



**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. 11/15

Date to Members: 13/03/15

Member's Deadline: 19/03/15 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of 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.

No Publication of Circulated Schedule Friday 20 March

Please be advised that due to a major planned upgrade our database will be unavailable from 17 – 20 March therefore there will be no Circulated Schedule No:12/15 published on Friday 20 March.

Dates and Deadlines for Circulated Schedule During Easter Bank Holiday 2015

Schedule Number	Date to Members 9am on	Members Deadline
13/15	Friday 27 March 2015	Thursday 02 April 2015 5pm
14/15	Thursday 02 April 2015	Friday 10 April 2015 4.30pm
15/15	Friday 10 April 2015	Thursday 16 April 2015 5pm

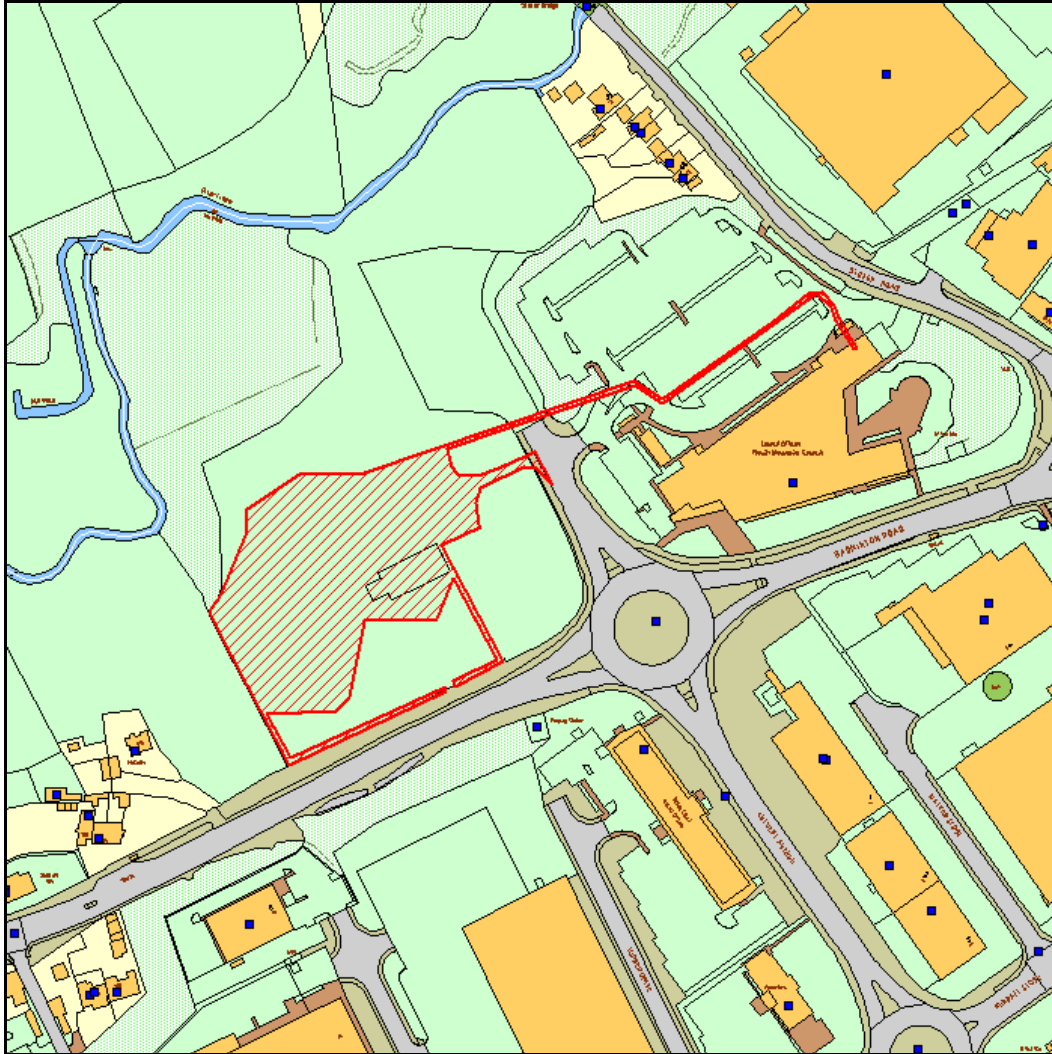
For clarity I have highlighted changed deadlines in **RED**.
All other dates remain as usual.

CIRCULATED SCHEDULE - 13 March 2015

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK14/4785/R3F	Deemed Consent	Land Adjoining The Western Edge Of South Gloucestershire Council Offices Badminton Road Yate South Gloucestershire BS37	Westerleigh	Westerleigh Parish Council
2	PK14/4827/F	Refusal	3 Yate Rocks Yate South Gloucestershire BS37 7BT	Yate North	Yate Town
3	PK14/5032/F	Approve with Conditions	Hatherley Cottage Hyde's Lane Cold Ashton South Gloucestershire SN14 8JU	Boyd Valley	Cold Ashton Parish Council
4	PK15/0051/CLP	Approve with Conditions	1A Shellards Road Longwell Green South Gloucestershire	Longwell Green	Oldland Parish Council
5	PK15/0255/F	Approve with Conditions	Greenaways Land At Woodmans Road Chipping Sodbury South Gloucestershire BS37 6DW	Chipping	Sodbury Town Council
6	PK15/0361/F	Approve	11 to 17 Broad Street Staple Hill South Gloucestershire BS16 5LN	Staple Hill	None
7	PK15/0362/F	Refusal	11 Broad Street Staple Hill South Gloucestershire BS16 5LN	Staple Hill	None
8	PT13/4286/F	Approve with Conditions	Hillcrest 22 Down Road Winterbourne Down South Gloucestershire BS36 1BN	Winterbourne	Winterbourne Parish Council
9	PT14/4573/RVC	Approve with Conditions	Hollywood Lane Almondsbury South Gloucestershire BS10 7TW	Almondsbury	Almondsbury Parish Council
10	PT15/0370/CLP	Approve with Conditions	85 Mackie Road Filton South Gloucestershire BS34 7LZ	Filton	Filton Town Council
11	PT15/0381/F	Approve with Conditions	Sarum Haw Lane Olveston South Gloucestershire BS35	Severn	Olveston Parish Council
12	PT15/0447/F	Approve with Conditions	5 Mayville Avenue Filton South Gloucestershire BS34 7AA	Filton	Filton Town Council
13	PT15/0537/F	Approve with Conditions	19 Callicroft Road Patchway South Gloucestershire	Patchway	Patchway Town Council

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.:	PK14/4785/R3F	Applicant:	Mr Richard Ward South Gloucestershire Council
Site:	Land Adjoining The Western Edge Of South Gloucestershire Council Offices Badminton Road Yate South Gloucestershire BS37 5AF	Date Reg:	16th December 2014
Proposal:	Installation of a 287.25kW ground mounted Solar PV Park complete with inverters, security fencing, landscaping, temporary compound and access track, and all ancillary works.	Parish:	Westerleigh Parish Council
Map Ref:	369663 182498	Ward:	Westerleigh
Application Category:	Minor	Target Date:	10th February 2015



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100023410, 2014. **N.T.S.** **PK14/4785/R3F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as –

- the application has been made by South Gloucestershire Council and therefore under the adopted scheme of delegation, it must be referred by the case officer to the Schedule for determination;
- the proposed development represents a departure from green belt policy, but it is not of a scale whereby referral under the Departures Directive 2009 to the Secretary of State would be considered necessary, and therefore under the adopted scheme of delegation, it must be referred by the case officer to the Schedule for determination; and,
- an objection to the proposal have been received and this is contrary to the officer recommendation and therefore under the adopted scheme of delegation, it must be referred by the case officer to the Schedule for determination.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to install a 287.25kW ground mounted solar park. The development includes the installation of photovoltaic panels on supporting frames and inverters, fencing, and landscaping. In addition, temporary consent is sought for a construction compound and access track. The compound and access track, although temporary, must be located within the red edge of this planning application. The solar park will, by means of an underground cable, connect to the electricity grid through the substation located on the ground floor of the Council's Badminton Road offices. The route of the underground cable from the site to the substation is shown within the red edge of the planning application. The solar park would have an operational lifespan of 25 years.
- 1.2 The application site comprises of 0.94 hectares of agricultural land situated adjacent to the A432 Badminton Road to the south and the approach road to the Council offices to the east. A field boundary marks the edge of the site to the west whilst the River Frome and its floodplain are located beyond the application site to the north. At the time of the case officer's site visit, the land was being used for the grazing of horses. The topography of the land is varied, mixed between gentle sloping land, steep areas to the north towards the river, and various steep-sided mounds of earth. A concrete plinth of a former building stands on the site but this is slowly degrading into the landscape. Beyond the site itself, the hamlet of Nibley is situated to the west. Whilst the north of the site is open, to south and west is the urban fringe of Yate with its associated warehouses, offices and other employment uses as well as a small pocket of residential. The effect of this is that the land is not isolated from the urban environment.
- 1.3 In terms of land designations, the site is located outside of any defined settlement as shown on the proposals maps on land designated as part of the Bristol and Bath Green Belt. Nos.369 and 373 Badminton Road, located approximately 80 metres to the east of the application site, are grade II listed buildings.

According to historical records, the site has previously been used as a sewerage works and for landfill and may therefore be contaminated. Land to the north of the application site (but not the site itself) falls within the flood zone of the river. Land to the west of the application site, between the proposed solar farm and the approach road, is safeguarded under policy CS7 as a potential park and ride site.

- 1.4 If permitted, the proposed solar park would have an operational lifespan of 25 years. After this, the park would be decommissioned and the site returned to its existing condition. The projected electrical output of the solar park is estimated to be the equivalent of 23% of the annual average electricity consumption of the Council's Badminton Road offices. If developed, the solar park would result in the offsetting of approximately 143 tonnes of carbon dioxide (when compared against electricity generated through conventional, i.e. fossil fuel, power stations).
- 1.5 Prior to the submission of this planning application, a request (PK14/024/SCR) for a screening opinion under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. The proposal was assessed against the above Regulations and the local planning authority found that the development did not require an environmental impact assessment.
- 1.6 As stated in paragraph 1.3, above, the site lies within the green belt. The applicant has submitted a justification for the proposal as a case for very special circumstances. The summary of this case is as follows –
 - renewable energy generation contributes to national objectives and renewable energy targets;
 - weight should be given to the benefits of new renewable energy developments where the impact of the development, on balance, is not harmful to the openness of the green belt;
 - benefits of the development include:
 - reduction in the carbon footprint of the local authority, improving the sustainability of the body
 - economic gain to the local area
 - contributions to UK embedded energy generation
 - landscape and wildlife enhancement proposals to result in the rehabilitate of a site in a poor condition
 - the proposal does not harm the purposes of the green belt.
- 1.7 In conjunction with the applicant, the agent has undertaken community engagement events in the preparation of the planning application; the details of this have been presented within this planning application. The applicant does not propose to provide a financial community benefit to the local community by means of a legal agreement.

- 1.8 Although many of the solar farm applications that the local planning authority determines which are located within the green belt are automatically referred to the relevant Development Control Committee, the scale of this development is such that an automatic referral is not required. This is because the size of the solar park is not considered to be 'strategic' in nature and therefore does not need to be referred to the Secretary of State following the resolution of the local planning authority to grant planning permission and in accordance with the Council's constitution and scheme of delegation, such applications can be determined through the Circulated Schedule.

2. POLICY CONTEXT

2.1 National Guidance

- i. National Planning Policy Framework, March 2012
- ii. National Planning Policy Guidance
- iii. UK Solar PV Strategy Part 1: Roadmap to a Brighter Future, October 2013
- iv. UK Solar PV Strategy Part 2: Delivering a Brighter Future, April 2014
- v. Overarching National Policy Statement for Energy (EN-1), July 2011
- vi. National Policy Statement for Renewable Energy Infrastructure (EN-3), July 2011

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS2 Green Infrastructure
- CS3 Renewable and Low Carbon Energy Generation
- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS6 Infrastructure and Developer Contributions
- CS7 Strategic Transport Infrastructure
- CS9 Managing the Environment and Heritage
- CS30 Yate and Chipping Sodbury

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- L1 Landscape
- L9 Species Protection
- L11 Archaeology
- L13 Listed Buildings
- L16 Protecting the Best Agricultural Land
- EP2 Flood Risk and Development
- EP6 Contaminated Land
- T12 Transportation

2.3 Supplementary Planning Documents

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Development in the Green Belt (Adopted) June 2007
- (c) Revised Landscape Character Assessment (Adopted) November 2014
- (d) Renewables (Adopted) November 2014

3. **RELEVANT PLANNING HISTORY**

- | | | | |
|-----|--|---------------------------|------------|
| 3.1 | PK14/024/SCR | EIA Not Required | 17/06/2014 |
| | Proposed Solar Park | | |
| 3.2 | PT05/1816/R3F | Deemed Consent | 29/09/2006 |
| | Construction of Park and Ride facility including alterations and improvements to existing access, bus shelter, landscaping and associated works | | |
| 3.3 | P90/2526 | Approval of Full Planning | 15/11/1990 |
| | Erection of daycare centre for handicapped children in connection with use of land as adventure playground for handicapped children and adults. | | |
| 3.4 | P89/2400 | Approval of Full Planning | 24/09/1989 |
| | Erection of day care centre for handicapped children in connection with use of land as adventure playground for handicapped children and adults | | |
| 3.5 | P88/2193 | Approval of Full Planning | 30/08/1988 |
| | Erection of day care centre for handicapped children in connection with use of land as adventure playground for handicapped children and adults. | | |
| 3.6 | P86/2377 | Approval | 22/10/1986 |
| | Use of approximately 4 acres of land as adventure playground for handicapped children and adults. | | |
| 3.7 | N7157 | Approve with Conditions | 05/03/1981 |
| | Use of land for allotments and ancillary recreational purposes. Construction of vehicular access and car parking areas. | | |

4. **CONSULTATION RESPONSES**

Parish and Town Councils

- 4.1 Westerleigh Parish Council
No objection
- 4.2 Iron Acton Parish Council (adjoining parish)
None received
- 4.3 Yate Town Council (adjoining parish)
Subject to the provision of the Park and Ride service, and the inclusion of amendments suggested by Councillor Paul Hulbert, Yate Town Council does not object to this application.

N.B. Cllr Paul Hulbert is not an elected Member of South Gloucestershire Council but sits as a councillor on Doddington Parish Council.

Internal Consultees

- 4.4 Archaeology Officer
No further archaeological works are needed

- 4.5 Conservation Officer
Further planting required on northern boundary
- 4.6 Drainage
No objection subject to condition
- 4.7 Ecology Officer
Request ecological survey work
- 4.8 Environmental Protection
No objection subject to condition
- 4.9 Landscape Officer
No objection subject to condition
- 4.10 Sustainable Transport
No objection
- 4.11 Trading Standards
Weight restrictions operate in the area

Other Representations

- 4.12 Local Residents
Two comments of support, one general comment, and one comment of objection have been received from the general public. A number of comments relate to the proposed park and ride site.

The comments of support (for the solar farm) that have been received raise the following points –

- Support a wise plan to produce power from a suitable site such as this
- Council is taking steps to combat global warming and climate change by reducing emissions from fossil fuels
- Solar Panels are a logical and effective development by the Council

The comment of objection (for the solar farm) raises the following points –

- The solar farm cannot be supported until the Council has satisfactorily demonstrated that it is compatible with the P&R scheme
- There is no other site for the P&R and this should have precedence over the solar farm
- If solar farm is approved, a condition should require the P&R to come forward

Comments received in relation to the park and ride (P&R) raise the following points –

- P&R is a significant community aspiration and sufficient space should be allocated for it
- Solar scheme has reduced size available for P&R

- Capacity of car park on indicated layout would be more like 220 rather than the 236 stated
- Certain spaces shown would be difficult to manoeuvre in and out of
- Provision within the P&R site should be made for the safe route of pedestrians to the bus shelters
- Insufficient space allocated for bike lockers
- Two-way section is not required
- A kiss-and-ride provision should be considered/is essential
- Query the turning space provided for buses
- Space allocated for P&R should be expanded
- The solar panels should be built on stilts above the P&R
- This is the only suitable site in Yate for a P&R

5. **ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for the installation of a solar park at Nibley on the outskirts of Yate.

5.2 Principle of Development

The application site is located within the Bristol and Bath Green Belt. Within the green belt, development is strictly controlled with the purpose of preventing urban sprawl and keeping land permanently open in nature.

5.3 In order to achieve this, development within the green belt is strictly controlled, and development within the green belt is considered inappropriate (and therefore harmful) unless it falls within predefined exception categories or very special circumstances to justify the development can be demonstrated.

5.4 Therefore, to establish whether the development is acceptable in principle or not an assessment against green belt considerations is required.

5.5 *Green Belt Policy*

The proposal, if permitted, would comprise both a change of use of land and installation of structures within the green belt. Both of these will be considered concurrently. Paragraphs 89 and 90 of the NPPF set out what development within the green belt is considered to be an exception against the presumption against development. Paragraph 89 addresses buildings and paragraph 90 other development (i.e. changes of use).

5.6 The change of use of land for the purposes of and installation of renewable energy infrastructure do not fall into the listed exception categories. This is confirmed by paragraph 91 of the NPPF which states:

When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstance if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increase production of energy from renewable sources.

- 5.7 Therefore, the proposed development represents inappropriate development in the green belt and should not be permitted unless it can be demonstrated that there are very special circumstances that clearly outweigh the harm to openness and any other harm. In assessing any case put to the Local Planning Authority for very special circumstances, the case should be assessed against the provisions of paragraph 88 of the NPPF. This paragraph states:

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.

- 5.8 The applicant's case for very special circumstances has been summarised in paragraph 1.6 of this report. Full details of the submitted case are contained within section 3.7 of the Environmental Report dated December 2014 accompanying this application

- 5.9 For very special circumstances to be found sound, they must outweigh the harm the development has by virtue of being inappropriate and any other harm on openness. Paragraph 88 states that substantial weight should be given to harm to the green belt.

5.10 *Harm to Green Belt*

The essential characteristics of the green belt are its openness and permanence. If permitted, this development would result in the installation of arrays of solar panels elevated above the ground, security fencing, equipment associated with the transfer of electricity to the national grid, and transformer buildings. This would be harmful to the green belt by virtue of the nature of the development.

5.11 *Very Special Circumstances*

The applicant's case for very special circumstances first assesses the proposal against the purposes of the green belt and the level of harm that the development would have on openness. The landscape impact assessment has found that the development would not be widely visible and that additional landscape planting could be utilised to reduce views of the site. The conclusion of this is that the development would have little impact on the openness of the green belt in terms of the visual impact

- 5.12 When considered against the purposes of the green belt, the applicant suggests that weight should be given to the temporary and reversible nature of the proposal, the visual and ecological benefit of improving a site currently in poor condition, that the development would not lead to the merging of settlements, and that whilst in the open countryside, the site is located adjacent to the edge of the urban area and therefore does not result in incongruous development in a rural landscape. Weight should also be given to the national agenda of promoting renewable energy generation.

5.13 Very special circumstances should also have regard to local and national policy on renewable energy generation.

5.14 *Renewable Energy Generation*

Policy CS3 sets the Council's approach to applications for the installation of renewable energy generators. Under this policy, proposals for the generation of energy from renewable sources would be supported provided that the installation would not cause significant demonstrable harm to residential amenity either individually or cumulatively. In assessing proposals, the policy dictates that significant weight should be given to the following factors –

1. the wider environmental benefits associated with increased production of energy from renewable sources;
2. proposals that enjoy significant community support and generate an income for community infrastructure purposes by selling heat or electricity to the National Grid;
3. the time limited, non-permanent, nature of some types of installations; and,
4. the need for secure and reliable energy generation capacity, job creation opportunities and local economic benefit

5.15 *Wider Environmental Benefits*

It is widely accepted that renewable energy generation is less harmful to the environment than generating energy from fossil fuels. Renewable energy is high on the national agenda as it provides a means by which the country can reduce its CO₂ emissions. The United Kingdom is committed to the EU Renewable Energy Directive which requires the country to generate 15% of its total energy requirement from renewable sources by 2020. All levels of planning policy encourage the development of renewable energy to help mitigate the effects of climate change, although this should be balanced against other environmental considerations and impacts. South Gloucestershire Council itself has a target of 7.5% of the energy requirement of the district to be generated from renewable sources (South Gloucestershire Climate Change Strategy, April 2013) and the proposed installation would contribute towards meeting this target, and in turn, the national target. A number of policy documents also promote the environmental benefits of renewable energy.

5.16 *UK Solar Strategy and National Policy Statements*

The UK Solar Strategy is comprised of two parts: the 'roadmap' strategic objections in part 1; and, the manner in which this should be implemented in part 2. The roadmap sets four principles which set the Government's approach to solar development. These can be summarised as follows:

- cost effective projects which make an effective contribution to UK carbon emission targets
- deliver carbon reductions to help the country meet its renewable energy targets
- installations should be appropriately sited and proper weight given to the impacts of development

- consideration should be given to the impact on the electricity distribution network and financial incentives.
- 5.17 Part 2 of the strategy confirms that there is a national agenda to improve the amount of energy generated from solar and such statements are material in the determination of this planning application.
- 5.18 Guidance on energy generation from solar is set out in the National Policy Statement EN-1 and EN-3. Whilst mainly aimed at projects of such a scale that they would be determined by the National Infrastructure Planning unit of the Planning Inspectorate, these documents are still material in the consideration of applications on any scale.
- 5.19 Within EN-1, the need for large scale renewable energy projects is identified if the UK is to meet its carbon reduction targets. Whilst the proposed development is not large scale, it would be a source of renewable energy production that would assist in meeting the carbon reduction target by 2020
- 5.20 *National Planning Policy Framework*
At the heart of the NPPF is a presumption in favour of sustainable development. The 'core planning principles' of this document are set out in paragraph 17. The NPPF should be read as a whole by from this list, the following are material in determining the current application:
- Planning should:
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
 - support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
 - contribute to conserving and enhancing the natural environment and reducing pollution
- 5.21 Section 10 of the NPPF sets out how the planning system should respond to the challenges of climate change. Paragraph 93 states that the planning system should be used to reduce greenhouse gas emissions and support the delivery of renewable and low carbon energy and associated infrastructure as it is essential to achieving sustainable development.
- 5.22 When determining planning applications for renewable energy, local planning authorities should recognise that small-scale projects provide a valuable contribution to cutting greenhouse emissions.
- 5.23 *Community Benefit*
Policy CS3 gives weight to the generation of a direct financial benefit to the local community from the sale of generated electricity to the National Grid.

The policy suggests that a percentage of the income generated could be paid to a community trust fund by means of a legal agreement.

- 5.24 It is not proposed as part of this application that the applicant would enter into a legal agreement which generated a direct financial income for the local community. However, this is an application made by the local authority for the purposes of generating electricity for the Council's Badminton Road offices.
- 5.25 By directly generating electricity for use in Council offices, the proposed development does have a benefit for the community. Embedded energy generation reduces the reliance of the local authority on the electricity network and may assist in reducing the running costs of Council buildings. This has implications on a much wider community than that in which the development is located. By reducing running cost and improving the sustainability of the Council, the proposed development has the potential to benefit the whole of the district. It is considered by officers that the potential for the benefits of this development to be districtwide as it directly effects the operations of the local authority should be given a reasonably high level of weight with regard to benefit to the community.
- 5.26 *Time Limited Nature of Development*
Solar energy installations have a limited operational lifespan which is generally limited to 25 years. After this, it is proposed that the installation would be decommissioned and the land return to its previous state. As a result, the development is not considered to be permanent.
- 5.27 A number of conditions will be attached that will secure the removal of the installation after 25 years. The harm of the development is therefore limited to the time period in which it would be operational.
- 5.28 *Energy Generation and Economic Benefit*
The applicant has undertaken a scoping exercise of reasonably available alternative sites. Under this exercise, it was found that the site under consideration here was one of the most feasible to develop when considered against the land availability, the solar profile, connection to the electricity grid (which is proposed to be through the substation in the Council's Badminton Road offices), access, and site sensitivity.
- 5.29 In terms of green belt considerations, weight should be given to the availability of a grid connection point. The proximity of the site to the building it is designed to provide power for and the consequent connection to the national grid, are material factors. This development would not require the erection of further overhead power cables, which may impact on openness.
- 5.30 Job creation would be limited to the construction and decommissioning stages of the development and to maintenance associated with the site. As such, only limited weight can be given to the economic benefit of job creation. However, more weight can be attributed to the economic benefit of the reduced operating costs of the local authority.

- 5.31 *Beneficial Use of the Green Belt*
Paragraph 81 of the NPPF states that Local Planning Authorities should take opportunities to improve damaged or derelict land within the green belt. The proposed development would result in improvements to the site, particularly with regard to landscape and biodiversity. This is material in assessing the case for very special circumstances.
- 5.32 *Other Harm*
In order for very special circumstances to be found, they must outweigh the harm to openness and any other harm. The proposal may result in other harm and this should be assessed as part of the case for very special circumstances.
- 5.33 *Loss of Agricultural Land*
In the interests of sustainability, development should avoid the most fertile soils and the best and most productive agricultural land. Despite being grazed by horses, the land is considered to have a lawful agricultural use. Solar development is temporary and therefore does not lead to the perpetual loss of the land from agricultural use. Notwithstanding the temporary nature of the development, development should be directed to that land which falls within the lower agricultural land classifications, i.e. grades 3B, 4, and 5.
- 5.34 It is not clear from the application that the classification of the land has been assessed. However, from a visual inspection of the site it is clear that the land is not of high quality. The grass condition is poor and there are various areas where waste is partly secreted from the site.
- 5.35 The land is therefore not considered to be of high agricultural value and the use of the site for a solar park would not result in the unacceptable loss of agricultural land. It is not considered, for the purposes of green belt considerations, that this would result in harm.
- 5.36 *Park and Ride Facility*
A park and ride site at Nibley has been strategically safeguarded by policy CS7 of the Core Strategy. Policy CS7 states that the Council will not permit development where it would be prejudicial to the strategic transport schemes listed within the policy. Scheme 6 in the policy is titled 'The Yate/Chipping Sodbury Package'. Details of this package are set out in paragraph 7.9 of the supporting text in which the Nibley Park and Ride site is identified.
- 5.37 It should also be noted that there is no evidence that the previous planning permission for the park and ride, PT05/1816/R3F, has been implemented and therefore this permission has expired. Whilst the previous planning permission would be material insofar as establishing the principle of the use of the land for a park and ride facility, the detailed layout, as previously approved, holds only very limited weight. This is because a fresh planning application would need to be made before the park and ride could be lawfully implemented, during which layout (amongst other factors) would be reconsidered.

- 5.38 An indicative plan intended to demonstrate that the proposed development would not be prejudicial to a park and ride facility has been submitted. Whilst parts of the solar park, namely the temporary construction compound and access track, are located on land previously granted planning permission for the park and ride, it is not considered that these would prevent the park and ride from coming forward. This is because the compound and the access track are temporary and a condition will be attached that requires their removal once the solar park has been built out.
- 5.39 It is therefore not considered that the proposed solar park would be prejudicial to meeting the aspirations for a park and ride at Nibley. As such, it is not considered that the proposal fails to accord with policy CS7 and therefore the development is not harmful.
- 5.40 *Landscape and Heritage*
Being located in the open countryside and with heritage assets nearby, the development may have a harmful effect. However, this has been assessed and it is considered that any harm could be adequately mitigated (as discussed in the remainder of this report).
- 5.41 As any harm can be successfully mitigated, it is not considered (for the purpose of green belt considerations) that there would be any other harm to the landscape and heritage assets.
- 5.42 *Green Belt Balance*
The case for very special circumstances must demonstrate that the benefits of the proposed development would outweigh the harm to the green belt and any other harm.
- 5.43 Having assessed all the aspects of the applicant's case, it is considered that cumulatively the benefits of the proposal and the factors as to why it requires a green belt location do represent very special circumstances that outweigh the harm to the green belt.
- 5.44 The proposal has also been assessed against for 'any other harm'. It has been concluded that any other harm resulting from the development could adequately be controlled through appropriate conditions. The use of conditions would mitigate the impact of the development so that it was not harmful. Therefore, it is considered that the benefits of the proposal would outweigh any other harm cause.
- 5.45 Despite being inappropriate development, the proposal does clearly outweigh harm to the openness and no other harm has been identified. The proposal is therefore acceptable although it would represent a departure.
- 5.46 The application has been advertised as a departure in accordance with Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended). This advert has now expired. It is not considered that the impact on openness would be significant as to require the Local Planning Authority's resolution to approve to be referred to the Secretary of State under the Departures Directive 2009.

- 5.47 Residential Amenity
Solar development will not be supported where it either individually or cumulatively has a significant and harmful impact on residential amenity. Under guidance in the NPPF, planning decisions should ensure that development retains a good standard of residential amenity.
- 5.48 The nearest residential property is located approximately 50 metres to the east. This is a traditional bungalow and therefore windows are limited only to the ground floor. Other properties are further away and the impact of the development would be less. Screening of the development can be undertaken through the appropriate landscaping (discussed in more detail in a subsequent section of this report). Other impacts on amenity should be considered such as those set out below.
- 5.49 *Glint and Glare*
Glint, the direct reflection of the sunlight from an object, and glare, the brightness in the sky, may be considered to be relevant to residential amenity. Solar panels are designed to absorb light rather than reflect it and as a result, there is often little glint or glare that is created as a result of erecting a solar park.
- 5.50 Due to the orientation of the panels towards the sun, there is little opportunity for the proposal to result in any glint or glare affecting nearby residential dwellings.
- 5.51 *Noise*
Some low-level noise may be emitted from the equipment associated with the development. However, this is mainly located away from residential properties. It is not considered that either the level of noise or proximity to receptors would result in demonstrable harm to residential amenity.
- 5.52 Landscape and Design
The application site relates to 0.94 hectares of agricultural land (and the underground cable within the office car park). On this, 1458 solar panels will be installed on a metal frame, anchored to the ground with ballast.
- 5.53 Little debate can be had on the design of the units themselves, as these are fairly standard and are not of poor quality design. However, there is a lack of detail regarding the transformer building and this will be required through condition. The much more significant area for consideration is the impact of the development on the landscape.
- 5.54 Due to the nature of the topography of the land, the site does not naturally lend itself to solar park development. The majority of the panels will stand 2 metres above the ground; however, due to the undulant nature of parts of the site, some panels may be as high as 4 metres. The more prominent that the panels become in the landscape, the greater the harm of the development.

- 5.55 As part of the application, a landscape and visual impact assessment has been undertaken. In general, the approach and findings of the assessment are accepted; however, it is considered by officers that there is the potential for the development to have a harmful impact on the landscape from the height of the panels and a potential untidy appearance of the development, particularly when viewed from the east. Notwithstanding this, it is considered that the development would not be visible from the wider landscape.
- 5.56 Having previously been used as sewerage works and for landfill, levelling of the site is not proposed by the applicant and ground works are limited to avoid disturbing contaminants associated with the previous land uses. As a result, it is proposed that the panels are set at a consistent height and the frame below is varied to take account of the changing land levels.
- 5.57 During the course of the application, a more detailed landscaping scheme has been requested as it is necessary for the applicant to demonstrate that the development could be adequately screened to avoid a landscape objection to the proposal. A revised scheme has been submitted which demonstrates that screening of the site could be undertaken. However, this scheme is not considered to be detailed enough to address issues of visibility of the open end of the frames from the east and to avoid the site having an untidy appearance.
- 5.58 Therefore, whilst in terms of landscape, the applicant has demonstrated that appropriate mitigation would be possible, thorough layout details will be required by condition to manage the landscape impact. A robust landscaping scheme will also need to be secured by condition to ensure that the level of planting on the revised scheme is undertaken. Due to the number of trees near or on the site, a condition requiring a tree protection plan is also considered necessary.
- 5.59 Due to the previous land uses, there is the potential that the panels may settle once installed and the consistent height be lost. A condition is therefore required to ensure as part of the ongoing maintenance that the panel heights are adjusted as required to take account any settlement or other ground level variation that may occur.
- 5.60 Contaminated Land
From the past uses of the site, the land may have become contaminated. A phase 1 desk study report and phase 2 ground investigation report have been submitted with the planning application for assessment.
- 5.61 The ground investigations have identified a significant amount of putrescible/degradable material present within the waste material. This has the potential for further degradation over time resulting in production of hazardous gases including carbon dioxide and methane. Historic investigations have identified production of significant levels of these gases within the ground. It is noted that a phase 3 investigation has been commissioned by the applicant to further assess potential risks from ground gases and to assess potential contamination of controlled waters.

- 5.62 Part of the investigation has used the ATRISK commercial screening values. In 2014 a commercial 'suitable for use' screening value of 2330mg/kg of lead was published. The maximum lead concentration identified in the samples was 2090 mg/kg. Notwithstanding this, land contamination would remain an issue when land is returned to agricultural uses and the level of some contaminants may make the land unsuitable for use for grazing animals.
- 5.63 It is considered that the approach taken by the application with regard to land contamination is in general acceptable. A number of conditions will be required on any consent given to include the submission of a phase 3 ground investigation and mitigation works.
- 5.64 Ecology
The application site itself is not covered by any statutory or non-statutory nature conservation designations. The nearby River Frome to the north is designated as a Site of Nature Conservation Interest for its open flowing water and bankside vegetation although this will be unaffected. Ecological considerations therefore are limited to reptiles, hedgehogs and invasive alien plant species.
- 5.65 When the nearby Badminton Road Council offices were built, the site was used as a receptor site for a population of slowworms. Slowworms are protected from intentional or reckless killing or injuring under the Wildlife and Countryside Act 1981 (as amended). Whilst the use of the site for horse grazing has rendered it sub-optimal for slowworms, some parts of the site still offer suitable habitat and these areas will need to be cleared sensitively to avoid killing or injuring animals. A condition would be required to ensure this is undertaken in an appropriate manner.
- 5.66 A similar approach should be adopted for hedgehogs as parts of the site would be suitable as a hedgehog habitat.
- 5.67 As part of the application, a landscape and wildlife management plan has been submitted which identifies new habitat to be created on the site to improve biodiversity. This plan is generally acceptable but does not include details of the species rich grassland seed mix or the native shrub species to be planted. A revised landscape and ecological management plan should be secured by condition to cover these factors.
- 5.68 The submitted ecological appraisal noted stands of Japanese knotweed and Himalayan balsam, both invasive alien plant species, on land to the immediate north of the application site. The landowner has a legal obligation to prevent the spread of these species. Both species should therefore be cleared from the site and its environs using an appropriate and recognised methodology. This will be required as part of the landscape and wildlife management plan.
- 5.69 Heritage
With regard to heritage, consideration should be given to both above and below ground heritage assets. An archaeological and cultural heritage assessment has been submitted with the application.

- 5.70 In terms of archaeology, the assessment is comprehensive and takes into account any below ground archaeology. The site has been subject to past activities that have made it unlikely that any archaeology would survive intact. The submitted documentation is considered to be sufficient to address archaeological matters and no further works or conditions are required in this instance.
- 5.71 The development may, however, have an impact on the nearby listed buildings and locally listed buildings. A pair grade II listed buildings are located close to the site. It is likely that this pair of dwellings was once a farmhouse subsequently converted into three cottages, and now two. The building has early origins, possibly sixteenth century with a through passage. The low eaves and first floor level accommodated entirely within the roof are typical of this early period of building.
- 5.72 The accompanying statement and title maps identify the application site and its setting. The setting of the listed building is identified as being defined by its immediate grounds and its association to the historic settlement of Nibley. The building is largely unseen from Badminton Road to the south due to the substantial hedge planting to the roadside and the intervening property to the north east. The setting of the listed building remains therefore largely unconnected with the application site.
- 5.73 In general, the approach of the applicant is acceptable. However, the methodology used for assessing the setting of listed buildings identifies grade II buildings as being 'of regional importance'. It should be noted that all listed buildings are of national importance. Nevertheless, the submitted information is considered to have adequately addressed issues regarding the setting of listed buildings and the impact upon the heritage assets is not found to be significant as it would be mitigated by the associated landscaping.
- 5.74 Whilst the proposed landscaping is considered to reduce the impact on the setting of the grade II listed buildings on Badminton Road, it does not take into account the locally listed buildings on Nibley Lane which would be subject to some harm as a result of the development. For this reason the heritage statement recommends that the hedge along the western and northern edge of the development is enhanced to minimise any visual impact upon the setting of the heritage assets at Nibley. The level of harm is considered to be relatively limited considering the mitigation planting proposed. However, this must be conditioned as revised planting plan does not appear to show enhanced planting to the north; this will be included within the relevant landscaping conditions.
- 5.75 Transportation
The operations of the site would have very little impact on the existing transportation network as, once installed, the solar farm would generate a minimal amount of additional trips. Due to the small scale of the solar park, it is not considered that a construction management plan with relation to traffic would be reasonable. The access to the site would be formed from the approach road to the adjacent office building, and not from the A432 itself. As a result, there would be only a marginal effect on the classified road.

- 5.76 It has been stated in the consultation responses received that should planning permission for the solar park be granted, it should be on the condition that the park and ride comes forwards. Conditions attached to planning permissions must pass the tests set out in paragraph 206 of the NPPF. These tests state that conditions should only be imposed where they are: necessary; relevant to planning and to the development to be permitted; enforceable; precise; and, reasonable.
- 5.77 A condition requiring the park and ride to come forwards would not pass these tests as it would not be relevant to the application before the local planning authority and therefore completely unreasonable. As such, officers cannot recommend such a condition is attached.

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.
- 6.3 The proposal represents a departure from the Development Plan as the recommendation for approval is made on the basis that very special circumstances have been demonstrated. The application has been advertised as a departure but it is not considered that a referral to the Secretary of State is necessary for the reasons set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that planning permission be GRANTED subject to the conditions listed below.

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 development hereby approved shall be removed no later than 25 years from the date that electricity from the development is first exported to the National Grid; or within 3 years of the cessation of the exportation of electricity to the grid, whichever is the sooner; and the land shall be returned to its former condition within 12 months of the removal of the solar farm equipment in accordance with a scheme of renovation to be agreed with the Local Planning Authority.

Reason

In order to ensure that the approved development does not remain in situ beyond the projected lifetime of the equipment so installed and in the interests of the visual amenity and character of the surrounding landscape; and to accord with Policy CS1, CS3, CS5 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L1 of the South Gloucestershire Local Plan (Adopted) 2006 (Saved Policies), and the Renewables SPD (Adopted) November 2014.

3. The developer shall notify the Local Planning Authority within 21 days of such time that electricity from the development is first exported to the National Grid or consumed by the building known as Council Offices Badminton Road.

Reason

In order to allow the Local Planning Authority to adequately monitor the time scale of the development; and conditions contained in this decision notice.

4. Within 2 months of the date that electricity from the development is first exported to the National Grid or consumed by the building known as Council Offices Badminton Road, the temporary construction compound and access track shall be taken up and permanently removed and the corresponding area of land shall be returned to its former condition.

Reason

To protect the character and appearance of the area to accord with Policy CS1, CS3 and CS5 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the Renewables SPD (Adopted) November 2014.

5. Prior to the commencement of development, a revised detailed planting plan, including size, type and specification of all tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. For the avoidance of doubt, this plan shall be based on Landscape Strategy Drawing 211/LS/01 and shall include further planting to screen the northern edge of the development.

Reason

To ensure a satisfactory standard of appearance and to minimise the impact of the development on the landscape and nearby heritage assets and to accord with Policy CS1, CS3, and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L1, L13 and L15 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Renewables SPD (Adopted) November 2014.

6. Prior to the commencement of development, a tree protection plan indicating the location of tree protection fencing in accordance with BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of appearance and to minimise the impact of the development on the landscape and to accord with Policy CS1, CS3, and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Renewables SPD (Adopted) November 2014.

7. Prior to the commencement of development, a plan indicating the precise location and appearance of any perimeter fencing and security cameras shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of appearance and to minimise the impact of the development on the landscape and nearby heritage assets and to accord with Policy CS1, CS3, and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L1, L13 and L15 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Renewables SPD (Adopted) November 2014.

8. Prior to the commencement of development, full details of the transformer building and the ground levels surrounding this building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of appearance and to minimise the impact of the development on the landscape and to accord with Policy CS1, CS3, and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Renewables SPD (Adopted) November 2014.

9. Prior to the commencement of development, a revised detailed layout drawing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of appearance and to minimise the impact of the development on the landscape and to accord with Policy CS1, CS3, and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Renewables SPD (Adopted) November 2014.

10. Prior to the commencement of development, a revised Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. For the avoidance of doubt, the plan should include: details of existing ecological habitats to be safeguarded; proposed species composition of any new habitat; a schedule of landscape and ecological management and maintenance for a minimum period of 5 years; a programme of landscape and ecological monitoring of the site for a period of 5 years; and, a programme for the removal of Japanese Knotweed and Himalayan Balsam.

Reason

To minimise the impact of the development on the landscape and biodiversity to accord with Policy CS1, CS3, and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L1 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Renewables SPD (Adopted) November 2014.

11. Prior to the commencement of development, a mitigation strategy for reptiles (slowworms) and Hedgehogs shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

Reason

To minimise the impact of the development on biodiversity to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Renewables SPD (Adopted) November 2014.

12. Prior to the commencement of development, drainage details including SUDS (Sustainable Drainage Systems) for flood prevention, pollution control and environmental protection 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 that the site has adequate drainage provisions and to accord with Policy CS9 and CS30 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

13. Prior to the commencement of development a phase 3 ground investigation shall be carried out to provide a controlled waters and gas risk assessment in terms of on- and off-site receptors and the increased potential effects of gas production from the increased load in the ground. The risk assessment should identify any mitigation measures. The ground investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To adequately address issues of land contamination and pollution and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy EP6 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

14. If, following the phase 3 ground investigation and risk assessment required by condition 13, any mitigation works are required, prior to the first generation of electricity from the solar park a report verifying that all necessary mitigation works have been completed satisfactorily shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To adequately address issues of land contamination and pollution and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy EP6 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

15. If, following condition 13 and 14, any unexpected contamination is found following the commencement of development, the development shall cease immediately upon the part of the site that is affected and the Local Planning Authority informed in writing. A further ground investigation and risk assessment shall be undertaken, identifying and further mitigation or remediation, and submitted to and approved in writing by the Local Planning Authority. The development shall not recommence until the details have been agreed. The development shall be carried out in accordance with any further measures agreed under this condition.

Reason

To adequately address issues of land contamination and pollution and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy EP6 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

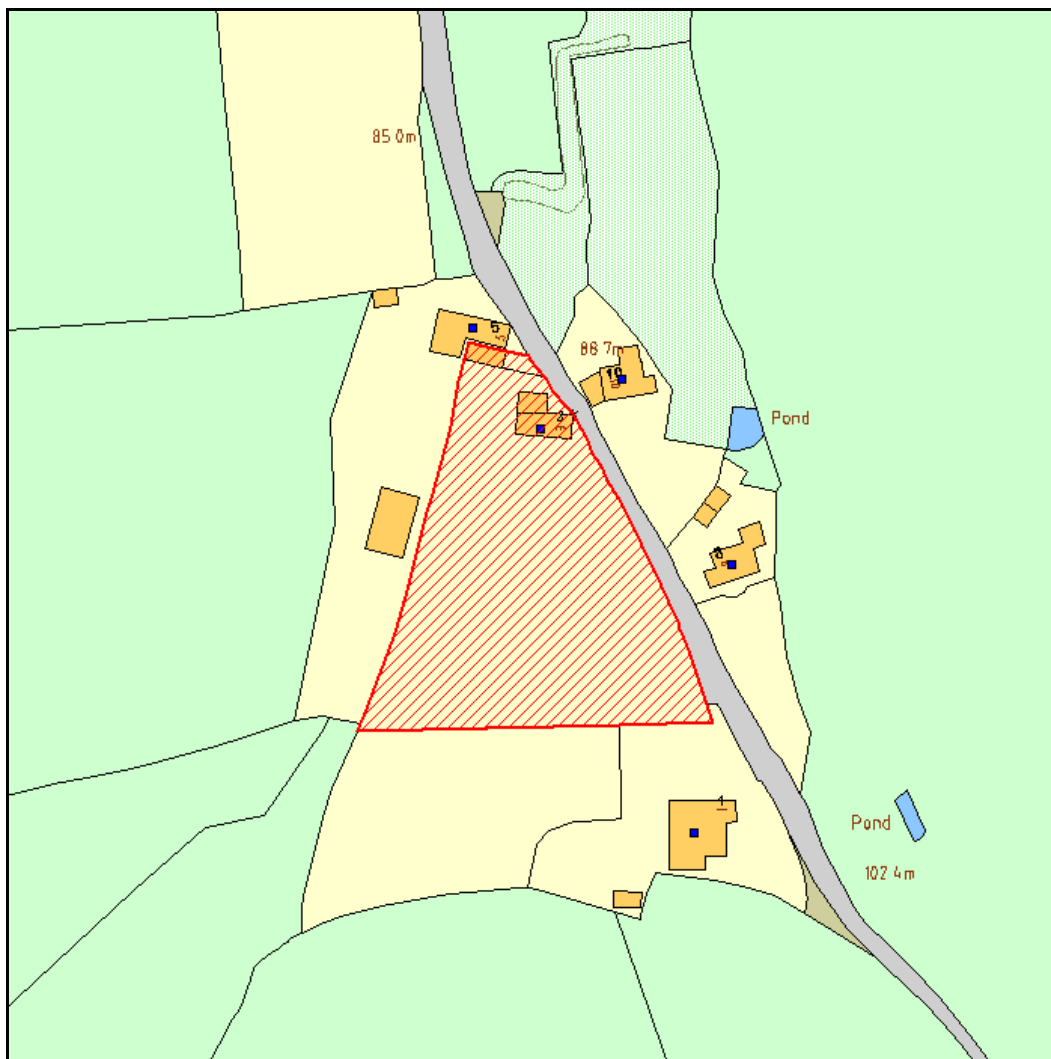
16. The development shall be carried out in accordance with the following plans: 1-2.v4 Site Plan, 4-1.v2 Block Plan, 4-2.v1 Proposed Park and Ride Plan, 4-2.v3 Typical Section, 4-3.v2 Typical Switchgear, 4-4.v2 Typical Panel, 4-5.v1 Security Fence, 4-6.v3 North-South Site Profile, 4-7.v2 Access Track Details, 4-8.v2 Temporary Compound Layout, 4-9.v2 Grid Connection Route, 6-3A.v1 Landscape Character Assessment 5k, 6-3B.v1 Zone of Theoretical Visibility, 6-3C.v1 Zone of Primary Visibility, 6-3E.v1 Viewpoint 1, 6-3F.v1 Viewpoint 3, 6-3G.v1 PROW, 6-3H.v2 Landscape and Wildlife Plan, 6-3I.v2 Habitat Protection Plan, received by the Council 9 December 2014; 1-1.v3 Site Location Plan, received by the Council 15 December 2014; and, 211/LS/01 Landscape Strategy Drawing, received by the Council 2 March 2015.

Reason

In the interests of clarity and proper planning.

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.:	PK14/4827/F	Applicant:	Mr Steve Lovell
Site:	3 Yate Rocks Yate Bristol South Gloucestershire BS37 7BT	Date Reg:	5th January 2015
Proposal:	Erection of two storey side extension to form additional living accommodation.	Parish:	Yate Town Council
Map Ref:	372012 184527	Ward:	Yate North
Application Category:	Householder	Target Date:	23rd February 2015



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 100023410, 2014. **N.T.S.** **PK14/4827/F**

REASON FOR REPORT APPEARING ON CIRCULATED SCHEDULE

This application has received a comment in support of the application, contrary to the Officer's recommendation to refuse planning permission.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of two storey side extension to form additional living accommodation.
- 1.2 The application site relates to a detached modest 2-bay, 19th century cottage with gable end stone stack, pantiled roof with an addition to the east taking the building up to the roadside, and an addition to the north of the original building, wrapping round to the west gable. The cottage is built into the sloping rock. The principal elevation faces south, looking out towards the large garden. The building is locally listed.
- 1.3 The application site is located on the western side of Yate Rocks and lies outside of the settlement boundary, in the open countryside.
- 1.4 Following a site meeting, the Officer provided the agent with feedback on the proposal and subsequently, revised plans have been submitted which reduce the ridge height to match the existing dwelling and amended the design of the window openings to match the existing cottage.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

H4 Development within Existing Residential Curtilages
L1 Landscape Protection and Enhancement
L15 Buildings and Structures which make a significant contribution to the character and distinctiveness of the locality
T12 Transportation Development Control
LC12 Recreational Route

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) August 2007
South Gloucestershire Local List SPD (Adopted) February 2008

3. RELEVANT PLANNING HISTORY

3.1 None.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection. Support Conservation Officers comments. Should be a sympathetic extension with scale massing and height appropriate. Current amendments have not gone far enough.

4.2 Highway Drainage

No comment.

4.3 Conservation

Objection. Proposal amounts to overdevelopment of this modest, locally listed cottage, contrary to the guidance contained in the Local List SPD and policy CS1 of the adopted Core Strategy.

4.4 Open Spaces Society

No comment received.

4.5 Public Rights of Way

The development is unlikely to affect the nearest public footpath that runs to the west of the property.

4.6 Sustainable Transport

No objection.

4.7 Tree Officer

A tree survey has been submitted that affords protection to the trees that would be affected by the development. No objection to this proposal.

Other Representations

4.8 Local Residents

One objection has been received from a planning agent Mr Nigel Cant on behalf of the occupiers of No. 5 Yate Rocks:

- Proposal involves a major extension that will completely alter the character and appearance of the building such that it will no longer appear as a traditional rural worker's cottage but rather a substantial modern detached house;
- Saved policy H4 criteria A requires that the proposal should respect the massing, scale, proportion, materials, overall design and character of the existing property and immediately surrounding area, the proposal fails this criteria test;

- Criteria B requires that the proposal should not prejudice the amenities of nearby residential occupiers, the proposal clearly does;
- Proposal in the countryside, the extension is a disproportionate addition when considered against the existing structure;
- Architectural style of the proposed extension will completely change the overall character and appearance of the building, will be dominating rather than being subservient;
- No attempt has been made in the proposed design to reflect the height and mass of the existing building;
- Proposed two storey extension will be above and significantly overlook the private garden area of No. 5 Yate Rocks;
- Several windows, particularly in the first floor, which will overlook No. 5 Yate Rocks;
- Proposed extension will have a significant effect on the issue of overshadowing to my clients private rear garden area, particularly in the early mornings in winter months;
- The proposal will lead to material increase in discharge of rainwater;
- Would like to see a hard and soft landscaping scheme should permission be granted;
- Occupiers of No. 5 not opposed to an extension at No. 3 Yate Rocks, but there are concerns about the present design in terms of bulk and mass, and overlooking of their private outside amenity area.
Additional comments following revised plan:
- The revised plan does nothing at all in terms of addressing the above concerns regarding impact on residential amenity;
- The design pays no heed to the comments of the Conservation Officer;
- An alternative design with no habitable room windows facing west and for a subservient structure to the host building would overcome neighbours concerns.

One comment in support of the application has been received from a local resident:

- Also live in Yate Rocks and own the other locally listed property in the hamlet;
- Seen many changes to the surrounding properties, including their own;
- No 3 Yate Rocks is clearly visible from the road and is currently a rather sad and neglected little cottage with 1950s windows and a flat roof extension;
- Consider the renovation and extension to the property is long overdue;
- Plans sympathetically drawn and will enhance the area;
- Extension appears both modest and proportionate and will be appropriate for modern living standards;
- The neighbouring property (chapel) was derelict and has been extended and rebuilt.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Saved policy H4 of the adopted Local Plan allows the principle of extensions within residential curtilages subject to considerations of visual and residential amenity, and highway safety. Policy CS1 of the adopted Core Strategy requires that development will only be permitted where the highest possible standards of design and site planning are achieved. Development proposals will be required to demonstrate that 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.

5.2 The special interest of the dwelling as a locally listed building will also be considered as a material consideration. The Council's Local List SPD reflects saved policy H4 of the adopted Local Plan. When designing extensions to locally listed buildings it is important that the extension relates appropriately in scale and massing. Extensions should be subservient to the building in height and massing. The scale of the extension should respect the historic building. In addition, saved policy L15 of the adopted Local Plan expects development to retain buildings which make a significant contribution to the character and distinctiveness of the locality. Policy CS9 of the adopted Core Strategy requires new development to ensure the heritage assets are conserved, respected and enhanced, in a manner appropriate to their significance. The proposal is considered to fail to accord with the principle of development for design reasons. The report below will provide detailed analysis.

5.3 Design and Impact on the Locally Listed Building

The existing dwelling is in need of renovation works to improve the internal and external appearance of the cottage. The applicants wish to construct a large extension to enhance the current living accommodation and to make improvements internally due to the modest proportions of the door heights and existing rear stairwell. The proposal seeks to erect a two storey side extension to form additional living accommodation. The proposal includes a larger, central entrance hallway and staircase, a boiler room, WC, kitchen and dining room on the ground floor, with two additional bedrooms and bathrooms on the first floor. The two storey extension would form a large 'bookend' being orientated horizontally on the south elevation of the existing cottage.

5.4 It is considered that the proposed extension is not sympathetic to the locally listed cottage. The scale, massing and form of the proposed addition are considered excessive and not subservient to the original, modest cottage. The proposed extension would be a large, dominating new feature that would detract from the modest scale and character of the cottage. The revised drawings (Rev.C) show a reduction in the ridge height of the extension and a reconfiguration of the gable end and its glazing. However, despite these minor changes, the extension is still considered to be a substantial addition to the cottage and more substantial changes to the proposal are required to overcome Officer's concerns. The definition and character of the cottage is lost through the proposal and the cottage effectively becomes secondary and ancillary to its addition. The modern fenestration pattern of the west and south elevations has been revised to reflect the traditional character of the cottage,

although the fenestration pattern of the west elevation appears distinctly suburban in character.

- 5.5 Officer's have suggested alternative additions could be explored which would remain more in-keeping with the scale and form of the cottage and its more modern addition (single storey rear extension). The Conservation Officer has suggested considering the potential to extend the single storey rear addition to two storeys to create a parallel rear range with bedroom and ensuite, and substantially reducing the scale and height of the new addition. A linear form of extension rather than an L-shaped arrangement may also help to maintain the form and character of the locally listed cottage. Other properties in the surrounding area have been extended substantially, however each application and proposal is assessed on its own merits. The current proposal is considered unacceptable in the context of the application site and in terms of scale and massing.
- 5.6 The agent has brought to Officer's attention the fallback position in terms of what could be erected under permitted development should planning permission be refused. This has been carefully considered by Officer's and although it has been suggested that a substantial two storey front extension could be built, this would create issues for the original cottage in terms of removing any natural daylight. In practical terms, the original cottage is built into 'Yate Rock', which is difficult to work with and therefore it is difficult to see that this option would be pursued with ease. Although it is accepted that this could have a harmful impact on the locally listed building, this does not outweigh the unacceptability of the proposed two storey side extension in its current form. The other more modest extensions proposed on the west and south elevations are considered preferable in terms of scale, massing and location.
- 5.7 Overall, it is considered that the proposal in its current form is unacceptable in terms of scale, height, massing and detailing and would dwarf this modest original cottage. The proposal is viewed as overdevelopment of the modest, locally listed, cottage, contrary to guidance contained the Local List SPD and policy CS1 of the adopted Core Strategy.
- 5.8 Residential Amenity
The application site is located on the west side of Yate Rocks, a small hamlet. To the west is the nearest neighbouring occupier, No. 5 Yate Rocks. As the land slopes from east to west, No. 5 is significantly lower than the application site. The main house at No. 5 is located to the north of the application site, tucked partially behind the garage of No. 3 and their associated garden runs alongside the west boundary of No. 5.
- 5.9 The proposed two storey extension would be orientated to face west, with 7no. windows overlooking the nearest neighbouring property's (No. 5) garden. The proposed extension will be approximately 9.5m from west boundary. On the revised plans, the number of proposed windows in the west elevation has been reduced from 8no. to 7no. and it is indicated on the plans that one of the bathroom windows will be 'acid etched obscure glazing'. There is some mature planting on the eastern boundary of No.5's garden, but the applicant has

advised that there is a covenant restricting tree growth to four feet high. However, the applicant proposes additional planting in the form of a 'photinia red robin hedge' to be planted along the west boundary. It is considered that although there are a large number of windows proposed on the west boundary, it is not considered that there will be direct views from the proposed extension into the neighbouring property or a detrimental impact on their garden to result in an adverse impact on privacy. It is therefore considered that the proposed development would not impact on the living conditions of neighbouring properties and is considered acceptable in terms of residential amenity.

5.10 Sustainable Transport

The proposed extension will increase the number of bedrooms within the dwelling to four. However, there is adequate off-street parking space within the site boundary to provide the necessary parking for the size of the proposed dwelling in accordance with the Council's adopted Residential Parking Standards SPD. On that basis, there is no transportation objection to this proposal.

5.11 Trees

The site sits within an area Tree Preservation Order and has various trees within it that could potentially be affected by the proposals. Additional reports and information were requested by the Council's Tree Officer in order to fully assess the application implications. The requested tree survey affords protection to the existing trees that would be affected by the development and as such, there is no objection from the Tree Officer 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 **refuse** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 (saved policies) 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 recommended for **refusal**.

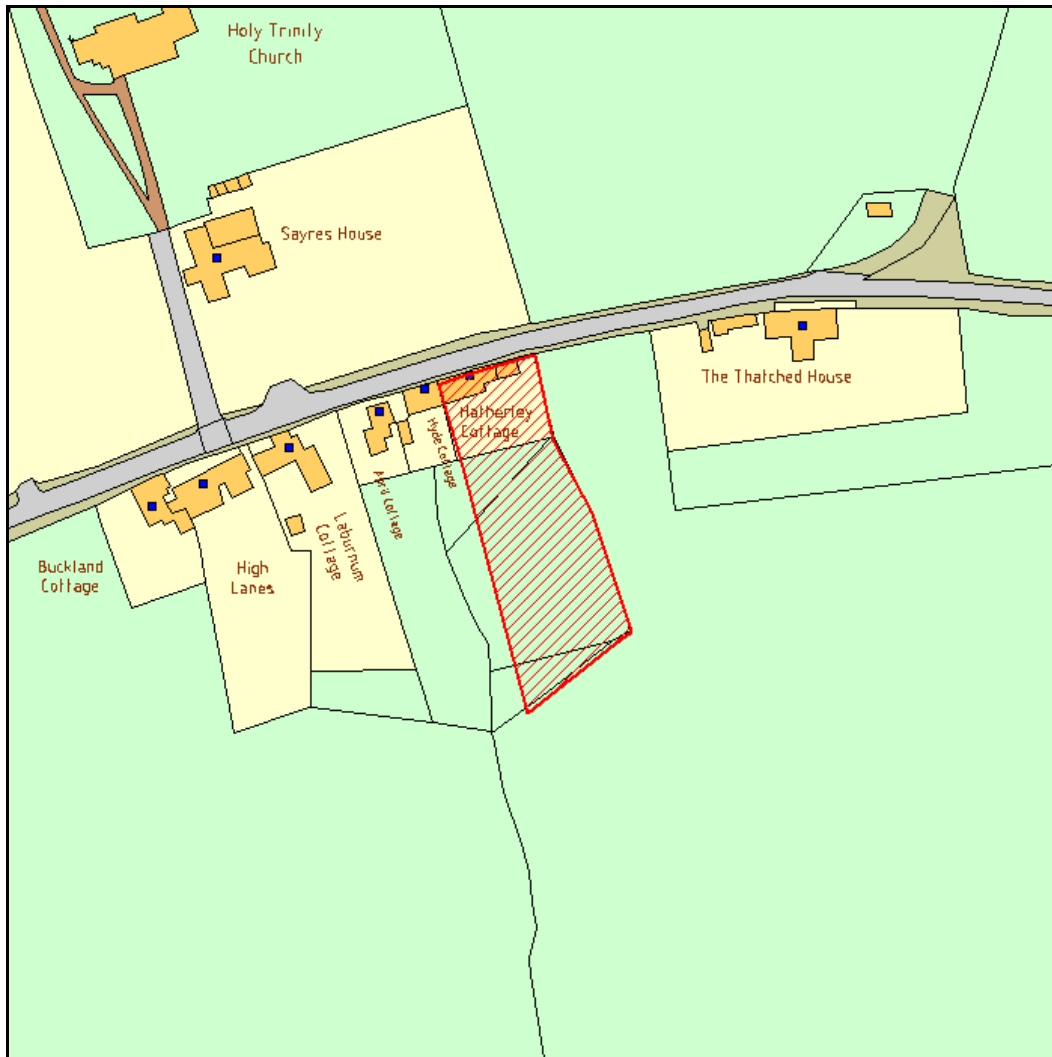
Contact Officer: Katie Warrington
Tel. No. 01454 863436

REFUSAL REASON

1. 3 Yate Rocks is a building that makes a significant contribution to the character and distinctiveness of the locality and is a locally listed building. The proposed development, by virtue of its siting, form, scale, height, massing and detailing would harm the significance and setting of the locally listed building, and would fail to respect or enhance the character, distinctiveness and amenity of both the site and its context. The proposal is, therefore contrary to saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, guidance contained in the adopted Local List Supplementary Planning Document (February 2008) and the NPPF (2012).

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.:	PK14/5032/F	Applicant:	Mr And Mrs Noton
Site:	Hatherley Cottage Hyde's Lane Cold Ashton South Gloucestershire SN14 8JU	Date Reg:	31st December 2014
Proposal:	Erection of single storey rear extension to provide additional living accommodation.	Parish:	Cold Ashton Parish Council
Map Ref:	375177 172664	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	18th February 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

THE PROPOSAL

- 1.1 The original application was for the erection of a single storey rear extension to provide additional living accommodation and the erection of a single storey extension to the garage to facilitate its conversion into a gym. The application has subsequently been amended and now just consists of the erection of the single storey rear extension which would be in the form of a flat roof structure measuring approximately 5.4 metres, attached to the rear wall of the existing dwelling. The proposals would incorporate a green roof, natural rubble stone and acrylic render wall side, and glazed frontage.
- 1.2 The property is a semi-detached cottage situated in Cold Ashton. The site is located within Cold Ashton Conservation Area, Cotswolds AONB and the Green Belt.
- 1.3 The proposed amendments referred to above have been fully re-consulted.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
Planning Policy Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development
L12 Conservation Areas
L13 Listed Buildings
L2 AONB

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)
CS1 High Quality Design
CS5 Location of Development
CS9 Managing the Environment and Heritage
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Council Residential Parking Standards December 2013
South Gloucestershire Green Belt SPD

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Cold Ashton Parish Council

Cold Ashton Parish Council object to this planning application as in their opinion it is out of character with the rest of Cold Ashton village which lies in a conservation area.

Upon reconsultation of the amended plans which omit the extended garage element of the proposals, no further comments were received

Conservation Officer

The application site lies at the very eastern end of the village of Cold Ashton, a small, but visually attractive settlement set upon an exposed position on the edge of the Cotswold escarpment. The village and the surrounding land and outlying buildings have been identified as forming an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance; a conservation area. Cold Ashton is described in the conservation area statement as being ancient in origin, with mention in the Domesday Book. The village is strung out along the stone walled main street of Hyde's Lane which runs parallel with the A420. At its centre is a group of important historic buildings comprising the grade I listed Manor House, the grade II listed Old Rectory and Court House and the grade I listed Church of Holy Trinity. These occupy land to the north of Hyde's Lane, and are separated from it by the tall, early 17th century garden walls and gateway of the Manor House, these being grade I listed in their own right. Panoramic views to the south of the village over the valley and undulating landscape beyond are an important part of the character and appearance of the conservation area. To the east and west of the core of the village, the scale and status of the buildings diminishes, with smaller domestic buildings, farmhouses and agricultural buildings contributing to the special character of Cold Ashton.

Hatherley Cottage is the end of a terrace of stone buildings which, due to the fall of the land away from Hyde's Lane are effectively single storey facing the street, and two storey facing south over the open countryside. The scale of the buildings at this entrance to the village and the conservation area generally is small, with a narrow gable facing due east. A single storey detached garage building is set back from the highway with an asymmetric roof giving a lower eaves height at the rear of the building. Approximately 60m to the east of Hatherley Cottage is the grade II listed Thatched Cottage, a mid-17th century house with later alterations that faces directly onto Hyde's Lane. The two cottages are separated from each other by an open field, a clump of trees and the Thatched Cottage's walled garden. The open field is bounded on the northern edge by a low drystone wall that is set back from the road to give a narrow grass verge. The walled garden of the Old School House that runs due north from Hyde's Lane and the buildings of the application site create an informal gateway into the village and the open fields either side contribute to its rural character and setting. The view to the south is particularly attractive and forms one of a series of open vistas on the southern side of the village that are part of the charm and interest of the village.

At present, that view takes in the small scale buildings fronting Hyde's Lane, the single storey modern garage and the small outbuildings that are located at the ends of the gardens and which are set much lower in their respective plots owing to the topography of the site. The impression is distinctly one of the buildings respecting the fall of the land and not imposing in the views across the open countryside to the south.

The proposal comprises two elements. Firstly, a single storey addition to the rear of the cottage, set approximately 6.4m in from the gable end of the cottage and comprising a modern flat roof structure with glazed walling to the south. The proposal would provide an additional living space at ground floor and I have no particular concerns over this aspect of the scheme. The second element of the scheme is the replacement of the single storey garage with a substantially larger and longer detached outbuilding which, according to the design and access statement, would be used for studio space for yoga and personal training. The building, for whatever reason, does not appear to be illustrated on the ground or first floor plans although levels point data is included and it appears from aerial photos to be approximately 6m long. The building would be more than doubled in length to 14m, with the eaves line raised to match the eaves line of the roadside elevation of the main cottage and the ridge correspondingly raised. No existing elevations are provided for direct comparisons but the overall effect is to substantially increase the scale and massing of the garage and to make it a very imposing and dominating building at this part of the conservation area. The form and continuous ridge line of the building are in stark contrast to the falling land levels, giving the impression of the building increasing in scale and mass as it moves away from the roadside. The new studio building would, in my opinion, appear as an out of scale, incongruous addition to the group of historic buildings, would appear overbearing in its context and would dominate the view from Hyde's Lane over the fields to the south that contribute to the special character, appearance and setting of the Cold Ashton Conservation Area.

The new studio, by virtue of its siting, form, scale, massing and height is considered to be harmful to the character and appearance of the Cold Ashton Conservation Area, contrary to policy L12 of the adopted Local Plan and Policies CS1 and CS9 of the adopted Core Strategy. The impact on the setting of the listed Thatched House to the east is diminished by the degree of separation and the screening effect of the intervening trees. It does not, therefore, conflict with Policy L13 of the adopted Local Plan.

Upon reconsultation of the amended plans which omit the extended garage element of the proposals, there are no objections to the proposals.

Highways Drainage

No comment

Other Representations

- 4.2 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space. The site is however also located within the Conservation Area, AONB and Green Belt, so the acceptability of any proposals will also need to be tested against these principle policy areas.

5.2 Green Belt

The principle of residential extensions within the Green Belt is acceptable provided that they are not disproportionate or impact upon the openness of the Green Belt. The single storey rear extension in its own right would not contribute to an issue of disproportionality to the original dwelling nor impact upon the openness of the Green Belt and there appears to be no planning history or previous extension of the property with which would give rise to any additional consideration in this respect.

5.3 Conservation Area - Design / Visual Amenity

The proposal initially comprised two elements as described above. There were concerns from the Councils Conservation Officer on the proposals has a whole which also consisted of an extension to the existing detached garage. This has since been omitted from the proposals. In terms of the remaining single storey addition to the rear of the cottage, set approximately 6.4m in from the gable end of the cottage and comprising a modern flat roof structure with glazed walling to the south which would provide an additional living space at ground floor, there are no particular conservation concerns over this aspect of the scheme. The remaining proposed extension is therefore considered acceptable in context with the site and surroundings and the rear extension of the dwelling is of an acceptable size and design.

5.4 AONB

It is not considered that the extension to the rear of the property, located within the existing curtilage, between a number of other buildings, would have an impact in terms of the site being located within the designated AONB.

5.5 Residential Amenity

Given the overall scale and design of the single storey rear extension it is not considered that it would give rise to a significant or material overbearing impact upon neighbouring properties. It is considered therefore that the proposal would be acceptable in terms of residential amenity.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed extension is of an appropriate standard in design and is not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not materially harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. Sufficient off-street parking exists. As such the proposals accord with Policies H4, L2 and L12 of the South Gloucestershire Local Plan (Adopted) 2006 and Policies CS1, CS5 and CS9 of the South Gloucestershire Local Plan Core Strategy December 2013.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the conditions recommended.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

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

Reason

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

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.: PK15/0051/CLP
Site: 1A Shellards Road Longwell Green
 South Gloucestershire BS30 9DU
Proposal: Application for a certificate of
 lawfulness for the proposed installation
 of a rear dormer, 5no. rooflights and
 ground floor windows on the side
 elevation.
Map Ref: 365815 171175
**Application
 Category:**

Applicant: Mr Steven Tucker
Date Reg: 6th February 2015
Parish: Oldland Parish
 Council
Ward: Longwell Green
**Target
 Date:** 1st April 2015



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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 1 no. rear dormer, 5no. rooflights and ground floor side windows at 1A Shellards Close, Longwell Green, would be lawful
- 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.
- 1.3 During the course of the application revised plans were submitted amending the rear dormer, increasing the number of rooflights, amending ground floor windows, and removing the alterations to the roof of the rear extension. The description was also amended to include the rooflights.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning Act 1990 (As Amended) 1990 section 192
Town and Country Planning (General Permitted Development) Order (GPDO) (As Amended) 1995

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/4052/F - Alterations to rear roof to facilitate loft conversion. Refused 25th November 2014

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No comment received
- 4.2 Highway Drainage
No comment

Other Representations

- 4.3 Local Residents
No comments received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Ground floor plan, all elevations, roof plan & plot map as existing (001) – received 7th January 2015
- 5.2 Proposed Side Plan – received 26th February 2015

- 5.3 Proposed Rear Elevations; Proposed Roof Plan – received 2nd March 2015
- 5.4 Proposed Side Plan – received 10th March 2015
- 5.5 Email Correspondence (1a Shellards rd) 11th March 2015

6. **ANALYSIS OF PROPOSAL**

6.1 Principle of Development

This 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 this.

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, of the GPDO (As Amended) 1995.

6.3 The proposed development consists of 1no. rear dormer and 5no. rooflights. This development is therefore assessed against the criteria set out within Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order (as amended) 1995.

B. The enlargement of a dwelling consisting of an alteration to its roof.

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

(za) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use)

The dwellinghouse was not permitted under either classes IA or MB of Part 3.

(a) 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 dormer would not exceed the maximum height of the existing roof.

(b) 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 principal elevation of 1A Shellards Road is the elevation that faces the highway. The proposed dormer is to the rear and would not exceed the roof plane of the principal elevation.

(c) 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

The application relates to a detached dwelling.

(ii) 50 cubic metres in any other case;

The dormer would be less than 50 cubic metres.

(d) 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 dwelling contains a chimney but the proposal would not alter it.

(e) The dwellinghouse is on article 1 (5) land.

The dwellinghouse is not on article 1 (5) land.

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 and correspondence indicates that the dormer would be rendered to match the existing dwelling.

(b) the enlargement shall 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

The plans indicate that the eaves will be maintained.

(bb) the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves, measured along the roof slope from the outside edge of the eaves; and

The enlargement would be more than 20cm from the eaves when measured along the roof slope from the outside edge of the 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;

The dormer would not extend beyond the outside face of any external wall of the original dwellinghouse.

(b) 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.

The development includes alterations to the windows on the side (south) elevation. The plans and correspondence from the applicant confirms that these windows will be obscure glazed with the opening part more than 1.7 metres above the floor of the room in which it is installed.

C. Any other alteration to the roof of a dwellinghouse.

C.1. Development is not permitted by Class C if—

(za) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);

The dwellinghouse was not permitted under either classes IA or MB of Part 3.

(a) The alteration would protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

The proposed rooflights would not protrude more than 150mm beyond the plane of the original roof.

(b) It would result in the highest part of the alteration being higher than the highest part of the original roof; or

The development would not be higher than the highest part of the roof.

(c) it would consist of or include—

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

The dwelling contains a chimney but the proposal would not alter it.

Conditions

C.2. Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall be—

(a) obscure-glazed; and

(b) 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.

No windows are proposed in the roof slope on the 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) Order 1995 (as amended).

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.:	PK15/0255/F	Applicant:	Woodmans Road Ltd
Site:	Greenaways Land At Woodmans Road Chipping Sodbury Bristol South Gloucestershire BS37 6DW	Date Reg:	3rd February 2015
Proposal:	Demolition of 2no. buildings and erection of 7no.detached dormer bungalows with associated works.	Parish:	Sodbury Town Council
Map Ref:	373017 181877	Ward:	Chipping Sodbury
Application	Minor	Target	27th March 2015
Category:		Date:	



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the circulated schedule as representations have been received which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the demolition of 2no. buildings and the erection of 7no. detached dwellings with associated works.
- 1.2 The application relates to a haulage yard accessed from Woodmans Road in an established residential area of Chipping Sodbury. The site falls within the established urban area.
- 1.3 The existing use of the site as a haulage yard falls under the category of 'sui generis' as defined by the Town and Country Planning (Use Classes) Order 1987 (As amended). The yard contains two existing detached buildings.
- 1.4 During the course of the application revised plans have been submitted which include amendments to the red line and alterations to plots 1, 4, 5 and 6. Re-consultation periods have been undertaken.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing Environment and Heritage
CS13 Non-safeguarded Economic Development Sites
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS30 Yate and Chipping Sodbury

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

L1 Landscape Protection and Enhancement
EP2 Flood Risk and Development
EP6 Contaminated Land
T12 Transportation Development Control Policy

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Sodbury Town Council

Members objected to the application in view of neighbours' concerns relating to overlooking/loss of privacy and a site visit is requested.

4.2 Transportation DC

No objection subject to conditions securing the following:

- Implementation of parking (including visitor).
- Implementation of turning area.
- Construction of access.
- Management of private access road.

4.3 Environmental Protection

No objection subject to conditions securing the following:

- Contaminated land investigation and report.

4.4 Public Rights of Way

Advisory notes recommended.

4.5 Drainage Engineer

No objection subject to condition securing SUDs and informatives.

4.6 ECS Trading Standards

Vehicle weight restrictions in surrounding vicinity.

Other Representations

4.7 Local Residents

Two letters of objection and six letters of support have been received from local residents. The comments are summarised as follows:

Objection

- Overlooking/ loss of privacy to bungalows on Cotswold Road.
- Not enough space to maintain garage at 7 Burgage Close

Support

- Will stop noise and pollution.
- Improve safety.
- Amended plans address privacy issues.
- Enhance site.
- Provision of lifetime homes.
- End of traffic/ danger from lorries leaving site.
- Transform site.
- Much needed accommodation.
- Site no longer fits into residential area.
- Cleaner.

- Improve appearance.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of 7no. detached dwellings in a sustainable location within the established urban area in Chipping Sodbury, the principle of which is considered acceptable under policy CS5 of the Core Strategy (Adopted 2013). The proposal would however also include the demolition of 2no. buildings and the re-use of the haulage yard for residential purposes. The pertinent issues to consider therefore are firstly the loss of the existing economic use when weighed against the benefit of the proposed residential re-development, as well as the impact of the proposed development on residential amenity, highway safety, design and on the environment.

5.2 Economic Development

Although the existing use is a 'sui generis' use it does nevertheless fall within the definition of 'economic development' as outlined within section 9 of the Core Strategy. Policy CS13 (non-safeguarded economic development sites) of the Core Strategy states that proposals for the change of use of economic development sites (not safeguarded by policy CS12) within the urban area, will not be allowed unless it can be demonstrated that all reasonable attempts have failed to secure a suitable economic re-use. Where these circumstances occur priority is given to alternative uses in the following sequence: (1) a mixed use scheme, (2) a residential only scheme.

5.3 The application has not included a marketing appraisal for the site and the supporting statements do not demonstrate that alternative economic development uses have been explored. The supporting information does nevertheless comment on the use of the site stating that it is no longer suited to a continued use as a haulage yard due to the proximity of a nearby school, and its location which is surrounded by residential properties that experience inconvenience from noise, fumes and dust. The statement further advises that the roads are not suitable for the vehicles associated with use and that the use provides only limited employment. The workshop buildings on the site are currently out of use and the overall use of the site has declined. A letter from the existing occupier indicates that arrangements have been made to re-locate their business upon the grant of planning permission.

5.4 In terms of the supporting statement provided by the applicant Officers are mindful that the application has not met the policy requirements of policy CS13 such that alternative economic development uses have not been explored. The proposal is for a residential only scheme rather than a mixed use scheme and as such the development also does not meet the Council's first priority for an alternative use. Officers do however afford weight to the applicant's argument that the site is no longer suitable for the existing use and that the occupiers have stated an intention to re-locate the business elsewhere. Supporting comments made by local residents confirm that the existing use does result in a level of inconvenience and it was observed on site that the current use is in decline with the site in need of visual improvements.

Weight is also afforded to the fact that the existing use is 'sui generis' and as such there is no scope for a change of use without the grant of planning permission. Flexibility to explore alternative economic options is therefore extremely limited especially given the location of the site within an otherwise residential area. The redevelopment of the site, which is brownfield, is supported in principle and would provide an opportunity to introduce an alternative appropriate use whilst leading to a significant improvement in the overall amenity of the area.

5.5 The supporting text in policy CS13 recognises that in some cases a residential scheme may be the most sustainable and appropriate solution for the site and, whilst the visions for the locality set out in policy CS30 seek to diversify the range of jobs found in the area, it does also seek to provide for the development of housing. The site is within a sustainable location in the urban area and as such the principle of residential development is supported by policy CS5 and by national guidance.

5.6 In reaching an overall balance it is considered that under these circumstances the material considerations referred to above weigh in favour of its redevelopment, and that a residential only scheme would be an appropriate solution which would lead to a significant improvement of the site in a sustainable location. The loss of the economic development use is therefore accepted in principle.

5.7 Residential Amenity

The application relates to a plot of land situated on the south side of Woodmans Road which is in an established residential area in Chipping Sodbury. The site is bordered to the north by the highway, to the east by a public right of way, to the west by the rear gardens of no.s 1 – 7 Burgage Close, and to the south by the rear gardens of no.s 43 and 45 Cotswold Road. There is also a detached bungalow (no.30) to the northwest corner of the site. The site is generally flat with little variation in the topography surrounding it. The dwellings surround the development site are predominantly bungalows or dormer bungalows including those to the east, south and no.30 in the corner of the site. The dwellings on Burgage Close are however double storey in height separated from the application site by their rear gardens and a ditch boundary. There are two existing industrial type buildings on the site including one adjacent to the west boundary and one adjacent to the northeast boundary. The proposal is to demolish these in order to facilitate the development proposal.

5.8 The proposed development consists of 7no. detached 1.5 storey height dwellings with pitched roofs and with dormers proposed to all except plots 1 and 5. Each dwelling would be served by a small rear garden amenity area enclosed by a fence boundary treatment. The layout of the development is in a simple cul de sac formation with 3no. dwellings (plots 1 – 3) to the east side of the site, 3no. (plots 4 – 6) to the south and 1no. (plot 7) to the west.

- 5.9 The dwellings on the east side (plots 1 to 3) would be at a distance of at least 26 metres from the nearest neighbouring properties to the east (from elevation to elevation) which is considered an adequate distance to ensure that the amenity and privacy of these occupiers would not be adversely affected.
- 5.10 In terms of the proximity of plots 4 to 6 it is noted that the distance from elevation to elevation would be approximately 16 metres with the proposed dwellings situated 6 metres from the mutual boundary. The dwelling to the south (43 and 45 Cotswold Road) are also dormer bungalow. It is considered that although the new dwellings would be apparent to the occupiers of no.s 43 and 45 compared to the existing the height of the proposed dwellings and distance between elevations is considered adequate to ensure that the development would not have an adverse impact on the outlook afforded to the occupiers and would not appear significantly overbearing or oppressive. The development is to the north of no.s 43 and 45 and as such would not adversely impact existing light levels.
- 5.11 In terms of privacy, in response to comments raised during the course of the application, the first floor windows on the rear elevations of plots 4, 5 and 6 have been removed and replaced. Plot 5 would have a high level window on the gable facing no.s 43 and 46 whereas plots 4 and 6 would have only rooflights serving the dormers on the rear elevations. It is considered that these amendments have satisfactorily addressed concerns over the privacy of the occupiers at no.s 43 and 46 and as such, provided a condition is imposed to prevent the installation of windows on these elevations and the installation of boundary treatments, there are no concerns in terms of mutual privacy.
- 5.12 In terms of the impact of the development on the occupiers of no.s 1 to 7 Burgage Close it is noted that at a distance of at least 12 metres from elevation to elevation is relatively close. It is noted however that the dwellings on Burgage Close are double storey in height and the proposal would involve the demolition of an existing building on this side of the site thus not substantially changing existing levels of outlook. It is considered on balance that the relationship between the development and the properties on Burgage Close is acceptable and would not appear adversely overbearing or oppressive on these occupiers. It is noted that the development would have some impact on light entering the gardens and conservatories of Burgage Road in the early hours due to the siting to the gardens to the west of the development. It is not considered however that this impact would be so great such that amenity would be significantly prejudiced and would not warrant a refusal of the application.
- 5.13 In terms of privacy plots 6 and 7 have only high level windows at first floor level in the west elevations and as such there are no considered to be any overlooking issues associated with the development. This is with the provision that a condition is imposed to prevent the installation of windows on these elevations and the installation of boundary treatments which can be secured by appropriately worded planning conditions.

- 5.14 It is considered that the existing bungalow (no.30) in the northwest corner of the site would continue to retain a satisfactory level of amenity and privacy by virtue of its enlarged garden area. This is again with the provision that appropriate boundary treatments are installed prior to occupation.
- 5.15 In terms of the living standards of future occupiers of the development proposal it is noted that the amenity areas of the plots are relatively small for three bedroom dwellings. The dwellings would however each have an area of private amenity space. This is not desirable however on balance it is not considered that this would warrant a refusal on the application. The layout of the dwellings has been designed to ensure that each plot has a satisfactory outlook and light levels, and would benefit from spacious internal space in accordance with 'lifetime homes' principles. Although there would be a degree of overlooking across garden areas the development proposal is considered to provide a satisfactory standard of mutual privacy between proposed plots. The development would make an efficient use of land in line with national and local guidance, would contribute towards the mix of housing in the locality, and would provide suitable housing for first time buyers and older persons. Therefore, although the development is slightly cramped, the layout is considered acceptable in amenity terms.
- 5.16 It is considered that in order to reduce disruption during the construction phase of the development a condition to control construction hours is necessary and reasonable.
- 5.17 Design
The application relates to an existing haulage yard which is situated within a residential area of Chipping Sodbury which has a mixed character. Surrounding dwellings are predominantly bungalows or dormer bungalows with the exception of the Burgage Close cul de sac which are double storey in height. The existing site, which contains 2no. underused industrial type buildings, is considered to be in need of rejuvenation. Public views of the site are open from the highway with a public right of way to the side. The redevelopment and improvement of the site is therefore welcomed in order to improve the quality and distinctiveness of the street scene.
- 5.18 The scale of the proposed development stands at 1.5 storey height, which has been informed by the prevalent height and scale of the surrounding buildings, is considered appropriate in this context and would ensure that the development sites comfortably within the street scene. The layout, in a simple cul de sac form, is also considered appropriate and reflects the pattern of the surrounding development. The design and appearance of the dwellings would introduce some variation in views into the development and, with a mix of render, stone and cladding, would provide an attractive and interesting character within the cul de sac. Subject to high quality materials being used it is considered that the development would introduce a high quality development which would significantly enhance the character and appearance of the site and would contribute towards the quality and amenity of the locality.

- 5.19 It is, as previously noted, considered that the development proposal is slightly cramped however this has been compensated by introducing active and open frontage to the internal access road in order to retain a sense of space. It is considered that provided these area remain open, which can be secured by condition, the density and amount of development on the site is acceptable. An indicative planting layout has also been provided which would help soften the development proposal enhancing the appearance of the street scene. Details of the planting are yet to be finalised and as such a condition is recommended to secure these. The site does have some existing trees however these are not considered to be of a quality worthy of retention. Subject to the aforementioned conditions it is considered that the design, layout, scale and appearance of the development proposed meets the local and national objectives of achieving a high quality design and site planning.
- 5.20 Highway Safety
The proposal is to access the development from Woodmans Road and would require some alterations to the existing access point. It is considered that the access and visibility proposed is acceptable for this locality and for the development proposed. The dwellings would be served by a private access road which, although not in accordance with the Council's adoptable standards, would be adequate to serve the scale of the development. A hammerhead turning area is proposed to the front of plots 4, 5 and 6 which would enable vehicles to access and egress from the site in a forward gear. The Transport Officer had raised concern over the suitability of the access into plot 7 however additional information received from the applicant is clarified this and as such there are no concerns in this respect.
- 5.21 The layout includes 2no. off-street parking spaces for each dwelling including an additional 2no. on-street visitor spaces. The level of parking is in accordance with the Council's minimum standards and as such, subject to their implementation prior to occupation, is considered acceptable.
- 5.22 The Transport Officer advises that the private road will not be adopted by the Highway Authority and as such a condition is recommended in order that the satisfactory management is in place to maintain the road, details of which are to be secured as a condition.
- 5.23 It is noted that a discrepancy has been highlighted in relation to the extent of plot 1 adjacent to the highway edge. The Public Right of Way Officer advises that this may require a 'stopping up notice' of this small part of the highway. There are no objections to the application on these grounds however the applicant is advised of the limitations regarding this part of the site as an informative on the decision notice.
- 5.24 Drainage
The application does not include full details of the method of drainage from the development site. There are no objections on these grounds however a condition is recommended in order to secure the submission of these details prior to the commencement of development. The applicant is also advised to contact Wessex Water regarding the location of the existing sewers.

5.25 Contamination

The site check report included in the application identifies previous land uses of the site as a “depot” circa 1978 and “road haulage” (current use) with presence of on-site diesel storage tanks. The historic uses of the site may have caused contamination which could give rise to unacceptable risks to the proposed development. There are no in principle objections on these grounds however further information is required in the form of an investigation into previous uses and contaminants and for mitigation as necessary. Conditions are recommended to secure the submission of these details.

5.26 Other Matters

Concern has been raised by a local resident that the development boundary would prohibit access to maintain an adjacent garage. These comments are acknowledged and it is noted that whilst the boundary of the site remains unchanged the development would introduce a boundary treatment (fence) to the site adjacent to nearby outbuildings on Burgage Close (albeit with a gap remaining on the neighbouring side to access the rear of the garage). This is not a matter that can carry material weight in the determination of a planning application. Access for future maintenance is a civil matter agreed between relevant parties falling outside the remit of planning control.

5.27 Asbestos

It is noted that the buildings on the site to be demolished may contain asbestos. Under the Asbestos Regulations 2006 and 2012 the removal of high risk asbestos requires removal by a licensed contractor. This matter is therefore controlled outside the remit of planning control and as such would not justify a planning condition.

5.28 Obligations

The application site and proposed development falls below the threshold for off-site and on-site contributions.

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 following conditions:

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

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

Reason

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

3. Prior to the commencement of development a scheme of landscaping, which shall include full details proposed planting (species, size and location) shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details with landscaping carried out in the first planting season following the first occupation of the dwelling(s) at the very latest.

Reason

In the interests of visual amenity and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

4. Prior to first occupation a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the dwelling(s) are first occupied. Development shall be carried out in accordance with the approved details.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the provisions of the National Planning Policy Framework 2012

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

Reason

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

6. (A) Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably qualified person into the previous uses and contaminants likely to affect the development. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
- B) Where potential contaminants are identified, prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks. Thereafter the development shall proceed in accordance with any agreed mitigation measures.
- C) Prior to the first occupation of the dwellings, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority shall be informed immediately in writing. A further investigation and risk assessment shall be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the first occupation of the dwelling(s) hereby approved a management company shall be set up in order to secure the future maintenance of the access road details of which shall be submitted to and approved in writing by the Local Planning Authority. Maintenance shall thereafter be undertaken in accordance with the agreed details

Reason

In the interests of highway safety and the amenity of the locality and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

8. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification) no dormer windows other than those expressly authorised by this permission shall be constructed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the provisions of the National Planning Policy Framework 2012.

9. No windows other than those shown on the plans hereby approved shall be inserted at first floor level at any time in the rear elevations of the dwellings on plots 4, 5, 6 and 7, or the side elevation of the dwelling on plot 6.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the provisions of the National Planning Policy Framework 2012.

10. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no walls, fences, gates or other means of enclosure shall be erected, positioned or placed within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road.

Reason

In the interests of visual amenity and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

11. The off-street parking facilities and visitor spaces shown on plan ref. 107C (Proposed Highways) hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

12. The dwellings shall not be occupied until the means of vehicular access and turning area has been constructed in accordance with the approved plan ref. 107C (Proposed Highways)

Reason

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

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

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with the provisions of the National Planning Policy Framework 2012.

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015 **ITEM 6**

App No.: PK15/0361/F
Site: 11 To 17 Broad Street Staple Hill
Bristol South Gloucestershire BS16
5LN

Applicant: Mr I Demet
Date Reg: 3rd February 2015

Proposal: Erection of rear shed, guardrail and
timber fencing (retrospective).
Installation of new shopfront and
security shutter

Parish: None

Map Ref: 364950 175936

Ward: Staple Hill

Application Category: Minor

Target Date:

26th March 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been added to the Circulated Schedule because the officer recommendation to approve is contrary to a letter of objection.

1. THE PROPOSAL

- 1.1 The application is for the erection of a rear shed, guardrail and timber fencing across the rear of 4 properties (nos. 11-17 Broad Street). The application also includes the installation of a new shopfront security shutter at no. 11 Broad Street.
- 1.2 The properties form part of a long, terraced rank of 2-storey shops with residential above. Viewed from the front, these form a traditional high street shopping parade with large open window frontages and plain brick, residential accommodation above. There is varied depth to the rank of shops from the rear with nos. 19-21 extending very deep and effectively enclosing a large service yard and car park area at the rear.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
RT1 Development in Town Centres
E3 Criteria for Assessing Proposals for Employment Development within the Urban Area, Defined Settlement Boundaries and/or Permitted by Policies E4/E6/E7

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
Shopfronts and Advertisements SPD (2012)

3. RELEVANT PLANNING HISTORY

- 3.1 COM/13/0129/OD/1 – Enforcement Notice served on 19 August 2013 for ‘erection of metal garage to rear of property’. The Enforcement Notice was quashed at appeal and planning permission was granted on 7 February 2014.
- 3.2 No other relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
No response has been received

4.2 Other Consultees
Highway Drainage – No comment

Environmental Protection – No adverse comments

Highway Structures – No comment

Other Representations

4.3 Local Residents

One letter of objection has been received which states that this is a massive build and though not so much on view as the front, the attitude to build first and apply retrospectively is not the way to proceed. The planning is being flouted.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development - Design

Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 promotes high quality design in development, advising that development will only be permitted where the highest possible standards of design and site planning are achieved.

5.2 Development proposals will be required to demonstrate that 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.

5.3 This is a large and fairly typical service yard/car park area at the rear of the retail units. This context was described by the Planning Inspector in the 2014 appeal against the enforcement notice as 'lacking in merit' and he granted permission for a large rectangular metal garage, deeming this in-keeping with the setting. That shed sits in front of the development subject to this application.

5.4 The shed subject to this application extends the rear of the 4 premises by some 4.4m, infilling the area between the existing staircase to the residential accommodation and flat roof space, and the boundary with no. 9 Broad Street. It is a single storey extension constructed with profiled steel sheet curtain walling and a profiled steel low-pitch roof, all in grey.

5.5 The scale is considered to be appropriate in its context. It is single storey and has no overbearing impact on the neighbouring property. No part of the development is visible from the public realm and whilst it might be visible from some overlooking residential premises, it fits comfortably into the line and form of the building. The materials are consistent in colour and appear slightly better quality than those used for the shed outbuilding which was granted approval in the more detached and prominent position. The development is considered to respect the site and the context, in accordance with Policy CS1.

5.6 The roller shutter doors are typical of many other examples along Broad Street and the High Street and are in keeping with the site and its context, in

accordance with Policy CS1 and the advice of the Shopfronts and Advertisements SPD (2012).

5.7 The timber guardrail provides a curtilage boundary to the open flat-roof areas outside the residential units at first floor level and is an appropriate boundary treatment in this context. The material is good quality and does not impact upon other properties. This is also in accordance with Policy CS1.

5.8 Principle of Development – Development in Town Centres

The development does not detract from the vitality and viability of the centre and the additional space is presumed to be beneficial to the viability of the business units. The size of the development is considered consistent with the scale and function of the centre and there are no accessibility, environmental or transportation effects arising. The development is considered to be in accordance with Policy RT1.

5.9 Principle of Development – Employment Development within the Urban Area

The development does not provide additional floorspace for the retail and consumption purposes but provides for ancillary storage and administration use and as such, Policy E3 of the South Gloucestershire Local Plan (Adopted) 2006 applies. Many of the themes are overlapping Policy RT1 but consideration must also be given to service and delivery requirements, parking and highway safety.

5.10 The shed extension covers 4 previous parking spaces but has essentially just moved these spaces backwards. Parking in the service yard appeared informal and ad-hoc but the development does not appear to have removed any necessary parking spaces. The yard remains large, with ample access, turning and service space. There is no transportation objection and no indication that the development will lead to any increase in vehicle movements. The development is considered to be in accordance with Policy E3.

5.11 Other Matters

An objection has been received on the grounds that the attitude of building first and applying retrospectively is flouting planning rules. The Town and Country Planning Act 1990 provides for the submission of a planning application retrospectively and that application must be assessed on its planning merits. The retrospective nature of the application and the approach taken by the applicant to the planning process is not a material consideration.

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 be granted.

Contact Officer: James Cooke
Tel. No. 01454 863429

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.: PK15/0362/F
Site: 11 Broad Street Staple Hill Bristol
 South Gloucestershire BS16 5LN

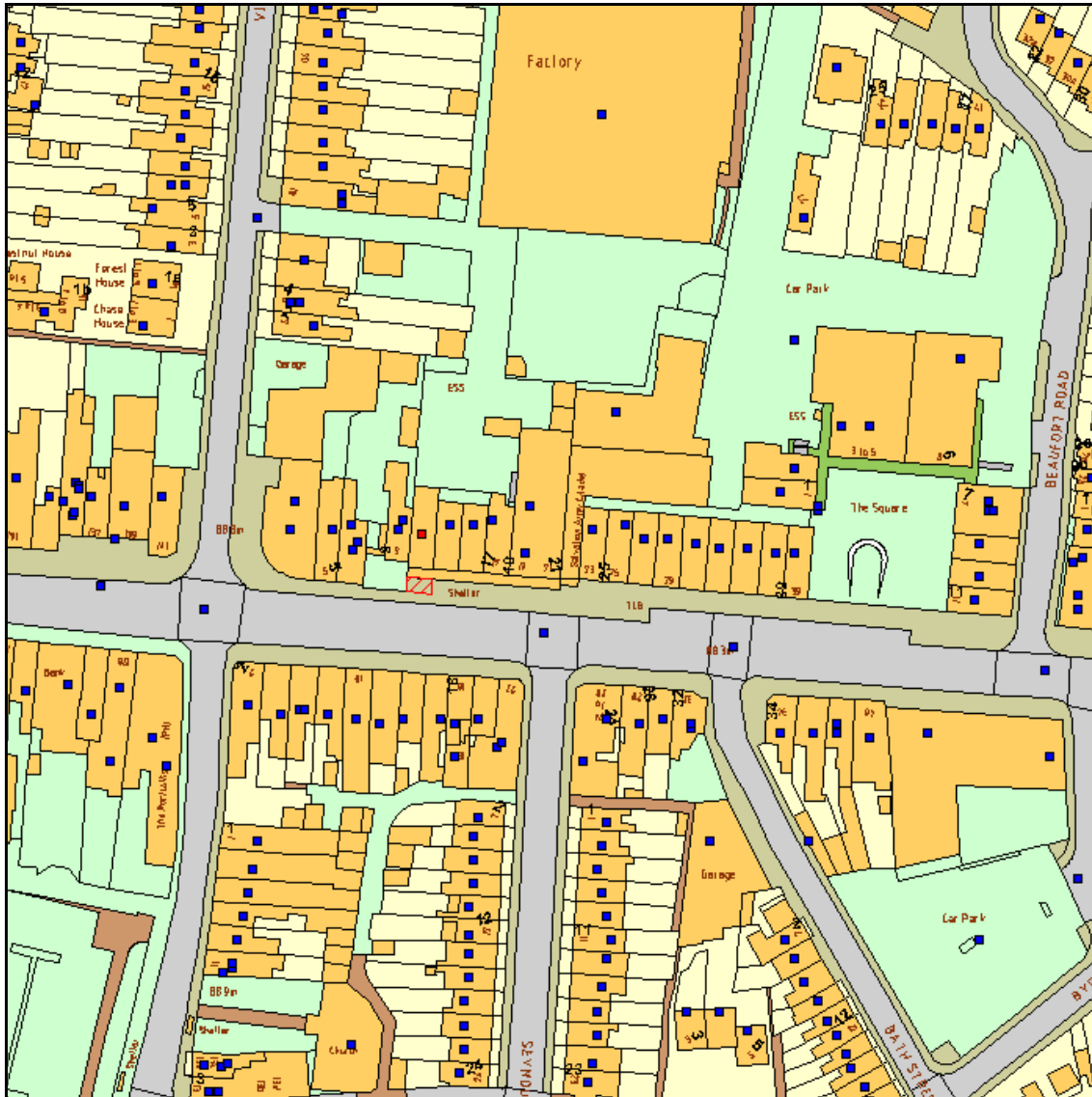
Applicant: Mr I Demet
Date Reg: 3rd February 2015

Proposal: Erection of canopy area to the front
 forecourt (Retrospective)

Parish: None

Map Ref: 364950 175936
Application Category: Minor

Ward: Staple Hill
Target Date: 26th March 2015



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 100023410, 2014. N.T.S. PK15/0362/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been added to the Circulated Schedule because the officer recommendation to refuse is contrary to a petition of 215 signatures submitted in support of the application.

1. THE PROPOSAL

- 1.1 The application is for a timber and corrugated plastic roof canopy structure extending over the forecourt of a café premises on Broad Street, the main retail and commercial route through Staple Hill.
- 1.2 The application excludes the timber fence enclosure which also recently been constructed but benefits from permitted development and does not require planning permission.
- 1.3 The property is part of a terraced rank of retail units facing an expansive pavement before the main road. This is one of 5 frontages that benefit from an existing canopy structure running over part of the pavement between 11-19 Broad Street and the proposed development extends from this first canopy. The application has arisen further to an investigation by the Council's Planning Enforcement Team.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
RT1 Development in Town Centres

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
Shopfronts and Advertisements Design Guidance SPD 2012

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
No response has been received
- 4.2 Other Consultees
Highway Drainage – No comment
Environmental Protection – No adverse comments

Highway Structures – No comment

Sustainable Transport - Subject to all the works associated with this canopy to be entirely under the applicant's land ownership then, we, Transportation Development Control do not object to this application.

Other Representations

4.3 Local Residents

Two letters of objection have been received from local businesses and 2 petitions have been received, one in support of the application and one in objection to the application.

4.4 The objectors have raised the following matters;

- It was a pity to lose part of the pavement as the pavements get very busy and the width is part of the character
- The owner could fence off his three other properties
- The canopy is an eyesore and does not add a Mediterranean feel
- The wooden structure could be a fire-risk and may not withstand strong winds over time
- A retractable canopy would have been a more attractive feature
- Old age pensioners miss the opportunity to sit and rest on the public seat which has been removed
- Broad Street is open and spacious and has a community feel
- The frontage feels built up and confined and looks like a DIY construction with a shoddy plastic roof
- It does not enhance the street at all and was erected after dark when shops were closed
- It will set a precedent for other traders to build over the pavement
- Broad Street should be a family shopping experience the community can enjoy

4.5 A petition inviting people to tick whether they are for or against the 'permanent seating area' has been received with 132 signatures against and none for. It should be noted that the 'permanent seating area' is not part of this application however It has been assumed that the petition also intended to refer to the canopy which is the subject of the application.

4.6 A petition inviting people to comment on whether they 'like the seating area and prefer that it is sheltered from the elements' has been received with 215 signatures. 205 have ticked 'yes' and 10 have failed to tick a box. It is assumed that the 10 also intended to show their support. None have ticked no.

4.7 Although two assumptions are made here, they do not materially affect the determination of the application which is first and foremost assessed against the Authority's Local Plan Policy and any relevant material considerations. The petitions are material considerations but offer no comment on policy interpretation and are taken merely as indicators of the level of support and objection.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development - Design

Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 promotes high quality design in development, advising that development will only be permitted where the highest possible standards of design and site planning are achieved.

- 5.2 Development proposals will be required to demonstrate that 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.
- 5.3 The importance of shopfront design in maintaining and enhancing the character of town centres is reinforced in the Council's Shopfronts and Advertisements SPD (2012) which states that shopfronts alterations are designed to a high standard and use good quality materials that respect the proportion and character of the building and its setting within the street scene.
- 5.4 The property is part of a terraced rank of 2-storey shops. These form a traditional high street shopping parade with large open window frontages and plain brick, residential accommodation above. The rank has a flat roof top with the exception of an end of terrace property which has a traditional residential appearance, despite its commercial use (pitched roof, attractive stonework, quoins, large stone-surround windows).
- 5.5 5 units from the rank of shops benefit from a substantial existing canopy which appears to be of concrete construction with a mosaic finish to the front and plasterboard base. This is not a particularly attractive feature but is uniform across the rank of 5 units before terminating at 21 Broad Street and what appears to be a slightly newer but almost identical rank of shops/commercial units.
- 5.6 The canopy the subject of this application extends from the existing canopy, to cover an area of enclosed seating, which benefits from permitted development. The canopy comprises of timber supports, timber roof supports and a timber lattice structure on the west elevation. The roof comprises of a transparent corrugated acrylic sheet.
- 5.7 The timber and acrylic combination is inconsistent and is unlike anything else in the street scene. It is a stark and incongruous contrast to the traditional materials which otherwise make-up the established built form. The materials provide a cheap extension of the canopy which fails to respect or enhance the character of the site and its context. The timber supports are obviously consistent with the enclosure but this benefitted from permitted development and not exceeding 1m in height, does not have the prominence of the canopy.
- 5.8 The size and scale of the extended canopy is similarly unique in the street scene and does not respect the established building line. This gives the development a real prominence in the immediate rank of shops to the east, though it is noted that there is a dramatic change in the building line at 7 Broad

Street which significantly softens the visual impact from public approaches to the west.

- 5.9 The Shopfronts and Advertisements SPD advises that new shopfronts should neither dominate the street scene nor detract from the street scene of other buildings in the immediate vicinity. Their proportions, materials and detailing should respect the character and hierarchy of existing buildings along the street.
- 5.10 It is considered that the size, scale, detailing, colour and materials of the canopy fail to respect or enhance the character of the site itself and form an incongruous feature which is detrimental to the amenity of the street scene. The development is therefore contrary to Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013 and the advice of the Supplementary Planning Document Shopfronts and Advertisements.
- 5.11 Principle of Development – Development in Town Centres
Policy RT1 of the South Gloucestershire Local Plan (Adopted) 2006 established the development criteria for proposals in town centres. It is considered that the development does respect the vitality and viability of the town centre and is consistent with the function of the town centre but for design reasons stipulated above, is not consistent in scale.
- 5.12 It would be accessible to public transport users, is not considered to have unacceptable environmental or transportation effects and poses no threat to residential amenity other than the visual amenity concerns already expressed about the design.
- 5.13 On account of the objections on scale and visual amenity however, the development is also considered contrary to Policy RT1 of the South Gloucestershire Local Plan (Adopted) 2006.
- 5.14 Other matters
Consideration has been given as to possible design alterations that might render the development acceptable however there is a fundamental objection to the materials and the applicant had already received pre-application advice from an Enforcement Officer that the design was likely to be deemed contrary to policy. It is not considered that there are small alterations available that might enable support for the development.
- 5.15 An objection has been made with regard to the removal of the public seat. As this is private land however, this was up to the owner and is not a matter for the planning application.
- 5.16 Objections have been received in regard to the timber enclosed seating area, loss of the pavement and potential for further enclosure along the street, however this benefits from permitted development and does not require planning permission.
- 5.17 Concern has been expressed about structural stability and fire risk. The development is structurally sound within the reasonable test for considering the

application and the assessment of fire risk is not a matter for the Local Planning Authority.

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 That the planning application be refused for the following reasons;

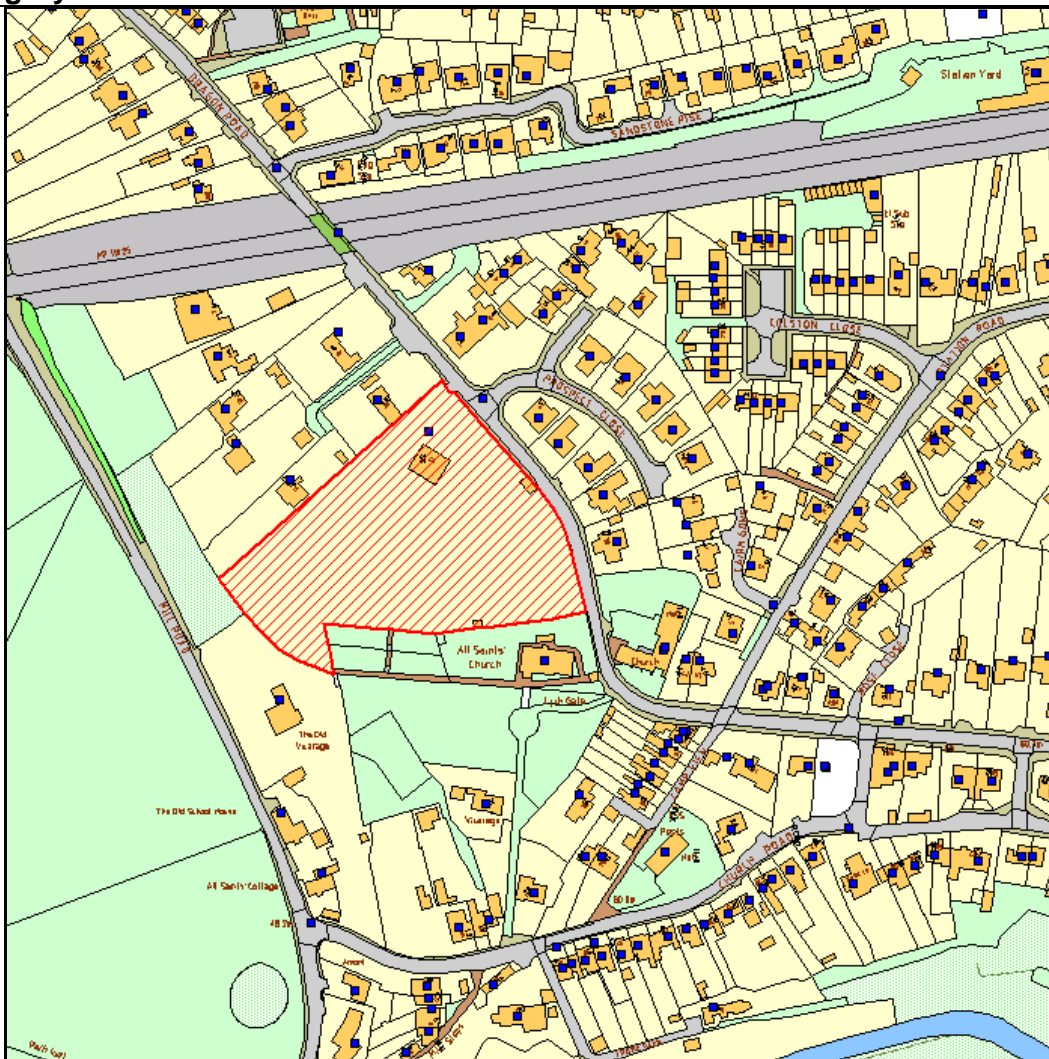
Contact Officer: James Cooke
Tel. No. 01454 863429

REASONS FOR REFUSAL

1. The size, scale, detailing, colour and materials of the canopy fail to respect or enhance the character of the site and form an incongruous feature which is detrimental to the amenity of the street scene. The development is therefore contrary to Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013, Policy RT1 of the South Gloucestershire Local Plan (Adopted) 2006 and the advice of the Supplementary Planning Document Shopfronts and Advertisements.

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.:	PT13/4286/F	Applicant:	MD Savory and MN Savory
Site:	Hillcrest, 22 Down Road, Winterbourne Down, Bristol, South Gloucestershire BS36 1BN	Date Reg:	25th November 2013
Proposal:	Demolition of existing dwelling and the erection of 6 no. dwellings and associated garages, new access, landscaping and associated works.	Parish:	Winterbourne Parish Council
Map Ref:	365026 179784	Ward:	Winterbourne
Application Category:	Major	Target Date:	19th February 2014



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 100023410, 2014. N.T.S. PT13/4286/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule in order to secure an amendment to the heads of terms of the S106 Agreement.

1. THE PROPOSAL

- 1.1 Planning permission PT13/4286/F was resolved to be granted (May 2014) subject to S106 Agreement for the erection of six detached dwellings and a new vehicular access. It is proposed to demolish the existing dilapidated property and erect 4 detached dwellings and a pair of semi-detached houses, the latter to be affordable housing. Vehicular access would be from Down Road. The existing site access would be modified to serve the 2 x 2 bedroom semi-detached houses. A new access would serve the 4no. detached dwellings which comprise 2 x 4 bed and 2 x 5 bed houses. A 3 month extension in time to sign the S106 Agreement was granted in Dec. 2014.
- 1.2 The application site comprises a little over 1 hectare of land and relates to the substantial curtilage of 22 Down Road, Winterbourne. The host dwelling forms a detached two-storey property that is derelict, with the garden area overgrown; much of the land resembles woodland.
- 1.3 The site lies within the Winterbourne Established Settlement Boundary but beyond the Green Belt and Conservation Area. The southern site boundary adjoins the Grade II Listed All Saints Church and the southwest boundary is shared, albeit at a substantially lower level, with the Grade II Listed Old Vicarage. Residential properties lie to the north-west and opposite the site frontage to the north-east.
- 1.4 Within the site there are significant changes in level, with a small historic quarry to the south of the dwelling. Levels across the site generally fall gradually from north to south with a far steeper fall adjoining the southern boundary. A large number of trees within the site are subject to Tree Preservation Orders (individual, group and woodland orders).
- 1.5 The application was supported by the following documents:
 - Arboricultural Report
 - Archaeological Assessment
 - Archaeological Evaluation
 - Design and Access Statement
 - Ecological Survey
 - Ecology Assessment
 - Flood Risk Assessment
 - Heritage Statement
 - Planning Statement
 - Statement of Community Engagement
 - Transport Statement
- 1.6 A copy of the original Circulated Schedule Report PT13/4286/F is appended for information purposes. The current resolution and Heads of Terms of the S106 Agreement are listed at para. 7.1 of the report.

Due to changes recently introduced in the government's Planning Practice Guidance, amendments to the previously approved resolution are required, the S106 having not yet been signed.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990
Housing and Growth - Ministerial Statement by The Rt. Hon. Eric Pickles (Secretary of State for Communities and Local Government). Sept 2012
Planning Practice Guidance March 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013

CS1 - Design
CS5 - Location of Development
CS9 - Managing the Environment and Heritage
CS15 - Distribution of Housing
CS16 - Housing Density
CS17 - Housing Diversity
CS18 - Affordable Housing

South Gloucestershire Local Plan (Adopted) 6th January 2006

L1 - Landscape Protection and Enhancement
L5 - Open areas
L9 - Species Protection
L11 - Archaeology
L13 - Listed Buildings
L15 - Buildings/Structures which Make a Significant Contribution to the Character and Distinctiveness of the Locality
H4 - Development within Existing Residential Curtilages, including Extensions and New Dwellings.
EP2 - Flood Risk and Development
EP4 - Noise Sensitive Development
EP6 - Contaminated Land
T7 - Cycle Parking Provision
T8 - Parking Standards
T12 - Transportation Development Control Policy for New Development
LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions)
LC3 - Proposals for Sports and Leisure Facilities Within the Existing Urban Areas
LC4 - Proposals for Educational and Community Facilities Within the Existing Urban Area.

Emerging Plan

Policies, Sites & Places Development Plan Document (Draft) June 2014

PSP1 - Local Distinctiveness
PSP2 - Landscape
PSP3 - Trees and Woodland
PSP5 - Undesignated Open Spaces within Urban Areas and Settlements
PSP6 - Onsite Renewable & Low Carbon Energy
PSP8 - Settlement Boundaries and Residential Amenity
PSP10 - Development Related Transport Impact Management
PSP16 - Parking Standards
PSP17 - Heritage Assets and the Historic Environment
PSP19 - Wider Biodiversity
PSP20 - Flood Risk, Surface Water and Watercourses
PSP21 - Environmental Pollution and Impacts
PSP34 - New Buildings within Existing Residential Curtilages
PSP39 - Private Amenity Space Standards

Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) adopted 23rd August 2007
South Gloucestershire Council Residential Parking Standards (Adopted) 2013.
Trees on Development Sites SPD Adopted Nov. 2005
The Affordable Housing SPD Adopted Sept. 2008
The South Gloucestershire Landscape Character Assessment (Adopted)
The Winterbourne Village Design Statement (Endorsed Nov 2012).
The Local List (Adopted) Feb 2008

3. RELEVANT PLANNING HISTORY

- 3.1 PT99/0078/F - Erection of four 4-bedroom houses, two 5-bedroom houses together with garages, landscaping and access road.
Withdrawn: 15 December 1999
- 3.2 PT07/2277/O - Erection of 4 detached dwellings (outline) with siting/layout, access and landscaping to be considered; all other matters reserved.
Refused: 12 October 2007
Appeal Allowed: 24 July 2008
- 3.3 PT09/068/SCR - Screening Opinion issued in respect of then current planning application. Decision:
Environmental Impact Statement not required- 24 December 2009
- 3.4 PT09/5961/O - Erection of 64-bedroom nursing care home, 4 single-storey sheltered homes and single-storey warden house with associated parking and new vehicular access (outline). Access to be considered with all other matters reserved.
Refused: 19 March 2010
Appeal Dismissed: 9 June 2011

- 3.5 PT10/2266/O - Erection of 48no. bed Nursing Care Home two-storey and ten single-storey homes and single-storey warden house with associated parking and new access (Outline) Access and scale to be considered, all other matters reserved. (Re-submission of PT09/5961/O).
Refused 01 Dec. 2010
- 3.6 PT11/2193/RM - Erection of 4 dwellings. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT07/2277/O). Refused: 12 September 2011
- 3.7 PT12/035/SCR - Demolition of existing dwelling and erection of 6 detached dwellings with associated garages and parking; creation of new vehicular access from Down Road. Screening Opinion for PT12/3078/F.
EIA not required: 3 October 2012
- 3.8 PT12/3078/F - Demolition of existing dwelling and erection of 6no. detached dwellings with associated garages and parking. Creation of new vehicular access from Down Road.
Refused 31 Dec. 2012 for the following reasons:
1. *On the basis of the information received, it is considered that by reason of the scale, massing, design and position of the dwellings proposed, and the resultant loss of vegetation, the proposals would have a detrimental impact on the character and the visual amenities of the site and its locality and would be likely to result in further pressure for the loss of vegetation at this prominent and sensitive hilltop position that is characterised by dense vegetation and small-scale development. The proposal is therefore considered to be contrary to Planning Policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006, the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document and the Landscape Character Assessment (Adopted) Supplementary Planning Document.*
 2. *On the basis of the details received, it is considered that by reason of the scale, massing, position and design of plots 2 and 3 combined with the resultant loss of vegetation proposed, the proposals would fail to preserve the setting of the adjoining Grade II Listed Church and its associated graveyard. The proposal is therefore considered to be contrary to Planning Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.*
 3. *The application fails to include any affordable housing and is therefore contrary to Policy CS19 of the South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications (September 2012) and Planning Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006.*
 4. *By reason of the scale, massing and position of plot 4, the proposal would have an unacceptable and overbearing impact on the residential amenities of the neighbouring occupiers at 14 Down Road.*

The proposal is therefore considered to be contrary to Planning Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. In the absence of an appropriate legal agreement to secure the necessary highway works, the proposal is contrary to Planning Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3.9 PT13/4286/F - Demolition of existing dwelling and the erection of 6no. dwellings and associated garages, new access, landscaping and associated works.

Approved subject to S106 Agreement (May 2014)

3.10 PT13/4286/F - Demolition of existing dwelling and the erection of 6no. dwellings and associated garages, new access, landscaping and associated works.

3 months extension in time to 19th March 2015 to sign S106 Agreement

4. CONSULTATION RESPONSES (made in response to the original application PT13/4286/F)

4.1 Winterbourne Parish Council

The comments of the Parish Council are no objection. However, more care should be taken with the views from Bury Hill and Worrells Lane. The Winterbourne Down Village Design Statement should be considered.

4.2 Other Consultees

Highway Drainage

No objection subject to a condition to secure a SUDS Drainage Scheme.

Environmental Protection

No objection subject to a condition relating to contaminated land.

Wessex Water

No objection. Consent will be required to connect to Wessex Water Systems.

The Environment Agency

No objection subject to a condition to ensure that the development is carried out in accordance with the Flood Risk Assessment.

Avon Wildlife Trust

No response

Historic Environment

No objection subject to a condition to secure further archaeological investigations.

Ecology Officer

The mitigation measures proposed in both ecology reports should be actioned via planning conditions to safeguard site ecology during and after the construction period. A further condition regarding reptiles should also be imposed.

Trading Standards and Licensing

Although Hillcrest is not within a vehicle weight restricted area, it is in close proximity to Winterbourne Railway Bridge. The structure has a 10T MGW Weak Bridge structural weight restriction imposed upon it.

Tree Officer

No objection subject to a condition to secure a detailed arboricultural method statement for the construction of the garage adjacent to T12.

Landscape Officer

No objection. The planting proposals are acceptable.

Urban Design Officer

The scale, forms and appearance is considered to be in keeping with the general 'ambience' of the village. Subject to landscape and arboricultural comments that confirm the ridgeline will be protected, adjustment to the layout with respect plots 5 & 6 and clarification of the sustainability standards, I have no objection.

Conservation Officer

The proposal will not have a harmful impact on the setting of the Grade II listed church and will accord with Policy L13 of the adopted Local Plan and Policy CS9 of the Core Strategy. Samples of all external materials should be conditioned, as should sample panels of the new walling for the buildings and the rebuilt boundary wall.

Sustainable Transport Officer

No objection subject to a S106 Agreement to secure the access works, and conditions to secure the access points, visibility splays and footpaths.

Children and Young People

The total contribution required for additional school provision is £22,014.

New Communities

No comment, the proposal for 6no. dwellings falls below the current threshold for contributions.

Housing Enabling

In accordance with policy CS18 and guidance in the affordable housing SPD, the following requirements are sought:

- 35% of dwellings to be delivered as affordable housing, as defined by the NPPF. The applicant has shown provision of 2 affordable homes which are accepted by the Council.

- Tenure split of 78% social rent, 6% affordable rent and 16% intermediate housing, as identified by the West of England Strategic Housing Market Assessment (SHMA) 2009 and Addendum to SHMA 2009. The 2 affordable homes should be provided for social rent.
- A range of affordable unit types to meet housing need based upon the findings from the SHMA 2009 and Addendum to SHMA 2009. The applicant is providing 2 x 2 bed houses which meet the greatest need evidenced by the SHMA.

Other Representations

4.3 Local Residents

9no. letters/e.mails of support have been received (some with the proviso that the access is re-located). The comments in support are summarised as follows:

- This would be an appropriate use of the site.
- Every aspect has been researched and looked into.
- Neighbours have been consulted by the developer.
- The setting of the Grade II Listed Church and Vicarage will be protected.
- The Woodland is in need of management.
- The scheme will compliment neighbouring properties.
- This is a reasonable and proportionate use of the land.
- This is residential development in a residential area.
- The position of the development in relation to no.14 Down Road is acceptable.
- The lowering of and re-location of the boundary wall will improve safety for pedestrians and road users.
- The new buildings will not be visible from the Church Yard.
- There has been years of neglect of the trees and wall.
- There will be preservation of wildlife areas.
- There is currently anti-social behaviour on the site.

2no. letters/e.mails have been received objecting on the following grounds:

- The access is dangerous.
- Poor visibility at the pedestrian access.
- Trees should not be felled.
- The scheme does not accord with the Winterbourne Village Design Statement.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This site lies within the Urban Area and the acceptance in principle of the development proposed was previously established with the resolution to grant application PT13/4286/F subject to a S106 Agreement to secure the 'Heads of Terms' listed at para. 7.1 of the original Circulated Schedule Report. Following revised government guidance on S106 contributions recently introduced in the Planning Practice Guidance, it is now necessary to change those 'Heads of Terms'; in order to do so a new resolution is sought.

- 5.2 The NPPF (para. 14) states that; at the heart of the Framework is the presumption in favour of sustainable development. Furthermore The South Gloucestershire Local Plan Core Strategy has now been adopted (Dec 2013) so the policies therein are now part of the Development Plan. Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. 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.
- 5.3 The drafting of the S106 Agreement has involved protracted negotiations, which has taken the application past the 6 month deadline for completing the S106 Agreement. A 3 month extension in time to complete the S106 was recently granted. Officers are however satisfied that there is every expectation that the S106 will be signed shortly.
- 5.4 On 28th November 2014, the Government announced changes to the national policy in relation to contributions for affordable housing and other tariff style planning obligations (S106 planning obligations). These were published as an update to the National Planning Practice Guidance (NPPG). Whilst affecting the thresholds for affordable housing contributions, the changes also impact on other contributions such as education and community facilities and services.
- 5.5 As regards this application PK13/4286/F the originally requested on-site affordable housing contribution of 2 houses can no longer be requested but rather an off-site financial contribution of the equivalent i.e. £207,000.00, which would be index-linked and payable only upon the completion of the units. Furthermore the previously requested Education Contributions would now also only be payable upon completion of the units. The applicant has confirmed his acceptance to these revised terms.
- 5.6 Given that the S106 is still pending, the application must now be re-assessed against the revised Government Guidance and officers consider that it would be unreasonable not to do so having regard to the tests for imposing planning obligations as listed at para. 204 of the NPPF, which reads as follows:

'Planning obligations should only be sought where they meet all of the following tests:

- *Necessary to make the development acceptable in planning terms;*
- *Directly related to the development; and*
- *Fairly and reasonably related in scale and kind to the development.*

Given the revised NPPG guidance, the way in which the affordable housing contribution and contribution to Education facilities must be revised.

- 5.7 Para. 205 of the NPPF also states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.
- 5.8 The major changes to planning policy as a result of the 28th November update to the NPPG are as follows:
- Developments of 10 units or less and with a combined gross floor-space 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 i.e. in circumstances where affordable housing is not to be delivered on site.
 - Residential annexes and existing home extensions are exempt from affordable housing and tariff-style contributions.
 - Rural Exception Sites are also excluded from having to make contributions.
- 5.9 The application scheme falls within the above bullet point 3 and as such the contribution towards affordable housing must be an off-site financial contribution of, in this case, the equivalent of the 2 houses previously sought on-site i.e. £207,000. Furthermore para. 10.35 of the NPPG states that *“In designated rural areas where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments, which are commuted after completion of units within the development”*. This therefore also applies to the Education Contribution. In order to take account of this, before the S106 can be completed and the Decision Notice issued, a revised resolution is sought.

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 In order to take account of recent Government Changes introduced via the NPPG, it is recommended that the resolution (see para. 7.1) be amended as listed below.
- 6.3 The recommendation to grant outline planning consent 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) 11th Dec. 2013 set out above, and to all the relevant

7. RECOMMENDATION

7.1 (1) That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following:

- (i) The access works shall be carried out in accordance with the principles shown on the approved 'Site Plan as Proposed' Drawing No. 258.P.001.
- (ii) A financial contribution of £22,014.00p towards the provision of 2 additional Primary School places to be paid upon the completion of the units.
- (iii) An off-site financial contribution towards the provision of affordable housing of £207,000.00p payable on completion of the units.
- (iv) A S106 monitoring fee to the value of 4% of the total Education contributions i.e. £880.56p.

The reasons for this Agreement are:

- (i) In the interests of highway safety on Down Road in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- (ii) To meet the needs of the increased population to result from the development and to accord with Policy LC2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and The National Planning Practice Guidance.
- (iii) To ensure the provision of Affordable Housing in accordance with Policy CS18 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and The National Planning Practice Guidance.
- (iv) To cover the Council's costs of monitoring the S106.

(2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

7.2 Should the agreement not be completed within 3 months of the date of the Committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

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

Reason

To comply with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The accesses, footpaths, car parking and manoeuvring areas shall be implemented in full accordance with the approved layout details shown on the Site Plan As Proposed Drawing No. 258.P.001 P4, prior to the first occupation of the buildings and retained for that purpose.

Reason

In the interest of highway safety and the amenity of the area, and to accord with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and The South Gloucestershire Council Residential Parking Standards SPD.

4. No development shall commence until representative samples of all external facing materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.

Reason

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

5. No development shall commence until sample panels of facing stonework and boundary walling of at least one square metre, showing the stone, coursing, joints, mortar and pointing, has been constructed on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved panel, which shall be retained on site until the completion of the scheme, to provide consistency

Reason

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

6. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatment(s) to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason

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

7. Prior to the commencement of the development hereby approved, a Woodland Management Plan shall be drawn up and agreed in writing by the Local Planning Authority. The plan should include, protection measures for the retained woodland during the period of construction, details of all semi-natural habitats, future management and enhancements, most notably for European Hedgehog, to provide increased biodiversity across the site. All works are to be carried out in accordance with the approved plan.

Reason

To promote an increase in the biodiversity of the site and provide appropriate long-term management for the site in accordance with policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec 2013 and retained policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013.

8. All proposed planting shall be carried out in accordance with the approved Planting Plan Drawing No. BRS.4546_08-C, within the first planting season following completion of the building works.

Reason

To screen the development and provide acceptable mitigation for the development, to accord with retained policies L1, L13 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006..

9. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Prior to the commencement of the development hereby approved, a detailed Arboricultural Method Statement for the construction of the garage adjacent to Tree T12 (as identified in the submitted Tree Survey). Thereafter the works shall be undertaken in accordance with the Arboricultural Method Statement so approved.

Reason

In the interests of the long term health of the tree and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the Trees on Development Sites SPG Adopted Nov. 2005.

11. The hours of working on site during the period of construction and demolition 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 Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the NPPF.

12. Prior to the commencement of the development a Waste Management Audit shall be submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:
 - (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
 - (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
 - (c) Proposals for re-cycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
 - (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
 - (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

The approved works shall subsequently be carried out in accordance with the agreed details.

Reason

To accord with the Council's adopted Waste Management Strategy, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 6th 2006 and Policy 37 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002.

13. Prior to the commencement of any works on the site or site clearance, the proposed points of access shall be constructed to the extent whereby the proposed visibility splays of 2.4m x 43m shall be provided, with no obstruction greater than 0.9m within said visibility splays.

Reason

In the interests of highway safety and the amenity of the area in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

14. Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority; thereafter the development shall be carried out in strict accordance with the approved CMP.

(For the avoidance of doubt the CMP should as a minimum include access and turning provisions, wheel wash details, details of type and position of temporary signage, and routing of all plant and vehicles to/from the site during the demolition, levelling (including quarry infill) and construction phases.)

Reason

In the interests of highway safety and the amenity of the area to accord with Policies T12 and H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.

15. The development hereby approved shall be carried out in accordance with the mitigation proposals cited in Section 6.14 of the Ecology Assessment August 2010 (Arbor Vitae Environment Ltd), and those in Section 4 of the Ecology Survey February 2014 (Ethos Environmental Planning).

Reason

In the interests of protected species and the ecology of the site in accordance with Policy L9 of The South Gloucestershire local Plan (Adopted) 6th Jan 2006.

16. Should reptiles be found during the construction period, a suitably qualified ecologist shall be contacted for advice, thereafter the works shall be carried out in accordance with the advice given.

Reason

In the interests of protected species and the ecology of the site in accordance with Policy L9 of The South Gloucestershire local Plan (Adopted) 6th Jan 2006.

17. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Andrew Gough Development Consultant and the following mitigation measures detailed within the FRA:
 1. Construction of soakaway systems for each dwelling as detailed in drawing WB-DL-101.
 2. Finished floor levels are set no lower than 150mm above existing typical ground level.

Reason

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy EP2 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec 2013.

18. A) Previous historic uses(s) of the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably qualified person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.

B) Where potential contaminants are identified, prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks. Thereafter the development shall proceed in accordance with any agreed mitigation measures.

C) Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.
- iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.
- v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

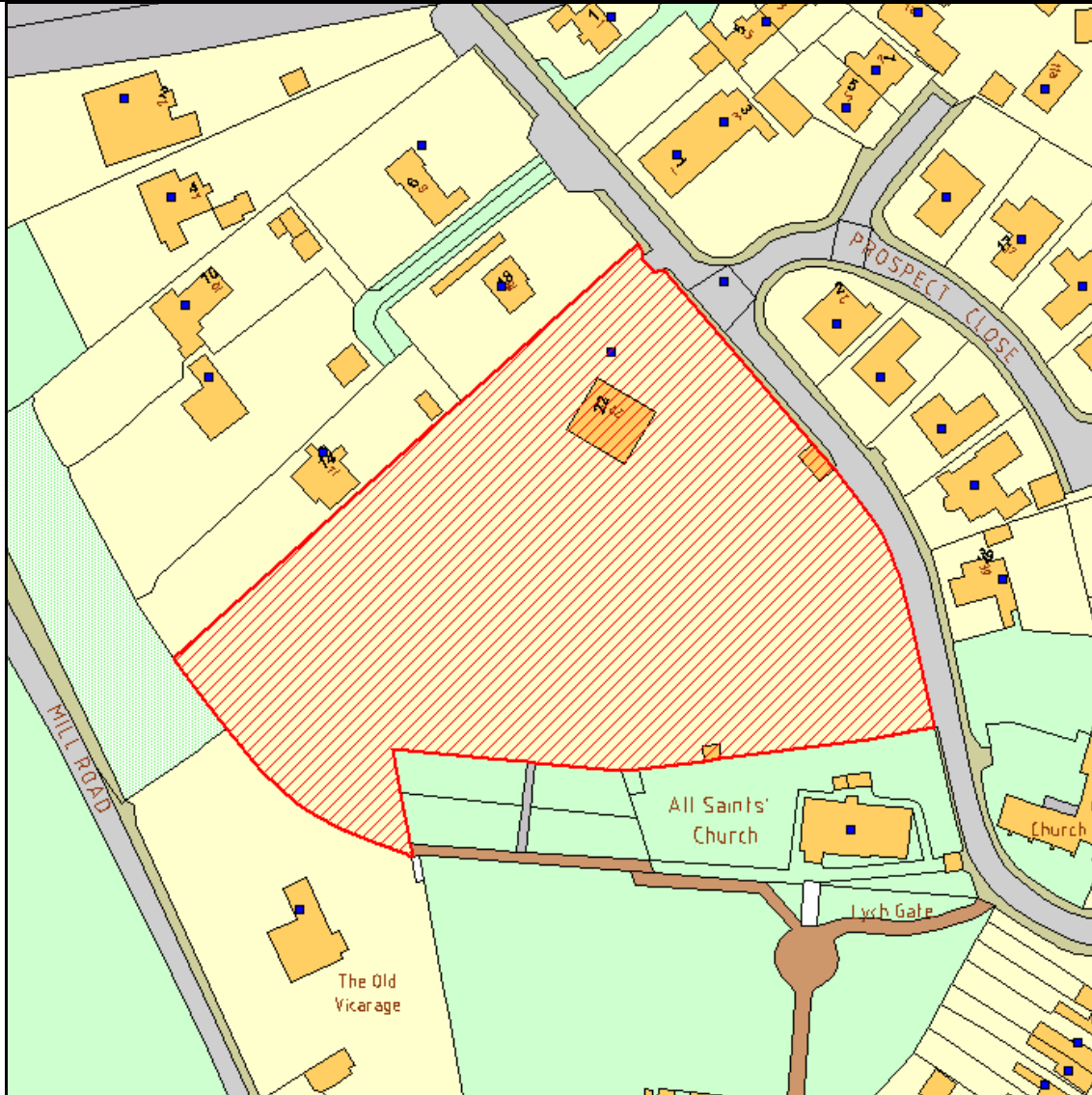
Reason

Having regard to possible contamination of the land and in the interests of future occupiers in accordance with Policy EP6 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

APPENDIX - ITEM 9

CIRCULATED SCHEDULE NO. 20/14 – 16 MAY 2014

App No.:	PT13/4286/F	Applicant:	MD & MN Savory
Site:	Hillcrest 22 Down Road Winterbourne Down Bristol South Gloucestershire BS36 1BN	Date Reg:	25th November 2013
Proposal:	Demolition of existing dwelling and the erection of 6 no. dwellings and associated garages, new access, landscaping and associated works.	Parish:	Winterbourne Parish Council
Map Ref:	365026 179784	Ward:	Winterbourne
Application Category:	Major	Target Date:	19th February 2014



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100023410, 2008. **N.T.S.** **PT13/4286/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of objections from local residents, the concerns raised being contrary to the officer recommendation. Furthermore the affordable housing and CYP contributions as well as the works to the highway need to be secured by a S106 Legal Agreement.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of six detached dwellings and a new vehicular access. It is proposed to demolish the existing dilapidated property and erect 4 detached dwellings and a pair of semi-detached houses, the latter would be affordable housing. Vehicular access would be from Down Road. The existing site access would be modified to serve the 2 x 2 bedroom semi-detached houses. A new access would serve the 4no. detached dwellings which comprise 2 x 4 bed and 2 x 5 bed houses.
- 1.2 The application site comprises a little over 1 hectare of land and relates to the substantial curtilage of 22 Down Road, Winterbourne. The host dwelling forms a detached two-storey property that is derelict, with the garden area overgrown; much of the land resembles woodland.
- 1.3 The site lies within the Winterbourne Established Settlement Boundary but beyond the Green Belt and Conservation Area. The southern site boundary adjoins the Grade II Listed All Saints Church and the southwest boundary is shared, albeit at a substantially lower level, with the Grade II Listed Old Vicarage. Residential properties lie to the north-west and opposite the site frontage to the north-east.
- 1.4 Within the site there are significant changes in level, with a small historic quarry to the south of the dwelling. Levels across the site generally fall gradually from north to south with a far steeper fall adjoining the southern boundary. A large number of trees within the site are subject to Tree Preservation Orders (individual, group and woodland orders).
- 1.5 The application seeks to overcome the refusal reasons for the previously submitted scheme (see para. 3.8 below). The application is supported by the following documents:

- Arboricultural Report
- Archaeological Assessment
- Archaeological Evaluation
- Design and Access Statement
- Ecological Survey
- Ecology Assessment
- Flood Risk Assessment
- Heritage Statement
- Planning Statement
- Statement of Community Engagement
- Transport Statement

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990
Housing and Growth - Ministerial Statement by The Rt. Hon. Eric Pickles
(Secretary of State for Communities and Local Government). Sept 2012
Planning Practice Guidance March 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013

CS1 - Design
CS5 - Location of Development
CS9 - Managing the Environment and Heritage
CS15 - Distribution of Housing
CS16 - Housing Density
CS17 - Housing Diversity
CS18 - Affordable Housing

South Gloucestershire Local Plan (Adopted) 6th January 2006

L1 - Landscape Protection and Enhancement
L5 - Open areas
L9 - Species Protection
L11 - Archaeology
L13 - Listed Buildings
L15 - Buildings/Structures which Make a Significant Contribution to the Character and Distinctiveness of the Locality
H4 - Development within Existing Residential Curtilages, including Extensions and New Dwellings.
EP2 - Flood Risk and Development
EP4 - Noise Sensitive Development
EP6 - Contaminated Land
T7 - Cycle Parking Provision
T8 - Parking Standards
T12 - Transportation Development Control Policy for New Development
LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions)
LC3 - Proposals for Sports and Leisure Facilities Within the Existing Urban Areas
LC4 - Proposals for Educational and Community Facilities Within the Existing Urban Area.

Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) adopted 23rd August 2007
South Gloucestershire Council Residential Parking Standards (Adopted) 2013.
Trees on Development Sites SPD Adopted Nov. 2005
The Affordable Housing SPD Adopted Sept. 2008
The South Gloucestershire Landscape Character Assessment (Adopted)
The Winterbourne Village Design Statement (Endorsed Nov 2012).
The Local List (Adopted) Feb 2008

3. RELEVANT PLANNING HISTORY

- 3.1 PT99/0078/F - Erection of four 4-bedroom houses, two 5-bedroom houses together with garages, landscaping and access road.
Withdrawn: 15 December 1999
- 3.2 PT07/2277/O - Erection of 4 detached dwellings (outline) with siting/layout, access and landscaping to be considered; all other matters reserved.
Refused: 12 October 2007
Appeal Allowed: 24 July 2008
- 3.3 PT09/068/SCR - Screening Opinion issued in respect of then current planning application. Decision:
Environmental Impact Statement not required- 24 December 2009
- 3.4 PT09/5961/O - Erection of 64-bedroom nursing care home, 4 single-storey sheltered homes and single-storey warden house with associated parking and new vehicular access (outline). Access to be considered with all other matters reserved.
Refused: 19 March 2010
Appeal Dismissed: 9 June 2011
- 3.5 PT10/2266/O - Erection of 48no. bed Nursing Care Home two-storey and ten single-storey homes and single-storey warden house with associated parking and new access (Outline) Access and scale to be considered, all other matters reserved. (Re-submission of PT09/5961/O).
Refused 01 Dec. 2010
- 3.6 PT11/2193/RM - Erection of 4 dwellings. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT07/2277/O). Refused: 12 September 2011
- 3.7 PT12/035/SCR - Demolition of existing dwelling and erection of 6 detached dwellings with associated garages and parking; creation of new vehicular access from Down Road. Screening Opinion for PT12/3078/F.
EIA not required: 3 October 2012
- 3.8 PT12/3078/F - Demolition of existing dwelling and erection of 6no. detached dwellings with associated garages and parking. Creation of new vehicular access from Down Road.
Refused 31 Dec. 2012 for the following reasons:
1. *On the basis of the information received, it is considered that by reason of the scale, massing, design and position of the dwellings proposed, and the resultant loss of vegetation, the proposals would have a detrimental impact on the character and the visual amenities of the site and its locality and would be likely to result in further pressure for the loss of vegetation at this prominent and sensitive hilltop position that is characterised by dense vegetation and small-scale development. The proposal is therefore*

considered to be contrary to Planning Policies D1, L1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006, the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document and the Landscape Character Assessment (Adopted) Supplementary Planning Document.

- 2. On the basis of the details received, it is considered that by reason of the scale, massing, position and design of plots 2 and 3 combined with the resultant loss of vegetation proposed, the proposals would fail to preserve the setting of the adjoining Grade II Listed Church and its associated graveyard. The proposal is therefore considered to be contrary to Planning Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.*
- 3 The application fails to include any affordable housing and is therefore contrary to Policy CS19 of the South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications (September 2012) and Planning Policy H6 of the South Gloucestershire Local Plan (Adopted) January 2006.*
- 4. By reason of the scale, massing and position of plot 4, the proposal would have an unacceptable and overbearing impact on the residential amenities of the neighbouring occupiers at 14 Down Road. The proposal is therefore considered to be contrary to Planning Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.*
- 5. In the absence of an appropriate legal agreement to secure the necessary highway works, the proposal is contrary to Planning Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.*

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

The comments of the Parish Council are no objection. However, more care should be taken with the views from Bury Hill and Worrells Lane. The Winterbourne Down Village Design Statement should be considered.

4.2 Other Consultees

Highway Drainage

No objection subject to a condition to secure a SUDS Drainage Scheme.

Environmental Protection

No objection subject to a condition relating to contaminated land.

Wessex Water

No objection. Consent will be required to connect to Wessex Water Systems.

The Environment Agency

No objection subject to a condition to ensure that the development is carried out in accordance with the Flood Risk Assessment.

Avon Wildlife Trust

No response

Historic Environment

No objection subject to a condition to secure further archaeological investigations.

Ecology Officer

The mitigation measures proposed in both ecology reports should be actioned via planning conditions to safeguard site ecology during and after the construction period. A further condition regarding reptiles should also be imposed.

Trading Standards and Licensing

Although Hillcrest is not within a vehicle weight restricted area, it is in close proximity to Winterbourne Railway Bridge. The structure has a 10T MGW Weak Bridge structural weight restriction imposed upon it.

Tree Officer

No objection subject to a condition to secure a detailed arboricultural method statement for the construction of the garage adjacent to T12.

Landscape Officer

No objection. The planting proposals are acceptable.

Urban Design Officer

The scale, forms and appearance is considered to be in keeping with the general 'ambience' of the village. Subject to landscape and arboricultural comments that confirm the ridgeline will be protected, adjustment to the layout with respect plots 5 & 6 and clarification of the sustainability standards, I have no objection.

Conservation Officer

The proposal will not have a harmful impact on the setting of the Grade II listed church and will accord with Policy L13 of the adopted Local Plan and Policy CS9 of the Core Strategy. Samples of all external materials should be conditioned, as should sample panels of the new walling for the buildings and the rebuilt boundary wall.

Sustainable Transport Officer

No objection subject to a S106 Agreement to secure the access works, and conditions to secure the access points, visibility splays and footpaths.

Children and Young People

The total contribution required for additional school provision is £22,014.

New Communities

No comment, the proposal for 6no. dwellings falls below the current threshold for contributions.

Housing Enabling

In accordance with policy CS18 and guidance in the affordable housing SPD, the following requirements are sought:

- 35% of dwellings to be delivered as affordable housing, as defined by the NPPF. The applicant has shown provision of 2 affordable homes which are accepted by the Council.
- Tenure split of 78% social rent, 6% affordable rent and 16% intermediate housing, as identified by the West of England Strategic Housing Market Assessment (SHMA) 2009 and Addendum to SHMA 2009. The 2 affordable homes should be provided for social rent.
- A range of affordable unit types to meet housing need based upon the findings from the SHMA 2009 and Addendum to SHMA 2009. The applicant is providing 2 x 2 bed houses which meet the greatest need evidenced by the SHMA.

Other Representations

4.3 Local Residents

9no. letters/e-mails of support have been received (some with the proviso that the access is re-located). The comments in support are summarised as follows:

- This would be an appropriate use of the site.
- Every aspect has been researched and looked into.
- Neighbours have been consulted by the developer.
- The setting of the Grade II Listed Church and Vicarage will be protected.
- The Woodland is in need of management.
- The scheme will compliment neighbouring properties.
- This is a reasonable and proportionate use of the land.
- This is residential development in a residential area.
- The position of the development in relation to no.14 Down Road is acceptable.
- The lowering of and re-location of the boundary wall will improve safety for pedestrians and road users.
- The new buildings will not be visible from the Church Yard.
- There has been years of neglect of the trees and wall.
- There will be preservation of wildlife areas.
- There is currently anti-social behaviour on the site.

2no. letters/e-mails have been received objecting on the following grounds:

- The access is dangerous.
- Poor visibility at the pedestrian access.
- Trees should not be felled.
- The scheme does not accord with the Winterbourne Village Design Statement.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This site lies within the Urban Area where the principle of residential development is acceptable. Furthermore, the acceptance in principle of the residential development of this site using the access proposed was established when the appeal against the refusal of application PT07/2277/O was allowed.

5.2 The NPPF (para. 14) states that; at the heart of the Framework is the presumption in favour of sustainable development. Sustainable development is defined in the Framework as having three dimensions, which lead to three roles – an economic role, a social role and an environmental role. The proposal, which now includes an element of social housing, would lie close to Winterbourne with its shops and services, and would create job opportunities for the building trade; as such it complies with the stated aims and objectives of the NPPF. Furthermore The South Gloucestershire Local Plan Core Strategy has now been adopted (Dec 2013) so the policies therein are now part of the Development Plan. Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. 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. Council Officers have worked closely with the applicants to amend the scheme from its original proposal to its current design.

5.3 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. Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities and this policy stance is replicated in Policy CS17 of the Core Strategy.

5.4 Density

The scheme would provide 6 units of accommodation on the 1.08ha site, which equates to 5.55 dph. The density would be well below what one would normally expect in a suburban area, however this low figure for the density of the development merely reflects the constraints of developing this site, which has steeply sloping land in places, is highly vegetated and lies adjacent to Grade II Listed Buildings. Having considered the site constraints, officers are satisfied that the proposed density would make the most efficient use of the site.

5.5 Scale and Design

The layout shows 6 dwellings (4 in large plots) arranged around a 'courtyard'. The low density is a consequence of the need to protect existing vegetation.

Further units and subdivision of plots would no doubt lead to added pressure to fell trees located on this locally important ridgeline. The proposed new stone wall and garage blocks would provide a distinct entrance into the site. The layout is predominantly organised around the existing trees. Retention and protection of a number of large trees in and around the site boundary is absolutely paramount to respecting the wooded appearance and views of this important ridgeline. The layout is therefore acceptable.

- 5.6 The proposed houses are 2-2.5 storey split level units, which are generally in scale with nearby dwellings. Low pitched roofs, contemporary styled chimneys, large modern windows and balconies (which take advantage of views and the wooded setting) are combined with pennant stone, brick and timber cladding. This gives a modern appearance that responds to the woodland setting and local distinctiveness.
- 5.7 In terms of sustainability, it is noted that principle windows / rooms have been orientated due south to maximise solar gain. This is important given the propensity for overshadowing from the existing trees.
- 5.8 The Winterbourne Village Design Statement (VDS) refers to the importance of protecting landscape setting, including this important ridgeline. The dwellings are also predominantly proposed in generous plots, a feature noted in the VDS, which provides space for the protection and enhancement of existing landscape features and provision of gardens and play space. The development also incorporates and replaces the existing stone wall along the frontage and utilises traditional materials. The scale, form and appearance is therefore considered to be in keeping with the general 'ambience' of the village.
- 5.9 Conservation Issues
The site forms a prominent tree covered escarpment within the surrounding landscape, which is of primary importance regarding visual amenity within the surrounding villages. The Grade II Listed All Saints' Church, the Grade II Lychgate, the Grade II Listed Old Vicarage and the Locally Listed Methodist Church are all located at the peripheries of the site boundary. In accordance with paragraphs 131 and 132 of the NPPF, setting is a material consideration in assessing the impact of the proposed development.
- 5.10 The church, built in 1858, is an important landmark on Down Road, occupying a prominent position beside the road that terminates the views on the approach from the south. Its three tall gables create a strong feature which is echoed by the gabled roof structure of the lychgate that forms the pedestrian entrance from the pavement. The setting is also enhanced by the adjacent locally listed Methodist Church which sits opposite the church in a slightly elevated position. Together, these three structures (nationally and locally listed) form an important historic and architectural group which is viewed against a verdant backdrop that positively contributes to their setting. The graveyard is a very secluded, verdant area surrounded by a number of mature, high quality trees. Despite the background motorway noise, the site is very atmospheric and it has a sense of isolation and intimacy that is desirable to protect. The site to the north has an almost wild, woodland character, with extensive tree planting and dense undergrowth that contributes to the setting of the graveyard.

- 5.11 The Old Vicarage is located to the south-west of the site but is set lower down the hillside than the church and proposed development. The levels in this area mean that views of the development in the immediate vicinity of the Old Vicarage should be screened by the remaining trees. In longer distance views, however, the building is a dominant feature in the landscape, sitting at the lower edge of the tree covered escarpment. Together with the nearby Old School House, they are the only buildings seen in certain views of the development site. The Design and Access Statement includes two photos showing the proposed development and how it will be screened by the existing tree cover; the belt of trees on this side of the site should act as a good screen to the development and ensure that the Old Vicarage remains the dominant feature in these longer views.
- 5.12 Further information has been submitted in support of the application and specifically in relation to the potential impact of the development on the setting and character of the graveyard. The details include photomontages of the plot closest to the church (plot 2), taken at points along the graveyard. It is accepted that in the area immediately to the west of the church, the extensive evergreen tree and shrub cover provides good screening of the development site. There is also a substantial level difference which reduces the line of sight and means only the uppermost areas of the buildings are visible.
- 5.13 To the west of the church is the later 20th century extension to the graveyard. This comprises the original walkway from the church to the Vicarage at the lower level, with two terraces of graves running parallel with the boundary wall. A central set of steps provides access to the two levels. From the lowest level, the historic walkway from the Vicarage to the church, it is possible that glimpsed views will be had of the roof and part of the upper floor of plot 2 although the orientation of the building means that it will quickly recede into the distance and be obscured by the boundary wall and vegetation. At the upper levels of this part of the graveyard, it is inevitable that views into the site will be available and more of the individual buildings will be seen. Close to the boundary, virtually the entire site can be seen and there will inevitably be inter-visibility between the graveyard and any development in the application site. As the principle of residential development has been previously allowed at appeal (although now lapsed), a degree of intervention into the setting of the graveyard has been considered acceptable. This area is relatively divorced from the immediate setting and historic graveyard around the Church, and it doesn't feature in key views of the Church from Down Road and the graveyard to the south. Consequently, it would be difficult to resist the principle of development providing it does not become unduly intrusive and imposing given the sense of isolation and intimacy that is desirable to protect. The proposed layout of plot 2 is a considerable improvement on the previous submissions which had two 3-storey buildings positioned in a much more imposing position close to the boundary. To reduce any potential views, a belt of 'native structure planting' is proposed against the southern boundary.
- 5.14 Having regard to all of the above, the proposed development would remain well screened by the existing and proposed trees and planting that form an important backdrop to the Church and historic graveyard. Limited views of Plot

2 would be available from the later 20th century graveyard to the west of the Church although these would be restricted to the upper levels of the terracing and filtered through the proposed native structure planting. It is now considered that the proposal would not have a harmful impact on the setting of the Grade II listed church and will accord with Policy L13 of the adopted Local Plan and Policy CS9 of the Core Strategy. Samples of all external materials would be conditioned, as would sample panels of the new walling for the buildings and the rebuilt boundary wall.

5.15 Landscape/Tree Issues

The site contains a detached dwelling set in a large garden containing a former quarry. The more significant trees on the site are all covered by a TPO. The site lies within the Frome Valley landscape character area (Area 13). The SG Landscape Character Assessment describes the landscape character of the area as '*a diverse and intricate area*' and continues, '*The combination of some of the key characteristics of the area, the undulating landform plus the varied and textured vegetation structure help to integrate some of the settlement edges, urban edge and roads within the wider landscape. Despite the extensive areas of settlement and urban edges, there are areas of landscape and pockets within settlements which retain, or largely retain, a distinct rural character*'.

- 5.16 The site is one such small '*pocket*' that has significance both in the immediate locality and in the wider landscape being a landscape feature comprising a wooded hilltop visible over a wide area. Nevertheless it is important to note the tree cover that provides the most important element of the feature is not located just within the site, but there are trees and areas of woodland outside of the site which in combination with the site vegetation make up the overall feature and give it significance. It is equally important to note the site has been neglected and many trees are not in the best of condition, much of the shrubby understorey has been lost and as a result the landscape feature has become degraded. This degradation has the potential to gradually reduce the significance and value of the landscape feature. The principle of development on the site has previously been accepted but any development coming forward on the site must acknowledge the value of the landscape feature and seek to protect and enhance it. Development on the site offers the opportunity to put in place landscape enhancement and management that could ensure the long term protection of this part of the overall landscape feature.
- 5.17 During the most recent appeal on the site, the importance of this wooded hilltop was recognised and in long views the most significant trees, forming the crest of this wooded outline, were identified as the group of trees within the highest area of the site; which within this latest layout, would be the area of plot 3. This group of trees comprises T25 – T31. The Purple Beech, T25 is identifiable within the long views and as it is a grade B tree, would ideally be retained within the layout. The proposed layout provides a total of 6 dwellings, which includes 2 affordable units at the front of the site. Proposals include filling in the existing quarry area to provide a larger developable area
- 5.18 Each dwelling is set within a generous plot, providing good amenity space and allowing room for garden planting in the future within the treed framework. The

critical boundary regarding long views of the site is the southern boundary with the churchyard; the site layout indicates that the existing vegetation will be retained along this boundary and supplemented with additional tree planting, which is welcomed. The new tree and shrub planting proposed as part of the development has been well considered and focuses on reinforcing the screening of this southern boundary, as well as providing a new native hedge and tree planting behind the reconfigured stone boundary wall onto Down Road. It is considered that, the proposed planting should provide adequate mitigation for the development and preserve and enhance the screening of the site in long views.

- 5.19 The site is covered by a TPO, which applies to 27 individual trees, 2 groups and 1 woodland. The tree survey identifies 65 trees; 2 grade A, 18 B and 36 grade C and also 18 tree groups; 2 grade B and 16 grade C. All category A trees will be retained within the proposed layout, with a total of 42 grade C and 2 grade B trees being lost to accommodate the development.
- 5.20 In consideration of the potential for harm to the adjoining Green Belt in the context of the NPPF guidance, this rests upon whether or not the development would be conspicuous from the Green Belt. It is considered that the layout has been designed to retain the majority of the existing significant trees on site and provide landscape enhancement, thereby preserving the screening element within the identified long views from the Green Belt to the south and west.
- 5.21 Having considered all of the above there are no landscape objections to the proposal, which accords with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.22 Impact on Residential Amenity
The nearest properties that are most likely to be affected are the two adjoining properties that sit to the north of the application site: that fronting Down Road i.e. no.18 and that behind, no.14. In respect of 18 Down Road, the main outlook from this dwelling is to the front and rear (i.e. away from the application site) there being no windows in the southern end elevation; furthermore dense vegetation restricts views along this boundary. The proposal would introduce two two-storey dwellings (plots 5 and 6) the rear of which would face towards this boundary, albeit with views primarily orientated towards the front of this dwelling and with the proposals inset in excess of 20m from this boundary. On this basis, and with the screening provided, it is not considered that any significant adverse impact in residential amenity would be caused to this property.
- 5.23 Plots 3 and 4 adopt a similar position but are considerably larger and positioned closer to the boundary. Nevertheless they have been designed so as to have minimal impact on nos. 18 and 14 respectively, with the scale and massing significantly reduced from that which was previously refused; plot 4 has been moved further away from the boundary with no. 14. Again the dense vegetation on the northern boundary helps to screen any views into or out of the site. No.14 is single- storey with no significant habitable room windows in the southern elevation.

- 5.24 All other neighbouring dwellings are positioned at an appreciable distance from the site of the proposals. Adequate private amenity space would be retained to serve the new dwellings. On this basis, there would be no significant adverse impact on local residential amenity.
- 5.25 Transportation Issues
Vehicular access would be taken from Down Road. The existing site access would be modified to serve the 2no. 2-bedroom semi-detached houses whilst a new access would be taken from Down Road to serve the 4 detached dwellings. The latter would be achieved by setting back the existing boundary wall with visibility splays of 2.4m x 43m provided for each access; the former would be provided by lowering the height of the wall to 0.9m. Whilst some concerns have been expressed about this access arrangement the acceptance in principle of such an access was previously established in the appeals relating to applications PT07/2277/O and PT09/5961/O.
- 5.26 Prior to the recent attempts to provide a nursing home on this site, outline permission was granted for the erection of four detached dwellings in addition to the host dwelling that was to be retained (PT07/2277/O). This was initially refused for reasons relating to the proposed access and the absence of affordable housing but was allowed at appeal.
- 5.27 At this time, the Inspector noted that the street scene was characterised by the tall trees and walling that enclose this part of Down Lane but stated that *'change does not necessarily equate to harm and, in my view, the loss of enclosure resulting from the proposed realigned wall and removal of mature trees would not harm the character and appearance of the street scene.'* The Inspector noted that *Down Road 'is more open than it would have been prior to Prospect Close being developed, although I do not find that this harms its character and appearance'.*
- 5.28 Regarding traffic speeds and the new access, it was noted that *'Concerns have been expressed about the speed of traffic along Down Road and the positioning of the access in relation to the adjoining bend. However, the technical evidence before me demonstrates that traffic speeds past the appeal site are generally below the 30mph speed limit and that the proposed access would provide adequate visibility in both directions. I have also had regard to the fact that the Council raised no highway objections'.*
- 5.29 In respect of the more recent appeal decision, the Inspector wrote: *'I note the concern of some interested parties regarding the impact upon the stone boundary wall. However, as I have noted, permission exists for a new access to serve the permitted 4 additional houses. That scheme would include similar alterations to this boundary feature and is a fall back position available to the appellant. Whilst I understand that at the current time that permitted scheme is not viable, the previous Inspector found that such access works would not be harmful. Although the scale of these additional dwellings is likely to be very different to the scheme before me, the impact upon the roadside wall would not be a sound basis for withholding permission.'*

- 5.30 Notwithstanding the above, it should be noted that the outline planning permissions referred to have now lapsed; nevertheless the appeal decision letters are material considerations of significant weight, so much so, that officers consider that it would now be unreasonable to refuse the current application on highway grounds, given that it incorporates similar access arrangements.
- 5.31 Officers do however consider that the access points should be constructed to the extent whereby the proposed visibility splays of 2.4m x 43m should be provided, with no obstruction greater than 0.9m within said visibility splays, prior to any other works on site commencing. Thereafter the access works, including footpaths should be completed to an adoptable standard prior to the first occupation of the houses. A S106 legal agreement would be required to secure the access works as the majority of the works are within the public highway.
- 5.32 Adequate parking and turning space would be provided within the site to serve the proposed development. There are therefore no transportation objections to the proposal as now submitted.
- 5.33 The proposals for the re-development of the site include the requirement to make alterations to the existing ground profile, including the infilling of the small quarry within the site, with inert aggregate. There will be a requirement for imported fill material to infill the quarry and initial calculations suggest the volume of this fill to be in the order of up to 450-500 cu.m. This is likely to equate to approximately 25-30 no. 20 tonne vehicle deliveries. These deliveries would however be made over a relatively short time period, likely to be within a single week.
- 5.34 The applicant is willing to accept a condition requiring a construction management plan (CMP). It is likely that such a CMP would determine the access into the site along with adequate on-site turning area to allow for any large vehicle to either enter or exit the site in forward gear plus details of wheel wash facilities. Temporary signage would be provided to warn motorists of turning lorries and a banksman would help direct traffic.
- 5.35 Affordable Housing
The site falls within the Winterbourne settlement boundary that is identified as a rural settlement by Policy CS18 of the South Gloucestershire Council Local Plan Core Strategy (Adopted) 11 Dec. 2013 and Affordable Housing Supplementary Planning Document thus the threshold of 5 units/0.2 hectares applies. On this basis, 35% of dwellings are required to be delivered as affordable housing and this equates to 2 affordable dwellings that are to be delivered without public subsidy.
- 5.36 The greatest affordable need is for 2-bedroom houses for social rent. The proposed provision of two 2-bedroom houses is therefore acceptable on this site.

5.37 Ecology

An updated ecological survey has been provided (Ethos Environmental Planning February 2014). This confirmed the findings of an earlier report and re-assessed the building and outbuilding on site as having low potential for roosting bats, no signs of bat use being noted.

5.38 The site also has a potential to support reptiles albeit a low one, as although none were found during the 2010 reptile survey slow-worms have been recorded in the adjacent churchyard. The site does support badgers (foraging only) and breeding birds (including red and amber listed species) and has potential to support European hedgehog (the latter is not protected but is a South Gloucestershire Priority Species given its substantial decline).

5.39 The mitigation measures proposed in both ecology reports would be actioned via planning conditions to safeguard site ecology during and after the construction period. A further condition regarding reptiles would be imposed. Subject to these conditions there are no objections on ecological grounds.

5.40 Archaeology

This application has been accompanied by a desk-based assessment and the results of archaeological field evaluation, the former of which is considerably out of date. The evaluation has specified that no evidence for the putative Bronze Age barrow on the site survives, but the trenches were small and therefore archaeological deposits may still survive. Furthermore, the trial trenches only covered a small area of this current development site. Considering the works that have already taken place, further pre-determination assessment is not required, but a condition for a programme of archaeological work should be applied to any consent granted.

5.41 This programme of work would be divided into two phases – the first a programme of trial trenching leading to a mitigation strategy and the second the implementation of that strategy. No construction should be permitted to start until Phase 1 has been undertaken and the mitigation strategy accepted by the council. Thereafter the mitigation strategy should be implemented in full and again in accordance with a brief. Subject to the aforementioned condition, there are no objections on archaeological grounds.

5.42 Education

Current Department for Education cost calculators give a figure of £10,898 per additional primary pupil place, based at the Quarter 4 2011 value of the Royal Institute of Chartered Surveyors Building Cost All-In Tender Price Index.

5.43 At primary level there is a projected deficit of places in the local area. The proposed development of 6 dwellings will generate 2 additional primary pupils according to the pupil number calculator. A contribution of £22,014 is required for additional primary provision. There is a projected surplus of places at secondary schools in the local area. No contribution is required for additional secondary provision.

- 5.44 The total contribution required for additional school provision is therefore £22,014.00p, this to be secured by S106 Agreement.
- 5.45 New Communities
The proposal for 6no. dwellings falls below the current threshold (10) for contributions.
- 5.46 Drainage
Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, requires the proposed development to ensure that foul and surface water disposal arrangements are acceptable and incorporate sustainable drainage principles. In addition, development will not be permitted where it could increase the risk of flooding. A flood risk assessment has been submitted, nevertheless an appropriate condition to secure a SUDS drainage scheme would be imposed, should consent be granted. Subject to this condition the scheme would accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.47 Environmental Issues
The site does not lie within an area at significant risk from former coal mining, neither is the site within a zone of risk from flooding. Given that the existing house would be demolished, officers consider it appropriate to impose a condition to secure the prior submission and approval of a Waste Management Audit. The historic use of the site as former quarried areas and filled ground, may have caused contamination which could give rise to unacceptable risks to the proposed development. A suitable condition should therefore be included in any approval.
- 5.48 Furthermore the developer would be recommended to register the site under the 'Considerate Contractors scheme'. The scheme would also be the subject of Building Regulation Control and controls embodied within The Environmental Health Act. Subject to the aforementioned condition, the Council's Environmental Health Officer has raised no objections on Environmental Protection grounds.
- 5.49 CIL
Officers consider that the S106 requests meet all of the tests listed under Para. 20 of the NPPF and Reg 122 of the CIL Regs 2010 in being:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.

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 planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan

(Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 (1) That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following:
- (i) The access works shall be carried out in accordance with the principles shown on the approved 'Site Plan as Proposed' Drawing No. 258.P.001.
 - (ii) A financial contribution of £22,014.00p towards the provision of 2 additional Primary School places.
 - (iii) 35% of the approved dwellings i.e. 2 units, shall be delivered as affordable housing, as defined by the NPPF. The 2 units to comprise 2 x 2 bed houses i.e. plots 5 and 6 as shown on the approved 'Site Plan as Proposed' Drawing No. 258.P.001.
 - (iv) A S106 monitoring fee to the value of 4% of the total contributions i.e. £880.56p.

The reasons for this Agreement are:

- (i) In the interests of highway safety on Down Road in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 - (ii) To meet the needs of the increased population to result from the development and to accord with Policy LC2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 - (iii) To ensure the provision of Affordable Housing in accordance with Policy CS18 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.
 - (iv) To cover the Council's costs of monitoring the S106.
- (2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.
- 7.2 Should the agreement not be completed within 6 months of the date of the committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

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

Reason

To comply with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The accesses, footpaths, car parking and manoeuvring areas shall be implemented in full accordance with the approved layout details shown on the Site Plan As Proposed Drawing No. 258.P.001 P4, prior to the first occupation of the buildings and retained for that purpose.

Reason

In the interest of highway safety and the amenity of the area, and to accord with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and The South Gloucestershire Council Residential Parking Standards SPD.

4. No development shall commence until representative samples of all external facing materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.

Reason

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

5. No development shall commence until sample panels of facing stonework and boundary walling of at least one square metre, showing the stone, coursing, joints, mortar and pointing, has been constructed on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved panel, which shall be retained on site until the completion of the scheme, to provide consistency

Reason

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

6. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatment(s) to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason

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

7. Prior to the commencement of the development hereby approved, a Woodland Management Plan shall be drawn up and agreed in writing by the Local Planning Authority. The plan should include, protection measures for the retained woodland during the period of construction, details of all semi-natural habitats, future management and enhancements, most most notably for European Hedgehog, to provide increased biodiversity across the site. All works are to be carried out in accordance with the approved plan.

Reason:

To promote an increase in the biodiversity of the site and provide appropriate long-term management for the site in accordance with policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec 2013 and retained policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013.

8. All proposed planting shall be carried out in accordance with the approved Planting Plan Drawing No. BRS.4546_08-C, within the first planting season following completion of the building works.

Reason:

To screen the development and provide acceptable mitigation for the development, to accord with retained policies L1, L13 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006..

9. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Prior to the commencement of the development hereby approved, a detailed Arboricultural Method Statement for the construction of the garage adjacent to Tree T12 (as identified in the submitted Tree Survey). Thereafter the works shall be undertaken in accordance with the Arboricultural Method Statement so approved.

Reason

In the interests of the long term health of the tree and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the Trees on Development Sites SPG Adopted Nov. 2005.

11. The hours of working on site during the period of construction and demolition 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 Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the NPPF..

12. Prior to the commencement of the development a Waste Management Audit shall be submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:
 - (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
 - (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
 - (c) Proposals for re-cycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
 - (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
 - (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

The approved works shall subsequently be carried out in accordance with the agreed details.

Reason

To accord with the Council's adopted Waste Management Strategy, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 6th 2006 and Policy 37 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002.

13. Prior to the commencement of any works on the site or site clearance, the proposed points of access shall be constructed to the extent whereby the proposed visibility

splays of 2.4m x 43m shall be provided, with no obstruction greater than 0.9m within said visibility splays.

Reason

In the interests of highway safety and the amenity of the area in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

14. Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority; thereafter the development shall be carried out in strict accordance with the approved CMP.

(For the avoidance of doubt the CMP should as a minimum include access and turning provisions, wheel wash details, details of type and position of temporary signage, and routing of all plant and vehicles to/from the site during the demolition, leveling (including quarry infill) and construction phases.)

Reason

In the interests of highway safety and the amenity of the area to accord with Policies T12 and H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.

15. The development hereby approved shall be carried out in accordance with the mitigation proposals cited in Section 6.14 of the Ecology Assessment August 2010 (Arbor Vitae Environment Ltd), and those in Section 4 of the Ecology Survey February 2014 (Ethos Environmental Planning).

Reason

In the interests of protected species and the ecology of the site in accordance with Policy L9 of The South Gloucestershire local Plan (Adopted) 6th Jan 2006.

16. Should reptiles be found during the construction period, a suitably qualified ecologist shall be contacted for advice, thereafter the works shall be carried out in accordance with the advice given.

Reason

In the interests of protected species and the ecology of the site in accordance with Policy L9 of The South Gloucestershire local Plan (Adopted) 6th Jan 2006.

17. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Andrew Gough Development Consultant and the following mitigation measures detailed within the FRA:
 1. Construction of soakaway systems for each dwelling as detailed in drawing WB-DL-101.
 2. Finished floor levels are set no lower than 150mm above existing typical ground level.

Reason

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and

future occupants in accordance with Policy EP2 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec 2013.

18. A) Previous historic uses(s) of the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably qualified person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.
- B) Where potential contaminants are identified, prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks. Thereafter the development shall proceed in accordance with any agreed mitigation measures.
- C) Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

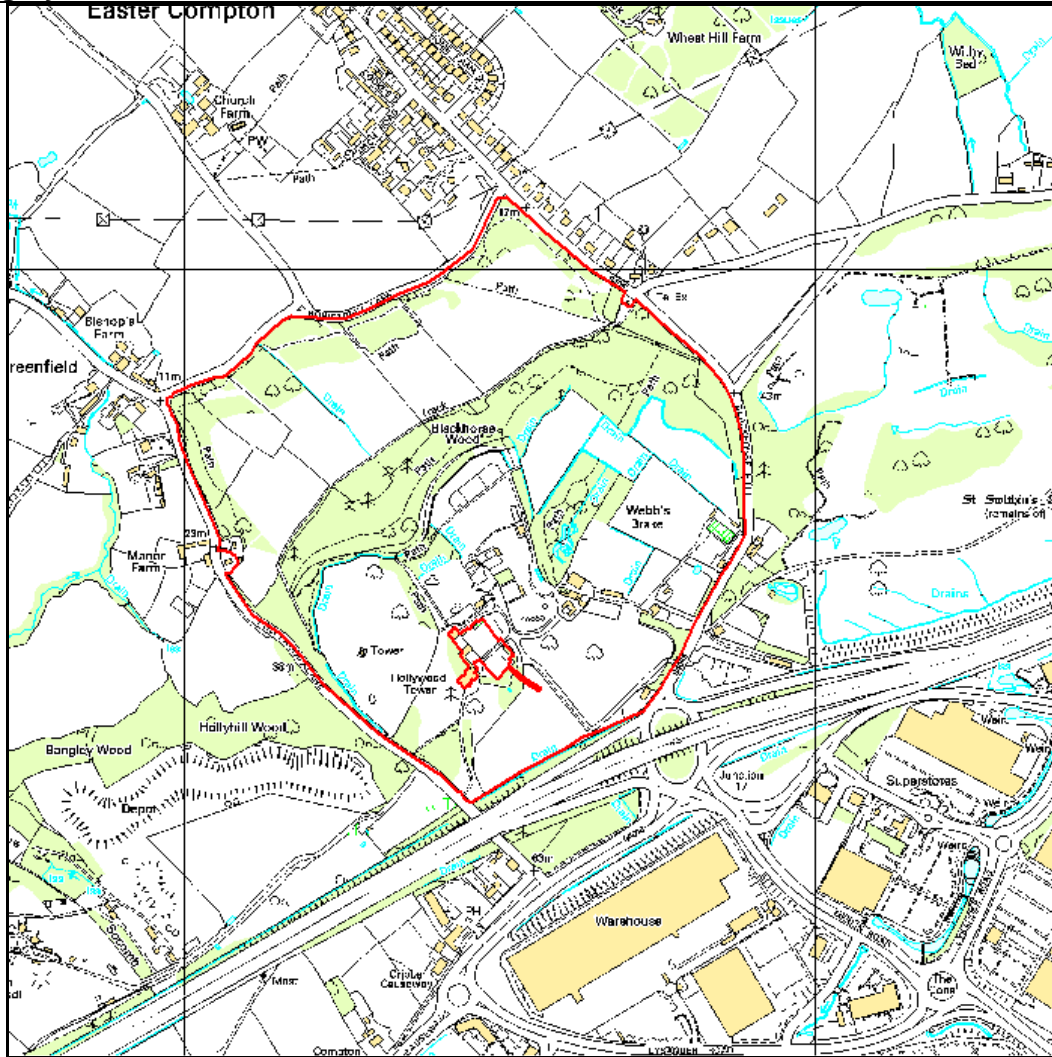
- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.
- iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.
- v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

Reason

Having regard to possible contamination of the land and in the interests of future occupiers in accordance with Policy EP6 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.:	PT14/4573/RVC	Applicant:	National Wildlife Conservation Park
Site:	Hollywood Lane Almondsbury South Gloucestershire BS10 7TW	Date Reg:	27th November 2014
Proposal:	Variation of Conditions for PT08/2900/F no. 7, 8, 9, 10, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26 and 29 as stated in schedule of variations in planning statement	Parish:	Almondsbury Parish Council
Map Ref:	357457 181366	Ward:	Almondsbury
Application Category:	Major	Target Date:	18th March 2015



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 100023410, 2014.

N.T.S. PT14/4573/RVC

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as the extant planning permission (PT08/2900/F) is subject to a Section 106 Legal Agreement; and, there is one comment received from a member of the public that is contrary to the officer recommendation to approve.

1. THE PROPOSAL

- 1.1 The application relates to land associated with the Hollywood Tower Estate located due North and Northeast of Junction 17 of the M5 Motorway.
- 1.2 Planning Permission (PT08/2900/F) was granted on 23rd July 2010 for the development of a major new visitor attraction on the site that would provide buildings, structures exhibits and associated parking and infrastructure on the land used as zoological gardens under planning permission SG.8742. Essentially, the planning permission allows the development of a new visitor attraction on the site referred to as The National Wildlife Conservation Park. This planning has not yet been implemented.
- 1.3 This planning application is made under section 73 of the Town and Country Planning Act. The purpose of this application is to vary the extant planning permission in such a way that the approved development can be implemented in phases. The assessment of this application cannot revisit the principle of the development. However, in considering the proposal to vary the conditions the Local Planning Authority can vary and add conditions as appropriate and this would not result in a fundamental change in the principle of the approval.
- 1.4 At this time, the site is being operated as a zoological gardens under the Planning Permission SG.8742. A car park, access and various structures and exhibits have been constructed at the site to facilitate the operation of the zoological gardens under the name 'Wild Places'. For the avoidance of doubt officers are satisfied that this is lawful development and is compliant with the scope of planning permission SG.8742.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
Planning Policy Guidance

- 2.2 Development Plans

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

T12	Transportation Development Control Policy for New Development
L1	Landscape Protection and Enhancement
L8	Sites of Local and Regional
L9	Species Protection
L10	Historic Parks and Gardens
L11	Archaeology

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS25	Communities of the North Fringe of Bristol
CS26	Cribbs/Patchway New Neighbourhood
CS34	Rural Areas

- 2.3 Supplementary Planning Guidance
Development in the Green Belt (adopted) 2007
South Gloucestershire Design Checklist (adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 There is a varied planning history relating to the Hollywood Tower Estate. The most relevant history, in that it is related to the use of the land and associated buildings for zoological gardens/attraction are listed below;

- 3.2 **PT08/2900/F** Erection of built facilities, fencing, enclosures and other ancillary facilities pursuant to planning permission SG8742 (Change of Use from Agricultural Estate to Zoological Gardens). Part full application and part outline application with the following matters reserved: appearance, landscaping, layout and scale.

Approved with conditions and subject to a s106 agreement, 23rd July 2010

This approval is the subject of this report

- 3.3 SG.8742 Change of Use from Agricultural Estate to Zoological Gardens

Approved with conditions, 2nd March 1967

- 3.4 PT06/0339/F Construction of new roundabout junction at Hollywood Tower Estate with alterations to existing access and associated works.

Approved with conditions, 28th March 2008

- 3.5 PT08/2839/LB Internal and external alterations, including partial demolition of curtilage Grade II listed Model Farm buildings.

Approved with conditions, 11th December 2008

- 3.6 PT09/5657/FDI Diversion of Footpath No. OAY79 in association with proposed development of the National Wildlife Conservation Park.

Footpath Diversion Order confirmed, 24th August 2010

- 3.7 PT11/3846/LB Internal and external alterations, including partial demolition of curtilage Grade II listed Model Farm buildings.

Approved with conditions, 24th January 2012

- 3.8 PT13/0156/CLE Application for Certificate of Lawfulness for the retention of four animal shelters/buildings.

Approved with conditions, 5th July 2013

- 3.9 PT13/0772/LB Minor internal and external works to Model Farm buildings.

Approved with conditions 3rd May 2013

4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council
No Objection

- 4.2 Highway Authority

i) The addendum to the Environmental Statement associated with the extant planning permission adequately identifies the changes that have occurred both in relation to new development in the vicinity of the application site and also on the surrounding highway network. The Environmental Statement and the addendum to it remain sound for the purpose assessing the transportation impacts of the development of the application site.

ii) The proposed development of the car parking area in phase one is acceptable; and the phasing of the remaining car parking and general development on this site is also acceptable in terms of highway safety and amenity.

- 4.3 Drainage Engineer
No Objection. The details submitted in connection with the implementation of the car parking area in phase one are acceptable

- 4.4 Highways Agency
No Objection

- 4.5 Arboricultural Officer
No Objection. Details submitted in relation to the protection of trees and hedgerows during the implementation of the car parking area under phase one are acceptable.

- 4.6 Ecology Officer
No Objection. Further mitigation strategies for Great Crested Newts should be drawn up and agreed prior to the phases of development beyond phase one.

- 4.7 Landscape Officer
No Objection in principle. Landscaping should be provided as part of Phase One of the development.
- 4.8 Natural England
No Objection in principle

Other Representations

- 4.8 Local Residents
One letter has been received raising objection to the application on the grounds summarised below;

The development of the site has deviated from its original wildlife conservation intention with the opening of climbing and play facility attractions. Concern is raised that the facilities would lead to further development of this type at the site.

Concern is raised as to the provision of large signs at the Cribbs Causeway Roundabout and at the park entrance on the B4055 not in keeping with the rural environment. The compliance with planning consents is questioned.

- 4.9 Fischer German (on Behalf of Esso Petroleum LTD)
No Objection in principle.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks to vary planning permission PT08/2900/F so as to allow the approved development to be implemented in phases.

- 5.2 Principle of Development
The development of the site as a major new zoological visitor attraction, associated buildings, structures, exhibits and associated infrastructure is established by the extant planning permission (PT08/2900/F). At the time that the original planning application was submitted in 2008, the redevelopment of the site represented an ambitious and major visitor attraction for the region, and at the time attracted funding options which may have allowed a relatively short period of implementation. Indeed the project continues to be an ambitious and major visitor attraction for the region. However, the subsequent down turn in the economy may have had implications for funding and as such the implementation of the project would take place over a longer period and the proposal to vary the extant planning permission reflects a more steady phasing of growth associated the development. Essentially, the developer is proposing to vary the extant planning permission to allow the implementation of the development in phases as follows;

- i) Phase One
The provision of part of the main car parking area and associated infrastructure (car parking drainage) as approved under Planning Permission PT08/2900/F.
- ii) Future Phases

The remaining areas of car parking and the provision of the associated buildings, structures and exhibits and associated infrastructure would be provided over a series of phases.

- 5.3 The applicant argues that the purpose of this approach is to ensure that the approved development can be effectively implemented, and therefore prevent the approval from lapsing without the need to discharge pre-commencement conditions for elements that are envisaged to be developed in the longer term. The applicant also argues that the Environmental Statement submitted in support of the extant approval set out that it was envisaged that the development would be delivered in phases up to 2026. The application seeks to align this objective with the planning permission in hand.
- 5.4 Officers acknowledge that the development of the National Wildlife Conservation Park is a major new visitor attraction that would represent investment at the site over a long term basis. It is also acknowledged that the implementation of the development over a phased period would not alter the general scope of the approval. On this basis, officers consider that the principle of varying the planning application to allow a phased development is acceptable in principle; subject to the following considerations.
- 5.5 Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
The extant planning permission was subject to an Environmental Impact assessment under the previous EIA regulations (1999 and amended in 2007). The Environmental Statement (dated September 2008) was found to be sound for the purpose of assessing the 2008 planning application. This application is supported by the same Environmental Statement. However, an addendum to the Environmental Statement is also submitted for consideration which provides an update in respect of the transport matters covered in the Environmental Statement.
- 5.6 It is noted that the Environmental Statement found that the Transportation Effects (both operational and during construction) were negligible at the time of the original planning application. The addendum to the Environmental Statement acknowledges the subsequent approvals and implementation of new development in the vicinity of the site (notably Charlton Hayes, Fishpool Hill, The Wave as well as major development allocations under the South Gloucestershire Core Strategy notably The Cribbs/Patchway New neighbourhood. The update is based upon up to date traffic data and the presence of recently implemented highway, public transport, cycling and pedestrian infrastructure and essentially finds that there has been significant mitigation for those new developments which has the overall effect of improving the Transportation infrastructure locally and wider afield. On this basis, the addendum finds that there are no significant cumulative effects resulting from the proposal to implement the approved development in phases.
- 5.7 Officers concur with the above and The South Gloucestershire Highways Authority has confirmed that from a transport perspective, the ES remains sound for the purpose of assessing this application.

It is noted that the Highways agency have not raised objection to the proposed phasing of the development.

5.8 In all other respects, the proposed phasing of the development as approved would not alter the scope of that approval. The applicant argues that there would be no significant environmental effects arising from the variation of conditions so as to allow a phased implantation of the development. Again, officers concur with this view and it is considered that the Environmental Statement remains sound for the purpose of assessing this application.

5.9 Method of the Phasing of the Development

The development must be implemented before 23rd July 2015 otherwise the planning permission will lapse. However, the extant consent is conditioned in a manner that requires substantial information in respect of certain elements of the proposal prior to the commencement of development. Essentially, it is the intension of the developer to implement the development over a long term up to 2026. Many of the elements of the development affected by the pre-commencement conditions would form part of the development coming forward in the longer term and as such, in practical terms the required information would not necessarily be required at this early stage of the development. As set out earlier in this report, the applicant proposes (in simple terms) to implement the approved development initially by installing part of the main car park approved under PT08/2900/F. The remainder of the development would follow over a series of phases.

5.10 The priority of the developer at this stage is to implement the development prior to 23rd July 2015. The most practical measure for achieving this is to implement the part of the car parking area and associated infrastructure (such as drainage). This would effectively provide parking for 190 cars of which 53 spaces would be reserved for disable drivers. Information (such as drainage details) required by condition in relation to this area of the development has been provided as part of this application and is considered acceptable. It is also considered that the proposed layout of this area for the purpose of providing parking is acceptable. Accordingly, officers consider that the planning permission can be varied in such a way that conditions can be used to ensure that the car parking complies with the agreed information (compliance conditions). This would effectively allow the development to commence by providing this car parking area. Landscaping conditions can also be imposed in respect of this area of car park to ensure that the appropriate level of landscaping is provided at this stage.

5.11 It is anticipated that in the short term, the car parking area would act to serve the existing operation (Wild Places) associated with the zoological gardens approved under SG.8742 in the interim and officers are satisfied that this approach would be lawful. However, it should be noted that the provision of the car parking area under phase one would not make the National Wildlife Conservation Park (subject of this application) operational. Rather, the opening of the National Wildlife Conservation Park would not become operational until after the completion of the first of the future phases. The developer would be required, by condition, to inform the Local Planning Authority of the first

opening of the development to the general public at each of the future phases of its implementation.

- 5.12 The remainder of the approved development would follow as 'future phases'. A specific planning condition can be imposed which requires that prior to the commencement of the 'future phases' details of each of those phases is agreed by the Local Planning Authority. Also, in respect of specific issues such as ecology, archaeology and drainage etc., the original pre-commencement conditions can be re-worded such that details are required to be submitted by the developer to, and agreed by the Local Planning Authority prior to the commencement of each phase beyond phase one.
- 5.13 It is considered that the above approach will achieve the aims of the developer and allow the development to continue in phases without undermining the scope of the development.
- 5.14 Impact of the Phasing of the Development
Green Belt – The site is located within the Green Belt. The principle of this development as a whole has been established under planning permission PT08/2900/F. The impact of the development was considered under that planning application and considered acceptable. The application to vary the planning permission does not materially alter the scope, scale or amount of development associated with the approval and as such, it is considered that the proposal to vary the extant consent would not have a materially greater impact on the openness of the Green Belt. On this basis, officers consider that the development remains acceptable in Green Belt Terms.
- 5.15 *Design, Visual and Landscape Impact* – The general layout and design of the development as a whole would not materially change as a result of the variation of the conditions on the extant planning permission. The impact of the design of the development in landscape and visual terms has been considered under the extant planning permission and is considered acceptable. There would be no material change in respect of the development in this regard and as such, the application to vary the extant consent is considered acceptable in this regard. Phase one of the development would provide part of the main car parking area only and would include appropriate amounts of landscaping proportionate to that element of the development. It is noted that this area of parking would include the car park already installed as part of the original consent for a zoological garden (SG.8742) and would have the effect of improving the current situation. It is considered that the implementation of this part of the approved development would not have a negative impact of the landscape in the short or long terms
- 5.16 *Residential Amenity* – Again, as there is no material change in respect of the scope of the development it is considered that the variation of the conditions of the extant planning permission is acceptable. In particular, conditions relating to the opening hours of the development once fully operational are to remain unchanged. Given that there is no material change in respect of the extant consent as a result of this proposal, there is no objection in respect of residential amenity.

- 5.17 *Heritage Assets* – As part of this proposal, details of the archaeological mitigation in respect of Phase One (the car parking area) have been agreed by officers. This element development is covered by a compliance condition and involves the appointment of an archaeologist to provide a watching brief. The future phases of the development would not materially alter the scope of the development in archaeological terms and the variation of the extant approval can be appropriately conditioned to cover archaeological issues at each of the future phases. On this basis, there is no objection in archaeological terms.
- 5.18 *Ecology* – There are no ecological constraints to the development of Phase One (the car parking area) and full survey details have been agreed by the Ecology Officer in this regard. The ecological impact of the development as a whole was considered as part of the extant planning application, which includes conditions requiring various ecological mitigation measures for specific areas and species across the whole site. Officers are satisfied that conditions can be applied in respect of all future phases of the development that adequately address these matters to the extent that the same measures come forward for agreement by the Local Planning Authority prior to the commencement of each of the future phases. Subject to the imposition of such conditions, there is no objection to the proposed variation of the extant planning consent in ecological terms.
- 5.19 *Transportation* – As set out earlier in this report, there have been a number of major developments in the vicinity of the application site which are traffic generators in their own right. It is noted that the addendum to the Environmental Statement supporting planning application PT08/2900/F has concluded that there is no significant environmental impact as a result of the proposed variation of the extant planning permission and this is specifically the case in transportation terms. It is also noted that the South Gloucestershire Highway Authority and the Highways Authority do not object to the proposed variation of the extant planning permission. Again, the scope of the approved development would not change as a result of the proposed variation. This is considered in the context of other developments which have come forward in the locality since the original approval of this development and it is of note that there has been substantial transportation improvements facilitated as a result of those developments. On this basis, it is concluded that there is no material impact in transportation terms as a result of the proposal to vary the extant consent. Phase One (the car parking area) is considered to be acceptable in respect of the amenity and highway safety of the surrounding highway network. In respect of the future phases of the development, conditions relating to the implementation of the remaining areas of the car park can be imposed to ensure that details are submitted for agreement by the Local Planning Authority prior to the commencement of the future phases. Subject to the imposition of such conditions there is no objection to the proposed variation of the extant planning permission in transportation terms.
- 5.20 In addition, it should be noted that the extant planning permission is subject to a section 106 legal agreement which places specific obligations upon the developer to provide highway and public transport improvements and cycling improvements together with a travel plan as part of the development.

The section 106 agreement would apply equally to the variation of the extant planning permission and as such these measures would continue to be required.

5.21 Procedural Matters

The site is located within the Green Belt. Under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009 a planning application for development of this scale that is located within the Green Belt would normally be required to be referred to the Secretary of State in the event that the Local Planning Authority resolves to approve such development. However, this application seeks approval for the variation of an extant planning permission, and as such the principle of the development (within the Green Belt) has been established. On this basis, it is considered that this application to vary the extant planning permission is not required to be referred to the Secretary of State prior to its approval.

5.22 Other Matters

A local resident has made comment in respect of this application and objects on the basis that development on the zoological gardens has resulted in a number of structures on the site. Currently, the site is being operated under planning permission SG.8742 (as Wild Places). The development being referred to by the local resident has been implemented as part of that planning permission and is authorised. Officers are satisfied that this development is lawful. Given that the development is covered by its own planning permission, it is not appropriate to consider it as part of this planning application.

5.23 Planning Obligations

The extant planning permission (PT08/2900/F) is subject to a section 106 dated 22nd July 2010. In particular the agreement secures a suite of highway improvements and transportation measures in the interests of highway safety, amenity and sustainability. It is anticipated that the section 106 will require some alteration to accommodate the phasing of the development on the site and if this is the case, the developer will be required to enter into a deed of variation in respect of the agreement. However, for the avoidance of doubt, it is expected that such a variation of the section 106 agreement would continue require the developer to provide the agreed transportation obligations but over a phased timescale.

5.24 The Community Infrastructure Levy Regulations 2010 sets out the limitations of the use of Planning Obligations (CIL). Essentially the regulations (regulation 122) provide 3 statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is;

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

5.25 In this instance, it is considered that the planning obligations currently secured under the section 106 agreement would continue to apply the variation of the extant planning permission and are consistent with the CIL Regulations (Regulation 122)

5.26 Concluding Analysis

The objective of this planning application is to secure a method for allowing the development approved under PT08/2900/F to be implemented prior to 23rd July 2015 in accordance with the existing planning permission. The National Wildlife Conservation Park represents a major new visitor attraction in South Gloucestershire which would also represent a significant economic driver for the region as a whole. The developer sets out the implementation of the development has always been envisaged to take place over a long term period up to 2026 through a phased approach.

5.27 The conditions of the extant consent do not cater for the development to come forward in this way, and economic circumstances have changed since the original consent was granted. The variation of this planning permission in such a way as to allow specific details to be provided prior to the implementation of future phases of the development whilst allowing the development of Phase One (the car parking area) to commence prior to 23rd July 2015 and is doing so retain the planning permission.

5.28 On the basis of the above assessment, officers are satisfied that the variation of the extant planning permission can facilitate this without resulting in a materially greater environmental impact. Furthermore, the variation of the planning permission would allow the development to continue to the long term economic benefit of South Gloucestershire and the wider region.

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 vary the 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 (PT08/2900/F) is varied subject to the following conditions and the section 106 legal agreement dated 22nd July 2010.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

1. The development hereby permitted shall commence no later than 23rd July 2015 other than in compliance with condition 6 below in relation to reserved matters.

Reason

To ensure that development commences before the expiration of five years from the date of planning permission PT08/2900/F; and to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. At least 28 days written notification shall be given to the Local Planning Authority of each subsequent phase or phases (other than Phase One) of the development opening to the public.

Reason

To allow the Local Planning Authority to adequately monitor the phasing of the development in order to certainty in relation to conditions 10, 20 and 38 of this planning permission.

Outline Element of Permission

3. No development shall commence post phase 1 (as identified in condition 7 below) until the details of the layout, scale and appearance of the building(s), and the landscaping of the site relating to the elements of the development as shown on drawing number 10104001_001H (Masterplan) (as received by the Council on 19th April 2009) (hereinafter called "the reserved matters") is agreed in writing by the Local Planning Authority.

Reason

These elements of this consent are approved in outline permission and the reserved matters shall be made to the Local Planning Authority

4. Plans and particulars of the reserved matters referred to in condition 3 of this planning permission, and shown on drawing number 10104001_001H (Masterplan) (as received by the Council on 19th April 2009) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason

These elements of this consent are approved in outline permission and the reserved matters shall be made to the Local Planning Authority

5. Application for approval of the reserved matters shall be made to the Local Planning Authority no later than 23rd July 2015.

Reason

To ensure that reserved matters are submitted before the expiration of five years from the date of planning permission PT08/2900/F; and to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

6. The development hereby permitted shall commence no later than 23rd July 2015, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To ensure that reserved matters are submitted before the expiration of five years from the date of planning permission PT08/2900/F; and to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

7. Application for the approval of the reserved matters shall be in accordance with the parameters described in the Design and Access Statement hereby approved.

Reason

To accord with policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013

Phase One

8. Phase One Plan
Phase one of the development hereby permitted shall be implemented in accordance with the Phasing Plan (drawing numbered 192301M_PL102 (rev A) as received on 20th February 2015 and 2673.03C as received on 26th November 2014). No development shall take place on the area of the site shown as 'Future Phases' as identified on the agreed Phasing Plan until a further phasing plan or plans for this area of the site has been submitted to and agreed in writing by the Local Planning Authority.

Reason

To ensure that future phasing of the development is properly considered by the Local Planning Authority and is undertaken in a co-ordinated manner and to comply with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

9. Construction Vehicle Routing
Phase 1 of the development (as identified in Condition 8 of this planning permission) hereby approved shall be implemented strictly in accordance with the agreed Construction Vehicle Routing Strategy prepared by Peter Evans Partnership dated November 2014 and received by the Council on 26th November 2014.

Reason

In the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Phase One Car Park Plan
Phase 1 of the development (as identified in Condition 8 of this planning permission) hereby approved shall be implemented strictly in accordance with the agreed Detailed Car Park Plan (drawing Numbered 2673.03C) dated 26th November 2014. For the avoidance of doubt the phase 1, shall be completed prior to any subsequent phase or phases of the development become operational (as confirmed with the Local Planning

Authority under condition 2 above) and shall include at least 40 cycle spaces for visitors and 10 cycle spaces for staff in accordance with the agreed Detailed Car Park Plan (drawing Numbered 2673.03C) dated 26th November 2014.

Reason

To ensure adequate parking for all modes of transport is available on site and in the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

11. Planting/Landscaping Phase One

The planting and landscaping shown on the Detailed Car Park Plan (drawing Numbered 2673.03C) dated 26th November 2014 shall be implemented in the first available planting season following the commencement of the car parking area and associated ground works. Any plants which die or are removed within first three years following the planting being provided shall be replaced as soon as possible and by no later than the next available planting season.

Reason

In the interests of the visual amenity of the site and the surrounding locality and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013; and, saved Policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

12. Ecological Mitigation Strategies

Phase 1 of the development (as identified in Condition 8 of this planning permission) hereby approved shall be implemented strictly in accordance with the agreed Great Crested Newt Mitigation Strategy, Reptile Mitigation Strategy, Hedgehog Mitigation Strategy, Grass Land Mitigation Strategy, Bat Roost Mitigation Strategy and Ecological Monitoring Strategy as detailed in the statement by Wessex Ecological Consultancy (as received by the Council on 26th November 2014).

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan

13. Phase One Trees Protection

Phase 1 of the development (as identified in Condition 8 of this planning permission) hereby approved shall be implemented strictly in accordance with the agreed Arboricultural Report by Silverback Arboricultural Consultancy Ltd (as received by the Council on 26th November 2014).

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006

14. Phase One Drainage
Phase 1 of the development (as identified in Condition 8 of this planning permission) hereby approved shall be implemented strictly in accordance with the agreed Sustainable Drainage System (as shown on drawing numbers 2069-001 and 2069-002) as received by the Council on 21st January 2015. Thereafter the phase 1 development shall be retained as such and maintained in accordance with the Operation and Maintenance Strategy for the Sustainable Drainage System as received by the Council on 21st January 2015.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved policies EP2 of the South Gloucestershire Local Plan (Adopted) January 2006

15. External Lighting

No external lighting shall be installed at any time within phase one of the development hereby approved.

Reason

To protect the visual amenity of the site and the residential amenity of the residents of nearby dwellings; and to protect the ecological value of the site and the surrounding locality and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved policies L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

16. Phase One Archaeology
No development in relation to phase 1 of the development (as identified in Condition 8 of this planning permission) shall commence until the developer has appointed an archaeological contractor. For the avoidance of doubt the archaeological contractor shall be appointed by the developer not less than three weeks prior to the commencement of any ground disturbance in relation to phase one of the development, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the construction of the development.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

Future Phases

17. Future Phasing Plan
No development shall commence post phase 1 (as identified in condition 8 above) until a further phasing plan or plans relating to the future phase or phases of the development hereby approved has been submitted to and agreed writing by the local

planning authority. Development thereafter shall accord with the phasing plan so approved.

Reason

To ensure that future phasing of the development is properly considered by the Local Planning Authority and is undertaken in a co-ordinated manner and to comply with to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy, saved policies L1, L8, L9, L10, L11, L13, EP2 of the South Gloucestershire Local Plan, Policy One of the Joint Waste Core Strategy and saved policy 37 of the South Gloucestershire Waste Local Plan.

18. Detailed Construction Vehicle Routing Plan

No development post phase 1 shall commence until a Construction Vehicle Routing Strategy for the future phase or phases (as identified in condition 17 above) has been submitted to and approved in writing by the Local Planning Authority. There after the development shall be implemented in accordance with the agreed details and retained as such.

Reason

In the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

19. Detailed Car Parking

No development post phase 1 shall commence until a detailed car park plan, including a future phasing plan for creation of post phase 1 car parking for each future phase or phases (as shown on drawing Numbered 2673.03C dated 26th November 2014) has been submitted to and approved in writing by the Local Planning Authority. There after the development shall be implemented in accordance with the agreed details and retained as such.

Reason

To ensure adequate parking for all modes of transport is available on site and in the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

20. Coach Parking Phasing Plan

Prior to the approved development first opening to the public details showing the phasing of the introduction of coach parking to serve the development (in accordance with Condition 17 above) shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, there shall be a minimum of 21 coach parking spaces made available to serve the development prior to the opening of the final phase of development to the general public (as confirmed with the Local Planning Authority under condition 2 above) in accordance with the details shown on the drawing numbered 2673.03C (inset named Proposed Car Park Phasing). Thereafter the development shall be retained in accordance with the agreed details

Reason

To ensure adequate parking for all modes of transport is available on site and in the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

21. Sustainable Drainage System

No development post phase 1 shall commence until detailed proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) for each subsequent phase or phases (as identified in condition 17 above) of development within the site has been submitted to and approved in writing by the Local Planning Authority. Development for each phase shall be carried out in accordance with the approved details and thereafter retained as such.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved policies EP2 of the South Gloucestershire Local Plan (Adopted) January 2006

22. Waste Audit

No development post phase 1 shall commence until detailed until a Site Waste Audit has been submitted to and approved in writing by the Local Planning Authority for each subsequent phase or phases (as identified in condition 17 above). Thereafter, the development shall be implemented thereafter in accordance with the approved Site Waste Audit.

Reason

To ensure that the proposals include satisfactory waste management and accord with Policy One of the Joint Waste Core Strategy (adopted) 2012 and saved policy 37 of the South Gloucestershire Waste Local Plan (adopted) 2002

23. Blackhorse Wood

No development post phase 1 shall commence until a woodland management plan, to cover Blackhorse Wood ancient woodland and SNCI (and any other adjoining woodland landholdings) shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed woodland management plan.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

24. Great Crested Newts

No development post phase 1 shall commence until a mitigation strategy for Great Crested Newts for each subsequent phase or phases (as identified in condition 17 above) has been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the Great Crested Newt mitigation strategy shall include

details of any and all works subject to European species licensing provisions under Regulation 44 of the Habitat Regulations 1994. Thereafter the development shall proceed in accordance with the Great Crested Newt Mitigation Strategy for each phase of development and shall be retained as such.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy L9 of the South Gloucestershire Local Plan (adopted) January 2006.

25. Reptiles

No development post phase 1 shall commence until a mitigation strategy for reptiles (grass snakes and slow-worms) for each subsequent phase or phases (as identified in condition 17 above) has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed reptile mitigation strategy.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy L9 of the South Gloucestershire Local Plan (adopted) January 2006

26. Hedgehogs

No development post phase 1 shall commence until a mitigation strategy for hedgehogs for each subsequent phase or phases (as identified in condition 17 above) has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed hedgehog mitigation strategy.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy L9 of the South Gloucestershire Local Plan (adopted) January 2006.

27. Tree Top Walkway and Boardwalk

No development for the treetop walkway (exhibit E6) and boardwalk (exhibit E4) shall commence until a working methodology statement has been submitted to and agreed in writing by the Local Planning Authority in respect of those exhibits. For the avoidance of doubt a sample section of timber walkway and tree-top walkway shall be erected in accordance with the approved methodology statement within the woodland for written approval by the Local Planning Authority prior to the full construction of the walkways in exhibits E6 and E4. The agreed sample section shall be retained for reference purposes for the duration of the relevant works. Thereafter the development shall proceed in accordance with the agreed working methodology.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

28. Grass Land Strategy

No development post phase 1 shall commence until a grassland strategy has been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the grassland strategy shall demonstrate the method of establishing new areas of species-rich grassland (lowland hay meadows) on the pasture surrounding the Hollywood tower monument (in accordance with document NWCP SNCI Management & Offset forming part of PT08/2900/F) and to include details of the working methodology (seed mix, soil type and preparation etc) and the grassland management regime. Thereafter the development shall proceed in accordance with the agreed grassland creation strategy.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

29. Scrubland Strategy (exhibit E4)

No development relating to exhibit E4 shall commence until a strategy to create an area of scrubland within exhibit E4 (that part adjoining the emergency access and eastern site boundary and in accordance with document NWCP SNCI Management & Offset forming part of PT08/2900/F) has been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the strategy shall include a native shrub species mix and planting plan. Thereafter the development shall proceed in accordance with the agreed scrubland creation strategy and retained as such.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006

30. Bat Roosts

No development post phase 1 shall commence until a strategy for creating a series of purpose-built bat roosts for each phase or phases in accordance with condition 16 above has been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the strategy should include details of the design and siting of the roost(s), the timing of construction and materials used. Thereafter the development shall proceed in accordance with the agreed bat roost creation strategy

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006

31. **Ecological Monitoring Strategy**
No development post phase 1 shall commence until an ecological monitoring strategy and programme of all species/ecological works for each subsequent phase or phases in accordance with condition 17 above be submitted to and agreed in writing by the local planning authority. For the avoidance of doubt the monitoring strategy shall identify the method for the continued review of the monitoring strategy and the frequency of the monitoring to take place and monitoring shall be carried out for a minimum period of 5 years following completion of phase. Thereafter the development shall proceed in accordance with the agreed ecological monitoring strategy.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006

32. **Foul Drainage Exhibit E4**
No development shall commence in relation to Exhibit E4 (British Ancient Woodland) until a working methodology statement for the construction of the foul drain within exhibit E4 has been submitted to and agreed in writing by the Local Planning Authority to safeguard the ancient woodland/SNCJ habitat (Blackhorse Wood). Thereafter the development shall proceed in accordance with the agreed details.

33. **Enclosures and Fencing E4 and E8**
No development shall commence in relation to Exhibit E4 (British Ancient Woodland) and E8 (Sumatra Rain Forest) until a working methodology statement for the construction of the enclosures/exhibit fencing and buildings of the exhibits E4 and E8 has been submitted to and agreed by the Council in writing. Thereafter the development shall proceed in accordance with the agreed details.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006

34. **Tree/Hedgerow Protection**
No development post phase 1 shall commence for each subsequent phase or phases (as identified in condition 17 above) until full details of protective fencing for all retained trees, hedges and any other vegetation within each subsequent phase of development has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, all protective fencing shall accord with BS5837 and the agreed fencing shall be retained during the relevant construction period of each phase of the development post phase 1.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

35. Archaeology
No development post phase 1 shall commence for each subsequent phase or phases in accordance with condition 17 above until the developer has appointed an archaeological contractor. For the avoidance of doubt the archaeological contractor shall be appointed by the developer not less than three weeks prior to the commencement of any ground disturbance associated with each future phase of the development, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the construction of the development.

Reason

In the interest of archaeological investigation or recording, and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and saved policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

36. Archaeology (exhibits E2 and E12)
No development shall commence in relation to Exhibits E2 and E12, including associated infrastructure, paths, drainage and services, until a detailed survey of the surviving remains of the historic garden features has been carried out and submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the survey information shall include a scheme of mitigation for the impacts of the proposed development upon Exhibits E2 and E1 and shall include detailed drawings and sections showing Exhibits E2 and E12 and the necessary infrastructure. Plans at a scale of no less than 1: 100 should show the historic garden features in relation to the proposed development including infrastructure and services runs and associated areas of ground disturbance. Thereafter the development shall proceed in accordance with the agreed details.

Reason

In order to ensure the adequate protection of historic garden remains, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy and saved Policies L10 and L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

37. External Lighting
No development post phase 1 shall commence until details of any floodlighting and external illuminations relating to each future phase or phases (as identified in condition 17 above) of the development, including measures to control light spillage; or confirmation that no such lighting is to be installed in relation to each future phase have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details.

Reason

To minimise disturbance to nearby occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013.

38. Opening Hours

The standard opening hours of the Development hereby approved shall be between the hours of 1000 and 1800 between the months of March and October and between the hours of 1000 and 1630 between the months of November and February.

Reason

To protect the visual amenity of the site and the residential amenity of the residents of nearby dwellings; and to protect the ecological value of the site and the surrounding locality and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved policies L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

39. Plans

The development shall proceed strictly in accordance with the following plans;

Site location plan

Existing topography

Topographic Survey Drawing 1 of 2

Topographic Survey Drawing 2 of 2

Topography survey 1 of 5- dwg no: BRISTOLZOO-B.DWG B

Topography survey 2 of 5- dwg no: BRISTOLZOO-B.DWG B

Topography survey 3 of 5- dwg no: BRISTOLZOO-B.DWG B

Topography survey 4 of 5- dwg no: BRISTOLZOO-B.DWG B

Topography survey 4 of 5- dwg no: BRISTOLZOO-B.DWG B

Topography survey 5 of 5- dwg no: BRISTOLZOO-B.DWG B

Surface Water Attenuation Area A- dwg no: 122218 CX-SK-20 02

Surface Water Attenuation Area B- dwg no: 122218 CX-SK-21 02

Existing Surface Water Layout- dwg no: 122218 CX-SK-02 03

Ground Investigation Layout- dwg no: 122218 CX-SK-03 02

Existing Services Layout- dwg no: 122218 CX-SK-01 04

Proposed Escarpment Drainage Layout- dwg no: 122218 CX-SK-22 02

Proposed Escarpment Foul Drain Profile and Cross Sections: dwg no: 122218 CX-SK-23 02

Proposed Foul Water Drainage Layout- dwg no: 122218 CX-SK-04 04

Proposed Surface Water Catchment Areas: dwg no: 122218 CX-SK-05 05

Proposed Surface Water Drainage Layout- dwg no: 122218 CX-SK-06 05

Proposed Overland Flood Routes- dwg no: 122218 CX-SK-07 05

Proposed Drainage Details Sheet 1- dwg no: 122218 CX-SK-24 02

Proposed Drainage Details Sheet 2 -dwg no: 122218 CX-SK-25 02

Proposed Drainage Details Sheet 3- dwg no: 122218 CX-SK-26 01

Escarpment Road Layout- dwg no: 122218 CH-SK-002 05

Escarpment Road Vertical Alignment and Cross Sections- dwg no: 122218 CH-SK-003 03

Main Park Access Roads Layout- dwg no: 122218 CH-SK-0Q4 01

Typical Cross sections Through Access Roads and Swales- dwg no: 122218 CX-SK-08 03

Proposed Electricity Supply Network: dwg no: 122218 CX-SK-09 04,

Proposed Heating Cluster Network- dwg no: 122218 CX-SK-11 04

Proposed Communications Network- dwg no: 12218 CX-SK-13 04

Proposed Fire Fighting Strategy and Water Supply Network- dwg no: 122218 CX-SK-15 02
Masterplan Landscape Framework- dwg no: 10104001_02 Rev D
Landscape Infrastructure Components Access and Parking Zone- dwg no: 10104001-101
Landscape Infrastructure Components Visitor Village and Corporate Zones- dwg no:10104001-102
Landscape Infrastructure Components Upper Plateau- dwg no: 10104001-103
Landscape Infrastructure Components Lower Slopes West- dwg no: 10104001-107 A
Landscape Infrastructure Components Woodland Exhibits- dwg no: 10104001-106 A
Landscape Infrastructure Components Woodland Conservation Zone- dwg no:10104001-105A
Landscape Infrastructure Components Lower Slopes East- dwg no: 1014001-108
Landscape Infrastructure Finishes Key Plan and Typical Sections- dwg no:10104001_005 B
Landscape Infrastructure Components Historic Landscape Zone- dwg no: 10104001-104
Landscape Infrastructure Visitor Node Details- dwg no: 10104001-006 B
E1 Arrival Drive Through General Arrangement- dwg no: 10104001-E01A
E1 Arrival Drive Through Elevations- dwg no: 10104001-302
E2- Georgia Wetlands- Timber Walkway Masterplan-dwg no: 6135 AD 0104
E2 Georgia Wetlands- Crane Reach Buildability Masterplan-dwg no: 6135 AD 0105
E2 Georgia Wetlands- Section AA- dwg no; 6135 AD 0201
E2-Georgia Wetlands- Section BB- dwg no: 6135 AD 0202
E2 Georgia Wetlands Existing Layout Masterplan- dwg no: 6135 AD 0102
E2 Georgia Wetlands Existing vs New Water Masterplan- dwgno: 6135 AD 0103
E3 Costa Rica Elevations Masterplan-dwg no: E3/KEA2748/ELEV/21
E3 Costa Rica Internal Views Basecase- dwg no: E3/KEA2748A/IEW/20
E3 Costa Rica Elevations Masterplan-dwg no: E3/KEA2748/ELEV/19 A
E3 Costa Rica Exhibit Plan Masterplan-dwg no: E3/KEA2748/PLAN/18 A
E3 Costa Rica Site/Roof Plan Masterplan- dwg no: E3/KEA2748/PLAN/17 A
E3 Costa Rica Sketch Section Basecase- dwg no: E3/KEA2748/SECTION/14
E3 Costa Rica Entrance View Basecase- dwg no: E3/KEA2748/3DVIEW/16
E3 Costa Rica Internal Circulation Basecase- dwg no: E3/KEA2748/PLAN/12 A
E4- Ancient British Woodland Existing GA Basecase/Masterplan- dwg no: 6136 AD 0106
E4- Ancient British Woodland Drainage Landscape Proposals Basecase- dwg no: 6136 AD 0105
E4- British Ancient Woodland Exhibit Sections- dwg no: 6136 AD 0201
E4 British Ancient Woodland Exhibit Roof GA Basecase- dwg no: 6136 AD 0102
E4- British Ancient Woodland Tree Protection Barrier Detail- dwg no: 6136 AD 0402
E4 British Ancient Woodland- Ranger Station Landscape Proposals Plan- dwg no: 6136 BD 0101
E4 British Ancient Woodland- Ranqer Station Sections AA and BB -dwg no: 6136 BD 0201 A
E4 British Ancient Woodlands Ranger Stations Elevations- dwg no: 6136 BD 0301
E4 British Ancient Woodland Tree Protection Plan-dwg no: 6136 BD 0102
E4 Ancient British Woodland Ranger Station Basecase- dwg no: 6136 BD 0103
E4 British Ancient Woodland Ranger Station Montage- dwg no: 6136 BD 0502
E4 British Ancient Woodland Montage 2-dwg no: 6136 BD 0503

E4 British Ancient Woodland Basecase Bear and Wolf House Plans-dwg no: 6136 CD0101
E4 British Ancient Woodlands Bear and Wolf House Sections- dwg no; 6136 CD 0201
E4 British Ancient Woodlands Animal Houses Type 2 Wolf- Elevations- dwg no: 6136CD 0301
E4 British Ancient Woodland Animal Houses Type 1 Bear-Elevations- dwg no; 6136CD 0302
E4 British Ancient Woodland Timber Walkway Section Bear and Wolf Enclosures-dwg no: 6136 DD 0201
E4 British Ancient Woodland Timber Walkway Sections Bear and Wolf Enclosures dwg no: 6136 DD 0202
E4 British Ancient Woodland Raised Viewing Hide Section and Elevations Bear and Wolf Enclosure -dwg no: 6136 DD 0203
E4 British Ancient Woodland Timepod- dwg no; 6136 DD 0205
E4 British Ancient Woodland Ground level path Section- dwg no: 6136 DD 0206
E4 British Ancient Woodland Raised Hide Montage- dwg no: 6136 DD 0501
E4 British Ancient Woodland Keepers Facilities Plan and Section -dwg no: 6136 ED 0101
E4 British Ancient Woodland Keeper's Facilities Elevations- dwg no; 6136 ED 0301
E6 Forest Walkway Basecase Tower C Foundation General Arrangement- dwg no: 6138 AD 0103 A
E6 Forest Walkway Basecase Tower C Foundation General Arrangement- dwg no; 6138 AD 0104
E6 Forest Walkway Basecase West Elevation- dwg no; 6138 AD 0301
E6 Forest Walkway Basecase East Elevation- dwg no; 6138 AD 0302
E6 Forest Walkway North Elevation dwg no. 6138 AD 0303
E6 Forest Walkway Montagel dwg no: 6138 AD 0502
E6 Forest Walkway Montage 2-dwg no: 6138 AD 0503
E6 Forest Walkway 3D CAD Model- dwg no: 6138 AD 0504
E6 Forest Walkway Montage- dwg no: 6138 AD 0505
E6 Forest Walkway Tower ABC Foundation General Arrangement- dwg no; 6138 AD 0105 A
E7 Congo Tropical Forest- dwg no: 6139 AD 0101
E7 Congo Rainforest Existing -dwg no: 6139 AD 1010
E7 Congo Rainforest- Exhibit GA Roof Plan Basecase- dwg no: 6139 Ad 0102
E7 Congo Rainforest Exhibit GA Basecase -dwg no: 6139 AD 0103
E7 Congo Rainforest Landscape Proposals Plan-dwg no: 6139-AD-0104
E7 Congo Rainforest Tree Protection Plan -Exhibit GA- dwg no: 6139 Ad 0105
E7 Congo Rainforest Basecase Exhibit Sections A and B-dwg no: 6139 AD 0202
E7 Congo Rainforest Tree Protection Barrier Detail-dwg no: 6139 AD 0402
E7 Congo Rainforest Ranger Station General Arrangement- dwgno: 6139 BD 0101
E7 Congo Rainforest Ranger Station Section-dwg no: 6139 BD 0202
E7 Congo Rainforest Ranger Station Photomontage 1-dwg no: 6139 BD 0502
E7 Congo Rainforest Ranger Station Photomontage 1-dwg no: 6139 BD 0503
E7 Congo Rainforest Bonobo House General Arrangement- dwg no: 6139 CD 0101
E7 Congo Rainforest Bonobo House Sections- dwg no: 6139 CD 0201
E7 Congo Rainforest Bonobo House Elevations-dwg no: 6139 CD 0301
E7 Congo Rainforest Keeper Facility Elevations-dwg no: 6139 CD 0302
E7 Congo Rainforest Montage- dwg no: 6139 CD 0501
E7 Congo Tropical Rainforest Aviary Section - dwg no: 6139 DD 0201

E7 Congo Rainforest Animal Houses Type 1 General Arrangements- dwg no: 6139 ED 0101
E7 Congo Rainforest Animal Houses Type 2 General Arrangements -dwg no: 6139 ED 0102
E7 Congo Rainforest Animal Houses Sections- dwg no: 6139 ED 0201
E7 Congo Rainforest Ranger Station Elevations-dwg no: 6139 BD 0301
E7 Congo Rainforest Aviary Plan- dwg no: 6139 DD 0102
E7 Congo Rainforest Aviary Sectional Elevations- dwg no: 6139 DD 0301 A
E7 Congo Rainforest Animal Houses Type 2 Elevations (Hamlyn's and Colebus Monkeys)-dwg no: 6139 ED 0301
E7 Congo Rainforest Animal Houses Type 1 Okapi Elevations-dwg no: 6139 ED 0302
E7 Congo Rainforest Animal Houses Type 1 Bongo Elevations-dwg no: 6139 ED 0303
E7 Congo Rainforest Animal Houses Type 1 River Hog Elevations-dwg no: 6139 ED 0304
E8 Sumatra Rainforest Tree Protection Plan Exhibit GA Basecase- dwg no: 6140 AD 0105 A
E8 Sumatra Rainforest Basecase Landscape Proposal Plan- Exhibit GA Basecase dwg no: 6140 AD 0106
E8 Sumatra Rainforest Existing Basecase-dwg no: 6140 AD 0107
E8 Sumatra Rainforest Ranger Station Exhibit Sections- dwg no: 6140 AD 0201
E8 Sumatra Rainforest Photomontage 1- dwg no: 6140 AD 0501
E8 Sumatra Rainforest Ranger Station plan Basecase -dwg no: 6140 BD 0101
E8 Sumatra Rainforest Ranger Station Roof Plan Basecase- dwg no: 6140 BD 0102
E8 Sumatra Rainforest Ranger Station Sections Basecase- dwg no: 6140 BD 0201
E8 Sumatra Rainforest Ranger Station Elevations Basecase- dwg no: 6140 BD 0302
E8 Sumatra Rainforest Exhibit GA Basecase- dwg no: 6140 AD 0101
E8 Sumatra Rainforest Exhibit GA Roof plan Basecase -dwg no: 6140 AD 0103
E8 Sumatra Rainforest Lar Gibbon House Basecase- dwg no: 6140 CD 0101
E8 Sumatra Rainforest Lar Gibbon Roof Plan Basecase- dwg no: 6140 CD 0102
E8 Sumatra Rainforest Lar Gibbon House Section Basecase- dwg no: 6140 CD 0201
E8 Sumatra Rainforest Lar Gibbon House Elevations Basecase -dwg no: 6140 CD 0303
E8 Sumatra Rainforest Tapir House Plan Basecase- dwg no: 6140 DD 0101
E8 Sumatra Rainforest Tapir House Roof Plan Basecase- dwg no: 6140 DD 0102
E8 Sumatra Rainforest Tapir House Section Basecase- dwg no: 6140 DD 0201
E8 Sumatra Rainforest Tapir Hose Elevations Basecase- dwg no: 6140 DD 0301
E8 Sumatra Rainforest Tiger House Plan Basecase- dwg no: 6140 ED 0101
E8 Sumatra Rainforest Tiger House Roof Plan Basecase- dwg no: 6140 ED 0102
E8 Sumatra Rainforest Tiger House Section B Basecase -dwg no: 6140 ED 0203
E8 Sumatra Rainforest Tiger House Elevations Basecase- dwg no: 6140 ED 0303
E8 Sumatra Rainforest Exhibit GA Masterplan -dwg no: 6140 AD 0102 A
E8 Sumatra Rainforest Orang-utan House Ground Floor Plan Masterplan-dwg no:6140 FD 0101
E8 Sumatra Rainforest- Orang-Utan House Photomontatge 1- dwg no: 6140 FD 0502
E8 Sumatra Rainforest Section Organ-Utan context section- dwg no: 6140 FD 0202
E8 Sumatra Rainforest Orang-Utan House Elevations- dwg no: 6140 FD 0301
E8 Sumatra Rainforest Orang-Utan 1st Floor Plan Masterplan - dwg no: 6140 FD 0102
E8 Sumatra Rainforest Orang-Utan House Roof Plan Masterplan- dwg no: 6140 FD 0103
E8 Sumatra Rainforest Tree Protection Barrier Detail- dwg no: 6140 AD 0402

E9 Tanzania Savannah Sections A and B- dwg no: 6141 AD 0201
E9 Tanzania Savannah Tree Protection Barrier Detail- dwg no: 6141 AD 0402
E9 Tanzania Savannah Exhibit Layout- dwg no: 6141 AD 0101
E9 Tanzania Savannah Masterplan Existing -dwg no: 6141 AD 0102
E10 Nepal Grasslands Exhibit General Arrangement Masterplan- dwg no: 6142 AD 0101
E10 Nepal Grasslands Masterplan Existing-dwg no: 6142 AD 0102
E10 Nepal Grasslands Masterplan Sections A and B- dwg no: 6142 AD 0201
E10 Nepal Grasslands Tree Protection Barrier Detail -dwg no: 6142 AD 0402
E11 Indian Oceans Site Context Plan Basecase-dwg no: E11/KEA2748/PLAN/1020 B
E11 Indian Oceans Site Plan Basecase-dwg no: E11/KEA2748/PLAN/1038
E11 Indian Oceans Elevations Basecase- dwg no: E11/KEA2748/ELEV/1039
E11 Indian Oceans Upper Level (Ground) Plan Basecase- dwg no:
E11/KEA2748/PLAN/1021 B,
E11 Indian Oceans Lower Level (Basement) Plan Basecase- dwg no:
E11/KEA2748/PLAN/1 022 B
E11 Indian Oceans Elevations in Context of Treescape Basecase- dwg no:
E11/KEA2748/ELEV/1023 B
E11 Indian Oceans 3D View-dwg no: E11/KEA/2748A/IEW/1025
E11 Indian Oceans 3D View-dwg no: E11/KEA/2748A/IEW/1026
E11 Indian Oceans Landscape- dwg no: E11/KEA/2748/LAND/1027
E11 Indian Oceans Landscape- dwg no: E11KEA/2748/LAND/1028
E11 Indian Oceans Landscape-dwg no: E11KEA/2748/LAND/1029
E11 Indian Oceans Landscape -dwg no: E11KEA/2748/LAND/1030
E11 Indian Oceans Landscape- dwg no: E11KEA/2748/LAND/1031
E11 Indian Oceans Section Showing Appearance and Proposed Materials
Basecasedwg no: E11/KEA2748/SECTION/1024 B
E12 British Habitats Elevations- dwg no: 01014001-312
E12 British Habitats General Arrangement- dwg no: 1Q104001-E12 A
E13 China Montane Forest Exhibit Layout Masterpfan- dwg no: 6143 AD 0101
E13 China Montane Forest Exhibit Sections- dwg no: 6143 AD 0201
E13 China Montane Forest Tree Protection Barrier Detail- dwg no: 6143 AD 0401
E14 Conservation Breeding Centre Exhibit Layout Masterplan- dwg no: 6144 AD 0101
E14 Conservation Breeding Centre Existing Basecase and Masterplan- dwg no: 6144
AD 0102
E14 Conservation Breeding Centre- Elevation and Section Masterplan- dwg no: 6144
AD 0201
E14 Conservation and Breeding Centre Tree Protection Barrier Detail- dwg no: 6144
AD 0402
E16 Animal Hospital Sections Basecase and Masterplan-dwg no: 6131 AD 0201
E16 Animal Hospital Photomontage 1- dwg no: 6131 AD 0504
E16 Animal Hospital Photomontage 2- dwg no: 6131 AD 0505
£16 Animal Hospital Photomontage 3-dwg no: 6131 AD 0506
E16 Animal Hospital Elevations Basecase- dwg no: 6131 AD 0303'
E16 Animal Hospital General Arrangement Masterplan-dwg no: 6131 AD 0105
E16 Animal Hospital General Arrangement Roof Masterplan- dwg no: 6131 AD 0106
E16 Animal Hospital GA Roof Plan Basecase- dwg no: 6131 AD 0108
E16 Animal Hospital General Arrangement Basecase -dwg no: 6131 AD 0110
E16 Animal Hospital Elevation Masterplan-dwg no: 6131 AD 0302
E16 Animal Hospital Existing Plan - dwg no: 6131 AD 0111
E18b Forest Activities General Arrangements- dwg no: 10104001- E18 A

E18B Forest Activities Elevations- dwg no: 10104001-322 B
E21 Amphitheatre Sections Basecase- dwg no: E21/KEA2748/SECTION/2023 B
E21 Amphitheatre Basecase Elevations -dwg no: E21/KEA2748/ELEV/2022 B
E21 Amphitheatre Roof Plan Basecase- dwg no: E21/KEA2748/PLAN/2021 B
E21 Amphitheatre Site Plan Basecase -dwg no: E21/KEA2748/PLAN/2020 B
E21 Amphitheatre 3D Views -dwg no: E21KEA/2748/VIEW/2019
E21 Amphitheatre Sections Masterplan-dwg no: E21/KEA2748/SECTION/2018 B
E21 Amphitheatre Elevations Masterplan-dwg no: E21/KEA2748/ELEV/2017 B
E21 Amphitheatre Roof Plan Masterplan-dwg no: E21/KEA2748/PLAN/2016 B
E21 Amphitheatre Site Plan Masterplan-dwg no: E2iyKEA2748/PLAN/2015B
E21 Amphitheatre Basecase Elevations -dwg no: E21/KEA2748/ELEV/2026
E21 Amphitheatre Elevations Masterplan-dwg no: E21/KEA2748/ELEV/2025
E21 Amphitheatre Landscape- dwg no: E21KEA/2748/LAND/2024
E23 Model Farm and Rural Crafts Existing Site Plan-dwg no: E23-QD-E-11
E23 Model Farm Buildings Survey Ground Floor Plan-dwg no: E23-QD-E-20
E23 Model Farm Buildings Survey First Floor Plan- dwg no: E23-QD-E-21
E23 Model Farm Buildings Existing GF Plan Area A-dwg no: E23-QD-EA-22
E23 Model Farm Buildings Existing GF Plan Area B- dwg no: E23-QD-EB-23
E23 Model Farm Buildings Existing GF Plan Area C-dwg no:E23-QD-EC-24
E23 Model Farm Buildings Existing GF Plan Area D- dwg no: E23-QD-ED-25
E23 Model Farm Buildings and Rural Crafts- Existing GF Plan Area E- dwg no: E23-
QD-EE-26
E23 Model Farm Buildings and Rural Crafts- Existing GF Plan Area F- dwg no: E23-
QD-EF-27
E23 Model Farm Buildings Existing FF Plan Area B-dwg no: E23-QD-E8-28
E23 Model Farm Buildings and Rural Crafts Existing FF Plan Area F-dwg no: E23-
QDEF-29
E23 Model Farm Area A Proposed GA Plans- dwg no: E23-QD-PA-22
E23 Model Farm Area B Proposed GA Plans-dwg no:E23-QD-PB-23
E23 Model Farm Buildings Proposed GF Plan Area C- dwg no; E23-QD-PC-24
E23 Model Farm Area D Proposed GA Plans-dwg no: E23-QD-PD-25
E23 Model Farm Buildings and Rural Crafts Proposed GF Plan Area E- dwg no: E23-
QD-PE-26
E23 Model Farm Buildings and Rural Crafts Proposed GF Plan Area F-dwg no: E23-
QD-PF-27
E23 Model Farm Buildings Proposed FF Plan Area B-dwg no: E23-QD-PB-28
E23 Model Farm Buildings and Rural Crafts Proposed FF Plan Area F- dwg no: E23-
QD-PF-29
E23 Model Farm Buildings Existing Section -dwg no: E23-QD-E-60
E23 Model Farm Buildings Proposed Section-dwg no: E23-QD-P-60
E23 Model Farm Buildings Existing Elevation 1- dwg no: E23-QD-E-70
E23 Model Farm Buildings Existing Elevation 2-dwg no: E23-QD-E-71
E23 Model Farm Buildings and Rural Crafts Existing Elevation 3- dwg no: E23-QD-E-
72
E23 Model Farm Buildings and Rural Crafts Existing Elevation 4- dwg no: E23-QD-E-
73
E23 Model Farm Buildings and Rural Crafts Existing Elevation 5- dwg no: E23-QD-E-
74
E23 Model Farm Buildings and Rural Crafts Existing Elevation 6-dwg no: E23-QD-E-
75
E23 Model Farm Buildings Existing Elevation 7 -dwg no: E23-QD-E-76

E23 Model Farm Buildings Existing Elevation 8a- dwg no: E23-QD-E-77
E23 Model Farm Buildings Existing Elevation 8b -dwg no: E23-QD-E-78
E23 Model Farm Buildings Existing Elevation 9-dwg no: E23-QD-E-79
E23 Model Farm Buildings Existing Elevation 10-dwg no: E23-QD-E-80
E23 Model Farm Buildings Existing Elevation 11- dwg no: E23-QD-E-81
E23 Model Farm Buildings Existing Elevation 12- dwg no: E23-QD-E-82
E23 Model Farm Buildings Existing Elevation13a -dwg no: E23-QD-E-83
E23 Model Farm Buildings Proposed Elevation13b- dwg no: E23-QD-P-84
E23 Model Farm Buildings Proposed Elevation 1- dwg no: E23-QD-P-70
E23 Model Farm Buildings and Rural Crafts Proposed Elevations 2- dwg no: E23-QDP-71
E23 Model Farm Buildings and Rural Crafts Proposed Elevations 3- dwg no: E23-QDP-72
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 4-dwg no: E23-QD-P-73A
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 5-dwg no: E23-QD-P-74
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 6-dwg no: E23-QD-P-75
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 7-dwg no: E23-QD-P-76
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 8a-dwg no: E23-QDP-77
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 8b-dwg no: E23-QDP-78
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 9-dwg no: E23-QD-P-79
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 10-dwg no: E23-QDP-80
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 11 -dwg no: E23-QDP-81
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 12-dwg no: E23-QDP-82
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 13a-dwg no: E23-QDp-83
E23 Existing Farm House First Aid Room Existing Details- dwg no: E23-QD-EA-100
E23 Existing Farm House First Aid Room Details -dwg no: E23-QD-PA-100
E23 Alterations to Existing Granary Granary Roof Details -dwg no: E23-QD-PB-101
E23 Alterations to Existing Granary Granary Window Detail- dwg no: E23-QD-PB-102
E23 Alterations to Existing Granary Granary Door Detail -dwg no: E23-QD-PB-103
E23 Alterations to Existing Open Side Barn Boiler Room Doors Details- dwg no: E23-QD-PD-104
C5 Tanzania Outlook Tree Protection Barrier Detail- dwg no: 6136 AD 0402
C5 Tanzania Outlook Restaurant Ground Floor Plan- dwg no: 6145 AD 0101
C5 Tanzania Outlook Restaurant Basement Floor Plan -dwg no: 6145 AD 0102
C5 Tanzania Outlook Restaurant Roof Plan -dwg no: 6145 AD 0103
C5 Tanzania Outlook Restaurant Landscape Proposal Plan GF- dwg no: 6145 AD 0105
C5 Tanzania Outlook Restaurant Existing Masterplan- dwg no: 6145 AD 0106
C5 Savannah Outlook Restaurant Section -dwg no: 6145 AD 0201
C5 Tanzania Outlook Restaurant North Elevation -dwg no: 6145 AD 0302

C5 Savannah Outlook Restaurant Photomontage 1- dwg no: 6145 AD 0502
C5 Savannah Outlook Restaurant Photomontage 2- dwg no: 6145 AD 0503
Administration and Vocational Learning Centre Ground Floor Plan- dwg no: M04/E19-QD-P-20 B
Administration and Vocational Learning Centre First Floor Plan -dwg no: M04/E19-QDP-21 B
Administration and Vocational Learning Centre Roof Plan -dwg no: M04/E19-QD-P-90B
Animal Food Preparation, Central Store Floor Plan- dwg no: M05/M05A-QD-P-20 B
Animal Food Preparation, Central Store Roof Plan- dwg no: M05/M05A-QD-P-90 B
Administration and Vocational Learning Facilities, Animal Food Preparation, Central Store Sections- dwg no: M04/E19-M05/M05A-QD-P-60B
Administration and Vocational Learning Facilities Animal Food Preparation Central Store Elevations- dwg no: M04/E19-M05/M05A-QD-P-70 B
Administration and Vocational Learning Facilities Elevations- dwg no: M04/E19-QD-P-71A
Animal Food Preparation Central Store Elevations -dwg no: M05/M05A-QD-P-71A
Amenity Pavilion (1) C03, E17, E18A, E20-dwg no: C03+QD-P-20A
Amenity Pavilion C03, E17, E18A, E20- dwg no: C03+-QD-P-21A
Amenity Pavilion Sections- dwg no: C03+QD P-60A
Amenity Pavilion C03, E17 E18A, E20 Elevation 04 -dwg no: CO3+-QD-P-70A
Amenity Pavilion C03, E17, E18A, E20 Elevation 05-dwg no: C03+-QD-P-71A
Amenity Pavilion C03, E17, E18A, E20 Elevation 6, 7 Section BB- dwg no: C03+-QDP-72A
British Habitats Ranger Station- dwg no: 6146 AD 0101
British Habitats Roof Plan -dwg no: 6146 AD 0102
British Habitats Ranger Station -dwg no; 6146 AD 0201
Conservation Gift Centre Plan- dwg no: C01-QD-P-20A
Conservation Gift Centre Section -dwg no: C01-QD-P-60A
Conservation Gift Centre Elevation 01- dwg no: C01-QD-P-70A
Conservation Gift Centre Elevation 02&03 -dwg no: C01-QD-P-71A
Operations Circulation Strategy -dwg no: 10104001JD04 G
Visitor Circulation Strategy- dwg no: 101 04001_003 F
Hazardous Compound Store Plans, Sections and Elevations- dwg no: M02A-QD-P-20A
Garage, Energy Centre- Plans, Sections, Elevations -dwg no: M02/M03-QD-P-20A
Composter Plans Section Elevations- dwg no: M03A-QD-P-20A
Operations Area View 1- dwg no: M00-QD-P-85
Operations Area View 2- dwg no: M00-QD-P-86
Maintenance, Vocational Training and Administrative Area Massing Studies - dwg no: M00-QD-P-87 A
Operations Area Massing Studies- dwg no: M00-QD-P-88A
Nursery and Greenhouses Existing Floor Plans- dwg no: M01-QD-E-2
Nursery and Greenhouses Existing Sections, Elevations- dwg no: M01-QD-E-60
Nursery and Greenhouses Existing Roof Plan- dwg no: M01-QD-E-90
Nursery and Greenhouses Floor Plans-dwg no: M01-QD-P-20 A
Nursery and Greenhouses Sections, Elevations- dwg no: M01-QD-P-60A
Nursery and Greenhouses Roof Plans- dwg no: M01-QD-P-90A
Nursery and Greenhouses Plans, Sections and Elevations- dwg no: M01-GD-P-21A
Park Restaurant Elevations -dwg no: C04-QD-P-70A
Park Restaurant Elevations-dwg no: C04-QD-P-71A

Park Restaurant Building Sections -dwg no: C04-QD-P-61A
Park Restaurant Site Sections- dwg no: C04-QD-P-60A
Park Restaurant Floor Plan- dwg no: C04-QD-P-20A
Park Restaurant Roof Plan -dwg no: C04-QD-P-90A
Park Restaurant Planting/Landscaping -dwg no: C04-QD-P-17A
Park Restaurant Proposed Site Plan -dwg no: C04-QD-P-10A
Park Restaurant Existing Site Survey- dwg no: C04-QD-E-02A
Park Restaurant Drawing Locations Plan-dwg no: C04-QD-P-03A
Park Restaurant Landscape Detail Sketch- dwg no: C04-QD-P-100
Park Restaurant Landscape Detail Sketch- dwg no: C04 QD-P-101
Park Restaurant Restaurant View -dwg no: C04-QD-P-80
Park Restaurant Restaurant View -dwg no: C04-QD-P-81
Park Restaurant Massing Studies View of 3D Model- dwg no: C04-QD-P-83A
Park Restaurant Elevation Extract and Materials- dwg no: C04-QD-P-85
Operations Area Existing Site Survey- dwg no: M00-QD-E-02A
Operations Area Photographs of existing site -dwg no. M00-QD-E-80
Operations Area Drawing Locations Plans- dwg no: M00-QD-P-03 B
Operations Area Proposed Siteplan- dwg no:M00-QD-P-10B
Operations Area Proposed Site plan -dwg no; M00-QD-P-11 B
Operations Area Levels -dwg no: MOO-QD-P-15 B
Operations Area Planting/Landscaping -dwg no: MOO-QD-P-17 B
Operations Area Site Section -dwg no: MOO-QD-P-60 B
Operations Area Roof Plan- dwg no: M00-QD-P-90B
Village Area Roof Plan- dwg no: V00-QD-P-90A,
Village Area Sections- dwg no: V00-QD-P-60A,
Village Area Planting and Boundaries- dwg no: VOO-QD P- 17 B
Village Area Proposed Levels -dwg no: VOO-QD-P-15A
Village Area Basecase Roof Plan- dwg no: V00-QD-P-1 1A,
Village Area Proposed Site Plan -dwg no: V00-QD-P-10A
Village Area Drawing Location- dwg no: V00-QD-P-03A
Village Area- Existing Site Survey- dwg no: V00-QD-E-02A
Visitor Village Landscape detail 1- dwg no: V00-QD-P100
Visitor Village Landscape detail 2- dwg no: V00-QD-P101
Visitor Village view on entrance to visitor village- dwg no: V00-QD-P85
Visitor Village View on approach to enabling pavilion -dwg no: V00-QD-P86
Village Area Massing Studies Views of 3D Model -dwg no. V00-QD-P-87A
Planning Supporting Statement
Arboricultural report on development in the woodland
Sustainability Statement
Employee Travel Plan
Visitor Travel Plan
Surface Water Management Strategy (Stage 2)
Integrated Conservation Management Plan (Interim)
Consultation Statement
Transport and Highways Statement
Design and Access Statement
Environmental Statement- Volume 1 Text
Environmental Statement- Volume 2 Figures
Environmental Statement - Volume 3 Appendices

As received by the Council on 31st October 2008

Schedule of Trees Revised

As received by the Council on 8th April 2009

Infrastructure Boundary Treatments Key Plan- dwg no: 10104001__008 Rev C
E2 Georgia Wetlands Exhibit Layout Masterplan -dwg no: 6135 AD 0101 D
E4- Ancient British Woodland Exhibit Roof GA Masterplan- dwg no: 6136 AD 0103 C
E4 Ancient British Woodland Basecase Exhibit GA -dwg no: 6136 AD 0101 C
E8 Sumatra Rainforest Existing Masterplan-dwg no: 6140 AD 0108 D
E6 Forest Walkway Exhibit GA Basecase dwg no: 6138 AD 0102 C
E6 Forest Walkway Exhibit GA Masterplan-dwg no: 6138 AD 0101 C
Site Wide Vegetation Retention/Removal Sheet 5 of 6-dwg no: 10104001-205 C
Site Wide Vegetation Retention/Removal Sheet 6 of 6 -dwg no: 10104001-206 C
Ancient Boundary Woodlands and E4, E6 and E8 Boundaries- dwg no: 10104001-012B
E13 China Montane Existing Masterplan- dwg no: 6143 AD 0102 C
Landscape Infrastructure Boundary Treatments Typical Details- dwg no: 10104001-009 B
E16 Animal Hospital Tree Protection Plan Masterplan-dwg no: 6131 AD 0109 C
Masterplan Site Sections-dwg no; 10104001_011 A
Landscape Infrastructure Masterplan Car Park Sections -dwg no: 1014001_f 09
Site Wide Vegetation Retention/Removal Sheet 2 of 6- dwg no: 1014001-202 C
Site Wide Vegetation Retention /Removal Sheet 3 of 6- dwg no: 10104Q01_203 C
Site Wide Vegetation Retention/Removal Sheet 4 of 6-dwg no: 10104001-204 C
Addendum to Design and Access Statement- Section of Foul Drain Route down the Escarpment
Hedgerow Survey (to replace Appendix 11.4 of the Environmental Statement (Volume 3)
External Lighting Strategy (REP/120/09)
External Lighting Strategy Landscape, Visual and Ecological Impact Assessment Summary (10104001R)
Environmental Statement -response to queries arising through consultation (10104001N)
Environmental Statement -Response to queries arising through consultation (10104001N)

As received by the Council on 1st July 2009

Site Wide Vegetation Retention/Removal Sheet 1 of 6-dwg no: 10104001-201 D
E9 Tanzania Savannah Masterplan Existing -dwg no: 6141 AD 0102 D
E9 Tanzania Savannah Exhibit Layout Masterplan- dwg no: 6141 AD 0101 C
E9 Tanzania Savannah Masterplan Sections A and B- dwg no: 6141 AD 0201 A
Received 1/9/2009
Update of Badger Survey (August 2009) - Supplement to Appendix A11.9 of the Environmental Statement
British Ancient Woodland E4 Exhibit Management Plan, August 2009 -Addendum to the Integrated Conservation Management Plan (Interim) March 2008
Ecological Mitigation Strategy
Breakdown of exhibit and other development in the ancient woodland
Received 1/10/2009

Historic Garden Features Supplementary Statement- Addendum to Environmental
Statement
Management and Offset of Impact of the Blackhorse Wood SNCI (September 2009)

As received by the Council on 21st August 2009

Basecase Masterplan -dwg no: 10104001_010 C
Masterplan -dwg no: 10104001 001 H

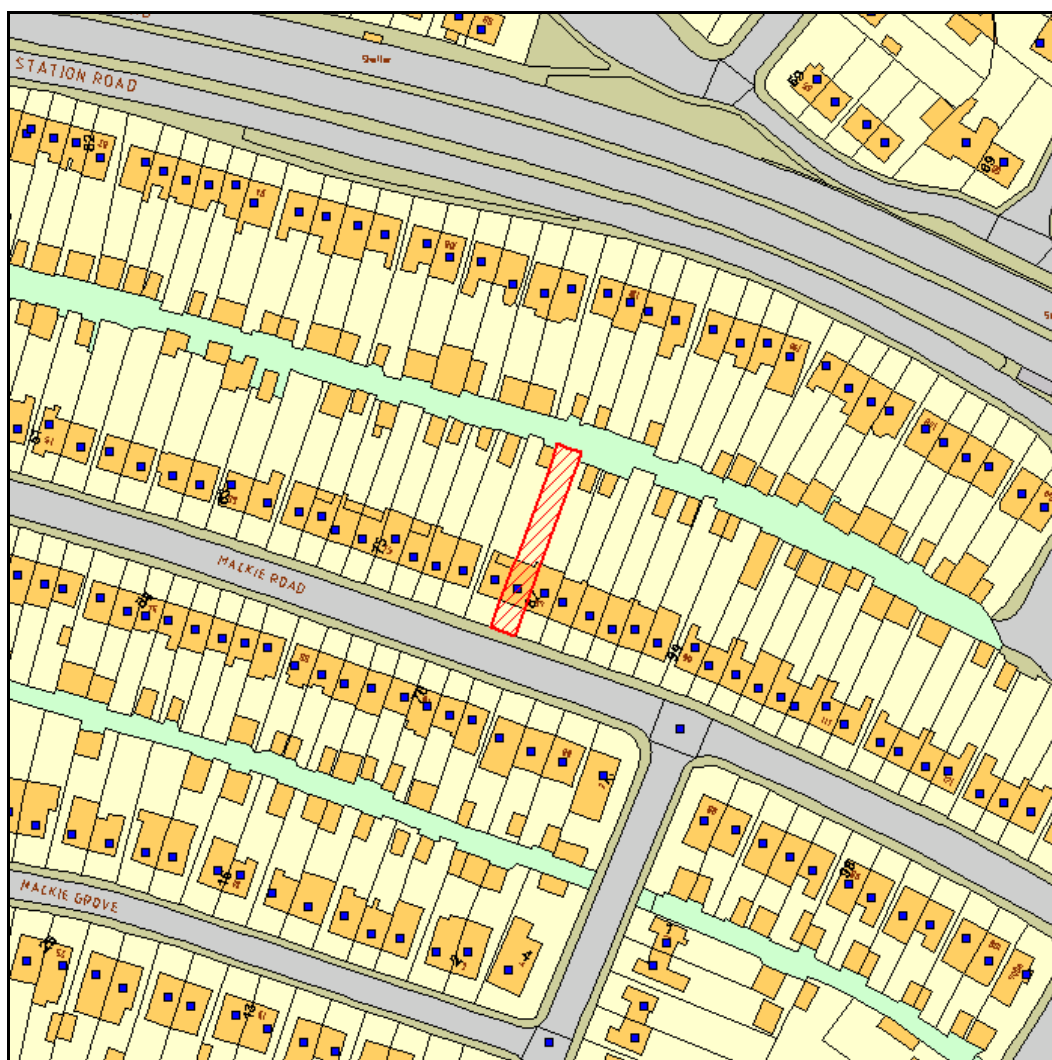
As received by the Council on 19th April 2010

Reason

In the interest of proper planning.

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.:	PT15/0370/CLP	Applicant:	Mr J Prangnell
Site:	85 Mackie Road Filton Bristol South Gloucestershire BS34 7LZ	Date Reg:	6th February 2015
Proposal:	Application for Certificate of Lawfulness for the proposed conversion of loft.	Parish:	Filton Town Council
Map Ref:	360770 178931	Ward:	Filton
Application Category:		Target Date:	1st April 2015



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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 4 no. roof lights at 85 Mackie Road, Filton would be lawful.
- 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 (General Procedures) Order 1995 Article 24 Town and Country Planning (General Permitted Development) Order (GPDO) (As Amended) 1995

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No objection.

- 4.2 Other Consultees

Highway Drainage
No comment.

Transport
No objection.

Other Representations

- 4.3 Local Residents
None received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Existing Floor Plans and Elevations 1079/10; Site and Location Plans 1079/05, Proposed Plans and Elevations 1079/11 (all received 30th January); Email correspondence and section plan received from Philip Lloyd (agent) dated 09/03/2015.

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, of the GPDO (As Amended) 1995.

6.3 The proposed development consists of a loft conversion facilitated by 4 no. roof lights. This development would fall under the criteria of *Schedule 2, Part 1, Class C* of the Town and Country Planning (General Permitted Development) Order (as amended) 1995, which alterations to the roof of a dwellinghouse. This allows for roof lights subject to the following:

C.1 Development is not permitted by Class C if-

(a) The alteration would protrude more than 150mm beyond the plane of the slope of the original roof when measure from the perpendicular with the external surface of the original roof

Correspondence with the agent received on 09/03/15 has confirmed that the proposed roof lights do not extend more than 150mm from the roof slope when measured perpendicular from the external surface of the roof slope. The proposal therefore meets this criterion.

(b) It would result in the highest part of the alteration being higher than the highest part of the roof; or

The proposal does not exceed the highest part of the original roofline at any point, and therefore meets this criterion.

(c) It would consist of or include-

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

(ii) The installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

The proposal does not include any of the above.

C.2 Development is permitted by Class C subject to the condition that any windows on the roof slope forming the side elevation of the dwellinghouse shall be –

(a) **obscure glazed; and**

(b) **non opening, unless the parts of the window which can be opened is more than 1.7 metres above the floor of the room in which it is installed.**

None of the proposed roof lights are situated on the roof slope which forms the side elevation of the dwellinghouse. The proposal therefore meets this condition.

7. RECOMMENDATION

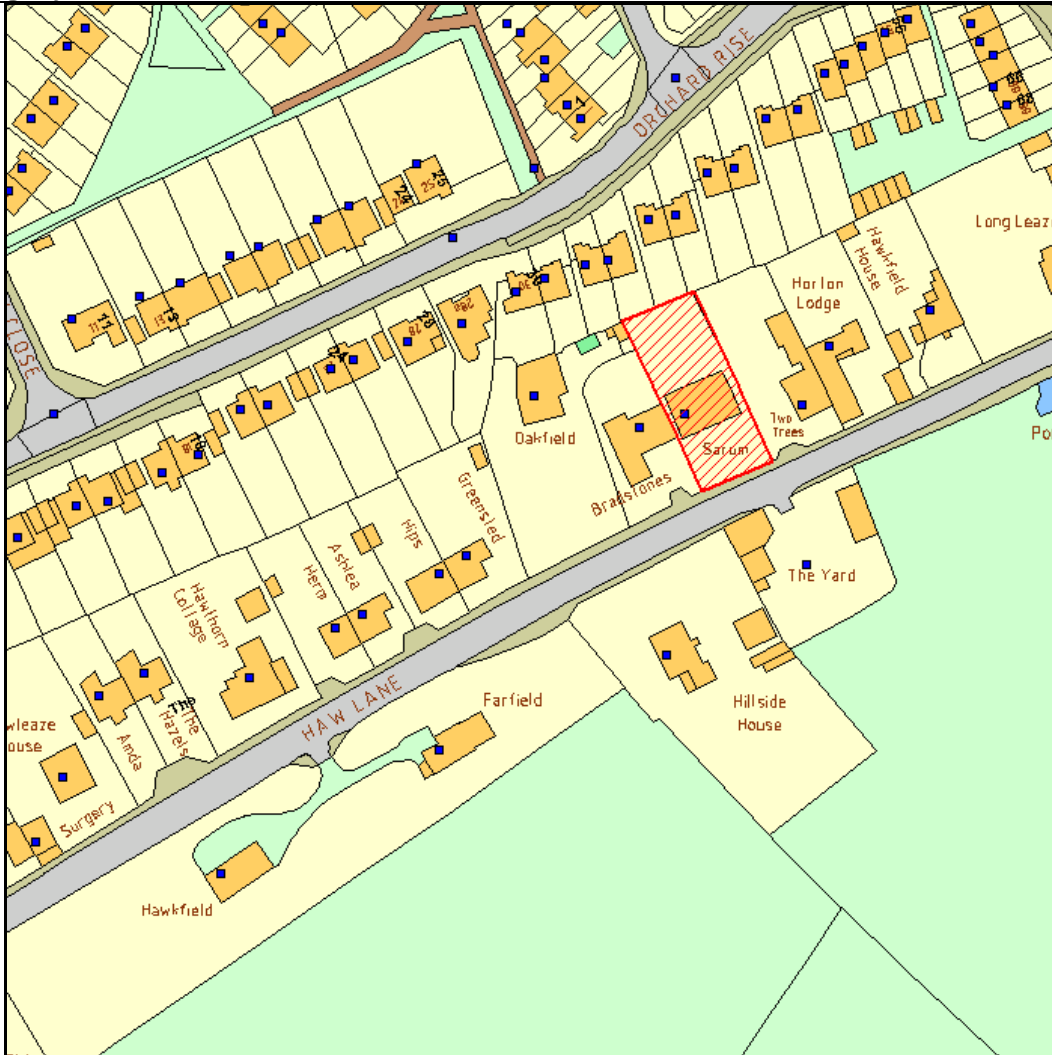
7.1 That a Certificate of Lawfulness for Proposed Development is **granted** for the following reason;

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) Order 1995 (as amended).

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.:	PT15/0381/F	Applicant:	Mr And Mrs Pursey
Site:	Sarum, Haw Lane, Olveston, Bristol South Gloucestershire BS35 4EG	Date Reg:	2nd February 2015
Proposal:	Erection of single storey rear extension to form additional living accommodation, Installation of 2no. front dormer windows to facilitate loft conversion and alterations to form pitched roof over existing front garage.	Parish:	Olveston Parish Council
Map Ref:	360358 186994	Ward:	Severn
Application Category:	Householder	Target Date:	25th March 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because three objections have been received from local residents and Olveston Parish Council, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a single storey rear extension to form additional living accommodation, installation of 2no. front dormer windows to facilitate a loft conversion and alterations to form a pitched roof over the existing front garage.
- 1.2 The application site comprises a single storey detached bungalow located on the north side of Haw Lane. The property is located within the defined Olveston settlement boundary, which is washed over by the Bristol and Bath Green Belt and the Olveston Conservation Area.
- 1.3 The property is accessed directly off Haw Lane and is slightly elevated above the street. The bungalow is set back from the road, with a small front garden and driveway. The property is cream rendered with a pitched roof. The current front garage and rear extension have flat roofs which will be replaced with pitched roofs with a hip at the end.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

H4 Residential Development within Existing Residential Curtilages
L12 Conservation Areas
T12 Transportation Development Control

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 Residential Parking Standards SPD
The Olveston Conservation Area SPD (adopted) January 2013
The Olveston Village Design Statement

3. RELEVANT PLANNING HISTORY

3.1 None.

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council
Parish Council consider this overdevelopment.

4.2 Conservation
No comment received.

4.3 Highway Drainage
No comment.

4.4 Sustainable Transport
No comment received.

Other Representations

- 4.5 Local Residents
Two comments of objection have been received:
- The drains run into next door and are not on a separate connection;
 - Trees are now damaging the pipes;
 - Owner wishes to breach the conservation order and take out the front wall and trees to provide off-street parking;
 - Garage pitched roof will later be used as accommodation;
 - The alterations are out of character with the street;
 - The proposed rear extension will extend well beyond the existing rear building line and is closely adjacent to the existing party wall;
 - The new west elevation wall together with new pitched roof will be totally overbearing from neighbouring rear garden;
 - Concerned about detrimental impact on enjoyment of rear garden.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The NPPF and saved policy H4 of the adopted Local Plan allow for extensions to properties located in the Green Belt provided that they do not result in disproportionate additions over and above the volume of the original dwelling. It is noted that the application site has already been extended on the rear elevation with a single storey extension, resulting in a 10% increase in the volume of the dwelling. The proposed alterations include a replacement single storey rear extension with pitched roof and hip end, the front garage will be extended with a pitched roof and hip end and the installation of 2no. front dormer windows. The total volume increase (including the replaced rear extension) amounts to a 26% increase. The alterations and additions are considered to be proportionate and is considered to be appropriate development in the Green Belt.

- 5.2 The principle of development is considered to be acceptable by virtue of saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and policy CS5 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013. The main issues to consider are the appearance/form of the proposal and the impact on the character of the Conservation Area and openness of the area; the impact on the residential amenity of neighbouring occupiers; and the transportation effects.
- 5.3 The Olveston Conservation Area SPD (adopted) January 2013 contains specific strategies for the preservation and enhancement of Haw Lane and is a material consideration with regards to the effect on the character of the Conservation Area.
- 5.4 Appearance/Form and Impact on the Character of the Conservation Area
The proposal replaces the existing single storey rear extension with an extension of the same size but including a pitched roof with a hip end. The proposed rear extension measures approximately 6.8m wide by 3.9m long with a maximum ridge height of 5.3m. The original flat roof height of the extension is 2.4m. Similarly, the flat roof on the garage will increase from 2.4m to 3.7m in height. The two gabled front dormer window extensions will appear as relatively modest additions to the front elevation, along with a number of rooflights on the front and rear elevations. Materials will match the existing.
- 5.5 It is not considered that the proposed alterations will significantly alter the appearance of the existing dwelling or appear adversely out of keeping with the character of the surrounding built form in terms of scale, form and appearance. The rear extension is an existing addition and as such, is not considered to appear out of keeping or have an impact on the streetscene. The proposed alterations will modernise the existing dwelling and will improve the appearance of the dwelling over the existing situation, enhancing the Conservation Area. Guidance contained in the Olveston Conservation Area SPD on the preservation and enhancement strategies are specifically relevant to Haw Lane. The existing bungalow has little traditional character that could be preserved and the proposal is not considered contrary to the guidance contained within the SPD.
- 5.6 Similarly, the Olveston Design Village Statement states that alterations and extensions should complement the building and its surroundings and respect the inherent form, style, materials and detail of the original property. Extensions should not detract from the original building. The proposed alterations are not large in scale and are considered to integrate well with the overall scale and proportions of the existing bungalow. Overall, the proposal will not be out of keeping with the character of the original dwelling or the surrounding area.
- 5.7 There is one large mature tree at the front of the application site, as well as an established hedgerow offering privacy from Haw Lane. The applicant does not propose to remove or alter the existing trees or hedgerow as part of the submitted plans. The dwelling is set back from the road by approximately 12 metres. Other neighbouring properties to the south-east and south-west are set further forward, being closer to Haw Lane.

The surrounding built-form is marked by a number of architectural styles of dwellings and as such, the proposed alterations are not considered to have a negative impact on the integration of the dwelling within the streetscene. In this context, there will not be a detrimental impact on the openness of the Green Belt as a result of the proposed alterations and additions.

5.8 Residential Amenity

Consideration must be given to the impact on the neighbouring occupier's residential amenity as a result of the proposal. As discussed above, the rear extension will remain the same size with the replacement of the flat roof with a pitched roof with a hipped end. The roof of the rear extension will be set down from the main roof by 1.2m (approximately).

- 5.9 The neighbouring property Bradstones to the south-west is approximately 0.25m away from the north-west elevation of Sarum and there is an existing approximately 2m high stone boundary wall. Therefore the neighbouring properties already have a close relationship. The owners of Bradstones have expressed concern that the replacement roof on the rear single storey extension will appear overbearing and affect the enjoyment of their rear garden. Bradstones was granted planning permission (Ref. PT13/3850/F) for a single storey rear and side extension including raising of the roofline with front dormers to facilitate a loft conversion to create additional living accommodation. The extensions at Bradstones and Sarum, which are located closest to the shared boundary (along the west), are both single storey extensions. Bradstones has no principal rooms (utility room/wc/pantry and garage) or principal windows along the east side of the property. Overall, it is considered that the replacement roof on the rear extension will not have a detrimental impact on the neighbouring rear garden by increasing the height of the roof by 2.2 metres (approx.).

5.10 Transportation

The proposal seeks to increase the level of living accommodation and the number of bedrooms from two to four. South Gloucestershire Council's Residential Parking Standards SPD requires 1.5 parking spaces for a 2no. bedroom dwelling and 2no. parking spaces for a 4no. bedroom dwelling. The plans show a minimum of 2no. off-street parking spaces can be provided within the existing driveway. It is considered that there is adequate parking within the curtilage of the site to accord with the Council's residential parking standards.

5.11 Further Matters

The objections concerning the existing drains not being on a separate connection and the pipes damaging the trees are not planning issues that can be given any material weight in this instance. In addition, the use of the possible use of the garage in the future for additional living accommodation would not be considered unacceptable or unreasonable. The use of the garage for ancillary residential accommodation would not require express planning permission. The garage is not required as part of the off-street parking provision and is not considered to have an impact on residential amenity.

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 **approve** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) 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 **approved**, subject to the conditions attached to the decision notice.

Contact Officer: Katie Warrington
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

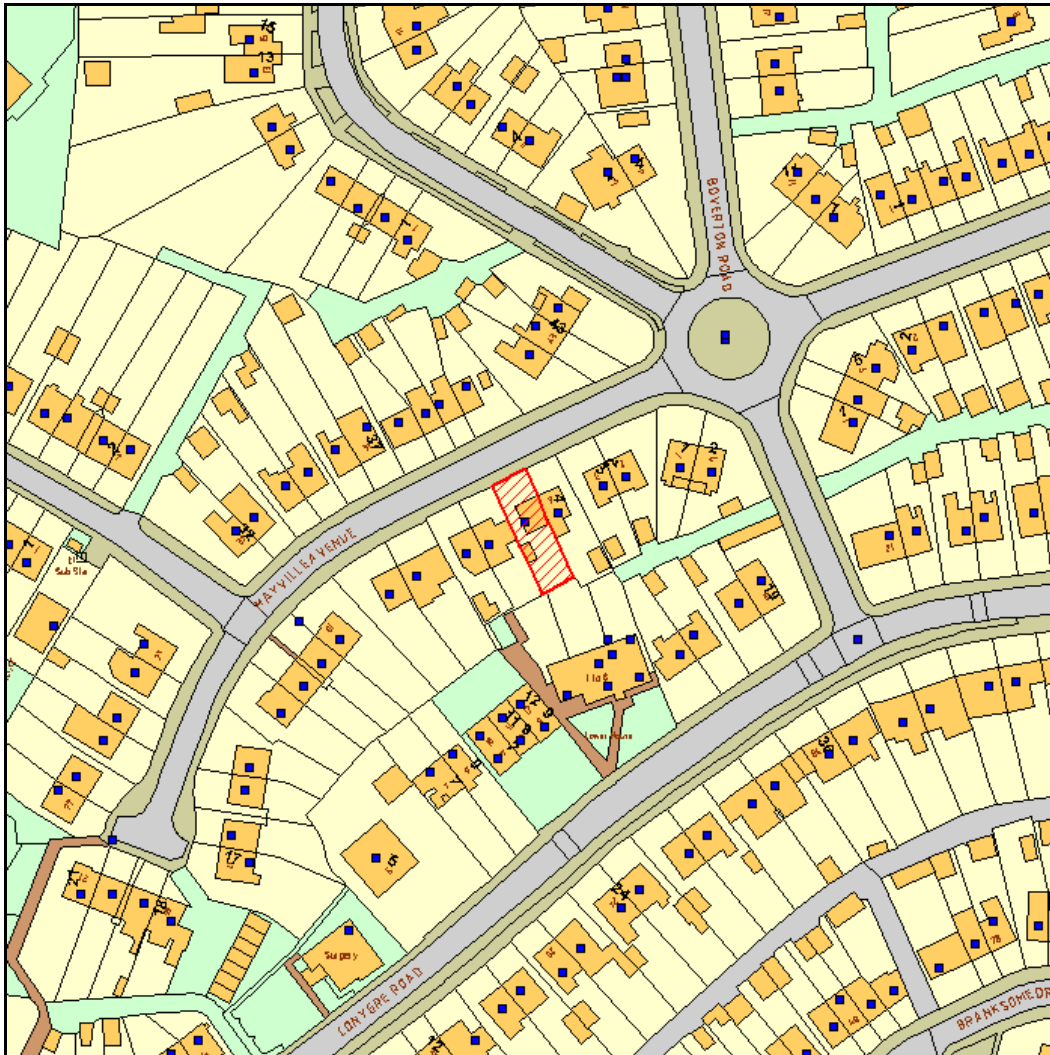
2. The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Reason

To ensure a satisfactory standard of external appearance in the Olveston Conservation Area, and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and saved policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006 (saved policies).

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

App No.:	PT15/0447/F	Applicant:	Mr Shane Painter
Site:	5 Mayville Avenue Filton Bristol South Gloucestershire BS34 7AA	Date Reg:	5th February 2015
Proposal:	Erection of two storey side and single storey front extension to provide additional living accommodation	Parish:	Filton Town Council
Map Ref:	360489 179380	Ward:	Filton
Application Category:	Householder	Target Date:	30th March 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representations have been received which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a double storey side extension and a single storey front extension to form additional living accommodation.
- 1.2 The application relates to a semi-detached dwelling situated within an established residential area in Filton.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance 2014
- 2.2 Development Plans

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/0339/F - Erection of two storey side and rear extension and single storey front extension to form porch, garage and kitchen with additional bedrooms over. Approved 6th March 2003

4. CONSULTATION RESPONSES

- 4.1 Filton Parish Council
No objection
- 4.2 Environmental Protection
Construction site condition recommended
- 4.3 Drainage Engineer
The proximity of a public foul sewer may affect the layout of the development. Refer the application to Wessex Water for determination.

Other Representations

4.4 Local Residents

Four letters of objection have been received from local residents. The comments can be summarised under the following:

- Extensive and overbearing.
- Cramped.
- Only centimetres from boundary and garage.
- Not in keeping.
- Spoil residential enjoyment, daylight and sunlight.
- Sets a poor precedent.
- Block view to Grade II listed building.
- Terracing effect.
- Remove outlook.
- Prevent repairs, decorating and maintenance.
- Damage to property inevitable.
- Duty of care.
- Would not give permission for underpinning or for builder to enter property.
- No consultation from applicant.
- Ground is shrinkable clay substrata – buildings settle during and after construction.
- Loadings.
- Encroachment.
- Reduce property value.
- Trial hole already dug.
- Party wall act.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a double storey side extension and a single storey front extension to form additional living accommodation. Saved policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 permits this type of development in principle subject to criteria relating to residential amenity, highway safety and design.

5.2 A previous application (PT03/0339/F) for a very similar development had been approved on the site however the development has not been implemented and the consent is no longer extant. This application therefore carries only very limited material weight in the determination of the current application.

5.3 Residential Amenity

The application site consists of a double storey semi-detached dwelling situated on an established residential cul de sac in Filton. It is bordered to the east by the attached neighbour and to the west by no.6 both of which are double storey semi-detached dwellings on the same established building line. No.6 is set on slightly higher ground than the application site, has an attached garage adjacent to the boundary. The proposal is to erect a double storey side extension: the rear elevation of which would follow the original rear elevation whilst the front elevations and height would be lesser. The proposal also includes a small single storey front extension.

- 5.4 In terms of the impact on the amenity of nearby occupiers it is considered that the proposal would not have a prejudicial impact on the attached neighbour given that the double storey extension would be contained entirely to the west elevation not extending beyond the front or rear elevations. It is also considered that the proposed single storey extension by virtue of its small scale and location would not have a prejudicial impact on either neighbouring occupiers. The main consideration therefore is the impact of the double storey extension on the occupiers of no.6. It is noted that these residents have raised a number of concerns at the consultation stage including concerns regarding amenity: specifically that the extension would be overbearing and result in a loss of light and outlook.
- 5.5 The neighbour's comments are acknowledged however on consideration of the proposed development it is not considered that the development would have a detrimental impact on the living standards of these occupiers. The proposed double storey extension would not extend beyond the front or rear elevations of no.6 and although there are secondary windows in the side elevation of no.6, it is not considered that the development would appear adversely overbearing or oppressive to the amenity areas or ground floor windows. Number 6 does have a first floor and ground floor window in the side elevation and it is acknowledged that the proposal would bring the massing of no.5 closer to these. However, given that these are secondary window, this would not warrant a refusal. The application site is to the northeast of no.6 and as such the proposal would not have any appreciable impacts on existing levels of natural light. The plans show a small high level obscure glazed window in the side elevation of the extension at ground floor level. Given the design and location of this window it is not considered that it would prejudice existing levels of mutual privacy.
- 5.6 It is noted that during the construction phase some disruption can occur as a result of building operations. Given the established residential nature of the locality and the proximity of the extension to neighbouring occupiers a condition is recommended to limit hours of construction, Subject to this condition there are no objections on grounds of residential amenity.
- 5.7 Design
The application relates to a double storey semi-detached dwelling which is finished in render and brick facing and a front bay window containing hanging tile detailing. The dwelling is generally characteristic of those found within the street scene which is defined by pairs of semi-detached dwellings with some variation in style. Examples of both single storey and double storey side extensions can be found within the immediate locality.
- 5.8 The proposal is for a double storey side extension which would be set back from the front elevation by 0.45 metres and set slightly down from the maximum ridge height. The roof would be hipped to match the existing and the plans indicate that the materials would be render and brick facing.

- 5.9 Concerns have been raised in relation to the design of the proposed extension on the grounds that it would not be in keeping, would set a poor precedent, and would have a terracing effect on the street scene. These comments are all noted and it is acknowledged that the development would fill an existing gap in the street scene in a locality which is characterised by pairs of semi-detached dwellings albeit with some variation in spacing and final appearance. The design of the development has however sought to address the 'terracing effect' by setting the front elevation of the double storey side extension back ensuring that it remains subservient in appearance. It is considered that this design approach is sensible for the site and has indeed been adopted in a number of similar residential areas in South Gloucestershire. In this location it is considered that whilst the loss of the gap in the street scene is not desirable it would not warrant a refusal of the application as it would not have a detrimental impact on local distinctiveness.
- 5.10 In terms of the single storey extension it is considered that although the front line of it is slightly contrived it is at a scale and design which would not appear intrusive or incongruous in the street scene. It is considered that overall the design and scale of the development has been informed by and respects the dwelling in its context. Provided the colour and texture of the materials match the existing the development proposal is considered acceptable.
- 5.11 Impact on Heritage
To the rear of the site is a grade II listed building the main frontage and viewpoints of which is from Conygre Road. Public views of the listed building from Mayville Avenue are very limited and obscured by the presence of the surrounding residential development. It is not considered that the application site contributes to and does not form part of the historic setting of the listed building. Whilst concerns have been raised that the development would block views of the listed building it is not considered that this would harm the heritage asset or its setting given that the lack of a direct relationship between the two. This is therefore not a matter that can weigh heavily against the proposed development.
- 5.12 Highway Safety
The proposed development would remove the existing hardstanding area and access to the detached garage at the rear of the property whilst increasing the number of bedrooms in the dwelling. The dwelling would however continue to benefit from a hardstanding area to the front which is suitable for two spaces. In accordance with the Council's minimum residential parking standards this level of parking is acceptable and as such there are no objections on grounds of highway safety.
- 5.13 Other Matters
At the consultation stage a number of comments have been made on potential encroachment into the neighbouring property and the party wall act. It should be noted that these are not planning matters and as such cannot carry material weight in the determination of the application. Similarly issues relating to access for maintenance, painting and access for builders is a civil matter to be dealt with separately between relevant parties involved.

Planning permission does not grant consent to access or build on any land outside of the ownership of the applicant. This information is to be reinforced on the decision notice as an informative. Whilst the neighbour's concerns regarding their ability to maintain the side of their garage are noted this is not a matter that carries substantial weight and cannot stand in the way of granting permission. Matters relating to potential damage and duty of care is a civil issue.

5.14 Additional concerns that have been raised relating to underpinning, foundations, and the ground condition fall within the remit of building regulations, outside of planning control.

5.15 Reductions in house values as a result of the development is a matter which has been found to carry very limited weight in the determination of a planning application.

5.16 Drainage

The applicant is advised that the proximity of a public foul sewer may affect the layout of the development and as such should be referred to Wessex Water for determination. This is an issue that is to be dealt with outside of the remit of the application.

6. CONCLUSION

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

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 following conditions:

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 11/15 – 13 MARCH 2015

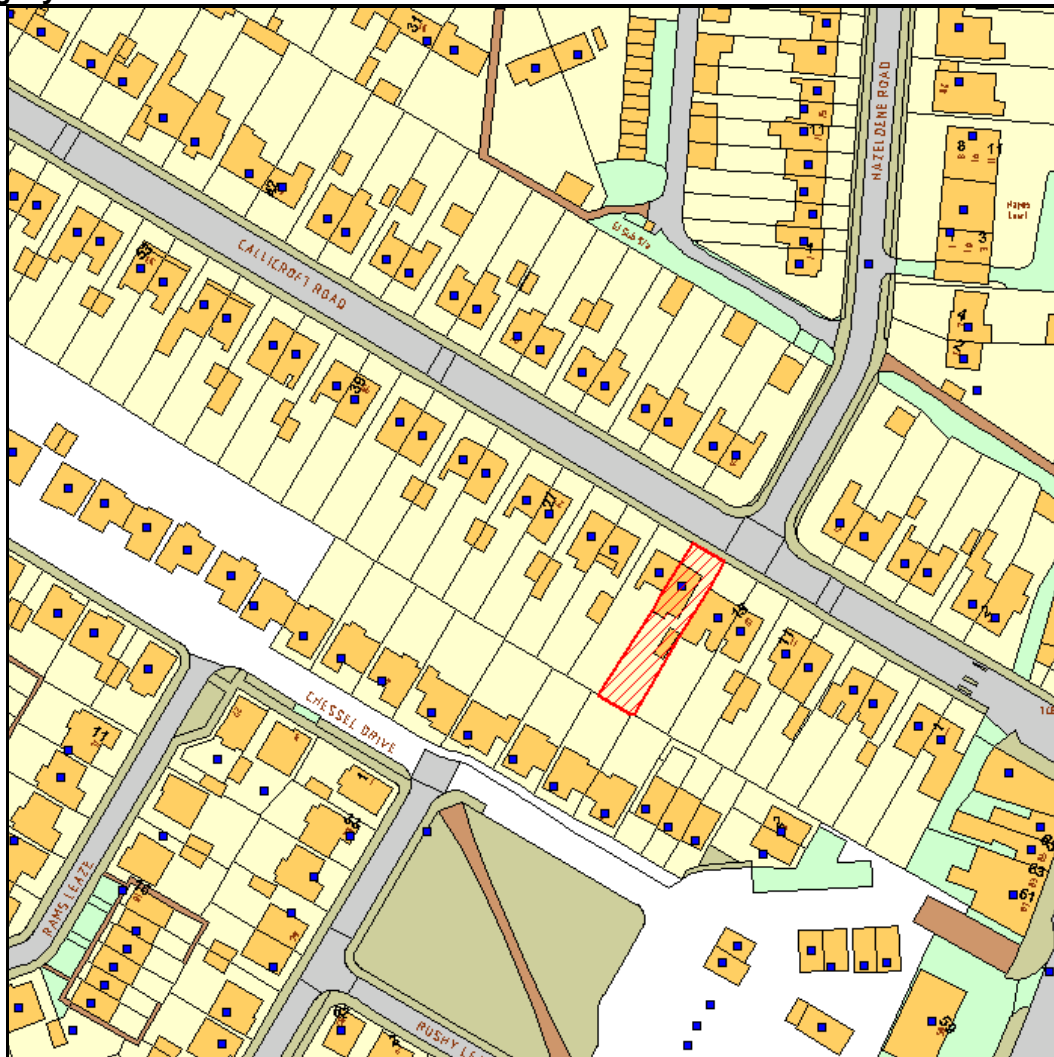
App No.: PT15/0537/F
Site: 19 Callicroft Road Patchway Bristol
 South Gloucestershire BS34 5BU
Proposal: Erection of single storey detached
 residential annexe ancillary to main
 dwelling with associated works.
 (Amendment to previously approved
 scheme PT14/3504/F).

Applicant: Mr Herman Crosdale
Date Reg: 17th February 2015

Parish: Patchway Town
 Council

Map Ref: 360413 181243
Application Category: Householder

Ward: Patchway
Target Date: 6th April 2015



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 100023410, 2014. **N.T.S.** **PT15/0537/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as a representation has been received which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a detached single storey annexe in the rear garden of 19 Callicroft Road, which is semi-detached dwelling in Patchway.
- 1.2 The application seeks an amendment of a previously approved application PT14/3504/F, which was approved 28th November 2014. The amendment consists of a slight increase to the width of the annexe and alterations to the fenestration on the southeast elevation.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance 2014
- 2.2 Development Plans

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/3504/F - Erection of single storey detached residential annexe ancillary to main dwelling with associated works. Approved 28th November 2014
- 3.2 PT03/0339/F - Erection of two storey side and rear extension and single storey front extension to form porch, garage and kitchen with additional bedrooms over. Approved 6th March 2003

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
No comment received.

Other Representations

4.2 Local Residents

One letter of objection has been received from a local resident. The comment is summarised as follows:

- Preparatory works already commenced and new shed erected in remaining gap.
- Imposing visual barrier in an open space.
- Other properties are a respectable distance away, reducing noise level, and that adds to the overall market value of the houses along the edge of the old airfield. Construction would negate this.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks an amendment to a previously approved development ref. PT14/3504/F in order to increase the width of the annexe by approximately 0.5 metres and alterations to the proposed fenestration. The principle of the development has therefore been established and considered acceptable. The pertinent issues to consider are the impact of the amendments on residential amenity, on highway safety and on design.

5.2 Residential Amenity

The proposed amendment would result in the gable ends of the annexe increasing by 0.5 metres. The all other dimensions remain as previously approved although the pitch on the roof would become shallower as a result of the increased width.

5.3 Although it is acknowledged that the building would appear slightly wider from the dwelling at the rear (14 Chessel Road) it is not considered that the increased width is so great that it would materially alter the development already approved. The building would remain single storey and would not extend the width of the rear boundary and as such it is not considered that it would appear significantly overbearing or have a prejudicial impact on the outlook or light levels afforded to no.14. The occupiers of no.14 have commented that a shed has been erected in the remaining gap however this does not fall within the consideration of the application. The application has no control over buildings that are erected under permitted development rights. It is considered that the amendment would have very limited impact on any of the other nearby occupiers. The proposed alterations to the fenestration would not have a materially greater impact in terms of privacy given that the building is single storey and screened by existing boundary treatments.

5.4 Design

It is not considered that the amendment would have any impact on the overall design of the building or the visual amenity of the site or the locality.

5.5 Transportation

The proposed amendment would slightly increase the amount of floor space within the annexe but would not increase the traffic generated over the approved development. Subject to the parking condition previously imposed there are no concerns in terms highway safety.

5.6 Other Matters

It should be noted that the impact of development proposals on house values is a matter that carries very limited material weight in the determination of a planning application and as such cannot stand in the way of the grant of a permission.

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 following conditions:

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

2. The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 19 Callicroft Road and shall at no time become a separate or independent dwelling.

Reason

In the interests of highway safety and residential amenity, to accord with saved policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

3. The off-street parking facilities shown on plan no.C19/PL/002 Rev. B hereby approved shall be provided in a permeable bound material before the annexe 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 saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Residential Parking Standards SPD (Adopted) 2013.