PK01/2419/F Approve with Conditions 26/02/2002
Partial demolition of existing shop units, erection of a food retail unit (A1), construction of parking and service area, and alterations to elevations of retained shop units.

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No objection
- 4.2 Environmental Protection
No objection
- 4.3 Highway Structures
No comment
- 4.4 Lead Local Flood Authority
No comment
- 4.5 Transportation
No comment

Other Representations

- 4.6 Local Residents
One letter of objection has been received which raises the following matters:
- Noise reading taken at a time of year when cooling not required
 - Existing evaporators are on high between 20.00 and 23.00, not 23.40 to 00.20 as suggested
 - Unlikely to include building management system with external environment compensator
 - Noise readings should be taken throughout the day/year
 - Bedroom affected by units in terms of noise and sight
 - Previous fence knocked over and not replaced
 - Area used as a rubbish storage area which is distributed by the fans
 - Noise disturbance is made to a number of residential properties

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the installation of external ventilation equipment at a retail store in Hanham.
- 5.2 Principle of Development
Policy RT8 is useful in establishing the principle of development. This is because the policy addressed small scale retail uses and development. The proposal is small in scale and must also reach an acceptable standard of site planning and design.

5.3 Design and Appearance

The proposed units are fairly standard plant and are not inconsistent with the use and function of the site as a retail unit. An acoustic screen is being proposed. The screen is simple in appearance and basic in nature. It is not considered that the appearance of the screen would be harmful to the visual amenities of the area. In terms of the layout, the proposed plant and enclosures are located in the area of the site associated with deliveries and back-office functions. This is an appropriate location for plant and therefore no objection is raised to the layout. It is not considered that the proposal would have an adverse impact on the character of the area.

5.4 Residential Amenity

Noise is the biggest factor which may affect residential amenity. The site is located within the existing urban area and the town centre of Hanham. It is therefore reasonable to expect there to be some degree of noise associated with the location. As part of the application an acoustic assessment has been submitted. This assessment has been reviewed by the Council's Environmental Protection team. The officer's analysis confirms that the proposed plant would not have a significant or adverse impact on noise levels in the locality. No issue has been raised with the methodology used to prepare the assessment.

5.5 It is not considered that there are other issues associated with the proposed development that would have an impact on residential amenity. It is not considered that, if permitted, the proposed development would have a prejudicial impact on amenity levels in the vicinity and the proposal is acceptable in this regard.

5.6 Traffic and Parking

Development will not be permitted where it has a severe impact on highway safety. Plans submitted indicate that the car park will be reconfigured. This is not subject to assessment in this application. The plant is located away from the parking areas and it is not considered that it would have an adverse impact on parking availability or highway safety.

6. CONCLUSION

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 It is recommended that planning permission is GRANTED.

Contact Officer: Griff Bunce

Tel. No. 01454 863438

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).

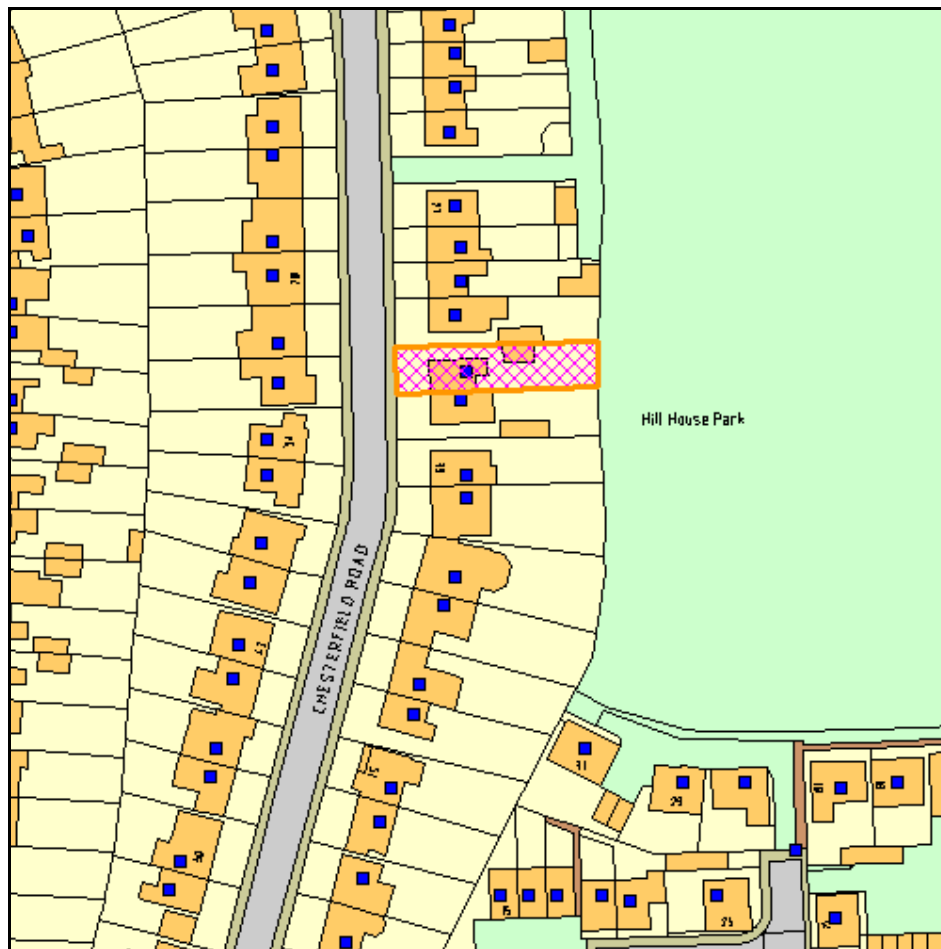
2. The acoustic screen shall be fully erected prior to the first use of the air conditioning units hereby permitted and at all times thereafter when the air condition units are operational.

Reason

In order to protect nearby residential dwellings from noise disturbance and to accord with policy RT8 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

CIRCULATED SCHEDULE NO. 32/15 – 7 AUGUST 2015

App No.:	PK15/2896/CLP	Applicant:	Jon Ranger
Site:	35 Chesterfield Road Downend Bristol South Gloucestershire BS16 5RH	Date Reg:	9th July 2015
Proposal:	Application for a certificate of lawfulness for the proposed installation of a rear and side dormer	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365431 176416	Ward:	Downend
Application Category:		Target Date:	1st September 2015



© 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. PK15/2896/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is for a Certificate of Lawfulness, and as such, according to the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed installation of a rear and side dormer at 35 Chesterfield Road, Downend would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit; the decision is based solely on the facts presented.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning Act 1990 (As Amended) 1990 section 192
Town and Country Planning (Development Management Procedure) (England) Order 2015 Article 39
Town and Country Planning (General Permitted Development) (GPDO) (England) Order 2015
- 2.2 The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

3.1 PK15/2348/PNH No Objection 29.06.2015

Erection of single storey rear extension which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.5 metres and the height of the eaves would be 2.6 metres.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection
- 4.2 Councillor
No comment
- 4.3 Lead Local Flood Authority
No comment

Other Representations

4.4 Local Residents

There was one response from an adjoining resident whom stated they had no objection

5. **SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION**

5.1 Received 2nd July 2015:

Site Location Plan, Drawing no. 1531-101

Existing Elevations, Drawing no. 1531-02

Proposed Elevations, Drawing no. 1531-12

Section Plan, Drawing no. 1531-113

6. **ANALYSIS OF PROPOSAL**

6.1 Principle of Development

The application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly there is no consideration of planning merit, the application is based on the facts presented. The submission is not an application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1 of the GPDO 2015.

6.3 The proposed development consists of a single rear and side dormer which would fall under the criteria of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015. This class permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof and allows for the installation of dormers subject to the following:

B.1 Development is not permitted by Class B if –

(a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (change of uses);

The use of the building as a dwellinghouse was not granted by virtue of Class M, N, P or Q of Part 3 of this Schedule.

(b) Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

The proposed works do not exceed the maximum height of the existing roof.

- (c) Any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;**

The proposed dormer would not extend beyond the plane of the existing roof slope which forms the principal elevation and fronts a highway.

- (d) The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than-**

(i) 40 cubic metres in the case of a terrace house, or

(ii) 50 cubic metres in any other case;

The house is semi detached and the cubic content of the resulting roof space would not exceed 50 cubic metres.

- (e) It would consist of or include-**

(i) The construction or provision of a veranda, balcony or raised platform, or

The proposal does not include the construction of any of the above.

(ii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe;

The proposal does not include any alterations to the chimney, or the installation of a flue or soil and vent pipe; or

- (f) The dwellinghouse is on article 2(3) land.**

The dwellinghouse is not on article 2(3) land.

Conditions

B.2 Development is permitted by Class B subject to the following conditions

–

- (a) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.**

The plans demonstrate that the materials used to construct the extension will match the existing dwellinghouse.

- (b) The enlargement must be constructed so that –**

i. Other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension-

(aa) the eaves of the original roof are maintained or reinstated; and

(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measures along the roof slope from outside the edge of the eaves; and

The proposed dormer would leave the original eaves of the dwellinghouse unaffected. The edge of the proposed dormer closest to the eaves is set back by approximately 0.3 metres from the existing eaves.

- ii. **Other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and**

The proposal does not extend beyond the outside face of any external wall of the original dwellinghouse.

- (c) Any window inserted on a wall or roof slope forming the side elevation of a dwellinghouse shall be-**

- (i) Obscure glazed; and**
- (ii) Non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.**

There are no windows proposed for a wall or roof slope forming a side elevation.

7. RECOMMENDATION

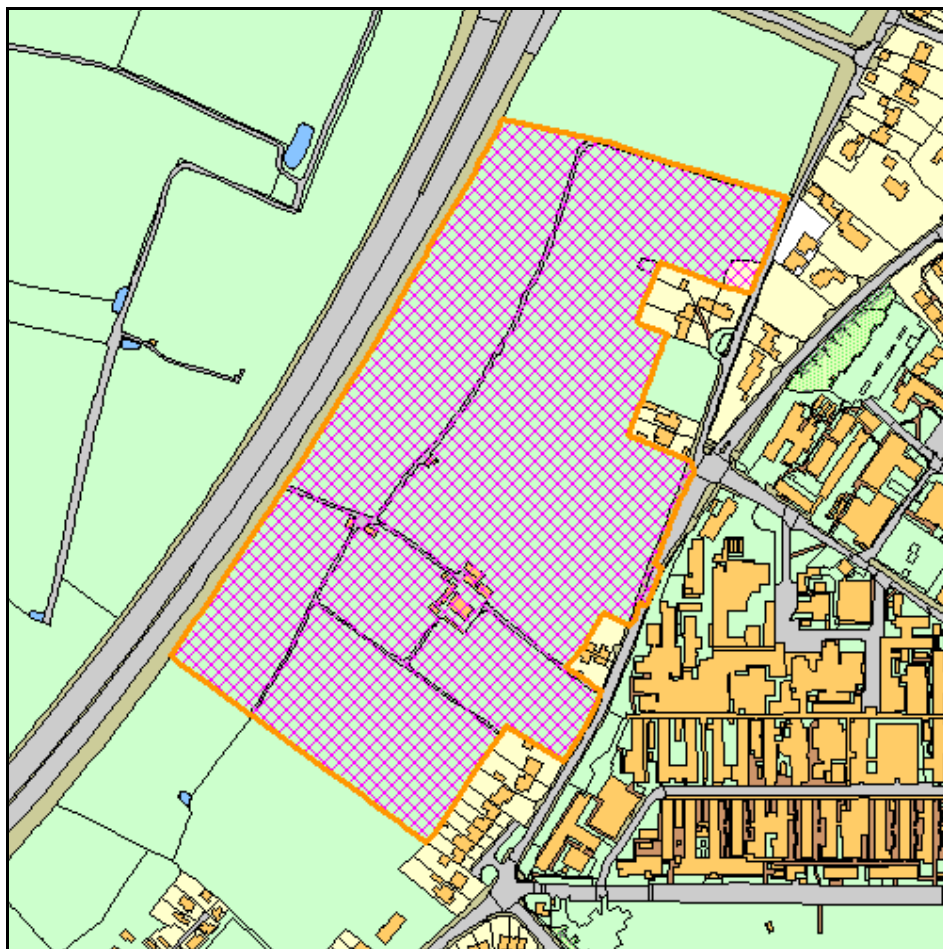
- 7.1 That a Certificate of Lawfulness for Proposed Development is **granted** for the following reason;

Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

Contact Officer: Helen Benjamin
Tel. No. (01454) 865119

CIRCULATED SCHEDULE NO. 32/15 – 7 AUGUST 2015

App No.:	PT15/0493/F	Applicant:	Redrow Homes With Lockleaze Recreation Ground Charity
Site:	Land At Frenchay Park Road Frenchay Bristol South Gloucestershire BS16 1LG	Date Reg:	10th February 2015
Proposal:	Demolition of existing derelict buildings and development of a new community sports facility for relocation of Dings Crusaders Rugby Football Club comprising all weather sports pitch and grass rugby pitches (including floodlighting to two pitches), erection of clubhouse building (including community sports hall, changing rooms, spectator seating and viewing area, function/meeting rooms and club shop), car parking, creation of new vehicular and pedestrian/cycle accesses, grounds equipment area and fencing, landscaping, sustainable urban drainage and associated infrastructure works.	Parish:	Winterbourne Parish Council
Map Ref:	363337 177657	Ward:	Frenchay And Stoke Park
Application Category:	Major	Target Date:	8th May 2015



© 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. PT15/0493/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the circulated schedule because consultation responses have been received from members of the public which are contrary to the officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of existing derelict buildings and development of a new community sports facility for the relocation of Dings Crusaders Rugby Football Club (DCRFC) comprising all weather sports pitch and grass rugby pitches (including floodlighting to two pitches), erection of clubhouse building (including community sports hall, changing rooms, spectator seating and viewing area, function/meeting rooms and club shop), car parking, creation of new vehicular and pedestrian/cycle accesses, grounds equipment area and fencing, landscaping, sustainable urban drainage and associated infrastructure works.
- 1.2 The application site comprises approximately 10.60 hectares of agricultural land. The M32 motorway abuts the western boundary of the site; an agricultural field abuts the northern boundary; a grass football pitch abuts the southern boundary; rear garden boundaries of residential properties, Frenchay Park Road and Old Gloucester Road abut the eastern boundary. The Frenchay Hospital development site is located on the opposite side of Frenchay Park Road to the application site; the grade II* listed building Dower House and Stoke Park, which is a grade II registered park and garden, are located to the southeast of the application site at a distance of approximately 1.15km.
- 1.3 The site is located in the open Green Belt outside of any defined settlement boundary. The majority of the site (39%) is grade 1 (excellent quality) agricultural land; 33% is grade 2 (very good quality); the remainder (28%) is grade 3a (good quality).
- 1.4 Similar to the existing structure, the land and facilities proposed would be owned by the Lockleaze Recreation Ground Charity who would oversee the use of the facilities by Dings Crusaders RFC (DCRFC) and the Dings Crusaders Community Sports Club (DCCSC). The LRG has been home to the Dings RFC since 1949; therefore, whilst only a tenant of the existing site, the needs of the club which play in the 4th tier of English league rugby has been put forward as one of the main considerations in support of the proposal. The development proposed is to be funded through the sale of the existing land for housing; a separate application has been submitted in respect of this (PT15/0510/F).
- 1.5 A screening opinion has been carried out under application PT13/045/SCR. It was the Local Planning Authority's decision that an EIA was not required.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

L1 Landscape Protection and Enhancement

L9 Species Protection

L10 Historic Parks and Gardens and Battlefields

L11 Archaeology

L13 Listed Buildings

L16 Protecting the Best Agricultural Land

EP2 Flood Risk and Development

T7 Cycle Parking

T12 Transportation Development Control Policy for New Development

LC5 Proposals for Outdoor Sports and Recreation Outside Existing Urban Areas and Defined Settlement Boundaries

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS2 Green Infrastructure

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS7 Strategic Transport Infrastructure

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS24 Green Infrastructure, Sport and Recreation

CS25 Communities of the North Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

The South Gloucestershire Development in the Green Belt SPD (adopted)

The South Gloucestershire Waste SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/2849/F, Demolition of existing changing rooms and clubhouse and proposed development of 95no. dwellings, provision of sports centre, all weather pitches, grass pitches, multi-use games area, car parking, new informal and formal public open space, car parking and other ancillary development - site falls within South Gloucestershire and Bristol City Council areas. (Major application) The development to be considered by South Gloucestershire Council comprises 95 dwellings multi games arena, formal and informal open space and car parking, approval, 28/07/15.
- 3.2 PT14/3471/F, Construction of new football pitch including drainage and associated landscaping. Upgrade of existing football pitch, approval, 19/01/15.
- 3.3 PT14/2400/F, Change of use of agricultural land to 2no. sports playing pitches (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated works, approval, 12/12/14.
- 3.4 PT15/1377/F, Erection of single storey building to form changing rooms, ancillary facilities and associated works, approval, 01/06/15.

- 3.4 PT13/0002/O, Redevelopment of hospital site to facilitate the construction of up to 490 residential units; a new health and social care centre and; a 1 form entry primary school, all with associated works. Outline application with access to be determined: all other matters reserved, approval, 05/12/14.
- 3.5 PT13/045/SCR, Screening opinion for provision of new ground and facilities for Lockleaze Recreation, EIA not required, 24.01.2014.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection
- 4.2 Highway Structures Officer
The Highway Structures Team has no comment.
- 4.3 Public Rights of Way Officer
The application will affect public footpath LWB3. This footpath was severed by the M32 and is now a dead end but if it is not legally extinguished it will remain on the Definitive Map and cannot be obstructed. It appears that there are no proposals to obstruct the line of the path, which runs adjacent to a boundary hedge, and we therefore, have no objection to the application.
- 4.4 Highways Agency
The applicant should provide additional deciduous/evergreen vegetation between the development and the highway boundary to adequately screen the M32 from the artificial lighting, potential stray balls and potential glare from the metal cladding on the clubhouse. Conditions are recommended, which should be approved in writing by the LPA in consultation with the Highway Authority in respect of a revised landscaping plan, and for the site to be laid out and used as shown on the submitted site masterplan.
- 4.5 Drainage Officer
No objection subject to a condition in respect of SUDs and coal mining.
- 4.6 Wessex Water
Grease and fats should not be discharged to the public sewer and appropriate arrangements should be designed and provided to prevent this contaminated discharge by using a suitable grease interceptor and maintenance programme to remove this waste.

Land drainage from the football pitches will discharge to on site water basins which will require the approval of your Authority and Building Regs. There must be no land drainage connections to public sewers.

If connection to the public surface water sewer is proposed, rates of discharge will need to be agreed with out development engineer; limited capacity exists within the current surface water sewer.

- 4.7 Environment Agency
No objection in principle subject to a condition in respect of surface water drainage, ground and water contamination.
- 4.8 Sports England
Sports England and the RFU supports the proposal in principle. Conditions are recommended in respect of the design and layout of the grass pitches, sports hall, changing rooms and sports lighting; drainage of the grass pitches; provision of the facilities before housing associated with application PT15/0510/F is occupied.
- 4.9 Archaeological Officer
There are concerns regarding the archaeological potential of the site. Whilst no heritage assets have been identified on site, no investigations have occurred either. The Desk Based Assessment (DBA) has shown that the land has not been adversely affected by development, quarrying or other destructive activities and that archaeology if it exists is likely to be preserved below the ploughzone; therefore, archaeological potential remains. As such, a programme of archaeological field evaluation is required prior to determination. This will initially take the form of a geophysical survey the results of which will be reviewed with potential trial trenching to occur.
- Subsequent Comments*
I am content that there are unlikely to be remains of national significance on site that would preclude development and I am in agreement with the archaeological contractors that further work could be dealt with by way of condition.
- 4.10 Conservation Officer
Objection. On the basis of the information provided it is considered that the heritage significance of the Stoke Park registered garden and the listed Dower House will be harmed by the proposed development. The full impact cannot be assessed as the heritage assessment fails to address this issue. Further analysis of the significance of these assets and the impact of the development must be carried out.
- Subsequent Comments*
The NPPF provides guidance in determining applications that affect heritage assets, and impact can be considered as either substantial or less than substantial. In this instance I would conclude that the impact is less than substantial.
- 4.11 Landscape Officer
Objection, for reasons:
The development proposals are contrary to Local Plan Core Strategy policy C9 and saved Local Plan policy L1. The scheme fails to conserve the agricultural and open character of the site with detriment to both the character and the visual amenity of the green corridor alongside the M32, a feature of identified importance. The proposal fails to protect the best and most versatile agricultural land in accordance with policy CS9. The proposal affects the openness of the Green Belt contrary to the National Planning Policy Framework.
- 4.12 Bristol City Council
Based on the information submitted it is considered that the proposal would not result in a significant detrimental impact in terms of traffic generation to the adopted highway network of Bristol City Council. There are no objections to the application.

4.13 Ecological Officer

Should the application be approved, a condition should be attached to the planning permission in respect of an Ecological Mitigation and Enhancement Plan, to include habitat management.

4.14 Historic England

The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

4.15 Tree Officer

The arboricultural information provided is generally good. The method statement should be updated to state that where permanent fencing is to be erected within RPAs, post holes should be sheathed with a non-permeable membrane to prevent concrete from coming into contact with tree roots. It is important that all site operatives understand that the construction exclusion zones are not to be entered under any circumstances.

4.16 Environmental Health Officer

No objections in principle. Conditions are required in respect of asbestos contamination and an appropriate remediation strategy, all activity on pitches finished by 21:00 and the area is cleared by 21:15; the pitches are only illuminated when in use or immediately prior to use.

The air quality assessment does not consider the potential impacts on air quality during the construction phase. An assessment of the construction phase impacts on local air quality should be undertaken and appropriate mitigation to minimise the risks of dust emissions identified.

With regards to the operational phase, while it is accepted the air quality impacts as a result of operational phase traffic emissions are unlikely to be significant, further justification and evidence should be provided to substantiate this conclusion. Exhaust emissions from worst case scenario of all parking spaces being filled needs to be considered. The explanation as why it is not necessary to assess the operation traffic impacts and how these impacts have been screened out needs to be better worded in order to make it more robust and not contradictory. EPUK criteria indicates that an air quality assessment is likely to be required for proposals which include significant new car parking.

4.17 Lighting Engineer

- ULR assessment 0% (shown on page 10) is accepted.
- GR calculations (veil luminance or building luminance – page 21-22) was not requested by us as the requirements set out are only “applicable to building directly illuminated as a night time feature as against the illumination of a building caused by spill light from adjacent luminaires or luminaires fixed to the building but used to light the adjacent area”
- Light Intrusion (into windows): Ev at 4m (page 25) and Ev at 1.5m (page 27) seem to be fine, however as suggested previously (comment 10 above), could the isolux lines be added to a scalable OS-map, please?

- Also, there seem to be an error in the calculation for the Building Illuminance calculations (page 33 to 37) as it is very unlikely that every single measuring point would have the very same value.
- Similarly to the Vertical isolux plans, a Horizontal isolux plan would be required on a scalable OS map (comment 9 above)
- Luminous Intensity results (page 38 to 94) Given that the proposed lighting will not be operational post curfew, I can confirm that the results are in line with ILP's Guidance, therefore are acceptable.

4.18 Transportation Officer
No objection subject to condition

Other Representations

4.19 Local Residents
4 letters of objection have been received from local residents. The following is a summary of the reasons given for objecting:

- Substantial loss of grade 1 agricultural land;
- Already a community centre further down Frenchay Park Road;
- Club already have a ground at Lockleaze;
- Increase in traffic will cause gridlock along with hospital development;
- Noise/light pollution will be detrimental to sleep;
- Will affect the resale of neighbouring properties;
- Light pollution from floodlights will be harmful;
- Application is predicated upon a clubs need to have newer, better and bigger facilities, a cub whose present site can be sold for considerable profit;
- Will be located on the highest quality agricultural land;
- Will result in parking in neighbouring streets to the detriment of the amenities of the area;
- No provision for noise nuisance regulation from the site;
- Site could potentially sold off for housing in the future to provide newer bigger and better facilities;
- Should be located on white land where the impact on local community would be less onerous.

139 letters of support have been received from members of the public, 6 of the letters from Frenchay residents and 133 letters from the surrounding Bristol area and beyond.

- Great asset to local community;
- Make good use of derelict buildings and unused land;
- Site is an eyesore and buildings attract graffiti;
- Agree that plans should go forward;
- Great opportunity for club to have a new ground and will benefit junior section;
- Hopefully will attract new local juniors;
- The Dings play to a high standard;
- There is a need for more recreational facilities in and around city;
- Use of open space is good;
- The building is well designed;
- Will be good for community and benefit juniors, ladies, and mens rugby;
- Club struggling to get juniors into the team and interested in rugby;
- Benefit Frenchay by providing sport and community facilities;

- Rugby club is an asset and credit to Bristol;
- Club has worked hard to arrive at a mutually agreeable solution with residents;
- Opportunity to offer facilities for future generations;
- Location is a great catchment area for many areas;
- Will secure the future of the club;
- Would prefer this development over housing;
- Welcome something for people to do/go in the village;
- Plans are sympathetic to the environment with landscaping etc;
- The land is not being cultivated and there is no prospect of it being worked in the future;
- Incentive to youngsters to do sports;
- Will improve the appearance of the site;
- Dings have a reputation for being community focussed and have historically always encouraged recruitment from within local communities;
- The scheme will have little or no impact on the environment and population;
- The Lockleaze site will provide much needed housing;
- Will increase community involvement in club;
- Best chance of keeping club in similar vicinity with improved facilities;
- Need to have a ground fit for the level the club play at;
- Will add to green credentials of Bristol;
- Dings have outgrown their existing home;
- Would allow Dings to invest in senior, youth and ladies rugby and develop coaching and referee training;
- Routes to and from club are better at Frenchay;
- Access by supporters north of Bristol will be easier and less congested;
- Improvements are not possible within the restricted land;
- Existing facilities are probably the worst in the division;
- Survival of the club is threatened due to the existing facilities
- The Dings is a vibrant well supported club;
- Meeting and conference rooms will assist local businesses;
- The Dings is the biggest club in Bristol behind Bristol RFC;
- The scheme is totally self funded;
- Facilities are badly needed in Frenchay;
- Will address local flooding issues;
- Important that the LPA support the club;
- Site is close to the Dings existing site;
- Will be used by all ages;
- Existing facilities are moving to a stage where repair is uneconomical;
- Will allow the club to progress;

A petition signed by 26 people who are in support of the scheme has also been received.

Letters of support have been received from Jones Lang LaSalle Ltd who was involved in producing the Alternative Sites Assessment submitted. The response affirms that the search covered the immediate Lockleaze area, a broader area of the north fringe, and urban areas on the northern side of Bristol City unitary area; Green Belt and Non-Green Belt sites were considered; consideration has been given to major development areas.

The response also confirms support for the scheme for the following reasons:

- The proposal will replace facilities close to the end of their useful life;
- Proposed facilities will be considerably enhanced over existing;
- The development of the LRG site will deliver much needed housing;
- The provision of sports facilities will retain much of the openness of the Green Belt and harm caused by the buildings would be minimal;
- The balance of this package is of overwhelming benefit.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In establishing the principle of development, the starting point as primary legislation is Section 38 (6) of the 2004 Act which requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. This is further emphasised in Government Guidance in par.196 of the NPPF which states that the planning system is plan-led. Therefore this application has to be first considered in the context of the adopted development plan.

The Council's adopted Development Plan comprises the South Gloucestershire Local Plan Core Strategy (CS) which was adopted in December 2013. The Development Plan also includes policies from the South Gloucestershire Local Plan 2006 (LP) which were saved as part of the adoption of the CS. The weight to be afforded to the saved LP policies will depend on the degree of consistency the policies have with the NPPF.

Green Belt

- 5.2 The site is located in the Green Belt, and consideration is required as to whether the development is inappropriate.

The National Planning Policy Framework (NPPF) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. In fact, the essential characteristics of green belts as defined in par.79 of the NPPF are their openness and permanence.

The NPPF specifies the following five purposes of the Green Belt:

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

- 5.3 Paragraph 87 of the NPPF states that:

As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

- 5.4 Paragraph 88 of the NPPF states that:

When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special

circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.5 The NPPF sets out that a Local Planning Authority (LPA) should regard the construction of new buildings as inappropriate in the Green Belt with the exception of the following:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- Limited infilling or the partial or complete redevelopment of previously developed sites (Brownfield Land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

Outdoor Sports Provision

5.6 Policy LC5 of the South Gloucestershire Local Plan allows for proposals for the development and improvement of outdoor sports and recreation outside of defined settlement boundaries, provided that:

- Proposals for facilities which are likely to be major travel generators are located on sites which are highly accessible by public transport, on foot and by bicycle; and
- Development would not itself, or when considered with other recent or proposed sports and recreation development in the immediate locality, have an unacceptable effect on the character and diversity of the landscape; and
- Development would not have unacceptable environmental or transportation effects; and
- Development would not unacceptably prejudice residential amenities; and
- Development would not give rise to unacceptable levels of on street parking to the detriment of the surrounding area and highway safety; and
- Any external lighting or advertisements would not result in unacceptable loss of amenity, nor constitute a road safety hazard.

However, as the SGLP 2006 was adopted prior to publication of the NPPF, the weight which should be attached to policy LC5 is influenced by its level of conformity with the NPPF. It is considered that the criteria for assessing proposals within policy LC4 do not represent a material departure from the NPPF.

- 5.7 Policies CS2, CS23, CS25 in the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 encourage the provision and improvement of recreational opportunities in a way that protects the environment and delivers sustainable communities.

Appropriate development in the green belt

- 5.8 The NPPF identifies certain other forms of development that are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- Mineral extraction;
- Engineering operations;
- Local transport infrastructure which can demonstrate a requirement for a green belt location;
- The re-use of buildings provided that the buildings are of permanent and substantial construction; and
- Development brought forward under a Community Right to Build Order.

Recent case law has clarified that the change of use of land in the Green Belt constitutes a development which is prima facie “inappropriate” and to be prohibited in the absence of very special circumstances. The proposal, which constitutes a material change of use from agricultural land for outdoor sports and recreation, is therefore, inappropriate development in the Green Belt. Moreover, the development, which comprises a clubhouse building measuring approximately 9m in height, 57m in length, and 26m in width, and eleven floodlighting columns 18 metres in height, and a parking area for 216 vehicles including 2 coaches would not preserve the openness of the Green Belt and therefore, does not constitute appropriate facilities for outdoor sport and recreation.

In addition, the proposed development directly conflicts with the purposes for including land in the Green Belt. The Green Belt in this location was identified in the South Gloucestershire Strategic Green Belt Assessment (December 2011) as serving all five of the purposes of the Green Belt. Most obvious is the fact that the development would result in encroachment into the countryside and will result in the loss of 10 hectares of high quality agricultural land. It will also further diminish Green Belt, which is already narrow in this location, which serves to separate the urban areas of Frenchay and Stoke Gifford; and provides an important green entrance into the urban area of Bristol.

- 5.9 The NPPF (paragraph 88) states that the LPA should attribute significant weight to any harm to the Green Belt, and that potential harm by reason of inappropriateness. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.10 Case for Very Special Circumstances

The applicant has provided a case for very special circumstances, which is summarised as follows:

- The need for the development;
- The lack of any non-Green Belt alternative sites; and
- The wider 'special benefits' associated with the proposals.

The applicant relies on the three arguments to demonstrate that there are very special circumstances such that the harm to the green belt is clearly outweighed by other considerations. These are addressed in turn below.

5.11 Need for the Development

The applicant argues that the facilities are poor and in serious decline, which poses a significant problem for the club. The Club Needs Statement (Appendix 3) submitted provides a detailed assessment of the issues with the existing facilities, which primarily relates to the condition of the pitches that are undersized, lack drainage and do not meet RFU guidelines; and the building, which has structural issues, is not energy efficient and is undersized. This has resulted in, falling membership which will be terminal to the club if a solution is not found, and the club not being able to maintain success.

Firstly, with regards to the pitches, the club plays at a high level (one of the top 75 teams in the country); therefore, it is clear that playing on pitches that do not comply with RFU guidelines, creates difficulties; Sports England and the RFU comment similarly with regards to the condition of the pitches. It is also understood that the site is constrained in terms of size which prevents expansion of the pitches to meet the RFU recommended guidelines. However, it is considered that whilst the pitches may not be ideal in terms of orientation, slope and size, they have been used for rugby matches for more than 50 years and continue to do so with no suggestion that the club is anything but thriving under those conditions (top 75 teams in the country). Issues identified relating to topography, size and orientation are not fundamental to prevent recreational rugby use. The postponement of games, or the resulting poor playing surface due to poor weather conditions, can at times no doubt be frustrating for the club, but it is likely to be a common situation for clubs that play on grass pitches regularly in poor weather conditions. No evidence has been submitted as to why the pitches could not be improved through grants or loan funding. Both Sports England and the RFU support the scheme, and the proposal will provide for an improved playing experience for the public in general. It is therefore not surprising that a scheme for improved sports facilities should be supported by these organisations. The community benefits of new and improved facilities and the resultant increase in sports participation is material and has been afforded weight in consideration of the proposal. However, only moderate weight is afforded to this for the reasons stated above and as the circumstances are not unique or specific to The Dings and will not be likely to result in the loss of the sports facility, a matter discussed in more detail below.

Secondly, with regards to the buildings, it is clear that the clubhouse, changing rooms, bath facilities and sports hall continue to be used by the club and community and provide recreational value, and no up-to-date structural report has been provided to demonstrate that the integrity of the buildings immediately threatens to end their

recreational use. The hall is regularly used by a variety of clubs and organisations. This in no way implies that the buildings are good quality or function well for the club; the clubhouse building is tired in appearance, and limited changing and bath facilities prevents juniors/male/female matches taking place at the same time, which is undesirable and understandably causes operational challenges for the club at present.

After the continuous success the club has previously enjoyed, the applicant considers that it has outgrown its existing site and now wishes to realise the value of their land and reinvest in modern, high quality facilities; however, officers consider that most competitive clubs would naturally have similar aspirations for better facilities. There is no in principle objection from Officers or development plan policy restriction to the club moving in principle. Although there may be escalating maintenance costs, no conclusive evidence has been submitted to demonstrate an immediate risk of closure and dereliction; the business plan submitted indicates that current operations are sustainable although there is little surplus revenue. The applicant states that the improvement of existing facilities through repair/extension is not viable; however, it is not clear why this is the case, as funding has previously been secured through grants for the replacement of floodlighting and the renovation of female changing facilities.

When considering the case put forward in respect of need based on the condition of the buildings, the comments made by Sports England and the RFU in support the scheme are attributed weight. Given that the proposal is to provide a modern high quality sports facility, it is not surprising that such a scheme should be supported by these organisations.

Accordingly, for the reasons set out above, it is considered that this point holds moderate weight within the planning balance for assessing the very special circumstances case.

Thirdly with regards to a decline in playing and participating membership, it is considered that the existing facilities have not become poor or inadequate suddenly and it is noted that The Dings have enjoyed considerable success in the past with the same facilities. If there has been a decline in membership numbers (no evidence has been submitted to support this), the closure of Lockleaze Secondary School, which formally abutted the southern boundary of the existing site, may be an influencing factor, as it has resulted in the club losing a core catchment of potential players from which to recruit. Indeed, the RDP indicates that a steady flow of younger players into the squad is vital to the survival of the club. It is understandable why the club wish to move to a new area to provide a new facility to increase the profile of the club; however, it is not certain that this would resolve a decline in membership numbers, especially as it will involve moving away from Lockleaze, which has been the home of the club for the past 50 years, and further away from the existing core group of members that live in the local area. Increasing the profile/interest in the club, and attracting new players could be achieved through developing closer links with community groups, schools and colleges in the local area; it is noted that this is a key aspiration of the RDP. Also, with the development of the adjacent Cheswick Village and Stoke Park and further major housing development in the Bristol North Fringe the local population is increasing significantly and as such the potential for increasing membership for the club will improve. For the above reasons it is considered that this point only holds limited weight within the planning balance for assessing the very special circumstances case.

Fourth, the club has enjoyed more than 100 years of almost unbroken success and has climbed through five successive promotions to achieve reaching National League Division 2 status. This is a fantastic achievement and it is understandable that the club, now playing at an extra competitive level, wish to maintain and build on the success that they have had. The development of high quality modern facilities may help in attracting the best players to the squad and improve the competitiveness of the team; however, this is an ambition that most competitive clubs would and should naturally aspire to, an aspiration therefore not unique to The Dings. For the above reasons it is considered that this point will only holds limited weight within the planning balance for assessing the very special circumstances case.

Fifth, the supporting details submitted state that the decline of the club may be terminal if a solution is not found in the near future. This is a material consideration, and weight is given to the fact that the club and its facilities have been an integral part of the local area for over 50 years and clearly plays a central role in the community life of Lockleaze, a community recognised as one of the 10% most disadvantaged neighbourhoods in the UK, especially for young people. However, it is not considered that the immediate risk of cessation of the rugby club has been conclusively proven, infact the financial records provide no clear evidence that the club is in decline. For the above reasons it is considered that this point holds moderate weight within the planning balance for assessing the very special circumstances case.

When considered cumulatively it is considered that the case put forward in respect of need holds , at best, moderate weight within the planning balance for assessing the very special circumstances case.

5.12 Lack of Alternative Sites

The applicant argues that there are no viable alternative sites available, which are not in the Green Belt; and that the lack of alternative sites becomes part of the very special circumstances case.

The applicant has set out a detailed assessment of alternative sites within the Alternative Sites Assessment report submitted. The report sets out the relevant policy framework to assess the suitability of sites and a methodology of broad factors to inform the site selection process and define its scope.

A total of 24 sites in and around the North Fringe of Bristol area have been identified within 5km of the existing site with the assistance of the club's advisors Jones Lang LaSalle (JLL) and have been assessed against a broad range of criteria. From this process, 3 sites are considered in more detail. From this further detailed analysis the applicant considers that on the basis that VSC can be demonstrated, the site at Frenchay Park is most suitable for the proposed development having regard to individual constraints. Additional supporting information has been provided by JLL which sets out that they have been involved in the alternative site search for the applicant for 9 years, and the alternative sites assessment submitted represents the results and analysis of possible alternative sites over a number of years.

The criteria for shortlisting sites does not take into account whether a site is located in the Green Belt, which results in the majority of sites shortlisted being located within the Green Belt; however there are large areas of South Gloucestershire and neighbouring

authorities that are outside the Green Belt. The only non-Green Belt sites that make the shortlist are those which have already been allocated for alternative development, which include the strategically allocated sites Filton Airfield and Land East of Harry Stoke. Of all the sites shortlisted, just three are non-Green Belt/non-allocated and these have obvious historical/environmental constraints, which would prevent development. It is noted that the club wishes to remain close to its existing base; however, the scope of the Alternative Sites Assessment is considered narrow, especially for a club that plays at a national level.

Details have been provided of ground sharing options that have been explored in the past 10 years with BCC (as owners of Bonnington Walk and Combination Ground playing fields) to accommodate the various needs of the different clubs. Although this venture couldn't be made to work for all three clubs there is no consideration as to whether there is the potential for a joint venture with any other clubs in the area. Indeed, the neighbouring clubs Ashley Down Oldboys RFC and Bishopton RFC will share new facilities proposed on the neighbouring site.

It is recognised that the replacement facilities need to be accessible to the existing community to meet the standards set out in policy CS24 of the Core Strategy to avoid a deficit in outdoor sports facilities. It is also noted that the Council's Public Open Space Officer has raised no objection to the replacement facilities in the location proposed. However, the accessibility standards recognise that formal sports facilities of the scale proposed would serve a wider catchment area. The accessibility standard is therefore, 22 minutes drive time. The proposed site at Frenchay Park is not well related to the existing Lockleaze site due to the separation distance and severance by the M32, and this will necessitate existing members from the Lockleaze community having to travel by car, rather than walk or cycle, to access the new facilities. On this basis, there would not be a significantly greater impact on the existing Lockleaze community if the scope of the search area were widened. The wider search area would however be able to incorporate land outside of the green belt, which the Government through the NPPF considers it desirable to protect.

Ultimately, given that the applicant already has an existing 4.7ha site for sports provision it has not been clearly demonstrated that there is a need to move to an alternative site. This weighs against the case put forward in respect of a lack of alternative sites. On this basis, it is considered that this point only holds moderate weight within the planning balance for assessing the very special circumstances case.

5.13 Other Special Benefits

Net Gain of Formal Sports Provision

The proposal will provide a total pitch area of 42,000square metres, which is an overall increase of 17,171 square metres in the provision over the existing facilities. When considering the provision of outdoor sports facilities for application PT13/0002/O for the redevelopment of Frenchay Hospital, officers highlighted that there was a shortfall of 6300 square metres. A contribution of £387,858.34 was therefore, secured towards the provision and maintenance of off-site outdoor sports facilities. However, since the application was decided, planning permission has been granted for the provision of an additional sports pitch at the neighbouring DRG Stapleton AFC ground (PT14/3471/F), which would provide approximately 7,000 square metres of outdoor sports provision; 2 additional sports pitches have also been approved on the opposite side of the M32 motorway. Officers consider therefore, that any shortfall in outdoor sports provision

could be addressed without the proposed development and the resulting significant harm to the Green Belt. Limited weight is given to this factor in considering this planning application.

Healthy Communities and Participation in Sport

A review of the market segmentation data provided by Sports England does not identify an acute demand for sports facilities in the area and instead indicates the type of sports that people would like to play. There is no assessment of existing participation barriers; therefore, whilst the data shows that 29.8% of the catchment population would like to play indoor sports, 31% of the same catchment already plays indoor sport. Given that the UWE Centre for Sport, which provides a range of sport activities and classes, is located approximately 1.2km from the site; a new sports hall and 3G pitch is proposed as part of the BCC/Bonnington Walk development and the existing LRGC Sports Hall are located approximately 2.45km from the site; Downend Sports Centre is approximately 2.48km from the site and Kingswood Leisure Centre is approximately 3.23km from the site, it is unlikely that existing participation barriers will be increased due to insufficient or inaccessible facilities. Accordingly, whilst the proposal would provide high quality sports facilities which may be likely to provide some benefit to the community, it is considered that there is little evidence to indicate that there is any significant demand that requires the facilities be provided in the location proposed in the Green Belt. On this basis, it is considered that this point only holds limited weight within the planning balance for assessing the very special circumstances case.

5.14 Other Environment, Community and Economic Benefits

These benefits relate to the opportunity to plan positively for sport to provide a facility which meets RFU recommended guidance, will provide a high quality sports facilities for the community, including youth and women and girls maximising participation and social inclusion. Economic benefits are that it will provide a significant investment in the area (£4.5) and be entirely self funded through the sale and development of the clubs existing site for housing. Environmental benefits are the removal of derelict buildings and site contamination.

Officers recognise that there will be benefits to the Frenchay Community through the provision of a high quality sports facility, the level of support received from members of the public is noted, and there would also be economic benefits from the development of the proposal. The existing derelict buildings are overgrown with vegetation and are largely screened from views from the surrounding area; however, there will be benefits in terms of the removal of contamination. However, Officers consider that these points hold limited weight within the planning balance for assessing the very special circumstances case.

5.15 Impact on Openness

When considering harm to openness, it is pertinent to note its relationship with landscape/visual amenity. Openness and visual impact are two different concepts; built development can harm openness irrespective of its aesthetic attractions or whether it is camouflaged or screened by landscaping. Openness is therefore, assessed separate to landscape/visual amenity.

The applicant states that whilst there will be an impact on openness the impact will not be significant. The proposed clubhouse building has been sited on the existing cluster

of derelict buildings, and the scale of the building has been minimised through digging it into the site by 1.5 metres. Landscape bunding has been avoided to minimise impact on openness with limited changes to site levels around the site. The built form relates to approximately 20% of the site, with 80% remaining unoccupied by built development; all but one playing pitch will be grass, and only the main pitch and the training pitch will be floodlit.

Although the above mitigation measures are noted, the proposed clubhouse building will be substantial in scale and mass, measuring approximately 9 metres in height, 57 metres in length, and 26 metres in width (including a covered seating area for 200 spectators); it has a volume of 8,800 cubic metres and covers an area of 1,798 square metres. In comparison, the existing abandoned buildings at the site cover an area of approximately 500 square metres.

A total of 216 vehicular parking spaces, including 2no. coach spaces, will be provided via a main hard surfaced car park (120 spaces), and two grassed overflow car parks (36 and 60 spaces). The scale of these vehicular parking areas will also have a significant effect on openness. Paraphernalia including eleven flood light columns approximately 18 metres in height, an equipment store, and ticket fence and office will also have a significant cumulative effect on openness, through the spread of development into the green belt and enclosure of land.

Given the above, the clubhouse building, car parking, and other paraphernalia will have a substantial effect on the openness of the Green Belt, an essential characteristic of the Green Belt (par.79 of the NPPF) and in accordance with the NPPF par 88 (see par.5.3 of this report), as other harm of the green belt, Officers give this factor substantial weight in consideration of this application.

5.16 Loss of Agricultural Land

The NPPF states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. The NPPF states that BMV land comprise land in grades 1, 2 and 3a of the Agricultural Land Classification.

Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 states that in order to protect and manage the environment and its resources in a sustainable way new development should maximise opportunities for local food cultivation by avoiding the best and most versatile agricultural land and safeguarding allotment sites.

The application is supported by an Agricultural Land Classification and Soil Resources report prepared by Reading Agricultural Consultants Ltd, as well as a subsequent response to consultation comments.

The application site comprises Grade 1, Grade 2, and Subgrade 3a and therefore, falls within the general classification of the best and most versatile agricultural land. The majority of the southern part of the site (4.0ha) is Grade 1 agricultural land, the central part of the site is Grade 2 (3.4ha), and the northern part of the site is Subgrade 3a (3ha). A comparison of the breakdown in land quality between South Gloucestershire

and England has been provided, which indicates that South Gloucestershire has 0.6% Grade 1 land, 6.1% Grade 2 land, and 75.4% Grade 3 land; whilst nationally, there is 2.7% Grade 1 land, 14.2% Grade 2 land, and 48.2% Grade 3 land.

Officers consider that the report clearly identifies how little Grades 1 and 2 agricultural land there is in South Gloucestershire, and therefore, how precious this resource is. Although 75% of land in South Gloucestershire is Grade 3 agricultural land, the majority could potentially be Grade 3b agricultural land which does not constitute BMV agricultural land.

The supporting report states that the removal of 10.2ha of the best and most versatile agricultural land is well below the threshold of 20ha at which statutory consultation with Natural England is required, which is generally taken to be an indication of a scale of loss which might be of significance in national terms. The report also highlights that the LPA concluded in the screening opinion carried out that the site was not particularly sensitive and the proposed development did not give rise to significant environmental effects.

Although the loss of land falls below the 20 hectare threshold which would trigger consultation with Natural England, there is nothing to suggest that The Town and Country Planning (General Development Procedure) Order 1995 (as amended) is intended to delineate the extent of the significance of loss of land. Although the NPPF refers to '*significant development of agricultural land*' at paragraph 112, there is no supporting definition of the terminology. It is considered that the loss of agricultural land in this instance would have local significance given the lack of identified BMV agricultural land in South Gloucestershire, and the proximity of the site to a significant urban area. The report refers to the sites small size and its location in relation to the nearest substantial agricultural area militates against the resumption of any viable, conventional agricultural use. However, the relatively small size of the site and its proximity to a large urban area may present opportunities for local food production. The overarching principle of policy CS9 in the Core Strategy is to achieve sustainable development through the prudent and efficient use of natural resources in recognition of the increasing need to produce food locally due to future climate change. High quality agricultural land has fewer limitations to agricultural use, a wider range of agricultural and horticultural crops can be grown, and yields are higher and less variable than on lower quality land. Therefore, the proposal on BMV agricultural land is considered not to represent the prudent use of natural resources or sustainable development when there is a significantly greater quantity of Grade 3 land in South Gloucestershire. The NPPF and the NPPG indicate that the underlying principles to be followed are whether the use of agricultural land has been shown to be necessary; and, if so, whether poorer quality land is to be used in preference to higher grade land. Weight is attributed to the fact that in this instance it has not been demonstrated that there is a significant case in terms of need and a lack of alternative sites.

Although the report highlights that the soil resources of the application site will be retained with little or no disturbance to the remainder of the site, the clubhouse building, 3G pitch, and car parking will require excavations to take place and will result in disturbance and permanent loss of significant areas of Grade 1 and 2 agricultural land. In addition, the requirements for levelling of the pitches and creation of drainage attenuation areas would disrupt the soil structure and profile to most of the BMV site. In addition, if planning permission is granted to allow the use of the site to be changed

and developed for sports facilities, it is considered that it is very unlikely that there would ever be a return to agricultural use given the level of investment involved to develop the site (£4.5 million). It is therefore, considered that if the proposal is developed at the site, the potential for future use of the site for agricultural purposes will effectively be permanently lost.

The report states that the predominant land uses in the enclave of land containing the application site are increasingly of leisure and recreational character and highlights that planning approval has recently been granted for pitches on the opposite side of the M32. Although planning permission has recently been granted for the change of use of BMV agricultural land on the opposite side of the M32, after careful consideration it is considered that this only hold limited weight when considering the proposal. In the approved application, officers accepted the argument put forward in support that there were no suitable alternative sites available as the pitches were required to function as ancillary to the existing UWE Frenchay campus and be accessible to students living on campus. The approved development was also significantly smaller in scale; for example, it comprised the change of use of land to 2 grass pitches (an area of approximately 2 hectares), a parking area for 30 cars, and a changing room building approximately 244 square metres in area. In comparison, the proposed development relates to some 10 hectares of land; the creation of 6 pitches, including a 3G pitch; a clubhouse of 1,798 square metres in area; and parking for 216 vehicles. In the previous application, it was considered that the impact on the BMV land could be acceptably mitigated by condition in respect of compliance with a Soil Handling and Mitigation report submitted in support of the proposal. In this instance, officers consider that the adverse impact on BMV land cannot be satisfactorily mitigated against.

Although the proposal would bring about economic and community benefits, it is not considered that these considerations in support of the development are outweighed by the environmental harm from the loss of BMV agricultural land. The proposed development is therefore contrary to policies CS2 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

5.17 Design

Scale/Layout

The layout of the site reflects the need to comply with RFU pitch guidelines and clubhouse/spectator requirements. Constraints of the site such as existing vegetation, the Green Belt location and existing residential properties have also influenced the layout. Accordingly, the majority of the pitches are orientated at approximately 345 degrees to reflect recommended guidelines, the clubhouse is located on the location of existing abandoned buildings close to the centre of the site and orientated to reduce views from the M32, and allow views from the clubhouse and spectator stand of the pitches; the car parking is situated near the site access to reduce encroachment into the site but buffered from neighbouring residential properties to reduce noise and disruption to neighbouring occupiers.

The scale of the building is dictated by the aspirations of the club and required function of the building. At ground floor level there are separate changing rooms for 1st home and away teams with direct access onto the main pitch via a players tunnel. There are also additional changing facilities with direct access to the secondary pitch and sports hall. The sports hall is built partly into the ground to reduce its overall scale and mass.

Access into the building is via the southeastern side elevation and leads to an entrance foyer. At first floor level the lounge bar/clubhouse and function room provide elevated views of the pitches and provide direct access to external viewing balconies and spectator stands. The proposal measures approximately 8.1 metres at ridge height and 9.4 metres at the apex of glazed roof vents on the roof.

Appearance and Materials

The applicant's design approach of providing a building that looks like an agricultural barn to minimise its foreignness in the landscape is understood; however, it is not possible to disguise the fact that the proposal introduces a significant building into an otherwise open landscape, and elements of the building such as the large canopy over the spectator stand, external terrace, glazed roof vent and the external staircase are features that are not usually found on agricultural buildings and are at odds with the design approach.

The building comprises a linear, elongated form, and is encompassed by a shallow pitched roof with roof lights raised along the ridge. Materials will be of cream/buff facing brick, metal standing seam cladding (colour to be confirmed), with timber cladding to window elements. Window frames and rainwater goods will be aluminium.

Officers consider that the brick base should have more visual interest than simply a stretcher bond and a single brick colour; in addition, the elevations of the building will also lack relief as the metal cladding will not have any detailing. The applicant has responded that the standing seam cladding will be detailed with different seam widths 300/450/600 to add visual interest. Accordingly, officers are satisfied that issues relating to materials and detailing can be dealt with by conditions to ensure a high quality design, notwithstanding its alien appearance within its context.

Public Realm

Officers have raised concerns regarding the fact that the new much larger entrance with gates, signage and lighting will have an urbanising effect on Frenchay Park. The applicant has confirmed that siting of the access is influenced by the need to keep it away from neighbouring properties to reduce noise impact, and this as well as issues relating to poor visibility is why the existing access location is not used. In addition, the proposal retains and supplements the majority of the boundary fronting Frenchay Park Road.

The pedestrian route into the site has been amended around the parking area to provide a safer and more enjoyable route. Details in respect of the surface treatment for the pedestrian route, as well as the entrance, car/coach parking require careful consideration to avoid potential for the design to become messy. The Urban Design Officer has therefore, requested 1:50 layouts of car parking areas and 1:10 details of the key junctions of materials in the layout. Conditions are required on this basis.

Waste Management and Recycling

A refuse and recycling store is located at the eastern end of the building with provision for 4no. 110 litre Euro bins for general refuse and space for up to 4no. 240/660 litre recycling bins, which will be accessible by refuse vehicles. The Council's Urban Design Officer has requested a plan showing the location and type of general bins across the site, to explain how the collection of waste from spectators/visitors will be collected and separated for storage and collection from the bin store. The detailed

design of the bins, as well as details as to whether they will be wind, weather and seagull proof is also required. These matters can be dealt with by an appropriately worded condition.

Renewable Energy/ Energy Efficiency

An addendum energy statement submitted clarifies that the energy efficiency measures proposed for the building are that the U-values of the building fabric will be in excess of the minimum building regulations requirement to reduce heating demands of the development. North lights on the roof of the building will reduce the need for artificial lighting on the first floor. The building will be naturally vented where possible, and major spaces that require mechanical supply and extract will be fitted with high efficiency heat recovery systems. Hot water will be provided through four calorifiers each located next to a set of showers in order to reduce secondary circulation losses. Lighting will be highly efficient with daylighting linking dimming and passive infrared occupancy sensors in appropriate spaces.

In addition, a ground source heat pump (GSHP) is proposed to meet the base heating demands of the building. The current design proposals are for a 40kW GSHP system, which is predicted to provide approximately 50,000kWh of heat per year. This is predicted to provide 80% of the annual space heating requirement. The remaining heating and hot water demands will be met by high efficiency gas condensing boilers. A condition could be applied to ensure that the development is carried out in accordance with the energy statement.

Design Conclusion

The proposed design is functional and will work well for the intended use as a sports/community venue. Although the proposed design responds to the constraints of the site and attempts to reduce the impact on the environment, officers consider that the design of the proposal is such that there would be a significant adverse effect on the openness of the Green Belt and the character of the landscape. These issues are considered separately in the report.

5.18 Landscape Impacts

Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 states that in order to protect and manage South Gloucestershire's environment and its resources in a sustainable way, new development will be expected to conserve and enhance the character, quality, distinctiveness and amenity of the landscape. Saved policy L1 of the South Gloucestershire Local Plan (adopted) January 2006 provides a broad criteria for assessing new development. It sets out that development will only be permitted where:

- Those features of the landscape which make a significant contribution to the character of the landscape are conserved and where possible enhanced; and
- Those features in or of the landscape which make a significant contribution to the character or distinctiveness of the locality are retained, protected and managed in a manner which ensures their long-term viability; and
- The amenity of the landscape is conserved and where possible enhanced.

A Landscape and Visual Appraisal (LVA) has been carried out by Nicholas Pearson Associates and a report submitted in support of the application.

Local Landscape Character

The application site lies within the Frome Valley Landscape Character Area (Area 13) as defined within the South Gloucestershire Landscape Character Assessment (SGLCA) SPD revised and adopted Nov 2014. This document is a material planning consideration and should be given weight in the assessment of this planning application. The character area is diverse with a mix of settlement, agriculture and major roads together with paddocks, plant nurseries and recreational land. The Conservation Areas of Hambrook and Frenchay form distinctive settlements with associated landscape settings with the site lying close to the edge of the Frenchay Conservation Area. The site faces the historic parkland of Frenchay Park, the parkland is currently occupied by hospital buildings which are due for demolition and redevelopment.

The SGLCA SPD describes that “*Within the M32 corridor, the broad vale is defined by the urban edge of Harry Stoke and Stoke Gifford to the west, the M4 to the north and Frenchay to the east. It is characterised by a mix of medium sized, regular fields of pasture and arable land.*” The landform around the site forms the western side of a broad vale centred on the River Frome with the edge formed by the steeper scarp slope of Simms Hill. The woodland on this slope increases containment and enclosure along the valley, substantially screening the extensive development area on the plateau top to the west. Simms Hill and the fields to the foot of the scarp read as part of the same landscape unit as the application site, the line of the M32 bisecting the land but providing an elevated view over both the site and the land to the west. This green corridor along the M32 extends southwards beyond the district boundary and contains the historic parkland of Stoke Park.

This green corridor forms an important entrance into Bristol and links a number of important historic landscapes. The corridor contains areas of high grade agricultural land that has supported nurseries and allotments.

The M32 whilst providing important view across the area also affects the surrounding land with noise and severance. Then SGLCA SPD identifies that this area is under sustained pressure from transport development, recreational uses and urban expansion. A specific objective of the South Gloucestershire LCA is to maintain a green setting to the motorway corridors, and seek to minimise the impact of improvement and/or new lighting and signage schemes. The applicant’s Landscape and Visual Assessment is in general agreement with the South Gloucestershire Landscape Character Assessment but possibly predates the 2014 revision and therefore, does not reference the fact that the LCA landscape strategy specifically identifies the need to maintain a green setting to the motorway corridors as a key objective.

Character of the Site

The site is currently in agricultural use with cereals the last crop to be planted. A double hedgerow through the northern portion of the site marks the line of the existing public right of way which has overgrown. A number of residential properties back on to the site along the eastern edge of the site, and hedges and trees within the gardens create a varied pattern of screening between the houses and the site. The boundary with Frenchay Park Road is formed by sections of stone wall and hedgerow and a scatter of hedgerow trees. The southern edge of the site adjoins the Stapleton FC site which contains a football pitch. A wire mesh ball stop fence provides an open

boundary here. Further arable land lies to the north of the site and the open character of the local area allows views from the local roads and houses across the northern part of the site. The western side of the site is bounded by the M32 motorway which lies above the level of the site and allows views to the site.

The current outlook is of arable fields with scattered vegetation along the motorway edge. The existing buildings within the centre of the site form a local focus with their surrounding clump of trees. The buildings and trees of Frenchay hospital and the houses along Frenchay Park Road form the focus of views and the visual stop to the view, the site currently acting as the foreground of views from the M32 and the west.

Impact of the Development on the Landscape

The applicant's Landscape and Visual Assessment states that: *"The value of the landscape relates to its role as part of the M32 corridor; its function as part of the wider Green Infrastructure; the local urban setting at the edge of Frenchay and the amenity it offers to local residents. Key landscape receptors will be the site vegetation and the open landscape character, including night time character"*. The assessment rates the impact of the development on these aspects as moderate taking into account the appearance of unmanaged vegetation, the derelict building on site and the influence of the existing urban edge and the M32, together with the fact that some of the land will remain open. The applicant's assessment concludes that *"the proposed development will result in a change to the local landscape character from partially derelict, agricultural land, with variable management to a formal sports facility with associated car parking, floodlighting and fencing, set within an informal parkland landscape setting. The new building would replace the existing derelict built form within the site"*. The study acknowledges the adverse impact resulting from the loss of the rural character but considers the overall impact to be moderate.

Officers consider that the applicant's assessment places too much weight on the visual impact of the derelict farm buildings on the character of the site, as these buildings are largely screened by an extensive tree group. The implication is also that the visual impact of the proposed building will be similar to the old farm buildings; however, the proposed building is far larger in scale and will be read as a significant feature within the landscape.

Although it is difficult to provide high quality photographs from the motorway to the site due to safety issues, officers consider that those within the assessment significantly underplay the open views which currently occur across the site from the M32, and it is considered that there is a corresponding under valuing of the impact of the development (particularly the building) on these views as neutral to low impact. It is considered that the development scheme will have a harmful impact on the character of the local landscape, creating a change from a simple agricultural landscape that appears as an understated element of the wider landscape. The proposals will create a landscape of that will read as developed land with the elements of car parking and flood lighting combining together with the large scale of the building to create a significant change to a high intensity recreational landscape.

It is important that the character, quality and amenity of the environment of the green corridor of is protected from encroachment and urbanisation, particularly given the context of new development planned to the west. This is particularly important given the narrowness and visual prominence of the area. The LVA identifies key design

features which will provide mitigation such as the orientation and materials and colour of the building, and minimising the number of lighting columns required and using a high quality floodlighting design; however, officers consider that a significant level of harm will remain. Local views to the proposed buildings, lighting and associated parking would occur from a number of locations in the immediate area and would lead to an impact on visual amenity. These changes to character, quality and visual amenity are considered significant and unacceptable given the narrow and fragile nature of the open land which contributes to the green corridor along the M32 in this area. The proposal is considered to be contrary to policy CS9 of the Local Plan Core Strategy (adopted) December 2013, and the Local Plan (adopted) January 2006.

5.19 Impact on the Historic Environment

Government guidance is set out in the National Planning Policy Framework (NPPF) supported by the Planning Practice Guidance. Chapter 12 of the NPPF provides guidance in respect of the historic environment, with paragraph 131 stating that ‘in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. The NPPF defines significance as “the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting”. Paragraph 132 of the NPPF states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation”. The NPPF sets out guidance for assessing applications in paragraph 133 and states that where a proposed development will lead to substantial harm to a designated heritage asset, Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm. In paragraph 134 the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal.

Recent case law has clarified the issue of the weight that should be afforded to the statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; namely that “a decision-maker should accord considerable importance and weight to the “desirability of preserving... the setting” of listed buildings when weighing this factor in the balance with other ‘material considerations’ which have not been given this special statutory status.” Lang J judgement [2013] EWHC 473 (Admin). The same case law also provides clarity over the relationship between ‘substantial’ and ‘less than substantial’ harm when applying the statutory duty under section 66(1) of the 1990 Act. Essentially, it has been judged that the finding of ‘less than substantial harm’ does not entirely remove the ‘strong presumption’ against the granting of planning permission but that ‘less than substantial harm’ does lessen the strength of the presumption against the granting of planning permission.

The heritage statement submitted states that the existing built environment of the site is mostly comprised of early and mid 20th century buildings with a few later 20th century additions. None are designated heritage assets, and are of little if any historic architectural significance. Officers agree with this assessment.

The Dower House, a grade II* listed building, is prominently sited above the M32, surrounded by steep parkland slopes and wooded ridges, which continue north westward to Sims Hill. Stoke Park, a grade II Registered Park and Garden, is a 140ha park laid out around The Dower House. The park was designed to take advantage of its elevated position, commanding extensive views over the surrounding landscape and towards the city of Bristol. The park was laid out to include a series of walks through woods, encompassing woodland hermitages and 'Saloons'. A bridge was constructed over Stoke Lane, to connect the gardens of the house with Simms Hill, and here a belt of trees was planted on an elevated spur of land as a viewing terrace.

The heritage statement submitted identifies that obscured views of the site are possible from the western edge of the Frenchay Conservation Area beyond the houses located on Frenchay Park Road, and the site is not visible from Stoke Park with the exception of the terraced walk. This area is not accessible to the public, and viewed from Stoke Lane appears currently overgrown; however, with clearance of the vegetation substantial portions of the site would certainly be visible from the far end of the terrace. The terraced walk is not currently managed as an integral part of Stoke Park, the bridge over Stoke Lane having been demolished and no alternative means of access is available at present. The report sets out that the significant views from the house and garden are to the south and west with the designed 'eyecatcher' structures and plantations respecting this and concludes that potential views from the terraced walk will already be compromised by views of the motorway and other modern development, and the impact on the views would also be minimal and not significant due to the height of the new buildings being similar to the existing buildings on the site; a large portion of the site remaining as grass pitches; the location of the parking being to the east; and the terrace not being designed to be used at night when the lights are on, and the fact that the existing motorway will likely be the dominant visual impact from such a view, the impact on the views from Sims Hill will be minimal and not significant.

Officers consider that the level of 'in tactness' of the view from the terrace is of relevance; however, as the level of modern intrusions in to the original parkland and surrounding agricultural land is significant, the fragility of the remaining open space is critical. Although designed vistas may be given greater priority, the quality of the surrounding landscape context is still considered important. The open, green landscape corridor to the M32 and which includes the application site, contributes to the quality, character and setting of Stoke Park. The urbanisation of the landscape and encroachment of new development would harm the significance and setting of the designated heritage assets Stoke Park and The Dower House. The Council's Listed Building Officer considered that the harm on the designated heritage assets is less than substantial.

The finding of 'less than substantial harm' does not imply that the development is acceptable. The test to be applied at this point is whether the identified harm is substantially outweighed in the balance with the environmental benefits of the proposal; bearing in mind that considerable (or great) weight and importance should be given to the preservation of the setting of the assets in accordance with their statutory designations. Paragraph 132 of the NPPF sets out that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation". It follows therefore, that the benefits of the proposed development must be significant in order to outweigh this

harm. The identified harm in respect of heritage assets should also be considered in conjunction with the identified harm to the openness of the Green Belt. The harm of the development, outweighs the benefits, as identified in this report. As such, the development is considered to be unacceptable in heritage terms and less than substantial weight is therefore afforded to the harm to designated heritage asset.

5.20 Impact on Archaeological Remains

The Council's Archaeological Officer requested a geophysical survey to be carried out in addition to a Desktop Based Assessment previously submitted in order for the archaeological potential of the site to be better understood. The geophysics shows that previous disturbance from modern activity has occurred on site, although archaeological features were identified.

From the results of the geophysics officers consider that there is unlikely to be remains of national significance on site that would preclude development; however, a condition is applied for a programme of trial trenching to occur given that the geophysical survey has shown that potential archaeology is present and geophysics cannot completely determine the presence or absence of archaeology at the site.

Accordingly, there are no objections to the proposal on the basis of archaeology subject to a condition in respect of trial trenching and the creation of a mitigation strategy.

5.21 Residential Amenity

Loss of Natural Light/Privacy

The proposed building, whilst large in scale, is over 100 metres from the closest neighbouring residential property. Accordingly, it is considered that there will be a sufficient level of separation to ensure that residential occupiers will not be significantly adversely affected through loss of natural light or privacy. The proposed levels for the pitches will not allow for any views into neighbouring properties, which would significantly adversely affect the privacy of occupiers. The proposed floodlights, despite being approximately 18 metres in height, will not bring about any significant adverse issues in terms of loss of natural light/overbearing given that there will be a separation distance of approximately 57 metres to the closest residential property.

Impacts from Flood Lights and Noise

Concerns have been raised by neighbouring occupiers with regards to the effect of illumination from the proposed floodlights on their health and residential amenity.

The NPPF states that by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

A lighting Analysis report prepared by Burohappold Engineering has been submitted in support of the application and a Technical Appendix has also been subsequently submitted.

The Council's Lighting Engineer has raised no objections to the proposal and has confirmed that Luminous Intensity results are in line with ILP's Guidance and that there are no significant issues in terms of light intrusion into windows. The Lighting Engineer has however, requested Vertical and Horizontal isolux plans on a scalable OS map,

and has identified an error in the calculation for the Building Illuminance. On the basis that the Lighting Engineer has raised no objections to the proposal, it is considered that a condition is appropriate to deal with the outstanding matters.

In terms of noise, the NPPF states that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; and mitigate and reduce to a minimum other adverse impacts on health and the quality of life arising from noise from new development, including through the use of conditions.

A Noise Impact Assessment has been submitted by Resource & Environmental Consultants Ltd. This considers the effect on existing residential receptors from noise sources associated with rugby matches and training sessions, car park usage and any proposed fixed plant items.

Background ambient noises were recorded at the site to provide a comparison with proposed noise sources. The report states that due to security the microphone for the sound level meter was installed close to the M32; however, the levels have been distance corrected to the closest receptors. To determine the impact of noise from the use of pitches noise samples were recorded at the existing Dings Crusaders Landseer Avenue site with a crowd of approximately 100 people; the noise level is adjusted to take into account the potential increased capacity at the proposed site. Library data for a rugby training session and for car park noise levels were also used to inform the assessment.

The assessment calculates and adjusts the sound level in relation to the closest receptor and makes assumptions that matches will only take place on Saturdays and Sundays between 1:30pm and 5:00pm, the car park will be constructed of smooth tarmac or concrete, and rugby training will only take place during the daytime period (7:00am – 11:00pm) Monday to Sunday. These assumptions are considered to be reasonable. The assessment concludes that as a result of a rugby match, rugby training and car park usage, the existing ambient noise level may increase but should not be perceptible. Therefore, no mitigation measures are required.

With regards to the clubhouse, the assessment recommends best practice measures such as prohibiting the playing of live or amplified music after 23:00 Monday – Saturday and 21:00 on a Sunday. Given that the closest neighbouring property is located approximately 110 metres from the proposed building, and given the potential for the clubhouse to be used for social events at evenings, such a condition is considered necessary and reasonable.

The Council's Environmental Health Officer has raised no objections to the proposal but has stated that conditions should ensure that all pitches are only illuminated when in use or immediately prior to use; and all activity on the pitches to be finished by 9:00pm and for the area to be clear by 9:15. A condition to ensure the pitches are only illuminated when in use is considered to be reasonable and necessary to reduce the impact on the amenities of the area. A condition to ensure that the pitches are only used until 9:00pm is considered to be overly restrictive given the supporting noise assessment submitted covers the daytime period (7am – 11pm), and the fact that the Lighting Engineer has raised no objections to the proposal on the basis of light

intrusion. A more reasonable condition is for there to be no illumination from floodlights after 11pm, which will also ensure that the use of the pitches ceases at this time.

In terms of plant noise emissions the Noise Report submitted confirms that the noise emissions would not exceed the lowest measured background noise level when calculated at the façade of the closest existing residential receptor.

The proposed development will affect the amenity that existing residential occupiers currently enjoy, as the existing undeveloped rural field would change into a high intensity sports facility. It is also noted that there may occasionally be noise generated beyond the daytime hours covered in the noise assessment if the clubhouse is used for social functions. However, with appropriate mitigation measures, it is considered that there will not be significant adverse effects. As such limited weight is afforded to the impact of the development on the amenity of the local residents.

5.22 Air Quality Impacts

An assessment of the impact of the construction phase of the development on local air quality was not included in the initial air quality assessment submitted, and concerns were raised with regards to the potential impact on sensitive receptors adjacent to the site boundary by construction dust emissions. In addition, with regards to the operational phase impacts, further justification was required to demonstrate that the use of the parking area, especially in the worst case scenario of reaching full capacity, would not cause significant operational phase traffic emissions. A revised air quality assessment has been prepared by REC Ltd dated 11th May 2015 which satisfactorily considers the relevant pollutants and the potential impacts on local air quality during the construction and operational phases of the development.

For the operational phase, the significance of the impacts on annual mean pollutant concentrations is predicted to be negligible at the receptor locations assessed. Where there is an exceedance of nitrogen oxide above the annual mean objective, this is the case both with and without the development, and the development will not substantially increase the level of exceedance. Overall, the significance of the operational phase on air quality was determined as negligible.

During the construction phase, measures to mitigate the risk of dust emissions will be required to reduce impacts on nearby sensitive receptors. The assessment considers that with suitable measures in place, the residual dust effects are predicted to be negligible. Subject to a condition in respect of a Dust Management Plan (DMP) to incorporate the best practice measures identified in the assessment, there is no objection in terms of the impact on air quality.

5.23 Ecological Impacts

An Ecological Assessment has been provided by Tyler Grange dated 2015. The findings of the surveys are as follows:

- Arable fields with rough grassland, tall ruderal, scrub, species poor hedgerows – although one referenced H2, was found to be species-diverse and 8m wide, disused farm buildings with mature sycamore and ash.
- Bats – four species of bats foraging, (bats are protected under the Conservation Regulations 2012 as well as the Wildlife & Countryside Act 1981 (as amended)).

- Potential for nesting birds (protected under the Wildlife & Countryside Act 1981 (as amended)).
- Other species for which potential habitat was identified – bat roosts in the buildings, reptiles and badgers were surveyed for but no evidence was found.

Officers consider that the application has the potential to retain good existing habitat and also to provide biodiversity enhancements. The proposals for enhancements included within the application are welcomed.

Notwithstanding this, the ecological surveys were carried out in August 2013. It therefore, needed to be confirmed that the habitats have not altered significantly such that the Extended Phase 1 Habitat Survey is still acceptable and the buildings re-assessed for roosting bats, as bats alter their habits in a short space of time.

An updated survey was carried out by Tyler Grange and confirmed by letter dated 26th March 2015, which confirms that there has been no significant change to the habitats over the period since the initial surveys were carried out except that the buildings have become more dilapidated/damaged to the extent that they now provide negligible potential to support roosting bats. Subject to a condition in respect of an Ecological Mitigation and Enhancement Plan to include habitat management, the proposal would not have a significant detrimental effect on the ecological interests of the site and accords with policy L9 of the South Gloucestershire Local Plan (adopted) January 2006; and policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

5.24 Transportation

Access to the site would be via a new vehicle and pedestrian access off Frenchay Park Road, as well as a new pedestrian/cycle access adjacent to the junction of Old Gloucester Road/Bristol Road linking up to the existing footway/cycleways as indicated on Mayer Brown drawing submitted. The construction of these improvements will need to be constructed under a suitable legal agreement. A Grampian condition can be applied in respect of this.

There is a PROW that crosses the site, but its usage will not be impacted upon by the proposals and nor will it be diverted. During construction of the pitches temporary diversion may be required or at least a form of management of the site during this time to protect users of the PROW, and this could be adequately covered in a Construction Traffic Management condition which will need to be conditioned.

Parking on site is a mixture of formal parking on hard surfacing and informal parking on grassed areas for use during tournaments on the site. This arrangement and the amount of parking are considered acceptable. Accordingly, it is considered that the proposal would not bring about any significant adverse transportation issues in terms of congestion, parking or highway safety.

Accordingly, subject to conditions there is no transportation objection.

5.25 Drainage

The site is located within Flood Zone 1; therefore, it is not considered that there will be a significant risk to the development as a result of flooding. The Council's Drainage

Officer has raised no objections to the proposal subject to further details in respect of the treatment of surface water drainage including SUDS. These details can be secured by condition if permission is granted.

Although the site is not in an area where there is considered to be a high risk in terms of previous coal mining such that there is statutory requirement to consult the Coal Authority, the Council's Drainage Officer has highlighted that there is potential for previous coal mining activity, and therefore, has requested a mining report. A condition is considered to be appropriate in this instance if permission is granted.

5.26 Impact on Trees

In order to facilitate the development, the following vegetation would be removed: trees growing around the existing derelict buildings (G15), a 20 metre section of hedge (G11) to form the site access, and a 10 metre section of hedge (G5). The majority of existing vegetation in the site would be retained and adequately protected through the course of the development. The trees to be removed have been assessed as C grade, whilst the hedges are B and C grade and the Council's Tree Officer has raised no objections with regards to the assessment. Given that no category A trees or vegetation would be removed from the site and the fact that the majority of the existing trees and vegetation will be retained, there are no arboricultural objections to the proposal.

5.27 Development Approved at Hillside Gardens

Consideration is required to be given to applications at Hillside Gardens on the opposite side of the M32 whereby planning permission was granted for the change of use of land to provide 2no. sports pitches and car park (PT14/2400/F), and subsequently for a changing room block (PT15/1377/F). Although the approval site is located within the Green Belt and on Grade 1 agricultural land, it is considered that limited weight can be given to these previous planning approvals when considering the proposed development. It is considered that the approved development is of a significantly smaller scale than the proposed development. The approved development was for 2no. pitches and 30 parking spaces on 2 hectares of land, and subsequently for a single storey changing room building with a floor area of approximately 200 square metres. In addition, Officers accepted that the case put forward in support of the scheme constituted very special circumstances and the case for very special circumstances was specific to the Hillside Gardens development proposal.

5.28 Summary and Conclusions

The site is located within the Green Belt and the proposed development represents inappropriate development within the green belt and directly conflicts with the aims for including land in the Green Belt as there will be clear encroachment into the countryside, and urbanisation of the M32 Corridor which provides a green entrance into Bristol; it is therefore by definition, harmful to the Green Belt, a matter which affords substantial weight as advised in the NPPF.

A case for very special circumstances has been submitted in support of the proposal and from careful consideration of the arguments officers attribute moderate weight to the case put forward in respect of need; and a lack of alternative sites, and limited weight in respect of a net gain of formal sports provision; healthy communities and

participation in sport; and other environmental, community and economic benefits. When considered cumulatively officers attribute moderate weight to the case.

In addition to the defined harm to the Green Belt, officers attribute substantial weight to the harm to the openness of the Green Belt, significant weight to the harm to the character of the landscape and significant weight to the loss of Best and Most Versatile (BMV) agricultural land. Less than substantial weight is given to the harm to designated heritage assets and limited weight is given to the harm to the residential amenity of neighbouring occupiers. Officers therefore, consider that the potential harm which would result from the proposal would be significant and attribute substantial weight to this.

Paragraph 88 of the National Planning Policy Framework establishes that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (officer emphasis). Accordingly, the test for finding very special circumstances for allowing inappropriate development in the Green Belt has a high threshold.

Officers conclude that the defined harm to the Green Belt compounded by other harm attributed substantial weight is undoubtedly not 'clearly outweighed' by the case submitted in favour of the application, which is attributed moderate weight. Very special circumstance have therefore not been demonstrated and as such there is no justification for allowing the development in the Green Belt.

5.29 Further Matters

The objection received on the basis of the effect on the re-sale of residential properties is matter which cannot be given significant weight in this instance. Officers cannot comment on the potential for any future application to develop the site. Any application would be assessed on its own planning merits.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to refuse permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 Planning permission is REFUSED for the following reasons:

Refusal Reason 1

The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt and directly conflicts with the purposes for including land in the Green Belt. The proposal is considered to represent inappropriate development within the

green belt which is, by definition, harmful to the green belt, to which substantial weight is therefore afforded. The resulting other harm from the development has been assessed and substantial weight is given to the harm to the openness of the Green Belt, significant weight is given to the harm to the character of the landscape, significant weight to the loss of Best and Most Versatile (BMV) agricultural land; less than substantial weight to the harm to designated heritage assets; and limited weight to the harm in terms of residential amenity. The applicant has not demonstrated that very special circumstances exist that clearly outweigh the harm to the Green Belt through inappropriateness and other harm, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to guidance contained in the National Planning Policy Framework; and policies CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and the South Gloucestershire Development in the Green Belt SPD (adopted).

Refusal Reason 2

The proposed development would result in the loss of approximately 10 Hectares of Best and Most Versatile (BMV) agricultural land (Grade 1, 2 and 3a) which would have a significant impact due to the lack of BMV agricultural land within the local area and the sustainable location of the site within the Bristol urban fringe which would provide maximum opportunity for local food production. It has not been satisfactorily demonstrated that the proposed development is necessary, or that it could not be located on poorer quality land. The development is therefore, contrary to policies CS2, CS9 and CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

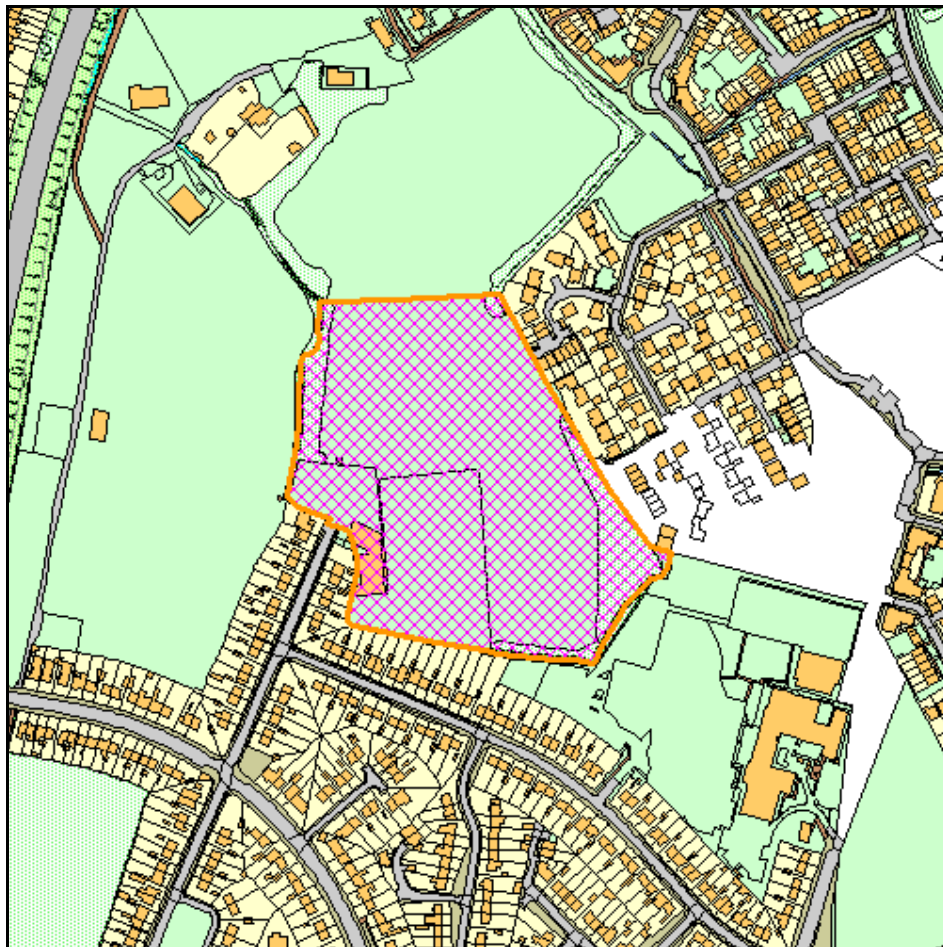
Refusal Reason 3

The proposed development is located within a green corridor which extends along the M32 and provides an important green entrance into Bristol and contributes towards the setting of the historic Stoke Park. The protection of this green corridor is specifically specified within the South Gloucestershire Landscape Character Assessment. The proposed development with car parking, flood lighting, and other paraphernalia coming together with the large size of the building would have a significant adverse effect on the character of the landscape and is contrary to saved policies L1 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006; and policies CS1, CS2, CS9 and CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and the South Gloucestershire Landscape Character Assessment SPD (adopted).

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CIRCULATED SCHEDULE NO. 32/15 – 7 AUGUST 2015

App No.:	PT15/0510/F	Applicant:	Redrow Homes With Lockleaze Recreation Ground Charity
Site:	Lockleaze Recreation Ground Stoke Gifford South Gloucestershire BS16 1FD	Date Reg:	13th February 2015
Proposal:	Demolition of existing Rugby Clubhouse buildings (The Dings, subject to separate relocation application PT15/0493/F) and erection of 152no dwellings, with open space, sustainable urban drainage, vehicular and pedestrian access, landscaping, infrastructure and engineering works.	Parish:	Stoke Gifford Parish Council
Map Ref:	361019 177780	Ward:	Frenchay And Stoke Park
Application Category:	Major	Target Date:	14th May 2015



© 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. PT15/0510/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule because consultation responses have been received from members of the public that are contrary to the officers recommendation. Due to time constraints, this application appears on the circulated schedule whilst the consultation period for revised plans is still active. However, if any consultation responses are received which raise new issues that have not been considered the application will be re-circulated.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of existing rugby clubhouse buildings and the erection of 152no. dwellings, with open space, sustainable urban drainage, vehicular and pedestrian access, landscaping, infrastructure and engineering works.
- 1.2 The application site comprises approximately 4.8 hectares of recreational land to the north of Landseer Avenue from which the access is currently gained. The site is located in the North Fringe of the Bristol Urban Area within the defined settlement boundary. Land immediately to the south and west falls under the administrative boundary of Bristol City Council. A public right of way extends along the western boundary of the site.
- 1.3 The site is north of Landseer Avenue and the community of Lockleaze, with residential back gardens abutting the southern boundary; phase 7 properties within the Cheswick Village residential development abuts the eastern boundary; the site of the former Lockleaze Secondary School, which has been demolished, abuts the southeastern boundary; land to the north of the site is currently the Bonnington Walk playing fields, and to the west is the Bristol Combination Ground playing fields. Planning permission has been granted on these playing fields under a separate planning application PT14/2849/F for the erection of 95 dwellings, the provision of a sports centre, all weather pitches, grass pitches multi-use games area and associated works. The car park serving the MOD is located further to the north. The Bristol/ London railway line sits beyond the playing fields to the west.
- 1.4 The application site is bounded by mature hedging to the east, south and west boundaries with adjoining small pockets of scrubby land. It comprises a hardstanding parking area with parking provision for 92 vehicles, a club house building, the base of which was formally a Nissen hut, which includes male and female changing facilities, changing facilities for male games officials, sports hall and communal bathing facilities including plunge bath; 4no. grass rugby pitches, none of which comply with the RFU recommended sizes or orientation, with lighting columns, advertisement boards and fencing. The access off Landseer Avenue is secured by metal gates.
- 1.5 The application site is owned by the Lockleaze Recreational Ground Charity (LRGC), and has been home to the Dings Crusaders RFC and Dings Crusaders Community Sports Club since 1949. Supporting information has been submitted which sets out that the existing clubhouse and gym facilities are beyond repair, and the playing pitches are undersized, without drainage,

inappropriately orientated and sloping. The LRG is seeking to relocate to an alternative site, and has submitted a separate planning application (PT15/0493/F) in conjunction with the current application for a modern community sports facility in Frenchay funded by the sale of its land for the proposed housing development.

- 1.6 A screening opinion has been carried out under application PT13/046/SCR. It was the Local Planning Authority's decision that an EIA was not required.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance
The Community Infrastructure Levy Regulation 2010

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

L1 Landscape Protection and Enhancement
L9 Species Protection
L11 Archaeology
L13 Listed Buildings
EP2 Flood Risk and Development
T7 Cycle Parking
T12 Transportation Development Control Policy for New Development
LC1 Provision for Built Sports, Leisure and Community Facilities
LC9 Protection of Open Space and Playing Fields
LC12 Recreational Routes

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS7 Strategic Transport Infrastructure
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS23 Community Infrastructure and Cultural Activity
CS24 Green Infrastructure, Sport and Recreation Standards
CS25 Communities of the North Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Waste SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD (adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT14/2849/F, Demolition of existing changing rooms and clubhouse and proposed development of 95no. dwellings, provision of sports centre, all weather pitches, grass pitches, multi-use games area, car parking, new informal and formal public open space, car parking and other ancillary development - site falls within South Gloucestershire and Bristol City Council areas. (Major application) The development to be considered by South Gloucestershire Council comprises 95 dwellings multi games arena, formal and informal open space and car parking, approval, 31/07/15.

This application relates to playing fields directly to the north of the application site.

4. **CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council
No further comments at this time

- 4.2 External Consultees

Bristol City Council

Objection with regards to the proposed routing of construction traffic. It is Bristol City Council's view that no construction traffic associated with the residential development should utilise the existing publically maintained Bristol City Council adopted highway. The route to the Bonnington Walk access is convoluted when approaching from the west (A38 Gloucester Road, Filton Avenue, Melton Avenue and Bonnington Walk) and not considered appropriate for construction traffic; additionally, a route from this direction utilises the existing Network Rail bridge/structure. Furthermore, it would not be possible for a separate Local Authority to control the implementation of a Construction Traffic Management Plan detailing road cleansing on a neighbouring authority's adopted road network.

Wessex Water

The developer has been working with Wessex Water over a period of time to review waste services required to serve this new development. Appraisal has recommended a point of connection to the public foul sewer network to the north of the site with an increase in planned downstream storage to mitigate the impact of the increase in development flows. To ensure appropriate agreement of strategy please consider the use of the following planning condition should the application be approved:

The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker.

The developer has proposed to discharge attenuated surface water flows from the site to the existing public surface water sewer in Landseer Avenue. Subject

to confirmation of pipe sizes the initial length of surface water sewer may require upsizing from 225mm diameter to 300mm diameter, details to be agreed.

Network Rail

No objection in principle subject to standard advice.

Avon Fire and Rescue

Avon Fire & Rescue Service will have additional Hydrant requirements associated with this application. The costs will need to be borne by developers through developer contributions. Avon Fire & Rescue Service has calculated the cost of installation and five years maintenance of a Fire Hydrant to be £1,500 per hydrant.

Environment Agency

No objection in principle subject to the following conditions:

No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Highways Agency

No objections to the application.

Sports England

Sport England and the RFU supports the proposal in principle.

4.3 Internal Consultees

Lighting Engineer

Judging from the submitted lighting plan (PT14/2849/F), it looks like there would be significant obtrusive light caused by the proposed floodlighting, however there was not enough information provided to assess whether the impact is within the acceptable levels. It is not 100% clear from the drawing whether the black isolux lines refer to vertical or horizontal illumination levels. Light intensity calculations would also be required (including the likely affected properties within the surrounding proposed developments), showing compliance with the attached ILP Guidance.

Please also note that there was no information provided with regards to the external lighting proposal for the new housing development (PT15/0510/F)

Highway Structures Officer

The Highway Structures team has no comment

Public Rights of Way Officer

I am happy to withdraw the objection to the development

Conservation Officer

No objection

Drainage Officer

No objection in principle subject to additional information in terms of the design of the swale; details of who will be responsible for maintenance; a detailed development layout showing surface water and SUDS proposals.

Urban Design Officer

No objection subject to conditions.

Affordable Housing Officer

The revised plans have addressed a number of issues that were previously raised. I.e. clustering, house type mix. Condition is required for an amended detailed layout of the external areas of wheelchair units to be provided.

Landscape Officer

The development will result in a significant and permanent change to the character of the site from open grass pitches to built development. This results in a loss of the existing strategic break of open land between the established residential area of Lockleaze and the new development at Cheswick Village.

Most of the current boundary vegetation is removed or significantly cut back, opening up views between existing houses and the new development. The structural element of the vegetation would be lost and all of the height which currently contributes to the local landscape would be removed, whilst retained vegetation would be significantly cut back and reduced in height. Development is proposed in close proximity to site boundaries, preventing vegetation of any scale. No replacement planting is shown along the boundary to plots 113/118; there is a discrepancy between the tree retention drawings and the landscape proposals in relation to G2 and G4.

Tree Officer

No objection provided the development is carried out in accordance with the submitted arboricultural details.

Ecological Officer

The application needs to confirm that the scheme design (illustrative masterplan) is in accordance with the recommendations of the Ecological Assessment by including grass buffers and a management strip alongside the boundary hedgerows. A condition should be attached relating to a Landscape and Ecological Management Plan.

Transportation DC Officer

No objections subject to condition.

Public Health Officer

Although the creation of a state of the art sports facility is to be generally welcomed as an opportunity for participants to improve their health, I have concerns for the negative impact on the community of Lockleaze, especially young people, who are losing local sports facility.

Further consultation of young people using the Dings RFC and further exploration of alternative means of access to the site should be carried out.

Environmental Health Officer

No objections with regards to air quality subject to a condition in respect of a Construction Environmental Management Plan (CEMP). No objections in respect of contaminated land or noise.

Archaeological Officer

I recommend an archaeological condition for trial trenching and the creation of a mitigation strategy. The mitigation strategy shall then be applied in full unless the Council agrees to any variation. I would suggest the following condition:

'Prior to the commencement of any groundworks, including any exempt infrastructure works, geotechnical works or remediation works, a programme of archaeological investigation and a detailed mitigation strategy, including a timetable for the implementation of the mitigation strategy, must be submitted and approved by the local planning authority. Thereafter the approved programme and mitigation measures identified shall be implemented in all respects.'

Other Representations

4.3 Local Residents

50 letters of objection have been received from neighbouring occupiers. The following is a summary of the reasons given for objecting:

- Density of housing is too high, should reflect the neighbouring Wallscourt Park;
- Concerns of a potential link road to Romney Avenue and Lockleaze School;
- Lack of pedestrian pavement along Horse Leaze Road is a safety issue;
- Increase in traffic along Horse Leaze Road, Long Wood Road, Cow Barton and Hermitage Wood Road Junction 3;
- A traffic management plan is required to prevent accidents from increase in traffic flow;
- Traffic flow associated with the development and construction will be detrimental to the highway safety of children using the walkway to the upcoming new playground;
- Existing parking problems in Lawn Close will be exacerbated through the loss of two parking spaces, the original proposal along Horse Leaze and Cow Barton is the best way forward;
- Impact on residents with disabilities on 'spur' of Horse Leaze Road;
- Significant increase in traffic;

- Concerns about the impact of children walking and cycling to Wallscourt Primary School;
- Alternative access arrangements should be considered;
- Access proposed under PT14/2849/F should be used for proposal;
- The existing Dings access could also be utilised as this is an established entrance;
- Proposed route unfair on existing residents who have endured years of dirty, noise and dangerous construction traffic;
- Why does the green land have to be built on, once it is built on we will never get it back, other sites should be considered first;
- There is inadequate green space in Cheswick Village where residents can walk their dogs or children can play safely;
- Access to be used is wholly inappropriate;
- The development represents a surprise given the way Cheswick Village was marketed to give a separate village feel;
- The offset junction at Horse Leaze Road/Long Wood Road/ Hermitage Wood Road/ Cow Barton is already hazardous due to existing traffic levels. Improvements to this junction required;
- Horse Leaze Road was designed as a surface shared by pedestrians and vehicles;
- The existing access should be used for construction traffic;
- Transport assessment does not take into account upcoming changes to traffic demand such as the opening of shops and retirement home, potential stadium at UWE;
- Concern over loss of play field;
- Land ownership issues;
- Should be assurances that any road damage caused by construction traffic will be repaired by the builders;
- Lack of visitor parking in the area would cause conflicts with proposed access;
- Loss of trees/vegetation;
- Overlooking issues;
- Tree planting will block sunlight;
- What will happen if my fence is damaged in any way?

4 Letters have been received from members of the public which neither object or support the application. The following is a summary of the points made:

- Hedges should not be removed from the site boundaries;
- Object to the cutting through hedge via Long Down Avenue through to RFC fields;
- The LPA should consider this application and the application at Bonnington Walk together because they will be one entity when completed;
- Hedgerows and trees should be maintained or restored in a timely manner to encourage re-population of birds, insects and small mammals;
- More trees and boundary planting is requested;

- The proposals should be amended to ensure there is no potential for a direct vehicular link to Lockleaze;
- Significant safety concerns along Horse Leaze/Cow Barton;
- All construction traffic must be routed straight through from Long Down Avenue for both the Bristol Combination Site and Dings Crusaders RFC site to reduce disruption to existing occupiers;
- Block paving will be damaged by construction traffic;
- Noise from construction traffic will impact on residents;

9 letters of support have been received from members of the public. The following is a summary of the reasons given in support of the proposal:

- The access should not be via Long Down Avenue through Ashley Down Old Boys RFC fields;
- Whilst the issue of site traffic management needs to be addressed for adjoin new residents, they are temporary and not insurmountable obstacles;
- Dings RFC need to raise funds by disposing of its current land and relocating. This will provide modern recreational facilities for the local community and help the Rugby Club to maintain its playing standards;
- Existing facilities are not fit for purpose;
- New facilities will attract many more young players to the sport;
- Will give adult players the facilities they need;

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The National Planning Policy Framework (NPPF) advises at paragraphs 11 and 12 that planning decisions should be made in accordance with an up to date development plan and that planning decisions that accord with an up to date development plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

Five Year Land Supply

In a recent planning appeal the inspector found that the Council does not have a five year housing supply; the inspector instead identified that the Council has 4.63 years supply of housing. Paragraph 49 of the NPPF is therefore, engaged. Paragraph 49 states that:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites”.

Further guidance at paragraph 14 of the NPPF sets out that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Policies CS5, CS15 and CS34, which set out where the majority of new development will take place, are therefore, now out of date; however, the other adopted Development Plan policies are still considered to be up-to-date and attract the full weight of the adopted development plan. Accordingly, the existing lack of a five year supply of land for housing is a material consideration which must be given weight when considering the overall planning balance of the proposed development.

Location of Development

The site is located in the North Fringe of the Bristol Urban Area and within the defined Stoke Gifford settlement boundary. The site is located within an existing urban area where there is existing infrastructure in place or planned. The application site is therefore, considered to be in a sustainable location.

Notwithstanding this, when considering whether the development proposed is sustainable, a material consideration is the fact that the proposal will result in the loss of open space in the form of 4no. rugby pitches.

Loss of Pitches

The NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

5.2 At the local level policy CS23 of the Core Strategy requires the retention of Green Infrastructure and community infrastructure, unless the loss can be justified by meeting the following criteria:

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

Core Strategy policy CS24 sets out minimum provision and accessibility standards for a range of open space (green infrastructure), sport and recreation facilities, and is therefore, a material consideration. It states that the provision

of green infrastructure, outdoor space, sport and recreation facilities should be sought in accordance with the following principles:

- *New developments must comply with all the appropriate local standards of provision in terms of quantity, quality and accessibility;*
- *Provision must be delivered on site, unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal; and*
- *The functionality and usability of spaces and facilities must be suitable for their intended purposes.*

Where existing provision, in terms of quantity, quality and accessibility would be inadequate to meet the needs of future residents, then new provision and/or enhancement must be made in accordance with the appropriate local standards. The local standards are set out in Core Strategy Appendix 5.

Policies CS6 and CS18 of the Core Strategy set out the contributions that are required to support sustainable development and are also a material consideration.

- 5.3 Policy LC9 of the South Gloucestershire Local Plan (adopted) January 2006 is a saved policy, which directly relates to the protection of open space and playing fields. It states that:

Proposals for development of existing or proposed formal or informal open space, or of land last used for playing fields, will only be permitted if:-

- *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, or the loss of space likely to meet projected recreational demand in the plan period; or*
- *the proposal includes provision of a replacement facility of at least the equivalent benefit to existing users, at an alternative site which is accessible by public transport, on foot and by bicycle; or*
- *an overriding community need, other than for housing, employment or shopping facilities, which cannot be met on any other site is demonstrated; or*
- *a limited development would result in enhanced outdoor sports and recreation facilities at the site; and*
- *in all the above circumstances the development would not have unacceptable environmental effects and would not prejudice residential amenity.*

- 5.4 Although more prescriptive than guidance contained in the NPPF, policy LC9 of the 2006 Local Plan is considered to be broadly consistent with the aims of the NPPF and therefore holds material weight.
- 5.5 Given the advice set out in national and local planning policy, when considering whether the loss of play pitches is acceptable, the proposal must meet at least one of the following criteria:
- *the pitches are surplus to requirements;*
 - *the loss of pitches will be mitigated by appropriate alternative provision in an acceptable location that is easily accessible by walking and cycling;*
 - *the proposal is for an alternative sports/recreation or community facility which cannot be located anywhere else.*

The proposal, for residential development, clearly fails the third criteria; therefore, this point requires no further consideration.

5.6 *Are the pitches surplus to requirements?*

The South Gloucestershire Council Open Space Audit 2010 provides a comprehensive assessment of the quantity, quality and accessibility of open space, outdoor sport and recreational facilities, and informs the green infrastructure, sport and recreation standards set out under policy CS24 of the 2013 Local Plan. The standard for outdoor sports provision specified in policy CS24 is 1.6ha per 1,000 population.

The Council's standards are informed by the South Gloucestershire Open Space Audit 2010, which involved an extensive assessment of local needs. As part of the assessment, the Council undertook a series of consultation exercises to robustly understand people's perception of existing provision and their needs and requirements. The main consultation methods were surveys, consultation events, workshops, and targeted events with children and young people. In forming the accessibility standards, the assessment involved understanding community views on how far people are willing to travel to reach each type of open space, sport and recreation facility, and to use this information to identify areas of the district that are deficient in provision through the application of accessibility standards. The resulting accessibility standards contained in policy CS24 were accepted by the inspector during the examination of the Core Strategy and therefore, hold material weight.

A planning application at Bonnington Walk (PT14/2849/F) on fields directly to the north of the application site is a material consideration. The development of this neighbouring field for housing will result in the loss of 3no. pitches; however, the Local Planning Authority recommendation is for approval. It is pertinent to note that the development at Bonnington Walk provides 2no. 3G pitches in the same location as the pitches that will be lost. All weather pitches can be used more intensively than grass pitches, and are counted as double against grass pitches when POS requirements are being calculated.

Accordingly, the loss of 3 no. grass pitches at Bonnington Walk was accepted as the replacement all weather pitches, in an appropriate location, would provide acceptable mitigation.

The Council's Public Open Space (POS) Officer has confirmed that there is an existing deficit of open space in the local area and the replacement provision at Bonnington Walk, would not acceptably mitigate a further loss of 4no. pitches that would result from the proposed development. The loss of 4no. sports pitches, without appropriate mitigation, would result in an increase in the deficit of open space compounded by an increase in population resulting from the new residential development. The existing sports provision is therefore, not surplus to requirements.

Will the replacement facilities provide acceptable mitigation?

It is proposed to relocate to an alternative site at Frenchay Park, Frenchay to provide the following replacement facilities to mitigate the proposed development:

- an all weather full size rugby pitch;
- a full size grass rugby pitch;
- a grass training pitch;
- 3no. grass junior pitches;
- a clubhouse building (including community sports hall, changing rooms, spectator seating, function/meeting rooms and club shop);

A planning application (PT15/0493/F) has been submitted for the development in parallel to the proposal application. The applicant has highlighted that the existing facilities at the club are deficient for a number of reasons, which are summarised as follows:

- The existing site does not have the capacity to increase the number of pitches and hence playing capacity;
- The facilities do not meet RFU standards, which is poor for a club in National League Division 2, i.e. within the top 75 clubs in England;
- The existing site does not have the capacity to increase the size of the undersized pitches;
- The pitches are undrained, which results in poor playing conditions;
- The pitches are sloping in excess of RFU maximum pitch gradients;
- The ancillary facilities are inadequate and not fit for purpose.

The Council's Public Open Space (POS) Officer has stated that the needs for outdoor sports facilities arising from the residential development is a minimum of 5,462.40 square metres. If both applications are granted permission, there would be a considerable increase in the total playing fields area and the actual facilities area, with an increase in useable pitch area of c. 17,171square metres, which is of a sufficient amount to provide for the residents of the new development.

Although the facilities are located further from the site, weight is given to the scale and quality of play facilities proposed in comparison to the existing provision. Accessibility standards recognise that people would be willing to travel further to access larger scale facilities and synthetic pitches. In addition, the fact that the Council's POS Officer, Sports England, and the RFU have raised no objections to the proposal holds weight. The Council's Public Health Officer has however, raised concerns regarding the potential impact of the relocation of the Dings RFC on the Lockleaze Community, which requires further consideration.

A context plan submitted identifies the location of the homes of its members, which are split into five categories of Director; Social Senior; Playing Senior; Junior; and Other Membership. The plan shows that a significant concentration of members, and in particular junior members, live in Lockleaze, and the neighbouring communities of Horfield, and Filton within 1km (approx.) of the application site. Although the plan demonstrates that some members live in the wider catchment area of the North Fringe of Bristol, they are sporadic and primarily relate to senior players and senior social members who most likely have access to a private car. Accordingly, it will be junior members that will be most affected by the proposed development. The applicant has however, provided further details setting out that the club has fully engaged with existing junior members of the team and parents regarding the proposed relocation and has provided opportunities for open discussion with the Clubs Management to address any concerns regarding the proposed relocation. The Council's Public Health Officer has therefore, raised no objections to the proposal.

Will planning permission be granted for the replacement facilities?

The issue regarding acceptable mitigation ultimately depends on whether the separate planning application submitted for replacement sport provision is granted planning permission. The proposed replacement facilities are located in Frenchay on approximately 10.6 hectares of land within a sensitive location adjacent to the southeast of the M32 motorway, in the open Green Belt and on Best and Most Versatile (BMV) agricultural land. After careful consideration, officers consider that the replacement facilities would have an unacceptable impact in terms of the Green Belt, Best and Most Versatile Agricultural Land, and the Character of the Landscape. The case submitted in support of the proposal does not outweigh the harm that would be caused and the recommendation is for refusal. A full assessment of this proposal can be found under application PT15/0493/F.

Accordingly, the loss of the existing sports facilities without acceptable replacement provision will result in a deficit of outdoor sports provision in the local area below adopted standards within the South Gloucestershire Local Plan Core Strategy, compounded by the increasing in population resulting from the proposed development and have a detrimental effect on the existing Lockleaze community. Provision of a range of good quality and easily accessible open space is important to reduce physical activity; a significant independent risk factor for a range of long-term health conditions. People who are physically active reduce their risk of developing major chronic diseases such as heart disease, stroke and type-2 diabetes by up to 50% and the risk of

premature death by 20%-30%. The relationship between inactivity and obesity is well recognised. The Dings RFC and existing facilities have been an integral part of the local area for over 50 years, providing a number of successful junior and senior rugby teams for the wider Lockleaze community, a community recognised as one of the 10% most disadvantaged neighbourhoods in the UK. The loss of the Rugby Club and sports facilities would therefore, have a significant adverse impact on the health and wellbeing of the local community.

Consideration has been given as to whether alternative replacement provision could be secured by condition, however, such a condition is considered unreasonable given the uncertainty as to the acceptability of alternative relocation sites and would not pass the tests for applying conditions set out in the NPPF. The proposal is therefore, contrary to policies CS23 and CS24 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013, and policy LC9 of the South Gloucestershire Local Plan (adopted) January 2006.

Matters of detail will now be discussed under the following headings.

Urban Design

Context Analysis

The DAS includes a brief description of the site and its context. The developer has looked at the more traditional Victorian development in Horfield, as well as the developments to the south in Lockleaze and the newly built Cheswick Village to the east to inform the approach to development.

The DAS design justification suggests the proposed layout and architectural design generally follows the principles approved in the Cheswick Village master plan and design codes. Officers agree this is the case, albeit the proposal concentrates largely on providing the more traditional dwelling types rather than the more contemporary elements. Given that the site is accessed through the more traditional part of the Cheswick site, this provides continuity of design to create a distinct character area. Accordingly, there are no objections to the proposed design approach.

Connectivity and Permeability

Vehicular access is proposed off Cow Barton in phase 7 of Cheswick Village, which incorporates pavements on both sides of the road. The proposal also indicates that vehicular links to residential development approved to the north (PT14/2849/F) will be provided. This will create the necessary linkage for improved connection and permeability through both sites and to connect back into the Cheswick Village development.

The existing access from Landseer Avenue is to be stopped up, which is considered acceptable to avoid the area becoming a rat run. A pedestrian/foot link is to be provided between Landseer Avenue and the application site. This access is not well resolved on the plans submitted; and further details are required to ensure an acceptable design. This matter can be dealt with by an appropriately worded condition.

Concerns were raised that the PROW route to be diverted (LSG/29/10) would become an urban path and would not provide an acceptable degree of amenity for users of the footpath. Amended plans have been received which have linked previously separate areas of POS to provide a greener setting for the PROW and improve the quality of the public realm.

Layout and Public Realm

The density of the proposal is 38 dwellings per hectare, which is considered to be acceptably in-keeping with the surroundings and make efficient use of the land. The proposed site layout is of a traditional estate character similar to that being developed at Cheswick Village.

The DAS refers to a formally paved entrance 'square', which is in fact a paved cross road. Officers consider that a more defined arrival point would aid in legibility within the development. The layout has been amended to provide a more formal square to this area of the scheme, with the location of dwellings better terminating views from roads that connect to the square to better enclose the space. Officers consider that this area could be further improved by altering the location of the house unit that facing the main entrance to completely 'stop' the view. In addition, the proposed planters within the square would likely to be vulnerable to damage from vehicles. A detailed plan is required of this area prior to commencement; this matter can be dealt with by an appropriately worded condition.

It was not accepted that areas of the scheme originally labelled as homezones would provide pedestrian priority within the overall layout, and acceptably slow traffic speeds to create safe shared space for users other than movement and access. The revised plans revert to a more traditional street arrangement to address this issue. Where there are rows of parking facing each other on opposite sides of the street, careful consideration is required to the use of materials and design to avoid large areas of tarmac. This matter can be dealt with by an appropriately worded condition. The road layout has been amended adjacent to the northern park area to form a cul-de-sac, as opposed to a through route, which will better serve to slow the speeds of vehicles around this area.

Although dual frontages have been provided to some corner plots to address the streetscene, there are still instances where elevations comprise blank walls or bathrooms/hall windows, especially where they face parking areas, which would provide little natural surveillance. This issues can however, be addressed by an appropriately worded condition.

Other changes to the layout have improved the termination of views from the listed building Stanley Farmhouse to the north by moving the location of plot no.28; and the access arrangement by improving the layout of units 115-118.

Appearance

The house types follow a 1930's style interpretation of the arts and crafts movement, which reflects the Cheswick Village design approach. Officers have expressed concerns regarding the wavy edged timber proposed on the gables of some properties, as this is not a durable material. Existing examples of this

detail in Cheswick look out of place and do not fit the intended design approach. This detail can be addressed by way of a condition.

A condition is required for all materials of the houses and for the public realm to ensure consistency with the development to the north and Cheswick Village.

Renewable Energy

The orientation of buildings is mainly north/south or east/west. There are therefore opportunities for passive solar gain and for the use of solar and photovoltaic energy generation. However the developer does not propose these, explaining that the current Building Regulations minimum requirement will be attained. There will however, be an option for future residents to generate renewable energy given the orientation and design of the dwellings. No other on site renewable energy scheme is promoted.

Public Art

There are no 'wayfinding' proposals for the PROW and for cyclists to link into the existing network. It would be beneficial to provide such through some form of public art or signage to encourage use of the paths and cycleways to the north.

Waste and Recycling

Plans of proposed bin storage and collection points has been submitted and is considered to be acceptable. The bin storage location of plots 20 and 21 is to the front of the dwellings, which is not acceptable and should be moved into the rear garden of the properties. There are also concerns that several bin collection areas shown on the plan submitted may become bin storage areas. These issues can however, be dealt with by an appropriately worded condition.

Heritage

The grade II listed Stanley Farmhouse is located approximately 250 metres to the north of the application site. Although the proposed residential development of "The Dings" playing fields would have a significant urbanising effect on the landscape and result in further encroachment of the remnants of what was once far greater open landscape setting to Stanley Farmhouse, there would be sufficient separation distance between the new development and the designated heritage assets to ensure that their setting, and their significance, would not be adversely harmed.

The residential development aspect of application PT14/2849/F is also a relevant material consideration when assessing the visual impact of the proposed development on the setting of the designated heritage assets, as this will see the Bonnington Walk playing fields that are located between the application site and the listed buildings further to the north developed for housing. Consequently if the residential development of application PT14/2849/F is implemented, there would be little or no inter-visibility between the listed farmhouse and the application site.

Stoke Park lies approximately 400 metres to the east of the application site but is separated by Phase 7 of the Wallscourt Farm/Cheswick Village development. With substantial built form separating visually and physically the application site

from Stoke Park, it is not considered that the proposed development would have a significant adverse impact in terms of loss or enclosure of views out or into Stoke Park.

Landscaping

The site lies on the elevated ridge top which stretches northwards from Muller Road to Filton with views across north Bristol. The land falls gently from a high point in the south east corner of the site. Substantial tree groups and hedges to the north and south boundaries enclose the site and provide screening between the adjoining houses and the site. The western boundary is formed by a mature hedgerow with associated drainage ditch. The public footpath along the edge of the site next to this hedge is obstructed at the southern edge by fencing. An area of scrub and rough grassland occupies the south eastern edge of the site.

The Council's Landscape Officer has objected on the basis that the proposal will result in a significant and permanent change to the character of the site from open pitches to built development, and result in the loss of the existing strategic break of open land between the established residential area of Lockleaze and the new development at Cheswick Village.

Policy L5 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy) does not allow development within existing urban areas which will adversely affect the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality. However, although the majority of the site is open, the boundaries of the site comprise metal palisade fencing, metal gates, and dense vegetation, which visually contain the site. Further enclosure is provided by residential development at Landseer Avenue and Hogarth Walk to the south, Cow Barton to the east and office development to the north. Weight is also given to the fact that residential development has been granted at Bonnington Walk immediately to the north of the site, which will provide further screening of the site from the north. Although Council records identify that public right of way LSG29 crosses the site adjacent to the western boundary, the route is currently blocked by fencing and has been for a long time without enforcement action being taken. Accordingly, the site is primarily only visible from glimpses from the existing access, and between existing built form.

An Appraisal of Landscape and Visual Effects submitted in support of the proposal affirms the limited visibility of the site from the surrounding area. It states that the limited inter-visibility within the local area, which arises from the existing areas of residential development, means that the proposed development would have only limited effect on visual amenity.

Accordingly, whilst the proposal will have a significant effect on the existing character of the site, and result in a loss of space which forms a visual break between the residential areas of Lockleaze and Cheswick Village, the site is not readily accessible by members of the public and is relatively well screened from views from the surrounding area by existing built form and vegetation. Therefore, it is not considered that the proposal will have a significant adverse effect on the character, amenity or distinctiveness of the locality.

The Landscape Officer has also objected on the basis that most of the current boundary vegetation is to be removed or significantly cut back. The Tree and Hedgerow Survey submitted identifies that the proposals will require the removal/partial removal of two large groups of trees (G2 and G4). G2 comprises a group of trees, which are low in quality but serve to screen views to residential properties and beyond. G4 comprises well established, woody species of trees of moderate quality with no sign of recent management. Vegetation to be retained comprises an unmanaged hedge (G8) on the western boundary which is graded as moderate quality; an Oak tree in the southwestern corner of the site of moderate quality; a low quality mixed elder and cypress hedge (H5) on the southern boundary to be reduced in height and trimmed back to form a more compact hedge; and a tree group (G3) of low quality hawthorn and elm adjacent to the southwestern boundary.

The loss of vegetation is regrettable as a matter of principle, and the applicant has not agreed to officer's requests to amend the scheme to retain more of the existing vegetation. Notwithstanding this, the vegetation to be removed has been assessed as low to moderate quality, and the Tree and Hedgerow Survey submitted identifies that the impacts from the removal of vegetation is minor and insignificant. In addition, much of the vegetation at the site is unmanaged and the proposal would provide an opportunity for the vegetation to be improved and managed and for suitable replacement planting to be undertaken. Therefore, whilst the concerns of the Council's Landscape Officer are noted, provided that measures contained in the Tree and Hedgerow Survey are carried to ensure that vegetation to be retained is adequately protected and managed and for acceptable replacement planting to be undertaken, on balance, it is considered that the positive contribution the proposal would bring to the Council's 5 year land supply is of sufficient material weight to outweigh concerns relating to the impact on the landscape.

Ecology

The site consists of several rugby and training pitches with associated buildings (clubhouse, community hall) and parking off Landseer Avenue in Lockleaze. The application site is not covered by any statutory or non-statutory nature conservation designations. The application includes an ecological assessment dated 26th January 2015 by Tyler Grange.

Semi-natural Habitat

The majority of the site consists of closely mown species-poor amenity grassland of low nature conservation interest. The site also includes one permanent building constructed of brick with a corrugated iron roof (clubhouse) situated within a car park with a number of associated temporary structures for storage.

Encroaching scrubs surrounds the pitches with tall ruderal vegetation on the south/south-west; and a strip of unmanaged rough grassland along the eastern boundary of the site. Species-poor hedgerows form the eastern, western and southern boundaries of the site with a group of trees - an immature horse chestnut with an understorey of hazel and hawthorn - located in the north-eastern corner.

Whilst the hedges would not qualify as species-rich under Section 41 of the Natural Environment & Rural Communities (NERC) Act 2006 and are not likely to be considered to be 'important' under the Hedgerow Regulations 1997, the assessment nonetheless recognises that they have an intrinsic local value for biodiversity. Paragraph 4.10 of Section 4 of the ecological assessment states:-

'Hedgerows have been retained where possible with grass buffers of 2m to 3m width retained along hedgerow bases where available. Where possible it is beneficial to design the development so that frontages or roads / pathways face onto hedgerows rather than new residential gardens, given they can be subject to disturbance from dumping of garden waste. Where this is not possible, gated and fenced maintenance buffers should be retained along hedgerows to allow management'.

The illustrative Masterplan within the Design & Access Statement (DAS) suggests that most of the hedges appear to be in public open space and/or have this maintenance buffer; and officers are satisfied that this is reflected in the layout plan submitted. Where rear garden boundaries abut retained hedges, hit and miss timber fencing is proposed to provide a protective buffer to the vegetation. Accordingly, it is considered that the proposed design accords with the approach outlined in Section 4.10 of the ecological assessment. The management of the hedges should be included within a Landscape and Ecological Management Plan (LEMP) for the scheme drawn up under an appropriately worded planning Condition.

Protected/Notable Species

Bats

The building (clubhouse) has negligible potential to provide roosting opportunities for bats given its materials and a lack of appropriate crevices or loft space.

Similarly, the grounds were considered to offer little by way of foraging habitat given the types of habitat and lighting present.

Great crested newts

The majority of the site is distinctly sub-optimal for amphibians such as great crested newts and no amphibians were recorded during a survey of the areas of rough grassland on site.

Reptiles

No reptiles (slowworm, grass snake) were recorded during a survey of the areas of rough grassland on site.

Birds

No specific survey for breeding birds was carried out. However, whilst the assessment noted that the trees, scrub and hedgerows were likely to offer some potential nesting/foraging habitat, the assemblage was likely to be commonplace and typical of urban settings given the low diversity of the habitats present.

Badgers

No setts or signs of the presence of badgers were recorded.

Ecology Conclusions

The application includes grass buffers to hedgerows and fenced buffers where rear gardens back onto retained hedges; therefore, it is considered that the proposal is in accordance with the recommendations of the Ecological Report. A Condition should be attached relating to a Landscape and Ecological Management Plan.

5.7 Residential Amenity

When considering residential amenity it is necessary to consider whether the proposal will provide an acceptable standard of amenity for future occupiers of the proposed dwellings; and to consider the effect on existing neighbouring occupiers.

Future Occupiers

The layout plan submitted demonstrates that a back to back separation distance of some 20 metres will be provided where rear elevations directly face each other; this will ensure that adequate levels of privacy will be afforded to future occupiers. Where back to back distances are less than 20 metres, such as plots 16-13, 18-20, 150-152 the oblique angle of the rear elevations of the properties, or absence of fenestration in the rear elevation, will ensure that an adequate level of privacy would be provided.

There would be some overlooking and loss of light to plots 32, 33 and 34 due to the cranked layout of the terrace. However, the rooms of the properties that would be affected would also enjoy attractive views over POS from additional windows. There would be overlooking into the garden of plot 116 by the neighbouring first floor apartment; however, it is not considered that this would have a significant adverse effect on the living conditions of future occupiers; and the design of the proposed development has been amended in other areas, such as improving the relationship between plots 131 and 123.

Impact from Railway Line

A railway line extends to the west of the application site at a distance of approximately 210 metres from the western boundary of the application site. Given the level of separation, it is not considered that the residential amenity of future occupiers will be significantly adversely affected in terms of noise. This is view is supported by a Noise Impact Assessment submitted, prepared by Resource and Environmental Consultants Ltd, which states that daytime and night-time noise levels from rail traffic will not exceed target noise levels.

Impact from Approved Sports Facilities

Planning permission has been granted for the construction of 3G rugby and football pitches on existing grass fields immediately to the west of the application site. Although the permission has not been implemented, consideration is required as to potential effect on occupiers. Ball stops are proposed on the eastern ends of the pitches, which will be 8 metres and 4 metres in height. Given the level of separation between the proposed dwellings and the western boundary (approximately 24 metres at the closest point), and

the design of the approved fencing, generally light weight with a high degree of through-visibility, it is not considered that there will be a significant adverse effect on the residential amenity of future occupiers through loss of natural light or outlook.

The Noise Impact Assessment includes an assessment of the impact of noise from rugby training pitches on the proposed development. The report states that a change in ambient noise levels in identified garden areas closest to the western boundary with a direct line of site to the boundary exceeded target noise levels such that a 1.1 metre high acoustic fence was required to mitigate noise from the adjacent rugby use. The Council's Environmental Health Officer subsequently has raised no objections in terms of noise. Amendments have been made to the proposed design such that dwellings have been moved further away from the western boundary, and the only rear garden area that has a direct line of site to the boundary shared with the neighbouring sports site is no.49. Provided that the rear garden of no.49 has a suitable acoustic barrier on the western garden boundary, it is not considered that future occupiers would be significantly adversely affected in terms of noise. This matter can be addressed by a suitably worded condition.

Floodlights

The Lighting Engineer raised concerns regarding the potential for obtrusive light caused by the proposed floodlight associated with the development at Bonnington Walk. However, amendments have been made to the layout of the development to increase the level of separation between the dwellings and the western boundary to a minimum of 25 metres (approx.). Accordingly, given the increased level of separation it is not considered that any effects from the adjacent sports use will have a significant adverse effect on the residential amenity of future occupiers. Weight is given to the fact that floodlighting in the neighbouring sports development is required to be positioned and orientated in a way to reduce spill and nuisance to neighbouring properties.

Impact on Existing Properties

Impact on Properties to the West

The existing dwellings to the west are orientated such that their rear elevation faces towards the proposed development, albeit at an oblique angle, with the rear gardens adjoining the boundary of the application site. There is a separation distance of approximately 15 metres between the rear elevation of the proposed development at the closest point (plot 82), and the rear elevation of the existing dwelling. It is noted that it will result in a relatively close relationship; however, given the oblique angle of the existing and proposed dwellings, it is not considered that any significant adverse privacy issues will be introduced. The location of the existing dwellings west of the application site, combined with the level of separation, is such that there will not be a significant adverse effect in terms of loss of natural light. Weight is given to the fact that the existing properties already share a close relationship with the existing clubhouse building, and the proposal will likely lessen the effect of built form on occupiers.

Impact on Properties to the South

The combination of factors such as orientation and separation distance are such that occupiers of properties to the south of the application site would not be significantly adversely affected by the proposed development. Existing properties are sited such that they splay away from the application boundary and are approximately 26 metres from the proposed development at the closest point. Plots 90 and 91 of the proposed development are three storeys in height; however, given the level of separation to existing properties to the south (over 35 metres), the location of the existing dwellings directly south, and the oblique relationship between the rear elevation of the existing dwellings and the proposed dwellings, it is not considered that occupiers of existing dwellings will be significantly adversely affected through loss of natural light or privacy.

Impact on Properties to the East

The proposed dwellings to the east of the parcel would be close to existing properties which form part of the recently constructed Cheswick Village development (phase 7).

Proposed dwellings to the east of the parcel are all located side-on to the eastern boundary. Dwellings to the northeast (plots 21 and 22) are located closer to existing properties, and there would be a greater impact on neighbouring occupiers in terms of outlook and natural light, especially from the side elevation of plot 21 which directly faces the rear elevation of an existing semi-detached property. However, the impact would be lessened by the separation distance (approximately 12 metres at the closest point), the location of the proposed development west of the existing dwellings, the fact that the proposed dwellings are stepped back from the shared boundary, and the fact that no first floor windows are located in the side elevations of plots 21 and 22.

Plot 110, proposed in the southeast corner of the parcel, is located approximately 7 metres from an existing semi-detached bungalow. Although there would likely be some impact on occupiers through loss of natural light, impacts would be reduced by the oblique relationship of the properties; the fact that windows in the existing property would not directly face the proposed dwelling, and the location of the proposed dwelling to the southwest of the existing property.

Elsewhere proposed dwellings would be located at a sufficient distance from existing residential properties to ensure that existing occupiers would not be significantly adversely affected.

Concerns have been raised regarding the potential for proposed planting to impact on neighbouring occupiers in terms of loss of natural light. However, existing vegetation would either be reduced in height or removed as part of the proposed development. The Local Planning Authority will be able to control any replacement planting to ensure that it is suitable for a residential area.

Noise impacts from construction traffic on residential occupiers can be reduced by controlling the hours of working and hours of deliveries to the site during construction. A condition can be applied with regards to this.

Overall, it is not considered that the proposal would have a significant adverse effect on neighbouring occupiers through loss of natural light, outlook or privacy.

Trees

The most significant tree within the site is a category B Oak tree growing in the southwestern corner. This tree is to be retained in the development and a Tree Protection Plan proposes appropriate measures to ensure the tree is adequately protected through the course of the development. The Council's Tree Officer has raised no objections to the proposal provided the development is carried out in accordance with the arboricultural report submitted. This can be ensured by a suitably worded condition.

Drainage

The Council's Drainage Engineer, Wessex Water and the Environment Agency have raised no objections in principle to the proposed development. Additional drainage details have however, been requested and can be secured by a suitably worded condition to ensure an acceptable means of drainage is provided.

Archaeology

Based on the archaeological desk-based assessment submitted, the Council's Archaeological Officer is satisfied that there are unlikely to be remains of national significance at the site that would preclude development. However, the Archaeological Officer has requested a programme of trial trenching given that archaeological deposits are likely to occur on site as they have shown up on geophysics. A mitigation strategy which may involve further excavation and/or a watching brief is also required. A condition can be attached with regards to this.

Public Rights of Way

At present the Public Right of Way (PROW) LSG29 that extends adjacent to the western boundary within the site is not useable because it has long been obstructed at Landseer Avenue by fencing. An alternative access has been created by the public further east and no action has been taken to re-open the definitive line.

The Council's Public Right of Way Officer initially objected to the proposed development as it would require the route to be diverted onto pavements on estate roads and would not provide a good standard of amenity. A revised layout plan has been submitted, which incorporates the route within POS adjacent to the stream corridor to provide more of a green route. The PROW Officer has raised no objections in principle but has stated that it will be necessary for the PROW to be formally diverted at the north of the parcel to link acceptably to the residential development approved to the north and it is preferable if a single footpath diversion application were submitted to deal with both sites. An informative note can be attached to notify the applicant with regards to this.

Environmental Protection

Air Quality

The air quality assessment undertaken in respect of this application by REC Ltd. considers the relevant pollutants; nitrogen dioxide (NO₂) and fine particulate matter (PM₁₀). The potential impacts on local air quality during the construction and operational phases of the development are adequately considered.

For the operational phase, the significance of the impacts on annual mean NO₂ and PM₁₀ concentrations is predicted to be negligible at the discrete receptor locations assessed. However, there are exceedances of the annual mean NO₂ objective predicted within non-sensitive areas of the local highway network (i.e. where there are no relevant receptors located), although this is the case both without and with the development and the development is not predicted to substantially increase the area of exceedance. The overall significance of the operational phase was determined as negligible.

During the construction phase, measures to mitigate the risk of dust emissions will be required to reduce impacts on nearby sensitive receptors. The best practice measures identified in the assessment in Table 24 should be incorporated into a Construction Environmental Management Plan (CEMP). The CEMP should be approved by the Council prior to the commencement of any works. It is recommended that a condition be added to this effect.

In summary, there is no basis to object to the proposal in respect of air quality subject to the recommended condition for dust mitigation measures.

Contaminated Land

The following ground investigation report has been submitted in respect of this application:

Hydrock Report: Lockleaze Recreation Ground, Landseer Ave, Lockleaze: Desk Study and Ground Investigation Report for Redrow, February 2015. Report Ref R/13456/001.

The approach to the investigation and the conclusions and recommendations made are accepted. The report identifies no significant contamination.

Paragraph 2.4 of the report recommends a Preliminary Risk Assessment for Unexploded Ordnance (UXO). An informative note is considered appropriate to bring this to the attention of the applicant.

Transportation

Currently the site is occupied by 4 rugby pitches, a club house and parking for approximately 100 cars, all accessed via Landseer Avenue which is within the Bristol City Council (BCC) administrative boundary.

Vehicular access for the proposed 152no. properties would be through the existing Cheswick Village development and not via Landseer Avenue, as this could potentially lead to rat-running through the development which would not be permitted.

The proposal, once completed, would therefore represent a reduction of vehicle movements within the Bristol City Council (BCC) administrative area. Concerns have been raised locally in relation to construction traffic, and the routes that would be used for the demolition of the existing clubhouse; and it is noted that BCC have objected to the possibility of the Landseer Avenue being used during the demolition and construction phases. Notwithstanding this, consideration has to be given to the authorised access onto Landseer Avenue that currently exists and the fact that, if the development is permitted, there would not be any vehicles utilising this access point, which in transportation terms would be a net benefit to local residents. Discussions have taken place between BCC and SGC Transportation Officers and the applicant's transportation consultant with regards to the potential for the access at Landseer Avenue to be used by construction staff to enter and exit the site compound only. BCC have stated that the use of the access by staff cars and vans, but not construction traffic, would be acceptable. Given the nature of vehicles that will be using the access, the fact that there would result in a net reduction of vehicular traffic in Landseer Avenue, and subject to a condition to control hours of working during construction, it is not considered that there will be a significant adverse effect in terms of residential amenity or highway safety.

Following concerns raised during the consultation process, it is proposed that all construction traffic enter the site through the Combination Club land, utilising the new access formed to serve the approved residential development, off Long Down Avenue. This is considered to be more acceptable as it will result in less disruption to existing residents within Cheswick Village.

The Highway Authority has raised no objections to the proposal subject to a Construction Traffic Management Plan (CTMP) to be submitted by way of an appropriately worded condition due to the sensitive nature of the site. Within the CTMP details of wheel washing, compound location, contractor parking, phasing of development, access and egress proposals, vehicle routing, delivery hours (to restrict deliveries during network peaks) and route signage will be required to be provided to limit the impact on the amenity of existing residential occupiers. The imposition of a condition in respect of the routing of construction vehicles will allow the Local Planning Authority to take appropriate enforcement action if required.

The proposed layout indicates that, when completed, vehicular access would be taken from two points; the recently permitted Bonnington Walk and via Horse Leaze Road. Officers are of the opinion that both would be suitable to serve the additional development from a capacity and safety perspective. Swept path plans have been submitted which demonstrate that refuse vehicles 11.3 metres in length will be able to acceptably manoeuvre within the site. In terms of parking, the proposed provision is in accordance with the Council's Residential Parking Standards SPD (adopted) and is therefore, acceptable and will not result in any significant adverse on-street parking/congestion issues. A condition can be attached to ensure parking is provided prior to the occupation of the dwellings.

A condition is required with regards to details of how access to Lockleaze via Landseer Avenue is to be restricted and controlled for pedestrians and cyclists and implemented prior to first occupation of any dwelling on the proposed development.

The site is located within an urban area where pavements will provide safe pedestrian links to local schools and facilities. No direct link to the former Lockleaze School or Romney Avenue is proposed as part of the scheme.

In conclusion subject to appropriately worded conditions there is no transportation objection.

Open Spaces/Play Provision

Outdoor Sports Facilities

As stated above under “the principle of development”, the proposed replacement provision would be acceptable to meet the needs of the residents of the development and provide acceptable mitigation for the loss of the existing facilities. However, the recommendation of refusal for application PT15/0493/F will result in the loss of the existing facilities without replacement is not acceptable as it would result in an increase in deficit of open space compounded by an increase in population resulting from the new residential development. The proposed development is unacceptable and is contrary to policies 23 and 24 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy LC9 of the South Gloucestershire Local Plan (adopted) January 2006.

Provision for Children and Young People

The policy compliant requirement is 820.50sqm. The amount of provision has been increased to 633sqm but is still less than the minimum policy requirement. The Council’s POS Officer has stated that provision for children and young people must be provided on site so that children have opportunities for play within walking distance from their homes, and an off-site contribution is not an acceptable solution. The shortfall could however, be remedied by providing a play/trim trail through the “Formal Public Open Space”. This matter can be addressed by a suitably worded condition.

The proposed LEAP has been enlarged and rearranged and now includes facilities for younger children, and has been amended to be a dog free zone. Although the separation to residential properties to the north (PT14/2849/F) are located less than the recommended distance, the need for adequate play facilities is considered to justify a reduction in the buffer zone in this instance.

Informal Recreational Open Space, Natural and Semi-Natural Open Space and Attenuation Basin

The minimum policy requirement is for 5,215.5sqm of Natural and Semi-Natural (NSN) Open Space and 4,047.3sqm of Informal Recreational (IR) Open Space. The POS audit identified a sufficient existing quantity of NSN and a shortfall of IR open space.

The Green Infrastructure Plan submitted identifies 1,613sqm of Formal Public Open Space and 1,820sqm of Informal Public Open Space. These categories

do not align with the CS24 categories. The attenuation basin will only hold water above the 1 in 30 year storm event so this will provide POS for informal recreational activity, albeit not for the less able bodied. A shortfall of IR open space would remain (614.3sqm, but given the location of the site in the urban area, a solution for providing off-site IR open space is likely to be difficult.

The attenuation basin now has embankments ranging from 1:6 on the east side to 1:2 on the west side and only receives a flow of water above the 1 in 30 year event. It is proposed to be planted with a mix of grass and scrub and officers consider that the amount of planting at the northern end would restrict views through the open space and could be reduced. A condition can be attached to deal with this issue.

Given the positive contribution the proposal would bring to the Council's 5 year land supply, it is considered that there are material considerations that outweigh the policy requirements in relation to informal recreational POS in this instance.

Allotments

There is a deficit of allotments locally, but given the absence of an off-site solution to providing a 695sqm allotment site, it is considered that the benefits of the scheme outweigh the policy requirements in this instance.

An obligation within a legal agreement is necessary to ensure that the quantum of the children's play area proposed is delivered and remains publically accessible; and for the in-perpetuity management arrangements for the operation, management and maintenance of all public open spaces and surface water infrastructure.

Affordable Housing

The revised plans submitted have addressed a number of concerns that were previously raised by housing enabling e.g. lack of wheelchair accommodation, clustering, affordable house types, size etc. The affordable Housing Officer has questioned the layout of the garden areas in relation to wheelchair plots 36-41 as the walkway between the two gardens is narrow and the fencing could be overbearing. It is however, considered that this matter could be addressed by way of a suitably worded condition.

Subject to securing all noted obligations through a S106 agreement, and a condition in relation to garden areas of plots 36-41 the Council's Affordable Housing Officer has raised no objections in principle to the proposed scheme.

Education

At primary level there is a projected deficit of places in the local area. The Department for Children, Adults & Health has identified that a contribution of £493,382 is required for additional primary school provision based on the original proposal of 149 dwellings. A revised calculation based on the proposed 152no. dwellings has been requested but has not yet been received.

There is a projected surplus capacity at secondary schools within the area of the proposed development; therefore, there is no request for a contribution towards secondary school places.

Notwithstanding the above, the Council adopted a CIL on 1st August 2015 and the Regulation 123 list, which identifies which infrastructure projects that are intended to be funded by CIL to mitigate impacts of development, includes primary and secondary schools. Accordingly, the funding to mitigate the impact of the proposed development on local primary and secondary schools would be secured via CIL rather than S106 agreement.

Library Contribution

A contribution of £17,216.80 has been identified as being required for Filton Library to mitigate the impact of additional pressure that additional residents will place on the local library service based on the original proposal of 149 dwellings. A revised calculation based on the proposed 152no. dwellings has been requested but has not yet been received.

Notwithstanding this, the Council adopted a CIL on 1st August 2015 and the Regulation 123 list, which identifies which infrastructure projects that are intended to be funded by CIL to mitigate impacts of development, includes libraries. Accordingly, the funding to mitigate the impact of the proposed development on library services would be secured via CIL rather than S106 agreement.

Five Year Land Supply Overall Planning Balance

The presumption in favour of sustainable development at paragraph 14 of the NPPF means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

In terms of benefits, the scheme would provide economic and social benefits in assisting in meeting the housing needs in South Gloucestershire, including the provision of affordable housing and jobs and wealth created in the construction sector, through Council Tax receipts and the new homes bonus. Although the proposed development would make a contribution to the five year land supply, the social and economic benefit of the contribution is not considered as significant as the Council has only slightly underachieved by around some 750 dwellings or 4 months supply.

Conversely the proposal would result in the loss of facilities that have been central to the local community, which is already one of the most deprived in England, for a considerable period of time and will result in a deficit of outdoor sports facilities, without suitable replacement provision being provided. This would have significant and demonstrable harm to the health and wellbeing of the local community.

The lack of a five year supply of housing land does not automatically lead to the grant of planning permission. The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development, the three dimensions of which are: social, economic and

environmental. Paragraph 8 of the NPPF states that the roles should not be undertaken in isolation; they are mutually dependent...to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously.

Accordingly, it is considered that the adverse social harm that would arise from the loss of existing facilities without suitable replacement provision would significantly and demonstrably outweigh the benefits; therefore, the proposal is not considered to be sustainable development.

Further Matters

The comment from Avon Fire and Rescue regarding the potential need for additional fire hydrants is noted. The response does not however, specify whether additional hydrants are required to serve the proposed development or whether there is existing suitable provision nearby. Notwithstanding this, it is considered that if a fire hydrant is required to be provided, its provision and subsequent maintenance could be ensured by an appropriately worded condition prior to the commencement of the development.

Land ownership issues and potential damage to property is a civil matter which is beyond the scope of this 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.
- 6.2 The recommendation to refuse permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 Planning permission is REFUSED for the following reasons.

Refusal Reason 1

The proposed development will result in the loss of existing outdoor sports facilities which have been a central part of the local community, which is amongst the 10% most deprived neighbourhoods in England, for over 50 years without suitable replacement provision being provided and would compound an existing deficit of local outdoor sports provision in the area. The proposal fails to provide sufficient mitigation to address the impact of the development and would therefore, have a significant adverse effect on the health and wellbeing of the local community and is contrary to policies CS23, CS24, CS25 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policies LC1 and LC9 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy). These adverse impacts would significantly and demonstrably outweigh the benefits of the scheme.

Refusal Reason 2

The application is not supported by an agreed S106 planning obligation, which requires the provision of affordable housing on site, and in this respect is contrary to policy CS18 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Refusal Reason 3

In the absence of a Section 106 legal agreement to secure contributions towards on site public open space required to serve the proposed development, the proposal fails to provide sufficient mitigation to address the impact of the development and is contrary to policy LC1 of the adopted South Gloucestershire Local Plan and policies CS6, CS23 and CS24 of the adopted South Gloucestershire Core Strategy: Local Plan 2013.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CIRCULATED SCHEDULE NO. 32/15 – 7 AUGUST 2015

App No.:	PT15/0871/F	Applicant:	Mr Jason Grail
Site:	Bradley Stoke Cricket Ground Baileys Court Road Bradley Stoke South Gloucestershire BS32 8BH	Date Reg:	11th March 2015
Proposal:	Removal of existing cricket nets and erection of triple lane cricket practice nets facility	Parish:	Bradley Stoke Town Council
Map Ref:	362698 180794	Ward:	Bradley Stoke South
Application Category:	Minor	Target Date:	1st May 2015



© 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. PT15/0871/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from a local resident, the concerns raised being contrary to the Officer Recommendation.

1. THE PROPOSAL

- 1.1 The application relates to Bradley Stoke Cricket Club which forms part of the Baileys Court Activity Centre, located within an entirely residential estate within the Urban Area. The clubhouse is located to the south of the site, next to a bowling green. Vehicular access is from Baileys Court Road into an associated car park located to the east of the Club House. Footpaths traverse the site to the north and west of the cricket pitch providing access to/from Great Meadow Road to the north.
- 1.2 It is proposed to replace the existing cricket practice nets, located to the west of the cricket pitch, with a new state-of-the-art triple lane, all weather net facility.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) March 2012
National Planning Practice Guidance (NPPG) 2014

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

L1 - Landscape Protection and Enhancement
L5 - Open Areas within the Existing Urban Areas
L9 - Species Protection
EP2 - Flood Risk and Development
T12 - Transportation Development Control Policy for New Development
LC3 - Proposals for Sports and Leisure Facilities Within the Existing Urban Area and Defined Settlement Boundaries.

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 - High Quality Design
CS4A - Presumption in favour of Sustainable Development
CS23 - Community infrastructure & Cultural Activity
CS24 - Green Infrastructure, sport and recreation standards.

2.3 Supplementary Planning Guidance

Trees on Development Sites SPD (Adopted) Nov. 2005

Emerging Plan

Proposed Submission : Policies, Sites and Places Plan March 2015

PSP1 - Landscape
PSP5 - Undesignated Open Spaces within Urban Areas and Settlements
PSP8B - Residential Amenity

PSP16 - Parking Standards
PSP20 - Flood Risk

3. RELEVANT PLANNING HISTORY

- 3.1 P89/0020/170 - Erection of Sports pavilion. Construction of new vehicular access and car parking area. Construction of bowling green and cricket square on some 2.2 hectares (5.4 acres) (in accordance with the amended plans received by the Council on the 31st August 1989).
Approved 13 Sept. 1989
- 3.2 PT06/3062/F - Erection of extension to existing clubhouse and associated works.
Approved 30 Nov 2006
- 3.3 PT14/1715/F - Erection of safety cricket net and poles 6.5m high to the highest point.
Approved 29th July 2014
Recently implemented.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No comment

- 4.2 Other Consultees

Police Community Safety Officer
No response

Property Services
No response

Sport England

The proposal is for the removal of existing cricket nets and replacement cricket nets. We have consulted the ECB:

1. The clubs current facility is in a poor state of repair and in the wrong orientation. The proposed facility will address both of these issues.
2. The club have been working with the Glos. CB for some time and the nets have been identified as a priority within the club's development plan. The club require the nets to provide appropriate practice facilities to all its members, both juniors and seniors.
3. The specification has been obtained from an ECB approved supplier so complies with our technical guidance. The location is the best possible location on the tight site. The club will need to manage their square and the short boundary to make sure it has limited impact on cricket matches. There is no better alternative location.

The proposal is ancillary to the playing field and therefore it meets E2:

“The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.”

This being the case, Sport England does not wish to raise an objection to this application.

Fields in Trust

No response

Community Spaces Co-ordinator (Playing Fields)

No response

Lead Local Flood Authority

No comment

Highway Structures

No comment

Transportation D.C.

No objection

Other Representations

4.3 Local Residents

10no. letters/e-mails of support were received. The points made in favour are summarised as follows:

- Will benefit existing players.
- Will encourage new players.
- Will be safer – existing nets have East/West orientation and the run ups are outside the net and therefore liable to build up of mud and water.
- Improved quality with three lanes.
- Fundamental need for such a facility.
- Current nets are noisy and are not secure.
- Less noise due to ball hitting net as opposed to steel frame.
- There are no other outdoor net facilities in Bradley Stoke.
- 3 lanes will support increased youth participation.
- Will promote healthy lifestyles.

The following organisations/individuals have written in support of the proposal and their comments are summarised as follows:

Jack Lopresti M.P.

- The club is progressive.
- The improved net facility will improve the clubs coaching system.

Chief Exec. – Gloucester County Cricket Board

- Will increase opportunity to all ages and abilities most notably boys and girls.
- Will provide high standard of net facilities.

- Support community links with local schools.

Head Teacher Baradley Stoke Community School

- Students would benefit greatly from improved facility.
- Facility would be in close proximity to school.
- Eases congestion felt by staff.
- Improve standard of coaching.
- Would underpin participation in the game.

Chair of Bristol Youth Cricket League

- Would support good quality coaching at youth level.
- The existing nets are no longer fit for purpose.
- Will benefit the club and wider community.

Chair of Bristol and District Cricket Association

- Good practice facilities are crucial for the club to progress.
- Will enable quality coaching.
- The club serves a community focus.
- The club has achieved Senior Division status.

Jack Russell MBE (former England and Gloucestershire Cricketer)

- It is important for all ages to have good facilities.
- Bradley Stoke CC is a progressive club that is heavily involved in youth cricket.
- The ECB approved nets will be state of the art.
- Will increase opportunity for involvement in the game.

1no letter of objection was received from the occupier of no. 30 Great Meadow Road. The concerns raised are summarised as follows:

- The nets will be adjacent to no.30 within 8m from the garden wall.
- Increased noise due to proximity and increase in practice lanes from 2 to 3.
- No need to enlarge the nets.
- Nets should be sited in alternative position away from no.30.
- Cricket balls have landed in the garden of no.30 and also damaged the extension roof.

A pre-planning community engagement session was held on the 29th Jan 2015. The results of which are generally in favour of the proposal.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The South Gloucestershire Local Plan: Core Strategy was adopted by the council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning

decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2012 (NPPF). The “saved” policies of the South Gloucestershire Local Plan (adopted 2006) also form part of the extant Development Plan.

- 5.3 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only very limited weight can currently be given to the policies therein.
- 5.4 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.5 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe.
- 5.6 Saved Local Plan Policy LC3 states that proposals for the development and improvement of outdoor sports facilities will be permitted, provided that, amongst other things, they would not unacceptably prejudice residential amenities and they would not have unacceptable environmental or transportation effects. Core Strategy Policy CS23 supports the enhancement of sports facilities.

Analysis

- 5.7 The existing 2-lane practice nets are old and being oriented in a generally east west direction, present a risk to batsmen from the rising sun. The proposed new 3-lane nets would be orientated in a north-south direction thus eliminating the sun hazard, and would be located close to the site of the existing nets, between the boundary of the cricket pitch and the path that runs along the western boundary of the site. The position of the nets accords with English Cricket Board (ECB) requirements.
- 5.8 The total area taken up by the proposed nets measures 32.1m long x 13.58m wide with the nets enclosed within a steel security fence 3.00m in height. Netting supported on poles forming a cage measuring 18.3m x 10.98m x 4.00m high would form a cage around the batting area located at the northern end with the open run-ups at the southern end. Once the new net facility is erected, it is proposed to remove the existing old net facility and this can be secured by condition.

Impact on Residential Amenity

- 5.9 The nets would be located in a similar position to those existing but would be larger, having 3 lanes as opposed to the current 2 and would be orientated parallel to the boundary wall of neighbouring no. 30 Great Meadow Road. The occupier of this property has raised a number of objections to the proposal which are summarised at paragraph 4.3 above.

- 5.10 The objector raises concerns about cricket balls being hit into his garden. These balls however emanated from the actual matches being played on the ground as opposed to being from the practice nets. This matter has been addressed by the recent erection of a 6.5m high safety cricket net on poles, located along the boundary of this property. Officers are satisfied that the design of the proposed nets would not in the first instance allow balls to be hit into the garden of no. 30 and even in the unlikely event that a ball escaped the nets in this direction, it would be stopped by the new safety net.
- 5.11 The scale of the proposed nets is not excessive. The nets are not a solid object and being located some 8m from the boundary wall of no.30, would not have an overbearing impact on this property or cast excessive shadow on the garden.
- 5.12 The objector has sited noise as a problem. Whilst it is acknowledged that there would be some degree of noise from bat on ball, this is only to be expected on a cricket ground; this already occurs in the existing nets. Given that the proposed nets contain only one extra lane, this would mean only one extra batsman at any given session, assuming that the nets are used to their full capacity.
- 5.13 An additional source of noise from the existing nets is the sound of the ball hitting the steel frame; this would not occur in the proposed nets as the batting area would literally be enclosed by soft netting. This would compensate for any additional noise generated by the additional lane. Furthermore the noise of the ball on the batting surface is also likely to be less in the new ECB approved nets.
- 5.14 Given the state of the old existing nets, the standard the club now plays in and the success of the club in attracting new players of all ages and abilities including girls, officers are satisfied that there is a demonstrable need for the new nets.
- 5.15 Alternative locations for the nets have been considered, as suggested by the occupant of no.30, but as Sport England have confirmed, there is no better alternative location for the nets, on what is a tight site. If the nets were located at the northern end of the ground, as suggested by the objector, they would encroach on the footpaths that cross this area and would be orientated in the wrong direction.
- 5.16 In terms of times of use, the applicant has confirmed that the nets would only be used during the cricket season which runs from 1st April to 1st Oct. Furthermore the nets are not floodlit and would only be used during sunlit hours between 10.00a.m and 9.00p.m. Monday to Sunday inclusive. As the nets would be enclosed by a metal security fence with a lockable gate, there would be no casual use of the nets.
- 5.17 Given all of the above, officers consider that there would be no significant adverse impact on residential amenity as to justify refusal of the application.

Transportation Issues

- 5.18 The nets are not considered to be a major generator of traffic to the site, being only usable by a limited number of people at any one time. Furthermore they would replace an existing net facility, albeit a slightly smaller one. The site is in a sustainable location and there are no transportation objections to the proposal.

Landscape Issues

- 5.19 The periphery of the site is well landscaped, in particular to the north, west and east. In order to facilitate the location of the proposed nets between the trees the length of the facility has been reduced from 35.6m to 31.6m. The proposal would not encroach upon the branches or roots of the retained trees, which themselves help to assimilate the proposal into the landscape. There are therefore no landscape objections.

5.20 Ecology

The site has no special ecological designations.

Drainage and Environmental Issues

- 5.21 The site is not prone to flooding and neither does it lie within a coal referral area. Surface water would be disposed of to a soak-away and the Council's Drainage Engineer raises no objection. The nets would not be lit, so there would be no issues of light pollution. Whilst there may be some disturbance for local residents during the construction phase, this would be on a temporary basis and could be adequately controlled by a condition.

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 Officers conclude that any increased impact on residential amenity, to result from the proposal, would not be of any great consequence and would be significantly outweighed by the positive contribution to the Cricket Club and wider community that the improved facility would make.
- 6.3 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 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission 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 hours of working on site during the period of construction shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with the requirements of the NPPF.

3. Prior to the first use of the nets hereby approved, the existing nets shall be demolished and removed from the site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with the requirements of the NPPF.

CIRCULATED SCHEDULE NO. 32/15 – 7 AUGUST 2015

App No.:	PT15/1956/RVC	Applicant:	Edenstone Homes Ltd
Site:	The Lime Works Itchington Quarry Itchington Road Tytherington South Gloucestershire BS35 3TQ	Date Reg:	19th May 2015
Proposal:	Variation of conditions 2, 3, 4, 5 and 15 attached to planning permission PT13/4517/RVC to substitute existing approved plans with plans received 14 May 2015	Parish:	Tytherington Parish Council
Map Ref:	365618 187168	Ward:	Ladden Brook
Application Category:	Major	Target Date:	13th August 2015



© 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.** **PT15/1956/RVC**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The report is referred to the Circulated Schedule in view of the comments made by the British Horse Society; and the officer recommendation to approve the application.

1. THE PROPOSAL

- 1.1 The site is made up of the former Itchington Lime Works located off Itchington Road. This application relates to a development approved under PT02/3497/F for the construction of 18 dwellings on this site. The application was considered by the Planning Inspectorate following a referral for consideration by the Secretary of State (P.I. Ref. APP/P0119/V/03/1122916).
- 1.2 A non-material amendment (PT13/3941/NMA) has secured the original plans for the development by way of condition. The condition reads;

The development shall be implemented strictly in accordance with drawing nos. 2062/01C, 2062/12B, 2062/13B, 2062/14B, 2062/15 (Site Location Plan), 2062/05D, 2062/06C, 2062/09, 2062/10C, 2062/11C, 2062/013, 2062/014, 2062/015, 2062/16, 2062/17 and 2062/18
- 1.3 Subsequently, approval was granted PT13/4517/RVC for the variation of PT02/3497/F to substitute to replace the approved site layout plan (2062/01C as listed above) with a revised site layout plan (20609/300) altering the position of plots 1 to 3 of the development.
- 1.4 This proposal seeks to submit revised drawings to vary condition 15 of planning permission PT13/4517/RVC so as to allow amendments to the elevational treatment of the dwellings approved; and to alter the layout of the approved development so as to relocate the parking spaces associated with Plot 1 of the development and adjust the access arrangement onto the site from the existing highway. The application also seeks to remove conditions 2, 3, 4 and 5 as plans referred to in those conditions would be made obsolete by the submission of the revised drawings in relation to condition 15 of the planning permission.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (adopted) December 2013
CS1 High Quality Design
CS5 Location of Development
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS23 Community Infrastructure and Cultural Activity

CS24 Green Infrastructure and Sport and Recreation Standards
CS34 Rural Areas

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement
T12 Transportation Development Control Policy
EP6 Contaminated Land

- 2.3 Supplementary Planning Guidance
Development in the Green Belt (Adopted) SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/3497/F Erection of 18 no. dwellings, alterations to existing access and associated works.

Development Control Committee (West) Resolved to approve the development (27th February 2003). The application was subsequently referred to SoS for consideration

- 3.2 APP/P0119/V/03/1122916 Erection of 18 Dwellings at Limeworks, Itchington, South Gloucestershire.

Approved by Planning Inspectorate subject to condition and s106 legal agreement (21st June 2004). The s106 legal agreement was signed on 25th March 2004 and subsequently varied on 26th May 2010.

This application is considered to have been implemented by virtue of highways works directly associated with the development approved.

- 3.3 PT13/3941/NMA Non material amendment to PT02/3497/F to add a further condition to the permission granted: The development hereby permitted shall be carried out in accordance with drawing nos. 2062/01C, 2062/12B, 2062/13B, 2062/14B, 2062/15 (Site Location Plan), 2062/05D, 2062/06C, 2062/09, 2062/10C, 2062/11C, 2062/013, 2062/014, 2062/015, 2062/16, 2062/17 and 2062/18

Approved (22nd November 2013) and this condition is in effect against PT02/3497/F

- 3.4 Variation of the condition added to application PT02/3497/F by application PT13/3941/NMA to add drawing number 300 in order to amend the position of plots 1 - 3.

Approved 11th April 2014

4. CONSULTATION RESPONSES

- 4.1 Tytherington Parish Council
No comment has been received

- 4.2 Highway Authority
No objection
- 4.3 Drainage Engineer
No comment
- 4.4 Environmental Health Officer
No objection
- 4.5 Public Rights of Way Team
No comment

Other Representations

- 4.6 Local Residents
Two letters have been received from the local community raising concern about the position of the parking space associated with plot one of the development and conflict between users of the bridleway and farming operations associated with the nearby land accessed from the public highway.

5. ANALYSIS OF PROPOSAL

- 5.1 The application relates to a previously approved application (PT02/3497/F) for the construction of 18 dwellings and associated works. The application seeks to vary the condition added to the permission under PT13/3941/NMA. The condition requires that the development proceeds in accordance with the plans. This proposal seeks to replace the approved plans entirely with a revised plans altering the general appearance (but not scale) of the dwellings associated with the approved development; and to make some alterations to the parking arrangements associated with plots 1, 2, 3, 6, 7 and 8 of the approved development.
- 5.2 Principle of Development
The principle of the development of 18 dwellings on this site is established. Officers are also satisfied that the development is 'commenced' for the purposes of the planning permission as material works have commenced on the site. This application can consider only the elevational changes to the dwellings and the reconfiguration of parking and site access. This is considered in detail below.
- 5.3 Green Belt
The principle of the development of this site has been established in the earlier approvals. The proposed alterations to elevations and the access and parking area would not result in any material increase in the volume of the development as a whole and would not materially alter the general appearance and bulk of the development in the Green Belt setting. It is considered that the proposed change would not have any material impact in Green Belt terms; and would not conflict with Green Belt policy.

5.4 Landscape Character and Visual Amenity

The revised layout drawing does not alter the positions of the dwellings as approved. However, there are subtle alterations to generally to the elevational treatment and layout of individual buildings. These alterations do not materially change the scope and character of the development when compared to the extant planning permission. The development will continue to provide stone walling and hedging to boundary treatments with timber gates; and these features are considered to be appropriate within this rural setting. In order to address some of the concerns raised over access and parking from the local community, the parking space has been removed from its original location at plot one and relocated into the parking court to the east of the building. Officers consider that this is a visual improvement (as well as a safety benefit) and is more in keeping with the rural character of the area. Some reconfiguration of the parking court has been introduced to accommodate this, which in turn will facilitate the introduction of 7 new trees around the parking court and will act to improve the rural character of the development; and will also offset the removal of trees as part of the original extant planning permission. It is noted that the applicant has carried out a tree survey recently and that this survey identifies that the oak tree position due East of the access onto the site is unsafe due to disease. This will be removed as part of the development, however the tree is in poor condition and as such its removal is preferable in the interest of safety of the public right of way. The access to the site (the access road) has been reconfigured to change the priority of the access into the site. However, it is not considered that this would materially alter the visual character of the development; and would not undermine the rural character of the surrounding area.

5.5 It is considered that the changes would not act to significantly alter the appearance of the development when compared to the original approval; and would not undermine the rural character of the surrounding locality. It is not considered that the change would have any material impact in respect of the setting of the development within the surrounding landscape. On this basis, it is considered that amendments are acceptable; in landscape character and visual amenity terms.

5.6 Residential Amenity

The relationship of the approved dwellings in respect of surrounding residential dwellings would not materially change and as such the amendments are acceptable in this regard.

5.7 Transportation and Highway Safety

The proposed change does not make any alterations to the layout of the access road within the development. However, the site layout alters the priority of the junction where the access road meet the lane/bridleway. The Highway Officer has indicated that this measure would ensure that vehicular traffic is guided into the development and avoids any confusion and risk of conflict with users of the bridleway beyond the access. This is considered to be a positive improvement in respect of the extant planning consent and acts to address concerns raised by the local community. Similarly, the parking space associated with plot one of the development has been relocated within the site

on the parking court. This has effectively removed the vehicular access from plot one onto the access road. As such, there is a single access onto the site from the lane. This is considered to be a positive improvement over the extant planning permission and acts to address the concern raised by the local community. Notwithstanding the above, the Planning Inspector considered this issue at the public inquiry and imposed a condition requiring a Traffic Management Plan to be submitted in order to address the potential conflict of horses and motor vehicles. Whilst it is considered that the highway safety matters have been considered at the public inquiry and cannot be re-addressed at this stage, it is considered that the proposed change does offer an improved arrangement without materially altering the scope of the extant consent.

5.8 On this basis it is considered that the proposed amendments are acceptable in highway safety terms.

5.9 Planning Obligations and Conditions

The original approval is subject to a s106 legal agreement securing Affordable Housing, Education, Open Space and Highway Improvements (off site). The proposed alteration of the condition to allow plots 1 to 3 to be adjusted does not alter the scope of the planning consent as it relates solely to the amendment of the condition; this reason, it is not considered that any variation of the s106 is required. On this basis, it is considered that the proposed alteration of plots 1 to 3 (as controlled by the condition) will undermine the s106 legal agreement and the planning obligations will not be affected in the event of approval.

5.10 All planning conditions attached to the original planning permission (PT02/3497/F) have been discharged. Any consent should be conditioned such that the development proceeds in accordance with the agreed details. Conditions 2, 4 and 5 can be removed as the details have been superseded by the revised layout drawing. Condition 3 is amended to account for revised tree protection requirements and arboricultural assessment. Condition 1 is revised so that further landscaping details are submitted to account for the changes to the layout of the development and the submission of additional tree planting proposals.

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.

7. RECOMMENDATION

7.1 That the planning condition (as secured under PT13/3941/NMA) is varied.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

1. Within three months of the date of this planning permission, a landscaping plan shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the landscaping plan shall include details (species and standard) of all new trees to be planted on the development hereby approved. The landscaping shall be carried out in accordance with the agreed details during the first planting season following the completion of the development. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years from the first occupation of any of the dwellings or the completion of the development, whichever is the sooner, shall be replaced in the next planting season with others of similar size and species.

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The development hereby approved shall proceed strictly in accordance with the Tree Protection Measures as identified in the Tree Survey (prepared by Treescene Arboricultural Consultants and Contractors dated 15th July 2015) and received by the Council on 5th August 2015.

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. All finished floor levels shall be provided in accordance with the agreed details as shown on drawing number 20609/300 as received by the Council on 4th December 2013.

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. All Foul, Surface and Ground Water drainage shall be provided in accordance with the agreed details as shown on drawing number 1001023/A/002/F and 100123/A/019/B

as approved on 18th March 2009 by the Local Planning Authority on under condition 12 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916).

Reason

To ensure the satisfactory drainage of the site and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

5. Development shall be implemented strictly in accordance with the Ground Investigation Report (750087/R/1A May 2006) by Mouchel Parkman as approved on 18th March 2009 by the Local Planning Authority on under condition 10 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916).

Reason

In the interests of the health and safety of the occupants of the development; and to prevent pollution and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

6. Development shall be implemented strictly in accordance with the Waste Management Audit by Mouchel Parkman as approved on 18th March 2009 by the Local Planning Authority on under condition 11 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916).

Reason

To ensure that waste arising from the development is disposed of in a responsible manner and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

7. Prior to the first occupation of the development the means of access, on-site turning facilities and all off street parking facilities shall be provided in accordance with the approved drawings. Thereafter the development shall be retained as such.

Reason

In the interests of highway safety and amenity and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) January 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

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

In the interests of the character and visual amenity of the development and the surrounding locality; and in the interests of maintaining the openness of the Green Belt and the purpose of including land within it; and to accord with Policy CS1 and CS5 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification), the garages and car ports hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles and ancillary domestic storage without the prior written consent of the Local Planning Authority.

Reason

To ensure that adequate parking for private motor vehicles is retained on the site and in the interests of highway safety and amenity and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) January 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

10. The hours of working on site during the period of construction shall be restricted to 0800 until 1800; 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.

in the interests of the privacy and residential amenity of the occupants of nearby dwellings.

11. Development shall be implemented strictly in accordance with the Traffic Management Plan (Rev A dated 1st August 2013) as approved on 22nd August 2013 by the Local Planning Authority under condition 19 of planning permission PT02/3497/F (PiNS Ref APP/P0119/V/03/1122916).

Reason

In the interests of highway safety and amenity and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) January 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

12. The development shall be implemented strictly in accordance with the following drawings;

20609/300 (as received by the Council on 4th December 2013),

1494/P/BL01/01 rev B

1494/P/BL01/02 rev D

1494/P/BL02/01 rev B

1494/P/BL02/02 rev B

1494/P/BL02/03 rev D

1494/P/BL02/04 rev C

1494/P/BL03/01 rev B

1494/P/BL03/02 rev D

1494/P/BL04/01 rev B

1494/P/BL04/02 rev D

1494/P/BL05/01 rev B

1494/P/BL05/02 rev D

1494/P/BL06/01 rev B

1494/P/BL06/02 rev D
1494/P/BL07/01 rev D
1494/P/BL07/02 rev E
1494/P/BL08/01 rev B
1494/P/BL08/02 rev D
1494/P/BL09/01 rev B
1494/P/BL09/02 rev D
1494/P/BL10/01 rev C
1494/P/BL10/02 rev D
1494/P/GAR rev D
2062/610.01 rev A
2062/610.02 rev A
2062/15 (Site Location Plan)

as received by the Council on 7th May 2015.

1494/TP-01 rev B

as received by the Council on 31st July 2015

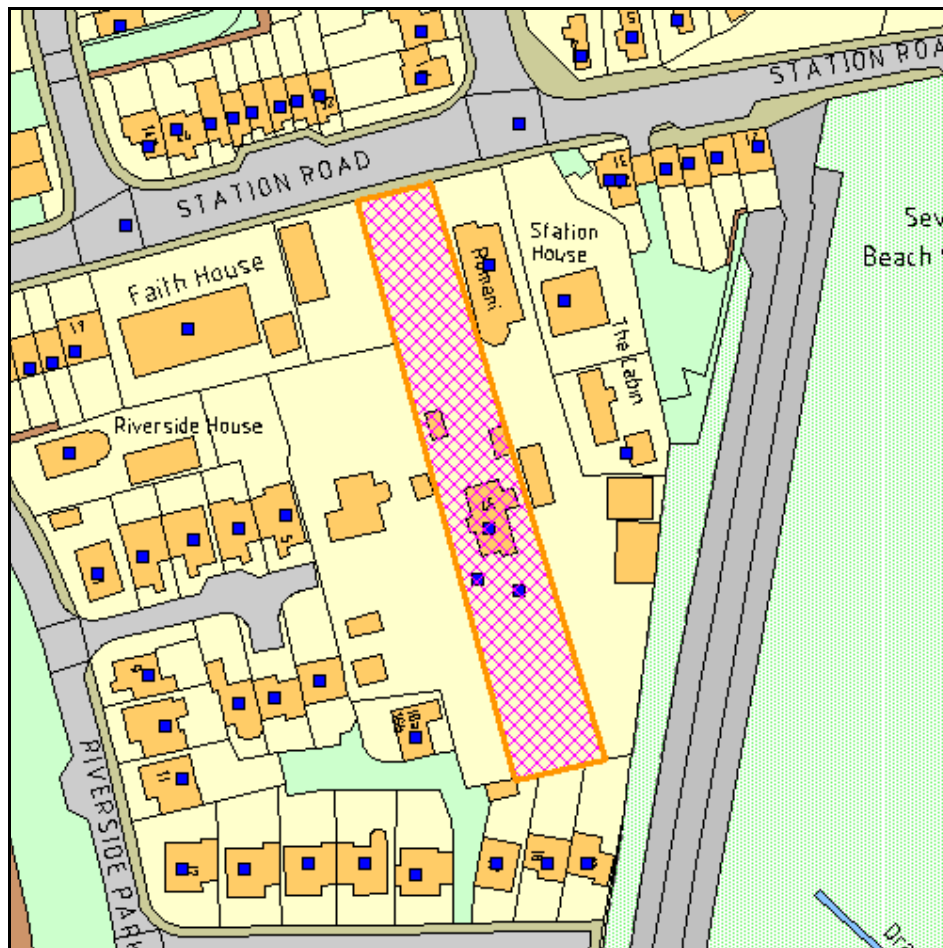
Tree Survey by Treescene Arboricultural Consultants and Contrators (dated 15th July 2015) as received by the Council on 5th August 2015

Reason

In the interests of the character and visual amenity of the development and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006; and for the avoidance of doubt.

CIRCULATED SCHEDULE NO. 3215 – 7 AUGUST 2015

App No.:	PT15/2436/F	Applicant:	Mr & Mrs Calvert
Site:	Pleasure Gardens 37 Station Road Severn Beach Bristol South Gloucestershire BS35 4PL	Date Reg:	10th June 2015
Proposal:	Demolition of existing buildings. Erection of 1 no detached dwelling and garage and associated works.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	353984 184719	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	4th August 2015



© 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. PT15/2436/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been submitted to the Council's Circulated Schedule procedure following comments from the Parish Council which are contrary to the Officer's recommendation detailed in this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of the existing buildings and static caravan, and the erection of 1 no. detached dwelling and garage with associated works on Station Road in Severn Beach.
- 1.2 The static caravan on site was declared lawful in February 2015 through Certificate of Lawfulness application reference PT14/5035/CLE, which stated that it had been a permanent residential dwelling for not less than four years.
- 1.3 The application site is within the established settlement boundary of Severn Beach, and is situated within Flood Zone 3a.
- 1.4 The temporary siting of a caravan during construction is also applied for, but this is permitted development and therefore will not be assessed within this report.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

H4 Development within Existing Residential Curtilages
T7 Cycle Parking
T12 Transportation
EP2 Flooding

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Residential Parking Standard (Adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT14/5035/CLE Approve with conditions 11/02/2015
Application for a certificate of lawfulness for the existing use of single static mobile home as a permanent single residential dwelling.
- 3.2 PT00/0568/RTC Approve with conditions 25/01/2001
Use of land for the stationing of one residential caravan. - Renewal of Temporary Consent.

4. **CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council
Objection – the size of the replacement building is far too big and dominating compared to the much smaller building that is currently on the site. Should a replacement be allowed then the existing building must be removed on completion.
- 4.2 Other Consultees
- Sustainable Transport
No objection.
- Tree Officer
No objection subject to Tree Protection Plan showing location of protective fencing being conditioned in the event of an approval.
- Environment Agency
Standing advice applies.
- Lead Local Flood Authority
Flood mitigation measures have been provided and approved, providing an emergency flood plan is submitted and agreed we have no objection.
- Highway Structures
No comment received.

Other Representations

- 4.3 Local Residents
None received.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
The National Planning Policy Framework carries a presumption in favour of sustainable development and speaks of the need to 'boost significantly the supply of housing' (paragraph 47) and to deliver a wide choice of high quality homes and widen opportunities for home ownership and create sustainable, inclusive and mixed communities (paragraph 50). Further, it advises that

'Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay'. These considerations should be attributed significant weight in the assessment of this application.

- 5.2 Notwithstanding the above, the National Planning Policy Framework also advises that *'Local Plans should take account of climate change over the longer term, including factors such as flood risk... New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change... Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk...'* (Paragraphs 99 and 100.)
- 5.3 Flood Risk
The application site falls within Flood Zone 3a, which is identified as being at a high risk of flooding. Moreover, a dwelling is identified as a 'highly vulnerable' form of development as detailed within the National Planning Practice Guidance.
- 5.4 As set out by the National Planning Policy Framework, (para. 100) inappropriate development in areas at risk of flooding should be avoided. As such, where a proposal for residential development in an area of high flood risk is considered, it is necessary to firstly satisfy the requirements of the 'sequential test'. As set out in the National Planning Policy Framework, the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. 'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding' (para 101, NPPF).
- 5.5 A Sequential Test has been received. It cites that for the purposes of the test, it should respect the same settlement boundary as Severn Beach, as identified within the adopted proposals map of the South Gloucestershire Local Plan. It states *'The whole of the settlement area of Severn Beach is classed as being Flood Zone 3. With no 'reasonable' alternative sites or areas available in Zones with lower flood risks with the Severn Beach Settlement area being identified, this confirms that there is no sequentially alternative to the re-use of the proposed applicant's plot in Station Road.'* Officers' would not usually concur with this view given the need to steer development away from sites at risk of flooding and with the availability of sites within flood zone 1 within South Gloucestershire, however as the proposal is to replace one existing residential unit with another, and all of the site is within Flood Zone 3, it is deemed that the development cannot be moved to an area with the lowest flood risk. Whilst the replacement house is considerably larger than the existing static caravan, in terms of flood risk there is no intensification of the site.
- 5.6 The submitted application addresses the Exception Test given that this must also be passed. 'For the Exception Test to be passed:
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and

- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted' (para 102 NPPF).

- 5.7 The applicant's case in respect of the first issue refers to the fact that the replacement dwelling offers an improvement on the current situation, whereby the occupiers are vulnerable in a single storey residence, currently classed as 'very vulnerable.' Officer's accept that the refuge area in the first floor accommodation provided is a significant improvement on the extant situation, whereby the nearest flood free refuge point for the existing occupants is 500m from the site. As the development will increase the amount of flood proofed properties within Severn Beach, it is considered that this part of the exception test is met.
- 5.8 To address the second part, a Site Specific Flood Risk Assessment (SSFRA) has been submitted by the applicant. The standing advice provided by the Environment Agency outlines matters to be addressed within the Flood Risk Assessment (FRA) including floor levels above ordnance datum, flood emergency plans, safe access and egress routes, actions for occupiers in the event of a flood, and details of flood proofing/ resilience. For 'more vulnerable' development, the usual requirement for finished floor levels is that they must be raised by a minimum of 300mm about the Avonmouth/Severnside Strategic Flood Risk Assessment (SFRA) Level 2 (March 2011) future scenario depth for 2110. The exception to this is replacement dwellings, such as this proposal, where the finished floor levels must be raised as close as possible to future scenario depth but no lower than 300mm above the present day scenario depth, as details in figure 7.2a of the SFRA Level 2. This would require a minimum finished floor level of 6.8 metres above ordnance datum. The Addendum to the Flood Risk Assessment received on 10th July 2015 states that finished floor levels will be 7.5 metres AOD and this will be conditioned on the decision notice.
- 5.9 The Addendum to the Flood Risk Assessment (received on 10th July 2015) includes confirmation that the site is covered by the 'Flood Warnings Direct' service provided by the Environment Agency, which the applicant will sign up to. The statement also advises that the occupants of the dwelling will be advised to prepare an evacuation plan with prior arrangements to evacuate the premises upon receipt of a flood warning. In the event that the occupants cannot get out of the property, there is adequate space for comfortable living for an extended period of time at first floor level.
- 5.10 The Flood Risk Assessment provides details on how the building would be flood proofed using techniques such as high level water, electrical and gas metres and distribution, a high level heating boiler, and sealed PVC external framed doors. Resilient materials have been chosen and walls up the ground floor window cill level will be constructed in engineering brick in class 1 or 2 mortar.

- 5.11 It is considered overall that whilst confirmation of safe exit from first floor level is still not identified, the revised FRA does nevertheless now identify appropriate action which would secure the safety of the occupiers of the holiday lets in the event of a flood. The full and detailed flood emergency plan which would be given to occupiers of the property has not yet been provided and as such it is recommended that this is submitted to the Council for approval prior to the commencement of development with the use of the building thereafter being in accordance with that plan.
- 5.12 In conclusion to the above, it is considered that the Flood Risk Assessment received on 4th June 2015 and the Addendum to the Flood Risk Assessment received on 10th July 2015 satisfactorily addresses the risk of flood to the building, subject to conditions.
- 5.13 Design
The general locality is characterised by a variety of building styles and scales. To the east is a bungalow known as Romani with multiple gables, finished in render and reconstructed stone quoins, and further east is a prominent two storey property with a hipped roof, set further back into the plot. To the west is a single storey unit which is currently occupied as a café, and on the opposite side of the highway to the north is a two storey terrace of brick properties. Closer to the estuary along Station Road, three storey properties can be seen, and there is a two storey housing estate to the south-west. The comment from the Parish Council stating that the property is too large is noted, however whilst it is considerably larger than the adjacent bungalow, there is a variety of housing stock in the area and, given the size of the plot, it is well suited to the scale of the site. Furthermore, it is to be set so far back into the plot that, when viewed from the highway, the proposed building will not appear prominent. Whilst the property does offer first floor accommodation, most of this is facilitated by dormer windows, and the height to the eaves is only 3.9 metres.
- 5.14 Given the variety of housing stock in the vicinity, the developer has some flexibility with regards to design. A gable roofline with a steep pitch has been proposed, with pitched roof dormer windows, a brick chimney, and a canopy over the front doorway. A single storey element has been proposed to the front, with a tiled hipped roof. The finish for the walls has been specified as red brick, however it is considered that stock red brick would not be appropriate at this location, and a condition on the decision notice will require that materials are agreed prior to commencement with the Local Planning Authority, including submitted samples of brick and a roof tile. The proposed garage is a simple design with a pitched roof. Overall the development is considered acceptable in terms of policy CS1 of the Core Strategy.
- 5.15 Residential Amenity
The footprint of the replacement dwelling is slightly larger and does reduce the amount of private amenity space, however the plot is large and it is considered that adequate space will remain for present and future occupiers of the site. No first floor windows, other than those serving a dressing room and an en-suite which can reasonably be expected to be obscure glazed, have been proposed on the side elevations of the property. The window serving 'Sophie's room' at

first floor level will provide some indirect views into the garden of Romani, but given the size of both plots and the distance between them at an angle, it is unlikely that there will be indivisibility to the point that it would be harmful to the residential amenity of either property. Due to the orientation of the site, it is likely that the majority of overshadowing would fall to the front of the proposed dwelling. The development is considered to meet the requirements of policy H4 of the Local Plan.

5.16 Transport

The Transport officer has no objection to the proposal. The five bedroom property proposed (six bedrooms if you include the study) requires three off street parking spaces, and these can easily be accommodated on the existing driveway which is to be retained.

5.17 Vegetation

The site has many immediately to the south of the existing and proposed dwelling. The trees are of moderate quality but small in stature and currently have negligible impact on the visual amenity of the area, however they have good future potential. The trees are to be retained, but in order to ensure the impact from development is low, a tree protection plan will be conditioned.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. Prior to the commencement of development, a Tree Protection Plan showing the location of protective fencing for all trees to be retained shall be submitted to the Local Planning Authority for written approval. The plan shall be to BS5837 standards.

Reason

To ensure that the trees are protected during development to accord with policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS9 of the Core Strategy (Adopted) December 2013. This information is required prior to commencement to prevent damage to trees in the early stages of development.

3. Prior to the first use or occupation of the dwelling hereby approved, a detailed flood emergency procedure plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be made available occupiers of the development at all times.

Reason

To ensure the safety of the occupiers and to accord with policy CS5 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013, saved policy EP2 of the South Gloucestershire Local Plan (Adopted) 2006, and the provisions of the National Planning Policy Framework.

4. Prior to the commencement of development details of the external facing materials including samples of the brickwork and roof tiles proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013. This information is required prior to commencement of development as it is integral to the works.

5. Finished floor levels of the development hereby approved shall be set no lower than 7.5 metres Above Ordnance Datum unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the proposed dwelling from flood risk for the lifetime of the development and to accord with saved policy EP2 of the South Gloucestershire Local Plan (Adopted) 2006, and the provisions of the National Planning Policy Framework.

6. Development shall be carried out in accordance with the resilient design measures outlined within the Flood Risk Assessment (received 4th June 2015) and the Addendum to the Flood Risk Assessment (received 10th July 2015).

Reason

To ensure the safety of the occupiers and in the interests of flood prevention, to accord with policy CS5 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013, saved policy EP2 of the South Gloucestershire Local Plan (Adopted) 2006, and the provisions of the National Planning Policy Framework.

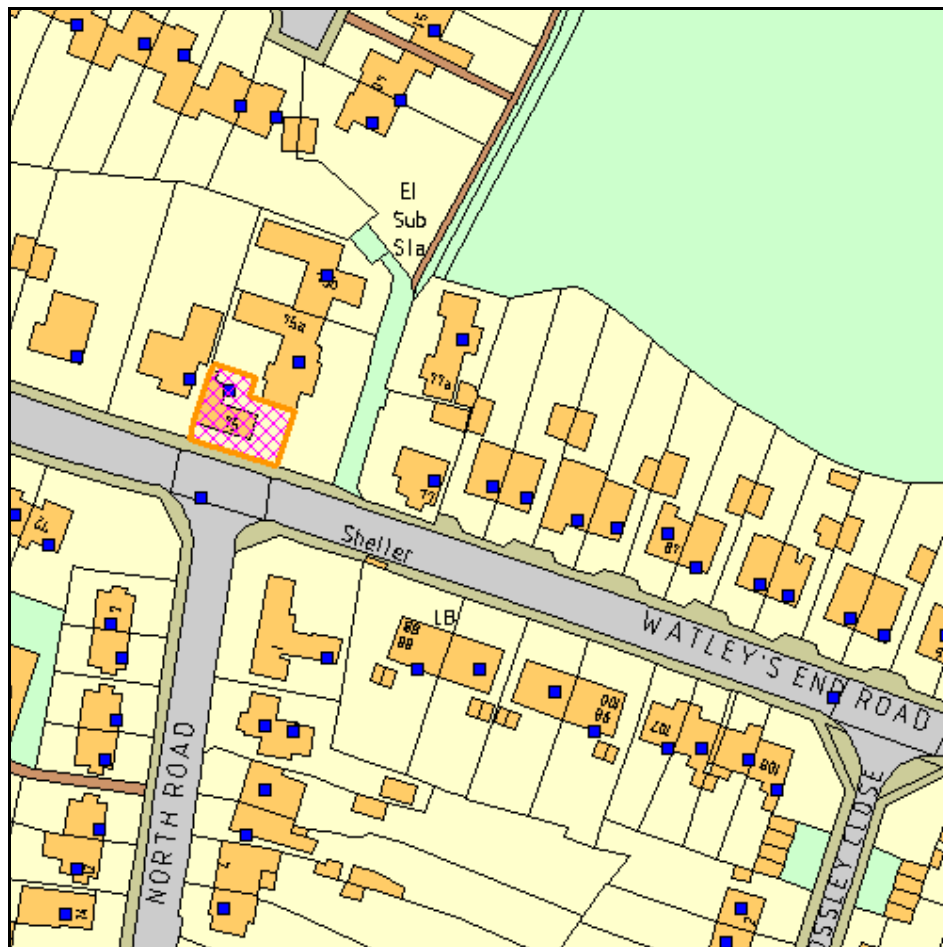
7. Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the proposed first floor windows on the east elevation serving the 'Dressing Room' and the 'En-suite Bathroom' shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

In the interests of privacy and to accord with policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 32/15 – 7 AUGUST 2015

App No.:	PT15/2731/F	Applicant:	Mr And Mrs M Parsons
Site:	75 Watleys End Road Winterbourne Bristol South Gloucestershire BS36 1PN	Date Reg:	29th June 2015
Proposal:	Erection of two storey side extension to form integral garage and additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	365536 181315	Ward:	Winterbourne
Application Category:	Householder	Target Date:	19th August 2015



© 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. PT15/2731/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following a comment from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two-storey side extension. The application site relates to a two-storey detached property situated within the established settlement of Winterbourne. The proposal would increase the number of bedrooms to 4no.
- 1.2 During the course of the application revised plans were received to set the extension back from the front building line and lower the ridge height. These alterations did not change the overall principle of the scheme and as such the revisions were not put out for re-consultation.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Environmental Resources and Built Heritage

South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies

H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12	Transportation Development Control

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT01/3179/F Erection of new building to form two semi detached bungalows with garages and garage for existing dwelling.
Approved 24.12.01

4. **CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council

No objection.

Request a condition regarding two off-street parking spaces for the site at all times

4.2 Other Consultees

Lead Local Flood Authority

No comment

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident and the points made are summarised as:

- Impact on traffic flow and safety at the junction at peak usage times

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all other material considerations. Of particular importance is the overall design of the extension and its impact on the host property and character of the area in general; the impact on the residential amenity of existing and future occupiers and that of closest neighbours; and the impact on parking and highway safety.

It is considered that the proposal accords with the principle of development and this is discussed in more detail below.

Design and Visual Amenity

5.2 The application site is a stone faced double fronted dwelling with yellow brick detailing. The older property sits within an area of mixed housing comprising more modern two-storey dwellings along with single storey properties. The existing dwelling benefits from a flat-roofed two-storey rear extension. A particular feature of the immediate area is the low stone wall to the front boundary. It is noted that the proposal would use natural stone with the yellow brick detailing for the extension and this is considered appropriate.

5.3 The proposed two-storey side extension would be to the east elevation. It would measure approximately 3.3 metres wide, 4.5 metres in length, have eaves to 5.3 metres and an overall height of 7.5 metres. The proposal has adopted good design principles by being set back from the existing front building line and set down from the existing ridge line. The design, scale and massing of the proposal is considered acceptable.

Residential Amenity

5.4 The application site is situated on Watleys End Road but faces directly down Park Avenue. It is therefore considered that there would be no direct inter-

visibility or overlooking for properties directly opposite over and above the existing situation. The property has a modest rear garden, a small front garden and a gravelled area to the side where the proposed extension would be located. This gravelled area is bound to the north by the side elevation of a garage attached to No. 75a, and to the east by high fencing separating the application site from the entrance road leading to 75a and 75b. Again given the distance between the application site and the closest property to the east and there being no openings proposed in the east elevation, there would be no adverse impact on the residential amenity for No. 77 Watleys End Road. Although small, sufficient amenity space would remain to serve the property.

Sustainable Transport

- 5.5 The proposed side extension would utilise some of the area currently used for off-street parking. Plans indicate that the extension would incorporate a garage at ground floor but having an internal measurement of 4.1 metres in length and an opening of 2.1 metres, the garage does not comply with current adopted parking standards and cannot therefore be counted as a parking space. For a dwelling of this size two off-street parking spaces must be provided. These are shown as being located in a tandem pattern to the side of the proposed extension and would measure 2.4 metres by 4.8 metres each, thus complying with parking standards. A condition will be attached to the decision notice to ensure these parking spaces are supplied and retained for the use of the property.
- 5.6 Comments have been received expressing concern over the loss of the existing outside parking area given the applicant has a number of vehicles both domestic and those associated with their business, which it is stated can be quite large, and in particular given the position of the site directly opposite a road junction. The comments express concern regarding highway safety for pedestrians and road users. Officers acknowledge the proposal could create changes to the existing situation but at the same time note that two off street parking spaces would be provided along with the storage area within the proposed garage. The application for a two-storey side extension has been assessed using the correct policies and procedure and has been found to comply with current planning policies. Any problems caused by inconsiderate parking or the need for excessive manoeuvring of large vehicles do not fall under the remit of a planning application and must be referred to other appropriate authorities.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan Proposed Ground Floor Plan - drawing 0694/4A hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the SPD: Residential Parking (Adopted) 2013.