



**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. 30/16

Date to Members: 29/07/2016

Member's Deadline: 04/08/2016 (5.00 pm)

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:

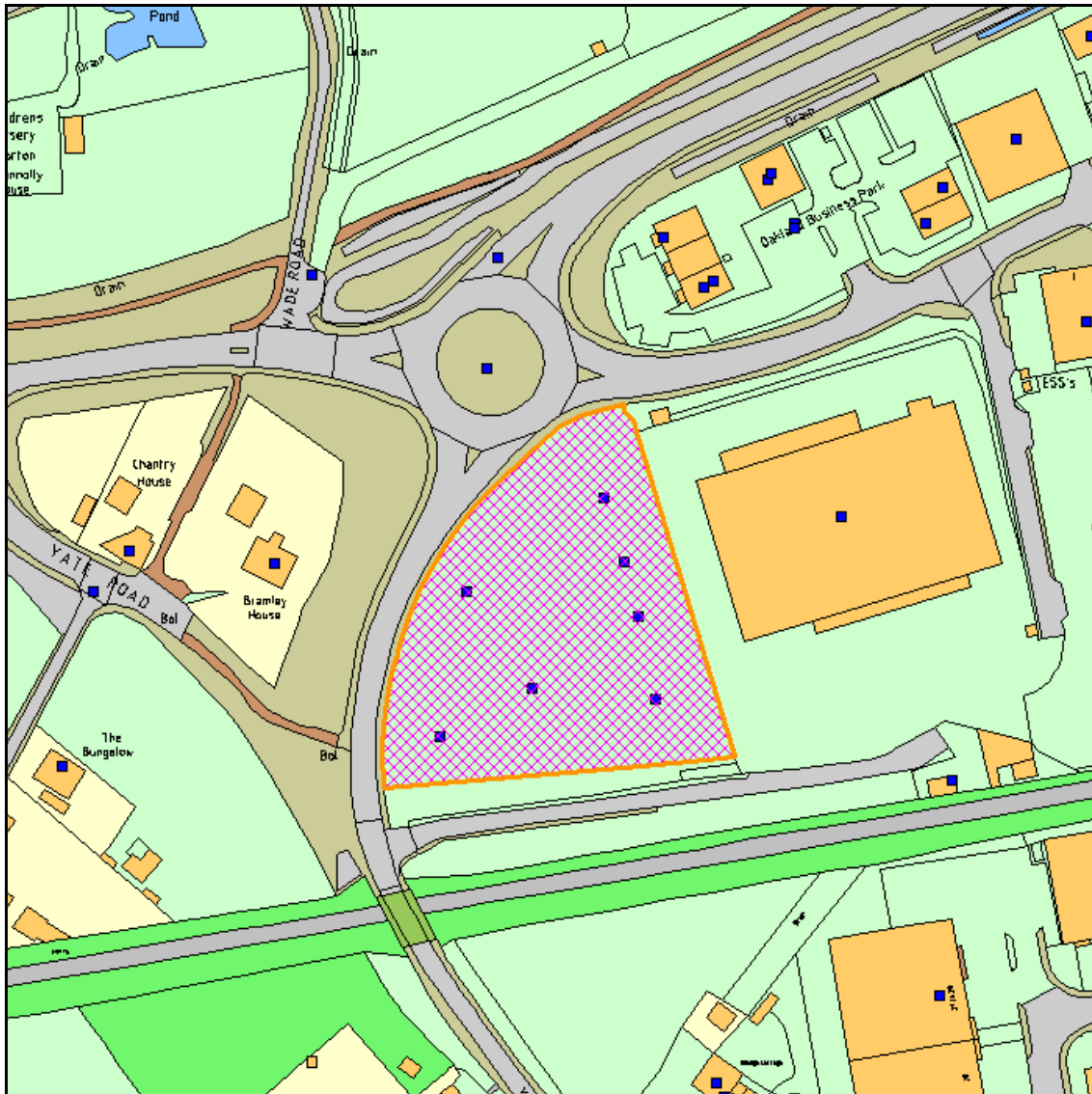
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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.

CIRCULATED SCHEDULE - 29 JULY 2016

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/1663/O	Approved Subject to	Land At Armstrong Way Yate South Gloucestershire	Ladden Brook	Iron Acton Parish Council
2	PK16/2129/F	Approve with Conditions	29 Blaisdon Yate South Gloucestershire BS37 8TH	Dodington	Dodington Parish Council
3	PK16/3114/F	Refusal	Land At Holly Hill Holly Hill Iron Acton South Gloucestershire BS37 9XZ	Frampton Cotterell	Iron Acton Parish Council
4	PK16/3541/F	Approve with Conditions	60 Gays Road Hanham South Gloucestershire BS15 3JU	Hanham	Hanham Abbots Parish Council
5	PK16/3612/R3F	Deemed Consent	Land At Kidney Hill Westerleigh South Gloucestershire BS37 8QY	Westerleigh	Westerleigh Parish Council
6	PK16/3639/F	Approve with Conditions	16 Bickley Close Hanham South Gloucestershire BS15 3TB	Hanham	Hanham Abbots Parish Council
7	PT15/3944/RVC	Approve with Conditions	Woodhouse Park Fernhill Almondsbury South Gloucestershire BS32 4LX	Severn	Olveston Parish Council
8	PT15/5521/F	Approved Subject to	The Gables Costers Close Alveston South Gloucestershire BS35 3HZ	Thornbury South And	Alveston Parish Council
9	PT16/1355/F	Approve with Conditions	Red Lodge 40 Gloucester Road Rudgeway South Gloucestershire BS35 3RT	Thornbury South And	Alveston Parish Council
10	PT16/1503/RM	Approve with Conditions	Land South Of Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8SR	Charfield	Charfield Parish Council
11	PT16/2103/F	Approve with Conditions	Land Adjacent To Crossland Cottage Severn Road Northwick Pilning South Gloucestershire BS35 4HW	Pilning And Severn Beach	Pilning And Severn Beach Parish Council

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PK16/1663/O	Applicant:	Terramond Ltd / E R Hemming
Site:	Land At Armstrong Way Yate Bristol South Gloucestershire BS37 5NG	Date Reg:	15th April 2016
Proposal:	Erection of industrial redevelopment comprising B8 units. (Outline) with access and layout to be determined. All other matters reserved.	Parish:	Iron Acton Parish Council
Map Ref:	369309 183084	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	8th June 2016



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N.T.S.

PK16/1663/O

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as the proposal represents a departure from Green Belt Policy and lies outside the settlement boundary of Yate. There are also objections received which are contrary to the officer recommendation to approve the application.

1. THE PROPOSAL

- 1.1 The application proposes the erection of an industrial development comprising B8 units. The scheme is considered in outline with access and layout, (the Case Officer indicating that layout needed to be a consideration), being determined and all other matters reserved.
- 1.2 The application relates to a 0.79ha plot of land, a quadrant in shape and consisting of a large mound, rising to some 2m above the level of the adjacent roadway and created from spoil that probably originated from nearby building and infrastructure works. The ground has been naturally re-vegetated and although readily accessible on foot, has no vehicular access. The site lies on the western edge of the Great Western Business Park on the outskirts of Yate. Much of the site lies just within the Bristol/Bath Green Belt but the eastern third lies within the Established Settlement Boundary of Yate and is land designated within Policy CS12 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 as a Safeguarded Employment Area.
- 1.3 The site is bounded to the east by the industrial units within the Great Western Business Park; and to the west by the B4059 Yate Road/Stover Road, beyond which lies open Green Belt land with isolated detached dwellings. To the north is the roundabout junction intersecting the B4059 Yate/Stover Road, B4059 Iron Acton Way and Armstrong Way. To the south is Lodge Road, an adopted highway. Following the submission of the application, given that a large retaining wall is proposed on part of the southern boundary, a Tree Preservation Order has been put in place to protect three Ash trees along this boundary.
- 1.4 It is proposed to level the site but provide landscaping between the built form within the site and the highway. It is proposed to build six units, with four units shown along the eastern boundary and two backing onto Stover Road to the west. A new access will be provided from Stover Road from the crown of the bend of the adjacent B4059 Yate/Stover Road, with right turning lane. A total of 2832m² of B8 floor space is to be provided and 57 car parking spaces are shown. The indicative elevations show the buildings as single storey. The indicative dimensions indicate that Units 1 and 2 that front onto Stover Road would have an overall height of 7.6 metres. Units 4, 5 and 6 to the rear of the site would have an overall height of 8 metres while Unit 3 situated in the south-eastern corner would have a height of 12 metres. All buildings are shown with pitched roofs.

- 1.5 It should be noted that originally this application was to include 930m2 of B2 floor space in Unit 2 however, (due to concerns raised by the Environmental Protection Officer in relation to noise/air quality), this element has been removed.
- 1.6 Consent has previously been given for (PK12/2734/F) the erection of an office building and business units (Class B1 [a]) Office and (Class B1[c]) Light Industrial as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). This consent has been implemented (a start has been made on the access – which identical to that proposed here).
- 1.7 Procedural Matters
The site is located within the Green Belt as set out in section 5.1 of this report. Given that, the officer recommendation is one of approval, the planning application has been notified under Article 13 of the Town and Country Planning (Development Management) Procedure Order as a 'departure' from the Development Plan (South Gloucestershire Local Plan, Core Strategy). The notification was subject to a 21 day consultation period which expired on the 27th May 2016.

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L1	Landscape Protection and Enhancement
L5	Open Areas within the Existing Urban Areas and Defined Settlement Boundaries
L9	Species Protection
L11	Archaeology
EP2	Flood Risk and Development
T7	Cycle Parking
T8	Parking Standards
T12	Transportation Development Control Policy for New Development
E1	Proposals for Employment Development and Mixed Use Schemes including Employment Development
E3	Criteria for Assessing Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries
E6	Employment Development in the Countryside

South Gloucestershire Core Strategy Dec 2013

CS1	High Quality Design
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS9	Managing the Environment and Heritage
CS11	Distribution of Economic Development Land
CS12	Safeguarded Areas for Economic Development
CS30	Yate and Chipping Sodbury

South Gloucestershire Local Plan Proposed Submission: Policies, Sites and Places Plan June 2016

PSP2	Landscape
PSP5	Undesignated Open Spaces
PSP7	Development in the Green Belt
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP27	B8 Storage and Distribution Uses

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List SPD (Adopted) August 2007.
Trees on Development Sites SPG Adopted Nov 2005.
Development in the Green Belt SPD (June 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/3416/F Erection of Office Building and Business Units (Class B1a) Office and (Class B1c) Light Industrial as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with Access, Parking, Landscaping and Associated Works.
Withdrawn 13 April 2011
- 3.2 PK11/2758/F Erection of office building and business units (Class B1 [a]) Office and (Class B1[c]) Light Industrial as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with access, parking, landscaping and associated works. (Resubmission of PK10/3416/F).
Refused 26.01.2012
- 3.3 PK12/2734/F Erection of office building and business units (Class B1 [a]) Office and (Class B1[c]) Light Industrial as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with access, parking, landscaping and associated works. (Resubmission of PK11/2758/F).
Approved – S106 signed

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council

No Observations

4.2 Other Consultees

Spatial Planning Team (summary)

This proposal is not in line with SGLP policy E3 which limits B8 in Yate to less than 1,000sqm. However, alongside this adopted policy, the material consideration of the emerging PSP DPD is also relevant to this application. This is based on the fact that the development is less than 3,000 in scale it is in line with emerging policy PSP 28, subject to meeting policy requirements relating to environmental impact and the impact of traffic generated from the development. In coming to the planning balance the LPA would also need to take into account the potential positive economic benefits of the development of this currently undeveloped site. However, the applicant has not provided any information about why the existing permission, which had the benefit of enabling the retention and expansion of an existing local business, has not been implemented and has been replaced by a proposal for speculative B8 development.

Concerns have been raised regarding the status of the PSP Policy and why the approach has changed from that set out in Policy E3. The following additional advice has been received from the Spatial Planning Team.

Background to the change in policy approach

The policy approach to B8 development set out in the PSP Plan (March 2015) is based on evidence as follows

- There is a limited supply of land for small scale B8 at the preferred locations of Cribbs Causeway and Emersons Green and Severnside.
- A range of jobs can be provided by B8 uses (ie not all low skilled).
- Evidence of local and new businesses looking for sites of more than 1,000 sqm to expand within or relocate to safeguarded employment sites outside the three preferred areas
- Evidence of increasing demand for B8 uses >1,000 sqm as a result of changes in consumer habits. For example the rise in internet shopping has created a demand for local distribution hubs for local deliveries.

Transportation impact

The issue of potential impacts particularly from HGVs on the local road network, including routes to the strategic network e.g. the M5 northbound, is recognised and therefore the draft policy requires transport impact assessment/statement and where necessary travel plans to protect against unacceptable traffic movements.

Consultation on Draft Policy PSP 28

As set out in my previous comments the relevant version of the PSP Policy 28 is contained in the Proposed Submission PSP Plan (March 2015) which was considered and approved by full Council on March 18th 2015 and subject to formal public consultation from 22nd May – to 3rd July 2015. As a result of this consultation only two responses were received. One representative of the development sector welcomed the policy approach to recognise the changes in

the nature of demand for B8 and provide flexibility to enable new and expanding business in Yate. The Highways Agency requested the addition of specific wording to recognise the need to address potential impacts on the strategic road network as well as the potential impacts on the local road network.

Economic Development Team

On review of the application presented it is the view of the Strategic Economic Development Team at South Gloucestershire Council that we support this application in principle, subject to the tests identified in the proposed Submission Policies, Sites & Places Plan March 2015 policy - PSP28 sections (B) that permits B8 development up to 3,000 sqm subject to certain criteria, and (D) which addresses the impact of traffic generation.

The Economic Development team understands that the total proposed floorspace in the application is 2,832 sq m which would exceed the 1,000 sq m large scale B8 use threshold outlined in Policy E3 of the South Gloucestershire Local Plan (2006). However, the emerging Policies, Sites and Places Development Plan Document (Policy PSP28), recognises an increase of the aforementioned 1,000 sq m large scale B8 use threshold to 3,000 sq m, and allows for exceptions of over 3000 sq m in safeguarded economic development areas, provided the applicant complies with Part C of PSP28 (exceptions).

Past local planning policy has directed new B8 uses over 1,000sq m in size to employment areas in Severnside, Emersons Green and Cribbs Causeway. This was to address concerns about impact from HGV traffic, impact on neighbouring land uses in the smaller employment areas and concentration of low density, low skilled employment uses in some locations. In relation to transport impact, however, evidence suggests that a restrictive policy on the size of warehouses has led to an increase in trip generation, as units require more frequent re-stocking and to a misconception that all users of B8 facilities will generate high levels of HGV movements.

The Economic Development Team recognise that other recent applications in the locality for the erection of B8 units that exceeded the 1,000 sq m threshold outlined in Policy E3 of the Local Plan have been granted in line with the emerging 3,000 sq m PSP28 policy (subject to conditions). We therefore believe the proposed development would be justifiable on similar terms, and that the proposal will be befitting with the local business landscape and in keeping with the commercial employment nature of the area. The team believes this development could offer sustainable development in a safeguarded employment area, thus supporting Policies CS11 and CS12 of the Core Strategy, which states that the council should seek to maintain and enhance the local economy and increase employment opportunities by supporting the redevelopment of employment sites, particularly those within a safeguarded area. An economic assessment would be useful to determine the number and range of jobs that the development would bring, but in principle the proposed development will result in the generation of new jobs and provide capacity for growth and retention of local businesses.

In conclusion, the Economic Development Team believes that this development would create sustainable development in a safeguarded employment area. In determining this application please take into consideration that the South Gloucestershire Council Strategic Economic Development Team supports this application on economic grounds.

Sustainable Transport (summary)

There is no objection to the proposed development subject to the applicant entering into a legal agreement to secure the following in mitigation of the development in relation to an increase in traffic and the impact of the new access:

- Provision of a 'right turn lane' junction at the new site entrance together with traffic island with all associated works including lighting, drainage and signage.
- The payment of £20,000 as a contribution towards a scheme of traffic management/ road safety in the immediate area.
- c) Upgrade of two bus stops on Goose Green Way with bus shelters, raised pavement with assist mobility impaired users together with 'real time facilities' at both bus stops.

In addition conditions are required to secure the implementation of the submitted Travel Plan. Also required are the submission of details of cycle parking facilities and a detailed construction management plan – these last two conditions require the submission and approval prior to the commencement of development to avoid the need for future remedial action.

Environmental Protection

There is no objection to the proposal subject to a condition to restrict the hours of deliveries. No Objection in respect of land contamination subject to the implementation of appropriate remediation works set out in the application.

Listed Building Officer

Given that concern has been raised that the proposed development will have an adverse impact in terms of structural damage upon Acton Court (Grade I Listed Building), the opinion of the Listed Building Officer has been sought. This is as follows:

The current advice and guidance on structural damage caused by traffic-induced vibration dates back to the 1990's, based on earlier English Heritage survey work undertaken by their civil engineering division. These reports concluded that there was no evidence that traffic-induced vibrations caused structural damage to historic buildings providing the road surface is good, an opinion shared by Ian Hume, Chief Engineer at English Heritage in an IHBC article in Context issue 47.

The condition of the road surface near the building was reported as having a very significant effect on the levels of vibration; vehicles on smooth road surface create much lower levels of vibration than do similar vehicles travelling at similar speeds on an uneven surface. Pot holes, old service trenches, dips or bumps will cause higher levels of vibration as the wheels impact the ground. Vibrations can also have a nuisance effect, i.e. be annoying to the occupants of the building without have a structural impact on the fabric of the building.

An article in this month's IHBC Context magazine, however, questions the findings of this report and guidance and states that it is time to reassess the evidence. Increases in vehicle weights and/or frequency of traffic movements are likely to have increased since the original research was undertaken and the author of the article also identifies questions that have been raised over the interpretation of the original survey data.

At this time, based on the current guidance and without site-specific, quantitative or qualitative evidence to the contrary, it would be difficult to justify a refusal on the grounds of potential vibration damage to the listed building arising from vehicle movements coming from this site alone. It is, however, an issue that has been raised time and again and I intend to raise this with Historic England and enquire about the possibility of their research team carrying out some new monitoring at the site given its significance at a national level. The nuisance effect of traffic is another matter that does affect the tranquillity and experience of the site which may require further monitoring.

Lead Local Flood Authority

No objection to the proposed development subject to a condition to secure a Sustainable Urban Drainage Scheme

Ecologist

Initial comments

There are no grounds for refusal on ecological considerations. However, there will be loss of habitats and therefore opportunities for mitigation and enhancement must be taken. Clarification is required as to whether or not the two mature ash trees will be retained; if they are to be felled, or if development is to take place within 10m, they must be subject to a climbing survey for roosting bats before the application can be determined.

If the trees are to be retained, or they are found to have no bat roost potential, should planning permission be granted a Condition should be attached to planning permission requiring that:-

An Ecological Mitigation and Enhancement Plan will be submitted to the LPA for approval in writing, based on the comprehensive recommendations provided in Section 7 of the Update Ecological Survey (Clarkson Woods, dated March 2016). Bird box provision will also include swift boxes.

In addition the plan will also include Management Recommendations for ongoing site operation. Development will proceed in strict accordance with this approved plan (L9).

Following the submission of a report on the two trees the following comment was received:

I have received the letter report (Clarkson & Woods, dated 10th May 2016) confirming that trees which may have been affected by the proposals are very unlikely to support bat roosts, following thorough survey. Therefore there are no outstanding objections on ecological grounds to this application. My request for a Landscape and Ecological Management Plan to be conditioned as stated in my response dated 5th May 2016 remains.

Landscape Officer

No objection however in order to fully assess the impact that the proposals may have upon existing trees close to the retaining wall on the southern boundary, a detailed arboricultural method statement is required. In addition a condition is required to secure clarity over protective fencing and measures to be taken to prevent toxic runoff from building materials.

Other Representations

4.3 **Local Residents**

There were 6 letters of objection received the grounds of objection to the original proposal for B8 units and a single B2 unit. The grounds of objection can be summarised as follows:

- The proposal would be contrary to Policy E3 which was introduced in order to ensure that all future HGV development sites in SG are located adjacent to major road arteries at Severnside, Cribbs Causeway and Emersons Green
- The proposal if approved would have an adverse impact upon the wider road network where there is a local HGV problem particularly on B4059 Latteridge Road. These problems include:
 - The narrow nature of the road and limited passing opportunities especially on the bends
 - Destruction of verges, impact upon residential amenity and habitats
 - Latteridge Road has already been identified as having the highest number of HGV's

Following the change in the proposal to just a B8 Storage and Distribution Use, three objections have been received (two received from one correspondent). The grounds of objection can be summarised as follows:

- The proposed development would result in additional not fewer HGV's
- The Latteridge Road is not suitable for HGV use. Consideration needs to be made of the impact upon the wider highway network (and impact upon residents) not just upon the immediate area of the site
- Latteridge road is used "as a rat run"

- The impact of additional HGV movements of other development needs to be taken into account including Oldbury Power Station, a recent decision to approve another B8 use on Armstrong Way (PK15/1288/F) and the potential of fracking
- The applicant have adopted a policy of starting with a development with a smaller impact (B1 use) and then amending it to one with more impact (B8). This is a questionable tactic.
- Policy E3 carries maximum weight – the draft DPD policies should not be used until they are formally adopted
- Concern about the height of the blocks.
- There is a need to retain the planting in front of the scheme to prevent overlooking
- Concern that the proposal will result in additional noise, dirt and dust

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The proposal is for the erection of 6 no. B8 units, access road and associated works.

In terms of considering whether the principle of development is acceptable there are two key material considerations. Firstly whether any development is appropriate having regard to whether the site is within or outside the settlement boundary/ within the Green Belt. The second consideration is whether the specific use itself i.e. a B8 (storage and distribution use) is appropriate in principle in this location. This is considered below.

Location of Development and Green Belt Issues

In terms of policy designation, it should be noted that the eastern third of the site lies within the Established Settlement Boundary of Yate. Policy E3 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits proposals for employment uses within the existing urban area, and the boundaries of settlements, as defined on the proposals map, subject to a number of criteria addressed in the body of this report. This eastern third also falls within the Great Western Business Park, a Safeguarded Employment Area defined under Policy CS12 of the Core Strategy (Safeguarded Areas for Economic Development). The policy seeks to protect employment uses within safeguarded areas. A commercial development is acceptable within this context and indeed the NPPF (para 19) clearly indicates that *the “planning system should do everything it can to support sustainable economic growth”*

The western two-thirds of the site however lies outside the Established Settlement Boundary and is therefore, by definition, within the ‘open countryside’. This part of the site is also in the Green Belt. The NPPF lists those categories of development that are appropriate within Green Belts and new industrial development such as that proposed now falls outside those categories and is therefore by definition inappropriate. The onus is on the applicant to demonstrate that the harm by reason of inappropriateness and any other harm are clearly outweighed by other considerations that amount to the

very special circumstances required to justify the development in this particular Green Belt location.

The applicant has set out their “very special circumstances” (VSC) as follows:

- The principle of development has been previously accepted through the grant of planning permission PK12/2734/F (see section 3 above – planning history). The VSC accepted were:

The whole site, including the area of Safeguarded Employment Area, could be developed in a co-ordinated fashion and a large portion of the site is already located within a safeguarded employment area. This factor was afforded substantial weight.

The proposal would fulfil the five purposes of including and within the Green Belt as directed by the NPPF and Policy GB1 of the adopted Local Plan. This factor was afforded substantial weight.

The erection of a well-designed buildings on this site could make a positive contribution towards economic development and the Core Strategy Vision for Yate. This factor was afforded moderate weight.

The proposal would make a positive contribution to job retention and creation in Yate. This factor was afforded moderate weight.

The current proposal although different in detail is essentially the same in terms of considering the principle of development in relation to the Green Belt *and* continues to be accepted as Very Special Circumstances. Your officer would add that the line of the Green Belt boundary runs in a north-south direction the site and follows the western edge of what was to be the Stover Link Road. Par.85 of the NPPF states that when defining Green Belt boundaries, amongst other criteria, Local Planning Authorities should “ *‘define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’* There are no features that separate the part of the site within the employment area from that within the Green Belt. It is considered that although this application has come forward prior to any possible future change to the Green Belt boundary it would be unreasonable to insist on the applicant waiting until this process has run its course before allowing development which could have real and positive economic development benefits to the town.

The economic benefit of the proposal is considered to be a significant benefit and continuing benefit in the planning balance and regard must be had to Para 19 of the NPPF which reads,

‘The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.’

With respect to any impact upon the openness and visual amenity of the wider Green Belt, it is considered that Stover Road provides a very clear boundary, separating the site from that area. Given this degree of separation it is not considered that the development of this site would detract from the wider Green Belt.

The proposal is considered acceptable therefore in these terms.

B8 Use (Storage and Distribution)

A concern that has been raised by an objector is that the proposed development is contrary to Plan policy. It is acknowledged that past local planning policy has directed new B8 uses over 1,000sq m in size to employment areas in Severnside, Emersons Green and Cribbs Causeway. This was to address concerns about impact from HGV traffic, impact on neighbouring land uses in the smaller employment areas and also the concentration of low density, low skilled employment uses in some locations. In relation to transport impact, however, evidence suggests that such a restrictive policy has led to an increase in trip generation, as units require more frequent re-stocking and to a misconception that all users of B8 facilities will generate high levels of HGV movements. In addition there have been changes in the demand and supply of B8 uses in South Gloucestershire which support the need for a somewhat higher size threshold. Emerging policy therefore continues to be restrictive on large scale B8 development but raises the size of B8 development which is acceptable (subject to certain criteria) in other employment areas. I attach weight to this updated understanding of the nature of the B8 logistics sector which the SGLP E3 Policy was not subject to. This view is supported by the Council Economic Development Team (see above).

Although not yet adopted policy, Policy PSP 27 - B8 Storage and Distribution Uses now seeks to restrict B8 storage and distribution uses of 3,000sqm and above to Severnside, Cribbs Causeway and Emersons Green and allows B8 uses up to 3,000sqm in other safeguarded employment areas. The current proposal with a floor space of 2832m² falls below this threshold. In the planning balance it is necessary to take into account the potential positive economic benefits of the development of this currently undeveloped site (given that the promotion of economic activity is a core objective of the NPPF (paras 7, 17, 18-22) albeit no figures are available for employment numbers given that this is a speculative development rather than one with a specific end user of the site.

The principle of a B8 use on the site is considered acceptable in principle. Notwithstanding this the concerns raised by objectors are noted and it is very important to note that notwithstanding this policy “shift”, this does not preclude the need for an assessment of the impact of each development upon the surrounding highway network and this is set out elsewhere in this report below.

5.2 Design

The detailed design and appearance of the buildings will be considered at the reserved matters stage. To be considered at the outline stage is whether it is necessary to condition the scale parameters of the development. The height of the buildings along the road frontage is considered an important consideration to

ensure that they do not appear visually intrusive/bulky on this prominent location. For this reason discussions have taken place about the future detailed landscaping to the front of these buildings. Landscaping issues are addressed below. The overall scale of the development is such that the buildings would not exceed 8 metres in height. A condition will be attached to the decision notice to secure the maximum overall height of each building that is brought forward in a future reserved matters application (as set out in section 1.4 above).

5.3 Landscaping/Trees

Policies L1 and CS9 seek to conserve those aspects of the landscape that make a significant contribution to the character of the landscape and where possible to enhance those features. Policy L5 seeks to protect important areas of Open Space within the Urban Areas that have a high amenity value. Policy GB1 also seeks to protect the visual amenity of the Green Belt.

Although the detail of future landscaping is a reserved matter, by fixing the layout at this stage it is possible to provide the opportunity to maximise future provision on the site. While at the northern edge of the site close to the roundabout from the outset there has been the opportunity to provide an area of enhanced landscaping, there has been a concern that the two buildings along the western boundary should be sited to ensure that there is an opportunity to provide planting between them and the road. In achieving this aim a balance has had to be made between maximising the opportunity for landscaping, ensuring adequate visibility for vehicles leaving the site and ensuring the operational movements within the site itself through adequate manoeuvring space. It is considered that the layout agreed achieves this aim.

Indicative landscaping details submitted illustrate that a degree of screening can be achieved of the site. A hornbeam hedge with fastigate trees can be planted on the western boundary with a clear stem of 2 metres. Very careful consideration of the species and their position will be needed at the reserved matters stage and a detailed landscaping condition would be applied on any future decision. As indicated above the main consideration at this stage is ensuring that the layout allows this to be achieved.

The site has been seen by the Council Tree Officer and the contents of an arboricultural report has been noted. It is noted that low quality trees are growing from the east boundary of the site. These are considered to have little arboricultural interest. There are however 3 fine ash (B category) trees to the south of the site. During the course of the consideration of this application it has been determined that these trees are worthy of a Tree Protection Order (SGTPO 0923). These trees sit at the foot of a steep bank separated from the site by a ditch. The applicant has indicated that protective fencing is proposed along the centre of the ditch although the Root Protection Area extends beyond this. This is considered acceptable.

The main concern is the construction of the substantial retaining wall (approx. 4.5m tall) adjacent to these trees. The positioning of the tree protective fencing will require the wall to be constructed wholly from the north side of the proposed wall. Given the topography of the site, runoff from building materials is likely to leach into the RPAs of T2-T4 and so measures are needed to prevent this.

There is no objection subject to conditions to provide a detailed arboricultural method statement to cover the construction of the retaining wall so as not to adversely impact the retained trees. A condition will also be required in order to secure full details of the protective fencing specification and measures to be taken to prevent toxic runoff from building materials entering the Root Protection Area of retained trees.

5.4 Transportation Issues

The National Planning Policy Framework in relation to transportation issues indicates that development should make safe and suitable access available. The NPPF also indicates that the impact of development can be mitigated by improvements to the transport network but that “development should only be prevented or refused on transportation grounds where the residual cumulative impacts of development are severe (para32)

Policy T12 of the South Gloucestershire Local Plan (saved policy) indicates that new development must make adequate, safe and appropriate provision for the transportation demands which it will create. Policy CS8 of the Core Strategy also allows for off-site improvements or financial contributions to be made in order to mitigate the impact of the development and encourages the use of cycling and the promotion of Travel Plans to reduce the impact.

In support of the application a transport statement and travel plan have been submitted.

It is important to note that the site already benefits from an extant planning permission for 3,340m² of office/light industrial units (i.e. B1 use). This earlier planning consent was conditional upon the applicant carrying out some highway works as well as making a financial contribution towards highway and road safety measures. The current proposal however is seeking permission to construct 6no. storage and distribution business units (i.e. B8 use) with total floor area of 2,832m². The applicant has confirmed that the requirements for highway works and financial contributions remain agreed as per the earlier scheme.

Vehicular access to the development will be provided from a new access from the B4059 Yate Road. A new ghost island right-turn junction is proposed to the south of the Yate Road/Armstrong Way/Iron Acton Way Roundabout. The junction would allow all vehicle movements as well as providing pedestrian crossing facilities via a central refuge. The proposed junction layout is the same as the junction approved as part of the consented scheme associated with the application PK12/2734/F. The access is considered acceptable.

To assess the impact of new development traffic associated with this, the applicant has submitted a “Transport Statement” and this has been fully assessed by the Sustainable Transport Team. This assessment includes a comparison between the trip generation from the proposed development and that scheme previously approved. With the extant permission, the predicated traffic during AM peak (i.e. 08.00 – 09.00) and PM peak (i.e. 17.0 - 18.00) are about 80 and 67 two-way movements respectively.

With the proposed new development, it is predicated that the new scheme will generate about 19 two-way movements during the AM peak and 15 two-way movements during PM peak hours. By comparison of these figures, it is concluded that the proposed development would significantly reduce traffic on the local highway network. The officer is satisfied that the figures provided in the applicant's TS are robust.

Notwithstanding the amount of car movements, the current proposal given its nature would generate more HGV movements compared with the extant planning permission. The concerns of some local residents are noted. These concerns relate to additional HGVs traffic movements in the wider area particularly the potential HGVs increase on Wotton Road and Latteridge Road.

Having regard to the comments received Officers have examined the information that has been submitted with the application, it is estimated that this development would generate daily traffic movements of 19 commercial vehicles. Over a working day, this would equate to about 9/10 vehicle arrivals and this equate to around one arrival an hour. The officer is satisfied that not all commercial vehicles to and from this site would necessarily be articulated vehicles instead, the type of vehicles visiting the site will range from large vans, rigid lorries to articulated lorries. The actual number of HGV traffic associated with this development is considered to be a small percentage of total traffic on the existing highway network.

It is acknowledged that some of the development traffic may choose to travel north to the M5 and may choose local roads such as Wotton Road and Latteridge Road but the actual numbers of vehicles associated with the development is as described above low. It must also be noted that traffic associated with this site is equally likely to use alternative routes including the route to the south towards the A4174 the Ring Road or alternatively, they can travel southeast direction towards the M4 and junction 18. Having regard to this therefore, it is not considered that refusal of this application on the basis of traffic impact on Wotton Road and Latteridge Road can be substantiated in an appeal situation.

With regard to parking - Plans submitted with this show that there is a sufficient car parking and manoeuvring area on site and it is therefore considered that the facilities provided on site meet the Council's parking standards. Cycle parking is not shown and a condition to secure details of this is therefore recommended. A condition will also be applied to ensure that all other parking spaces are in place prior to the first use of the site. Additionally, it should be reported that a 'travel plan' has also been submitted by the applicant and this is considered acceptable. A condition is recommended to ensure that the travel plan is implemented.

The proposed development is considered acceptable in highways terms subject to the conditions set out above and a legal agreement to secure the following in order to mitigate against the impact of the development

- Provision of a 'right turn lane' junction at the new site entrance together with traffic island with all associated works including lighting, drainage and signage.

- The payment of £20,000 as a contribution towards a scheme of traffic management/ road safety in the immediate area.
- c) Upgrade of two bus stops on Goose Green Way with bus shelters, raised pavement with assist mobility impaired users together with 'real time facilities' at both bus stops.

5.5 Residential Amenity

Amenity is assessed in terms of the physical impact of the development i.e. whether the built form would appear oppressive or overbearing and also the impact in terms of any loss of privacy from overlooking.

The nearest residential properties likely to be affected by the scheme lie directly opposite the site to the west i.e. 'Bramley House'. Concern has been raised that the proposed development could potentially overlook that property. This property is however some 40m from the site boundary i.e. too far away for there to be any significant loss of amenity from overbearing impact or loss of privacy from overlooking. The development is also single storey and the height, (scale parameters will be conditioned to secure an appropriate height at the reserved matters stage) is considered appropriate. Officers have sought details to show how the buildings could be screened by landscaping (for visual amenity reasons) and this would also reduce the impact upon buildings on the opposite side of the road. In terms of noise, the Yate/Stover Road is already heavily used by HGV's. As such the impact of the proposal on residential amenity would be acceptable.

The Environmental Protection Team have recommended that a condition be applied to restrict the delivery times from 07.30 to 1800 hours Monday to Friday and 07.30 to 1300 hours on Saturdays with no deliveries on Sundays, Bank or Public Holidays. The applicant has requested that Saturdays should have the same hours as the other days. In this instance given that the site lies next to an industrial estate where there are no such restrictions on a Saturday and given the relatively small scale of the operation and given also that there is a degree of separation to the nearest residential property this is considered acceptable. On this basis, officers consider that apply such a restriction would not be reasonable. However, Officers consider that the restriction of delivery movements on a Sunday, Bank/Public Holidays is appropriate and the condition applied to any approval of this application is necessary.

5.6 Ecology

Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 considers the impact of development upon protected species. Development that would directly or indirectly have an adverse impact on nationally or internationally protected species of flora or fauna will not be permitted unless any damaging effects are capable of being avoided, overcome or offset by mitigation measures.

The Council Ecologist has viewed the proposal and has no objection subject to a condition to secure a Landscape and Ecological Management Plan. This plan will secure bird boxes and ongoing management of the site for ecology.

5.7 Listed Building

Concern has been raised that the proposed development will result in damage to the Grade I Listed Building Acton Court. The application site is approximately 1.7 miles from Acton Court however there have been long standing concerns regarding the potential impact from traffic in particular HGV's upon the building. The Listed Building Officer's detailed comments are set out above in section 4.2 above.

It should be noted that Heritage England (Historic England as they were) investigated the building in 2001 following complaints and concluded that cracking was due to general movement/water ingress. With respect to damage from vehicles using the road they concluded that traffic vibration was not the cause of structural damage within the building. The distance back from the road meant that any vibration would *"be negligible and was not threatening the structure"*.

It is not therefore considered that the refusal of the application on the grounds that it would adversely impact upon the Listed Building could be justified or sustained on appeal.

5.8 Drainage

Policy CS9 of the South Gloucestershire Local Plan states that development should reduce and manage the impact of flood risk. Officers have viewed the submitted drainage strategy which shows how a sustainable system could be incorporated. Submitted details show swaling at the edge of the site to the south and a larger swale on the northern boundary.

A drainage condition to secure a Sustainable Urban Drainage Scheme is recommended and any submission should include the following:

- Confirmation of the agreed Surface Water discharge rate with Wessex Water.
- A clearly labelled drainage layout plan showing the pipe networks and any attenuation features (Swales, Ponds and Storage Tanks).
- Drainage calculations to show there is no flooding on site in 1 in 30 year storm events; and no flooding of buildings or off site in 1 in 100 year plus 30% climate change storm event.
- Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus 30% climate change storm event.
- A plan showing the design of the Swale and its components.
- The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
- The plan should also show any pipe node numbers referred to within the drainage calculations.
- A manhole / inspection chamber schedule to include cover and invert levels.

- Details of ownership and/or responsibility for maintenance in relation to the Surface Water Network and components such as the Attenuation Tank, Swale and Flow Control Devices.

Subject to this condition the proposed development is considered acceptable in principle

5.9 Site Levelling and Remediation

Given that the development will involve movements of earth due to the need to level the site and remove areas of the bund along the road, it is considered appropriate to apply a condition requiring a waste management audit to be approved in order to establish the volume of waste, what can be recycled, where the waste will be removed to among other factors.

A contamination report has been submitted with the application which details appropriate mitigation against potential contaminants present in the site. A condition will be applied to the decision notice requiring that the development is implemented in accordance with the report and if remediation is required that this should take place prior to the commencement of work.

5.10 Planning Obligations

The Community Infrastructure Levy Regulations 2010 set 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.

In this instance, it is considered that the planning obligations required to secure highways works and upgrades to two bus stops as well as a financial contributions towards a scheme of traffic management/road safety within the vicinity of the site, are consistent with the CIL Regulations (Regulation 122)

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

- Provision of a 'right turn lane' junction at the new site entrance together with traffic island with all associated works including lighting, drainage and signage.
- The payment of £20,000 as a contribution towards a scheme of traffic management/ road safety in the immediate area.
- Upgrade of two bus stops on Goose Green Way with bus shelters, raised pavement with assist mobility impaired users together with 'real time facilities' at both bus stops.

To accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) saved policy 2006 and Policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy 2013.

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: David Stockdale
Tel. No. 01454 866622

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

6. Application for the approval of the reserved matters shall be in accordance with the parameters described in the Scale Parameters submission and (Noma Architects) received 19th July 2016.

Reason

To ensure the satisfactory appearance of the development and in the interests of visual amenity to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy 2013

7. The Approved Travel Plan hereby approved (Terramond Limited March 2016) shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation. The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

Reason

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

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

Reason

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

A pre-commencement condition is needed to avoid the need for future remedial action.

9. No development shall commence until a construction management plan has been first submitted to and approved in writing by the Local Planning Authority. The plan shall include details of a method of construction vehicle wheel washing during implementation of the development, delivery times and construction hours, details of the method of accessing the site for construction purposes, method of removal of spoil and soil is to be removed and any road or land closures necessary to achieve this including timescales of closures. The development shall be implemented in accordance with the approved plan.

Reason

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

A pre-commencement condition is needed to avoid the need for future remedial action

10. 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.

For the avoidance of doubt the submitted details shall include:

- o Confirmation of the agreed Surface Water discharge rate with Wessex Water.
- o A clearly labelled drainage layout plan showing the pipe networks and any attenuation features (Swales, Ponds and Storage Tanks).
- o Drainage calculations to show there is no flooding on site in 1 in 30 year storm events; and no flooding of buildings or off site in 1 in 100 year plus 30% climate change storm event.
- o Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus 30% climate change storm event.
- o A plan showing the design of the Swale and its components.
- o The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
- o The plan should also show any pipe node numbers referred to within the drainage calculations.
- o A manhole / inspection chamber schedule to include cover and invert levels.

- o Details of ownership and/or responsibility for maintenance in relation to the Surface Water Network and components such as the Attenuation Tank, Swale and Flow Control Devices.

All works 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 and the National Planning Policy Framework.

A pre-commencement condition is needed in order to avoid the need for future remedial action.

11. Prior to the commencement of development an Ecological Mitigation and Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the submitted plan shall be based on the comprehensive recommendations provided in Section 7 of the Update Ecological Survey (Clarkson Woods, dated March 2016). Bird box provision will also include swift boxes. In addition the plan will also include Management Recommendations for the ongoing operation of the site. The development will proceed in strict accordance with the approved details.

Reason

In order to protect and enhance the ecology of the site and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

A pre-commencement condition is required in this case in order to avoid the need for future remedial action

12. Prior to the commencement of the development a detailed Arboricultural Method Statement to cover the construction of the retaining wall along the southern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in strict accordance with the approved details.

Reason

In the interests of the health of the protected trees and in the interest of the visual amenity of the area.

A pre-commencement condition is required in this case in order to avoid the need for future remedial action

13. Prior to the commencement of development full details of the tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. This submission shall also include the protective fencing specification and location and shall include the measures to be taken to prevent toxic runoff from building materials entering the Root Protection area of the retained trees.

Reason

In order to protect the visual amenity of the area and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

A pre-commencement condition is required in this case in order to avoid the need for future remedial action

14. No development shall take place until a Waste Management Audit has been 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 recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
- (d) The volume of additional fill material which may be required to achieve, for example, permitted 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.

Development shall be carried out in accordance with the agreed details.

Reason

To ensure the satisfactory consideration of waste arisings associated with the development and in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

A pre-commencement condition is required in order to avoid the need for future remedial action

15. The development shall be implemented in accordance with the recommendations contained in the approved Land Contamination Report (Geo-environmental Assessment by Asha Environmental dated November 2010). If any remediation is required no development shall commence until a remediation strategy had been first submitted to and approved in writing by the Local Planning Authority. The approved remediation strategy shall be implemented in full before any development an recommence.

Reason

In the interest of public safety as previous historic uses of land within and surrounding the site may have given rise to contamination in accordance with Policies EP6 and E3 of the adopted South Gloucestershire Local Plan (2006).

16. No deliveries shall be taken at or despatched from the site outside the hours of 07.30 to 1800 hours Mondays to Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason

In the interests of the amenity enjoyed by those living in the locality to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework.

17. This decision relates only to the plans identified below:

Received 9th April 2016

EX100 Existing Site Location Plan

EX101 Existing Site Survey

0733-003 - Vehicle Swept Path Analysis

Received 13th July 2016

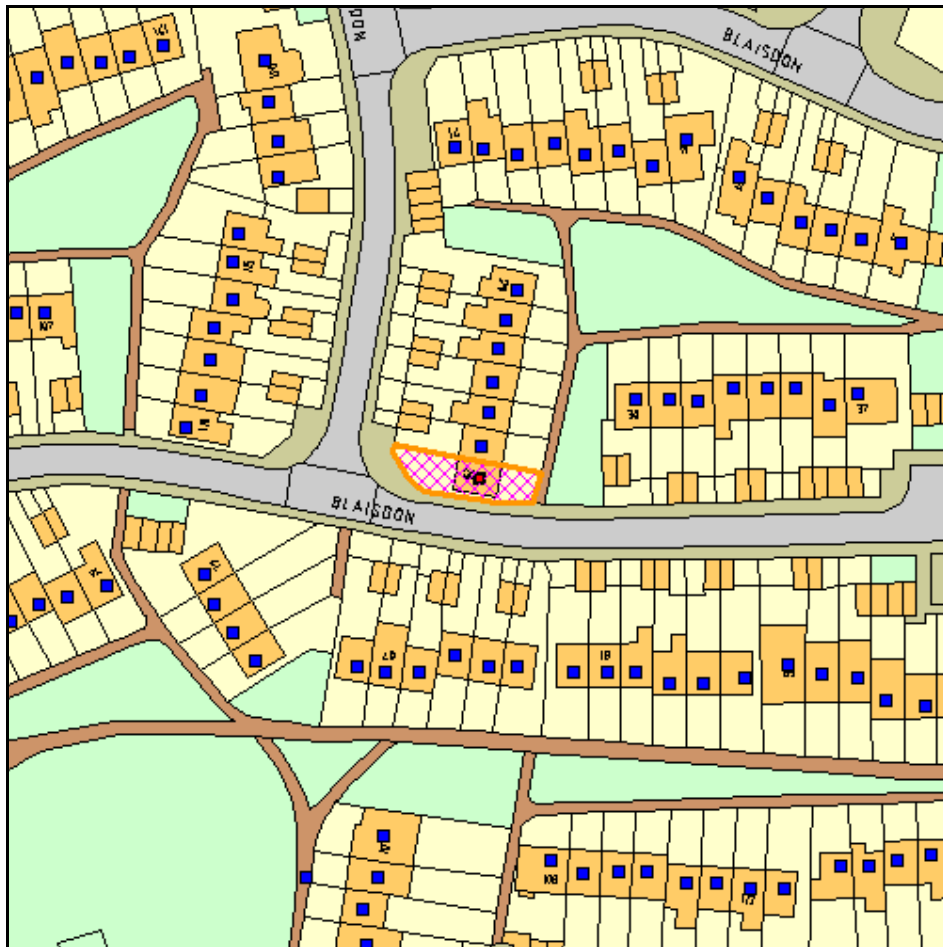
P110 Rev E Site layout Plan

Reason

For the avoidance of doubt

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PK16/2129/F	Applicant:	Mr Dave Mitchell
Site:	29 Blaisdon Yate Bristol South Gloucestershire BS37 8TH	Date Reg:	
Proposal:	Erection of boundary wall and gates	Parish:	Dodington Parish Council
Map Ref:	371191 181137	Ward:	Dodington
Application Category:	Householder	Target Date:	11th August 2016



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 100023410, 2008. N.T.S. PK16/2129/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The planning application has been referred to the Council's Circulated Schedule procedure due to objections received from Dodington Parish Council and the Sustainable Transport Officer which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The proposal seeks full planning permission for the erection of a 1.8 metre high boundary wall to the side and rear of the property and gates to 29 Blaisdon Yate.
- 1.2 The application site is a two-storey end of terrace dwelling located on a Radburn style estate. The proposed works are sought to enclose the rear garden. The existing boundary wall at the site has been removed because of safety concerns.
- 1.3 Information was received on 31st May 2016 highlighting that there will be no vehicle access onto the highway, the gates are to be used as a deterrent to people who park on the corner of Blaisdon.
- 1.4 Blaisdon is an adopted unclassified highway and as such planning permission is not required to create an access to a highway, the dwelling has an existing single storey garage to the east of the site.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Improving Accessibility
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 P86/2713 Installation of individual oil storage tanks for domestic use.
Approval Full Planning 15.01.1987

4. CONSULTATION RESPONSES

4.1 Dodington Parish Council

It is considered that lack of information has been submitted with this planning application, there is no information on the plans regarding the purpose of the gates, the presumption is vehicle access however there is no mention of this. As such, Dodington Parish Council concur with the Transport Officer and have no issue with the wall being rebuilt but they object to the gates.

4.2 Sustainable Transport

There is no highway objection to the erection of a boundary wall, however the proposed double gates will encourage vehicular access across the junction bellmouth resulting in vehicles reversing into the junction which creates an unacceptable effect on road, pedestrian and cyclist safety contrary to Local Plan Policy T12. As such the recommendation is for refusal.

Other Representations

4.3 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policies CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) are both supportive in principle. Saved Policy H4 is supportive providing development is within the curtilage of existing dwellings, the design is acceptable with relation to policy CS1 of the Core Strategy, that there is safe and adequate parking, and also providing the development has no negative effects on transport. Further to these policies saved Policy T12 and Policy CS8 seek to ensure that developments will have no adverse impacts on highway safety.

The proposal shall be determined against the analysis below.

5.2 Design and Visual Amenity

The application site is a two-storey end of terrace dwellinghouse situated on the corner of Blaisdon. The dwelling is located on a radburn estate. The existing boundary treatment has been partially removed following safety concerns.

The proposed boundary wall will be 1.8 metres to the side and rear and drop down to 1.5 metres to the north-eastern of the site. This will match the original wall height. The materials proposed will match the existing and will be red brick. The proposed gates will be wooden double gates and extend 3 metres, the maximum height of the gates will be circa 2.2 metres high. The design of the wall and gates is considered to accord with policy CS1 of the adopted Core Strategy as it would not harm the character or appearance of the area.

5.3 Residential Amenity

Saved policy H4 of the adopted Local Plan states that proposals for development within existing residential curtilages will only be permitted where they would not prejudice the amenity of nearby occupiers.

The proposed boundary wall would be located in the same position as the existing boundary wall. The proposal is not considered to have any impact on the existing residential amenity of the surrounding properties.

Overall the proposal would not result in any adverse impacts on the residential amenity of neighbouring occupiers or future occupiers. As such the proposal is considered acceptable in terms of saved policy H4 of the Local Plan (adopted) 2006.

5.4 Highways

Blaisdon is an adopted unclassified highway serving a residential estate in Yate. No. 29 is a property situated on the corner, the estate is a radburn style estate where access is to the rear of the property. The application seeks planning permission for the erection of a boundary wall and gates to replace the existing boundary wall which has been removed due to safety concerns. The applicant has submitted written confirmation that the gates will only be used for pedestrian access.

5.5 Objections have been received from the Sustainable Transport Officer and Dodington Parish Council regarding highway safety. Both consultees are concerned that the insertion of gates will encourage vehicle access to the site.

5.6 The style of the Blaisdon estate means that the majority of other properties will have rear access garages, driveways and gates; due to this it is not considered unusual for access to cross a footway. Officers also note that had the gates been a lower height the installation of them could be permitted development under Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. Furthermore, there is an existing garage and parking space to the East of the dwelling belonging to the applicant site. Overall, it is considered that the impact of the proposed boundary wall and gates would not be severe in this location.

5.7 Other Issues

Part of the objection raised by Dodington Parish Council is that a lack of information has been submitted regarding the purpose of the gates. Officers consider that sufficient information has been submitted to address the impact of the proposal.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That the application is **APPROVED** with the following conditions.

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PK16/3114/F	Applicant:	Mr And Mrs Mike And Gill Sutton
Site:	Land At Holly Hill Holly Hill Iron Acton Bristol South Gloucestershire BS37 9XZ	Date Reg:	16th June 2016
Proposal:	Erection of 1no detached dwelling with access and associated works.	Parish:	Iron Acton Parish Council
Map Ref:	368267 183430	Ward:	
Application	Minor	Target	11th August 2016
Category:		Date:	



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's circulated schedule procedure as comments received have been contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 1no. detached dwelling on the northern side of Holly Hill within Iron Acton. The proposal also includes the access, although from closer inspection, the proposal only includes relatively minor works to the existing access onto Holly Hill.
- 1.2 The application site currently comprises a field which is understood to be in an agricultural use, although no active agriculture currently occurs at the site to the knowledge of officers. In 2007 a planning application was submitted and subsequently withdrawn for a detached agricultural workers dwelling (PK06/2377/O).
- 1.3 The application site is immediately adjacent to the settlement boundary of Iron Acton, and approximately 70 metres to the south east of the Iron Acton Conservation Area. Further to this, the development is within the Bristol/Bath Green Belt. Immediately opposite the application site the locally listed Old Farmhouse and Sunset Cottage.
- 1.4 The application site does provide access to an agricultural field to the rear (north), the application site has a rear fence which largely separates the application site from the wider agricultural field. Should planning permission be granted, the application field would no longer give access to this piece of agricultural land. This is not to say that if permission was granted the agricultural land would be sterilised due to lack of vehicular access, as there is also another access at the north eastern end of Holly Hill.
- 1.5 The existing boundary with Holly Hill is formed in a rubble stone wall finished with 'cock & hen' capping with a vehicular access to the south west corner, the remaining boundaries are defined by post and rail fence. According to the agent, the plot was used for rough grazing and containment of young animals prior to release into the larger paddock beyond.
- 1.6 The submitted Community Infrastructure Levy (CIL) form suggests that the development would be a 'self-build' dwelling.

2. POLICY CONTEXT

- 2.1 National Guidance
NPPF National Planning Policy Framework
PPG Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H3 Residential Development in the Countryside

- L1 Landscape
- L12 Conservation Areas
- L13 Listed Buildings
- L15 Buildings and Structures Which Make a Significant Contribution to the Character and Distinctiveness of the Locality
- T7 Cycle Parking
- T12 Transportation Development Control Policy for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS34 Rural Areas

South Gloucestershire Local Plan Proposed Submission Draft: Policies, Sites and Places Plan

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP7 Development in the Green Belt
- PSP8 Residential Amenity
- PSP11 Development Related Transport Impact Management
- PSP16 Parking Standards
- PSP17 Heritage Assets and the Historical Environment
- PSP42 Custom Build Dwellings
- PSP43 Private Amenity Space Standards

The Proposed Submission Draft Policies Sites and Places Plan (PSP plan) is a further document that will eventually form part of the South Gloucestershire Local Plan. The PSP plan will set out new planning policies for South Gloucestershire. Submission and Examination of this plan is expected to take place in late 2016, with scheduled adoption in 2017. Accordingly, with regard to the assessment of this planning application limited weight is attached to the policies within the PSP plan at this time – weight grows as the plan progresses.

2.3 Supplementary Planning Guidance

- Development in the Green Belt SPD (Adopted) 2007
- Residential Parking Standards SPD (Adopted) December 2013
- Design Checklist SPD (Adopted) 2007
- Waste Collection: Guidance for New Development SPD (Adopted) January 2015
- Community Infrastructure Levy and Section 106 Planning Obligations Guide (Adopted) March 2015
- South Gloucestershire Landscape Character Assessment (Adopted) November 2014 - *Landscape Area 8 Yate Vale*

3. RELEVANT PLANNING HISTORY

3.1 *Planning Applications at/affecting the application site:*

PK06/2377/O Withdrawn 18/01/2007
Erection of 1 no. detached agricultural workers dwelling (Outline) with access and siting to be considered. All other matters to be reserved.

N3594 Refusal 07/07/1977
Erection of two dwellings (Outline).

3.2 *Planning Permission for Sunnyridge (adjacent property to the west):*

P91/1910 Approval Full Planning 13/11/1991
Erection of detached dwellinghouse and garage. Alteration of vehicular and pedestrian access. (In accordance with amended plans received by the council on 10TH October 1991).

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council

Support. In view of the nature of the site it would appear to be suitable infill an appropriately designed which would complement the street scene.

4.2 Other Consultees

The Listed Building and Conservation Officer

Objection. The proposed development, by virtue of its form, scale, massing and detailing would fail to respect or enhance the character, distinctiveness and amenity of both the site and its context and, furthermore, would harm the setting of the non designated heritage assets of The Old Farmhouse and Sunset Cottage, contrary to policies CS1 and CS9 of the adopted Core Strategy, and guidance contained in the NPPF.

Highway Structures

No objection. However, if the application includes a structure that will support the highway (or land above a highway), the applicant will need to apply for technical approval from the Highway Structures Team. Further to this, if the application includes a boundary wall alongside the public highway, the responsibility for maintenance for this structure will fall on the property owner.

Transport Development Control

No objection. Although the visibility from the existing access is limited, a closer examination reflects that this section of Holly Hill is a cul-de-sac. Further to this, the proposed dwelling would not generate a significant number of vehicular trips. There are also safe pedestrian access routes to the development. The wall could be demolished to improve visibility, but in this case officers do not find this to be justified.

Lead Local Flood Authority

No objection.

Landscape Officer

Being in the Green Belt and outside the Settlement Boundary and given its possible negative effect on the Conservation Area and neighbouring listed building, refusal is recommended. A smaller, two storey, vernacular style building may be more appropriate.

Other Representations

4.3 Local Residents

12 letters from members of the public have been received in response to the application, all of these letters have largely contained comments of support for this proposal, these comments are summarised as follows:

Support Comments

- The development represents infill development within the village boundary;
- Create family housing;
- The proposal will improve the overall appearance of Holly Hill;
- Mike and Gill Sutton have lived in Iron Acton for over 30 years;
- The Sutton's would be good neighbours;
- The Sutton's have a good circle of friends within Iron Acton and contribute to the community;
- The proposal will 'drag Iron Acton into the 21st century';
- Disagreement from one member of the public toward the Conservation Officer's comments;
- Logical use of the land;
- A good development for older residents;
- Self-build;
- In-keeping with Parish Council Policy;
- Requirement for 20 new homes within Iron Acton;
- No problems relating to accessing or leaving the site;
- Scale is acceptable – note the three storey high farmhouse opposite;
- Sustainable development.

Critical Comments of the Proposal

- Reservations regarding the scale of the proposed dwelling;
- Off-street car parking is required.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the erection of one dwelling outside of the designated settlement boundary and within the Green Belt. The proposal is also within the setting of a number of locally listed buildings.

5.2 Principle of Development – 5 Year Housing Land Supply

The Council cannot demonstrate a five year housing land supply, meaning paragraph 49 of the NPPF is engaged (appeal ref. APP/P0119/1/14/2220291). Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The paragraph goes on to suggest that if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites

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then their relevant policies for the supply of housing should not be considered up-to-date.

- 5.3 Regardless of this, the starting point for any decision-taker is the adopted development plan, but the decision-taker is now also required to consider the guidance set out within paragraph 14 of the NPPF. Paragraph 14 states a presumption in favour of sustainable development, and states that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.
- 5.4 Additionally, the policies found to be out-of-date (saved policy H3 and policies CS5 and CS34), are all concerned with the retention of settlement boundaries, and generally not supporting residential development outside of settlement boundaries or urban areas. With this in mind, such policies command no weight in the determination of this planning application with specific regard to restricting the location of the development.
- 5.5 In simple terms, this means the Local Planning Authority can no longer refuse planning applications for residential units based on the sole fact that the development is outside of recognised settlement boundary. Rather, residential development should be assessed in terms of adopted up-to-date development plan policies and paragraph 14 of the NPPF.
- 5.6 In keeping with the decision-taking approach set out within paragraph 14 of the NPPF, this proposal will be assessed in terms of whether the proposal's benefits would be outweighed by any adverse impacts that would result from the development, such adverse impacts would have to be significant and demonstrable.
- 5.7 Principle of Development – Location
The Development Plan policies which restrict the location of housing are considered to now be 'out-of-date' and are therefore not applicable to this application. With this in mind, officers must turn to the NPPF and its relevant policy on the location of dwellings in rural areas. Paragraph 55 of the NPPF promotes sustainable development in rural areas, but states that new isolated dwellings in the countryside should be avoided within the countryside, unless there are special circumstances. Such special circumstances contained within paragraph 55 are not evident within this proposal/application, and nor are they claimed to be by the applicant/agent. With this in mind, if the development is considered to be isolated, the proposal should not be supported by the Local Planning Authority.
- 5.8 The development is within the Green Belt where the construction of new buildings are considered to be inappropriate, however, paragraph 89 of the NPPF outlines where there are exceptions to this consideration. One of these expectations is the *'limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan'*. The proposal does not represent affordable housing in line with local policy, with this in mind,

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should the development proposed not represent limited infilling within a village, the development should likely be refused due its contradicting paragraph 89 of the NPPF.

5.9 Principle of Development – Design and Character

Policy CS16 'Housing Density' of the Core Strategy requires developments to make efficient use of land, but importantly requires that new development be informed by the character of local area in line with the advice provided within Policy CS1 of the Core Strategy.

5.10 Policy CS1 'High Quality Design' of the Core Strategy which will only permit development where the highest possible standards of design and site planning are achieved. In addition to this, high quality design is seen as a 'key aspect of sustainable development...indivisible from good planning' within paragraph 56 of the NPPF, this paragraph goes onto state that good design contributes positively to 'making places better for people'.

5.11 Policy CS9 'Managing the Environment and Heritage' expects development to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance. Paragraph 135 of the NPPF relates to non-designated heritage assets, also known as 'locally listed buildings'. This paragraph states that the effect on the significance of a non-designated heritage asset should be taken into account in determining planning applications. Paragraph 135 goes onto state that 'in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

5.12 Principle of Development – Summary

The location of the proposed development is acceptable in principle provided the dwelling is not isolated and is considered to be limited infilling within a village. Further to this, the dwelling is within a sensitive location, in the setting of a locally listed building. With this in mind, the proposal's design and impact on the surrounding area must be carefully assessed.

5.13 The proposal and considerations set out in paragraph 5.12 should be assessed in the context of paragraph 14 of the NPPF, this paragraph states that proposals should be permitted unless:

'...any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole'.

5.14 Accordingly, the proposal will be assessed in the context of paragraph 14 of the NPPF, with regard to the whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits of the proposal. The remaining report will be structured in this way.

5.15 Housing Contribution – Benefit of the Proposal

The proposal will have one tangible and clear benefit, this would be the modest contribution of 1no. new residential dwelling toward the Council's 5 year

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housing land supply. Such a modest contribution must be assessed within the framework set out under paragraph 14 of the NPPF.

- 5.16 The dwelling proposed is also suggested to be self-build dwelling. There is no adopted Development Plan policy regarding self-build dwellings, although the South Gloucestershire Local Plan Proposed Submission Draft: Policies, Sites and Places Plan (PSP DPD) does include a policy on Custom Build dwellings (which includes self-builds) – PSP42. This emerging policy, which currently demands limited weight, states the Council will take a positive approach to self-build dwellings. This is in-keeping with the general direction which the Government are taking with self-build dwellings. Nonetheless, limited positive weight is attracted to the fact that the proposal is a self-building dwelling.

5.17 Location of Development – Neutral Impact of the Proposal

5.18 *Isolated Location*

- 5.19 The development is outside of a designated settlement boundary, but as the Council cannot demonstrate a 5 year housing land supply, in terms of planning and this assessment, settlement boundaries are no longer considered to be in place. This is due to the fact that the policies which enforce them, Policies CS5, CS34 and H3, are considered to be 'out-of-date'. With this in mind, officers turn to paragraph 55 in the NPPF which states that sustainable housing development in rural area should be promoted, such housing should be located where it will enhance or maintain the vitality of rural communities, and where such development would not lead to isolated homes within the countryside.

- 5.20 The application site is adjacent to the settlement boundary of Iron Acton, situated between two existing dwellings, one of which is within the settlement boundary (Sunnyridge), and one which is not (Pear Tree Cottage). Further to this, there are a number of dwellings opposite the application site in a linear formation. Within walking distance from the dwelling is the majority of the village of Iron Acton including a number of facilities: a church, a church hall; allotments; a farm shop; a number of public houses; the Parish hall; and Wotton Road bus stop. With this in mind, officers consider the application site to fall within the village of Iron Acton, not within an isolated location. Further to this, officers find that the proposal would have a limited social and economic benefit to the rural community of Iron Acton.

5.21 *Green Belt – Limited Infill*

- 5.22 Paragraph 89 of the NPPF permits limited infilling in villages. The Development in the Green Belt SPD defined infill development as:

'development that is small in scale and which fits into an existing built up area in a defined settlement boundary, normally in-between existing buildings, in a linear formation. Buildings outside settlement boundaries are treated as being part of the open countryside and the relevant countryside policies apply'.

- 5.23 The glossary within the adopted Core Strategy defines infill development as:

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'The development of a relatively small gap between existing buildings, normally within a built up area'.

- 5.24 The development is not within a settlement boundary, so the development cannot accord with the SPD, the development is also not within a 'built up area'. However, this is not to say that the development is inappropriate. Firstly, with regard to the Core Strategy definition, this definition is a broad one which does not specifically refer to the Green Belt, limited infilling is appropriate in the Green Belt, and the majority of areas in the Green Belt are not 'built up' as they are within the Green Belt. Accordingly, the requirement for the development to be within a built up area is not considered to be a requirement of this proposal.
- 5.25 Further to this, with regard to the SPD definition, officers must consider the current policy climate in which the above SPD definition was not formed within. Settlement boundaries are no longer considered to form part of the planning assessment due to the fact the Council cannot demonstrate a 5 year housing land supply (with specific regard to the siting of residential development). With this in mind, the restrictive definition of the SPD is not considered to be up-to-date in the case of this application, rather, turning to the NPPF once again, it should be considered whether the development is limited infill within a village.
- 5.26 The development would infill existing buildings in a linear formation, with this in mind, the proposal is considered to represent limited infill development. Further to this, it has been established that the dwelling proposed falls within the village of Iron Acton. With this in mind, the development is considered to accord with paragraph 89 of the NPPF.
- 5.27 *Purpose of the Green Belt*
- 5.28 The NPPF places great weight on preserving the openness of the Green Belt (paragraph 79). Further to this, paragraph 80 of the NPPF sets out the five purposes of the Green Belt, the following two are pertinent to this application:
- *to check the unrestricted sprawl of large built-up areas;*
 - *to assist in safeguarding the countryside from encroachment.*
- 5.29 Firstly, the existing site is currently open, and the openness of the Green Belt is effectively the absence of built form. With this in mind, it is clear that the development proposed would result in the reduction of the openness of the Green Belt. However, officers must also consider that paragraph 89 of the NPPF permits development of this kind (limited infill development), with this in mind, officer do not attract weight to the fact that the development would reduce the openness of the Green Belt.
- 5.30 Turning to the unrestricted sprawl of the built-up areas, the development proposed would not represent sprawl, rather it is considered to represent apococate limited infill development within a village. Further to this, the development proposed would encroach into previously undeveloped land, however, this encroachment would be appropriately between existing built form. Once again the development is considered to not conflict with the purposes of including land in Green Belt.

5.31 *Location of Development Summary*

- 5.32 The proposed development is not considered to be in an isolated location, rather it is within the village of Iron Acton within close proximity to a number of facilities. Further to this, the development is considered to be appropriate within the Green Belt. Accordingly, the development is considered acceptable with regard to the location of the development proposed.

5.33 Adverse Impacts of the Proposal – Design, Character and Non-Designated Heritage Assets

The application site lies to the east of the conservation area, in part of Iron Acton that has a distinctly rural, edge of settlement character with a very loose-knit layout and views out over the surrounding agricultural fields. The proposal would be positioned virtually opposite the locally listed Old Farmhouse and Sunset Cottage, the former being a high status, three storey farmhouse of generous proportions with pennant sandstone walls, tiled roof and sash windows. The date of the Old Farmhouse is unclear but the attached, two storey Sunset Cottage has a date stone of 1741 and many of the features described in the local-list entry for the Old farmhouse are of 18th century origin suggesting a possible contemporaneous date.

- 5.34 As locally listed buildings, they are deemed in the NPPF to be non-designated heritage assets that make a significant positive contribution to the character and distinctiveness of the locality. To the north of the application site is a modest 2 storey, render and clay tile, vernacular cottage set back behind a stone boundary wall and cottage garden, whilst to the south is a large, two storey 20th century stone/render building with a substantial central projecting two storey front gable. The style of this building is definitely 'of its time' and is not typical of the vernacular buildings of Iron Acton.
- 5.35 The application seeks permission to introduce what is effectively a three storey, large detached building of a scale, form and design that fails to respect the character and local distinctiveness of Iron Acton and that harms the setting of the locally listed buildings opposite. The scale of the building is excessive, as evidenced by the need to cut it into the ground, the form and proportions do not reflect the local vernacular of the area, and the design, with the substantial projecting central gable, eaves dormers, low roof pitches, external chimney and oddly proportioned windows, has no regard to the pervading character or appearance of Iron Acton.
- 5.36 The proposal's scale is out-of-character with the area as discussed above, however, what is also noticeable as a signifier of over development is the fact that the front door to the dwelling would actually be lower than the surrounding site, to the point where a ramp would be required to access the door. Further to this, the majority of the door (apart from a canopy) would not be visible from the street scene which reduces the available affirmation with Holly Hill Road.
- 5.37 The 'cock and hen' wall which currently provides a front boundary treatment for the site appears to be replaced with an internally rendered wall with a stone façade facing the highway, the 'cock and hen' feature to the wall, which should

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be retained, appears to have been lost. This brings officers onto the wider landscaping proposed at the site which is not considered adequate, the majority of this would likely be overcome through a condition which required a revised landscape scheme (including boundary treatments) to be submitted.

- 5.38 The building imposes itself on the streetscape and it will, draw attention to itself as a result of its incongruous design, scale, form, proportions and appearance. The result will be a development that visually competes with, and detracts from the setting of, the locally listed buildings opposite.
- 5.39 Officers are aware of the policy requirements of CS1 and CS16 that require all proposals of this kind to be informed by the character of the area. The development proposed clearly is not, it represents a form of development alien to the street scene in terms of scale and design. With this in mind, the development proposed is contrary to policies CS1 and CS16 of the NPPF, and also section 7 of the NPPF that requires good design. Specifically, paragraph 56 of the NPPF states that 'good design is a key aspect of sustainable development, [which] is indivisible from good planning'. Accordingly, the development represents an unsustainable form of development which is both contrary to adopted Development Plan with regard to design, and also the NPPF. This is an adverse impact of the development proposed, which is both significant and demonstrable in the context of paragraph 14 of the NPPF. This harm alone is substantial enough to outweigh the limited benefit of one new dwelling to the Council's five year housing land supply.
- 5.40 Officers have assessed the proposal to have a wholly inappropriate design which is harmful to the character of the area. Officers have also found that the development proposed would harm the setting of the non-designated heritage assets of The Old Farmhouse and Sunset Cottage. Policy CS9 states that development should ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance. Similarly, paragraph 135 of the NPPF reflects that decision takers should take account of the significance of a non-designated heritage asset. Rather helpfully, the paragraph 135 also provides guidance on how decision takers should balance decisions where proposal's harm non-designated heritage assets:

'in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

- 5.41 The proposal would impact negatively on the setting of a The Old Farmhouse and Sunset Cottage, this would result in the setting of these locally listed buildings being undermined, meaning the heritage asset is not conserved, respected or enhanced in a manner appropriate to the significance of these buildings. The weight associated with such harm is significant and demonstrable and outweighs the limited benefit associated with the proposed dwelling.

5.42 Residential Amenity - Neutral Impact

The emerging PSP development plan document which is currently going through consultation provides guidance within policy PSP43 on the level of private amenity space dwellings should have. According to PSP43, a five + bedroom dwelling requires 70sq.m of private amenity space. Further to these quantitative measures of private amenity space, there are also qualitative measures; such as privacy. The private amenity space proposed in excess of 70sq.m and is suitable private in nature. The private amenity space provided for the dwelling is therefore acceptable.

5.43 Although there will be indirect views from the first floor rear elevation windows into the adjacent dwelling (Pear Tree Cottage). The proposal will not result in the material loss of privacy to any nearby occupiers. Further to this, the proposal will not materially harm the levels of light or outlook currently enjoyed by the nearby residents.

5.44 Accordingly, the dwelling proposed will not materially harm the residential amenity of the nearby occupiers, or the future residential amenity of the potential occupiers of the dwelling proposed.

5.45 Highway Safety - Neutral Impact

The proposed access does not quite meet the standards which the Sustainable Transport Team would usually demand from accesses to residential properties. However, the transport officer has made a reasonable and well considered assessment based on the context of the area and the development proposed. This assessment concluded that one dwelling would not generate a significant level of transport, and also that the section of Holly Hill Road which relates to the access is effectively a cul-de-sac, an area which is going to have slow, and low levels, of traffic. Further to this, the proposed dwelling has acceptable pedestrian access routes to the dwelling. With this in mind, officers find the proposed access to the dwelling to be acceptable and not materially harmful to highway safety.

5.46 The proposed layout plans demonstrate a large driveway and two designated car parking spaces. The dwelling proposed contains four bedrooms and a very large second floor study, officers therefore consider the dwelling to contain five bedrooms. With this in mind, three off-street car parking spaces are required at the dwelling in order for the development to accord with the adopted minimum residential parking standard. Accordingly, to ensure this standard is adhered to, should planning permission be granted, a condition is suggested that requires the development to provide parking for a minimum of three cars.

5.47 To accord with saved policy T7 of the Local Plan, the proposed dwelling would require two secure and undercover cycle parking spaces, this would be conditioned if planning permission was granted.

5.48 Highway Structures - Neutral Impact

The Highway Structures Team submitted the following comments with regard to this application:

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If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected. Or if the application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner.

- 5.49 The concerns expressed by the Highway Structures Team relates to matters addressed and controlled under the Highways Act 1980. As such, these matters are considered to fall outside of the realms of planning control, accordingly, should planning permission be granted, the above note from the Highway Structures Team will be included within the decision notice as an informative note.

5.50 Other Matters - Neutral Impact

Officers have taken into account the comments which have been submitted from members of the public, and as such the issues raised have been addressed within this report. The report is yet to cover the personal circumstances of the applicants which members of the public have suggested should contribute to the proposal being approved. The personal circumstances of the applicant do not attract any weight, positive or negative, when assessing this application. This is because the planning permission (if granted) would be subject to the land, and not the applicants. It is very rare to place weight upon personal circumstances, particularly so where the harm associated with this development would be significant and demonstrable, and above all permanent. The circumstances of the applicant are of a more temporary nature, for example, should planning permission be granted, there is nothing to stop the applicant from selling the plot with planning permission in the near future. With this all in mind, officers recommend that personal circumstances of the applicants are not taken into account when assessing this scheme.

5.51 The Planning Balance

At this point officers find it appropriate to return to the context of paragraph 14 of the NPPF, this paragraph states that proposals should be permitted unless:

‘...any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole’.

- 5.52 The proposal should be assessed with regard to the whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits of the proposal. The adverse impacts of the proposal are evident and concerning, they are as follows:

- The proposal’s design and site planning fails to respect, enhance or be shaped in anyway by the character of the area, the proposal is both contrived, unacceptable and materially harmful to the character of the area;

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- The proposal, by virtue of its design and scale would harm the setting of the non-designated heritage assets of The Old Farmhouse and Sunset Cottage.

5.53 Accordingly, these adverse impacts that result from the proposed development are significant and demonstrable, both individually and cumulatively these adverse impacts would outweigh the benefits of one residential self-build unit at this location. With this in mind, officers recommend that the development is refused in accordance with guidance set out in paragraph 14 of the NPPF.

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 It is recommended that planning permission is **REFUSED**.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

REFUSAL REASONS

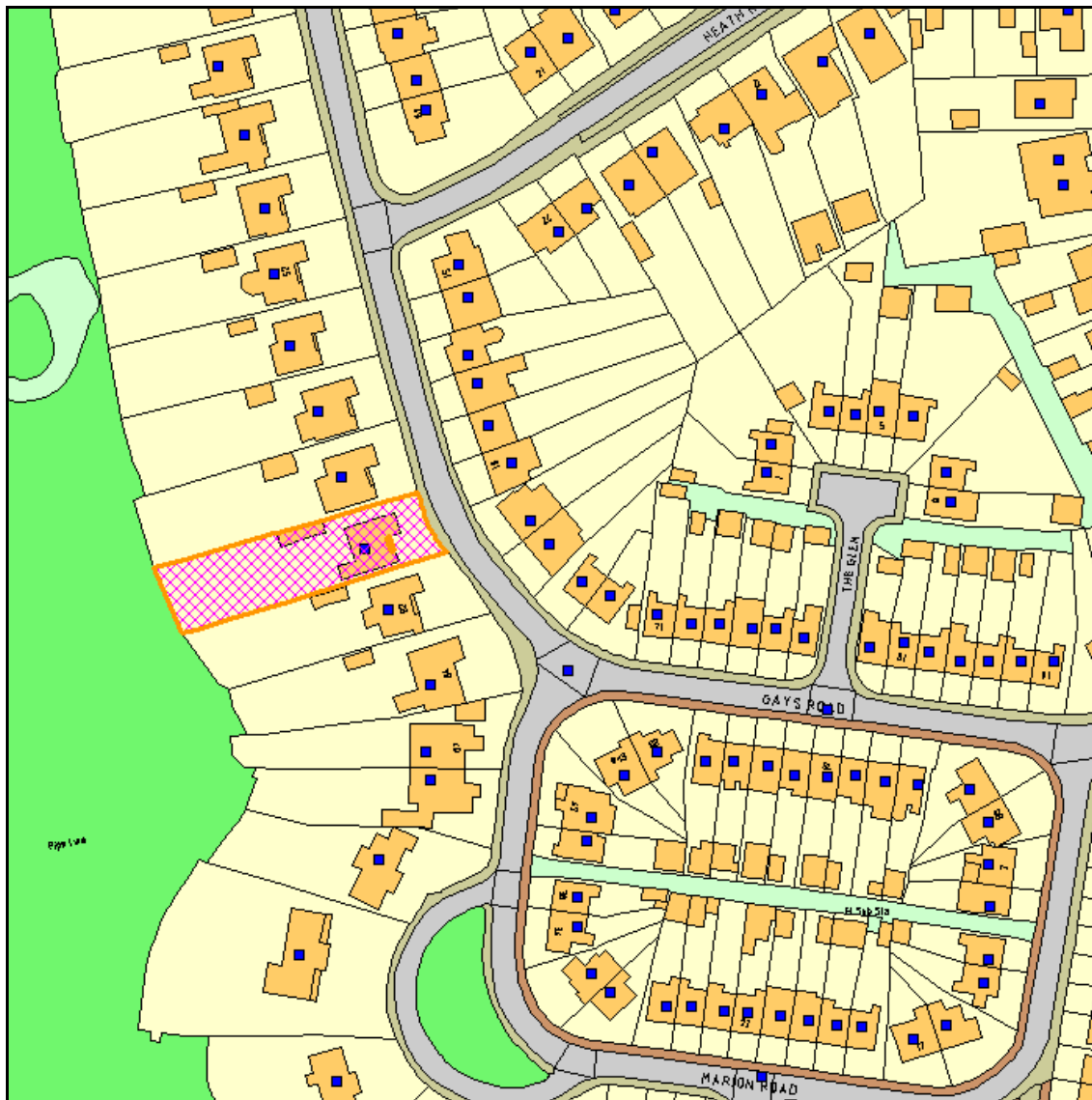
1. The host site is located in a prominent location within Holly Hill. The area has a distinctly rural character with a very loose-knit layout and views out over surrounding agricultural fields. The proposal would effectively be a three storey, large detached building of a scale, form and design that fails to respect the character and local distinctiveness of the immediate area, and the wider area of Iron Acton. The scale of the building is excessive, as evidenced by the need to cut it into the ground, the form and proportions do not reflect the local vernacular of the area, and the design, with the substantial projecting central gable, eaves dormers, low roof pitches, external chimney and oddly proportioned windows, has no regard to the pervading character or appearance of Iron Acton. This identified harm acts to significantly and demonstrably outweigh the potential benefit of the development, and is contrary the requirements of the National Planning Policy Framework (specifically Section 7 'Requiring Good Design'); Policies CS1 and CS16 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and The South Gloucestershire Design Checklist SPD (Adopted) 2007
2. The proposed development, by virtue of its form, scale, massing and detailing would fail to respect or enhance the character, distinctiveness and amenity of both the site and its context and, furthermore, would harm the setting of the non designated

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heritage assets of The Old Farmhouse and Sunset Cottage. This identified harm acts to significantly and demonstrably outweigh the potential benefit of the development, and is contrary to policies CS1 and CS9 of the adopted Core Strategy, and Paragraph 135 of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PK16/3541/F	Applicant:	Mr Richard Hunter
Site:	60 Gays Road Hanham Bristol South Gloucestershire BS15 3JU	Date Reg:	8th June 2016
Proposal:	Alterations to roof including enlargement of rear dormer windows and installation of glass balustrade. Erection of raised decking area to rear with associated handrail and steps.	Parish:	Hanham Abbots Parish Council
Map Ref:	363671 171519	Ward:	Hanham
Application Category:	Householder	Target Date:	1st August 2016



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PK16/3541/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application is for alterations to the existing roof including enlargement of rear dormer windows and installation of glass balustrade and erection of a raised decking area to the rear with associated handrail and steps.
- 1.2 The property is a detached bungalow style dwelling set amongst similar style properties with relatively long curtilages extending to the rear. relatively modern detached dwelling, located within the residential area of Hanham.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National 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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Access/Transport
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 K7090 – Conversion and extension of loft with first floor balcony at rear.
Approved 10th January 1992.

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
No objections

Tree Officer
No objection

Other Representations

4.2 Local Residents

One letter of objection has been received as follows:

'Our first concern is the enlargement of dormer windows as at present we already feel very overlooked and uncomfortable being in the garden/conservatory as we have seen them looking out the window with binoculars on occasion. Our second concern is the boiler extractor flue. This seems to be showing that it is directly opposite our kitchen window/door, due to my husband and grandchildren being asthmatic, This is a concern regarding the fumes whichever way the wind blows they could come into our kitchen when window/door are open.'

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.

5.2 Design

As per the planning history above, the conversion and extension of the loft with a balcony is already approved, constructed and established. The dormers also already exist. The main issue for consideration is therefore any design impact associated with the alterations on this rear elevation. In this respect it is not considered that the relatively modest enlargement of the dormers or the addition of the glazed balustrade result in any material negative impact upon the design of the dwelling and are acceptable in their own right. Similarly the decking and railing give rise to no issues. The proposed alterations are considered to be of an appropriate standard in design and is not out of keeping with the character of the main dwelling house and surrounding properties. The proposals are of an acceptable size in comparison to the existing dwelling and the site and surroundings. Materials would match those of the existing dormers.

5.3 Residential Amenity

As referred to above and as per the planning history, the conversion and extension of the loft with a balcony is already approved, constructed and established. The dormers also already exist. The main issue for consideration is therefore any amenity impact associated with the alterations on this rear elevation. Their orientation would remain the same i.e. rear facing, and their enlargement would bring them forward by approximately 50cm, this would not alter the existing situation significantly or materially. The proposed decking and railings raise no additional issues. The length, size, location and orientation of the proposals are therefore not considered to give rise to any significant or material overbearing impact on adjacent properties such as to warrant or sustain a refusal of planning permission. Reference has been made to a small boiler flue which appears to protrude outwards approximately 15cm from the side wall on the north elevation of the property. This does not form part of the

planning application under consideration, would not require planning permission in its own right and remains within the annotated planning boundary and applicants ownership area. Further to this Building Regs would ensure satisfactory location and installation of flues.

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 proposals are of an appropriate standard in design and are not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. Adequate parking can be provided on the site. As such the proposal accords with Policies H4 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 the South Gloucestershire Local Plan Core Strategy Adopted 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 materials to be used in the construction of the external surfaces of the dormers hereby permitted shall match those used in the existing building.

Reason
To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.
3. The hours of working on site during the period of construction shall be restricted to 08.00 - 18.00 Mondays to Fridays, 08.00 - 13.00 Saturdays ; and no working shall

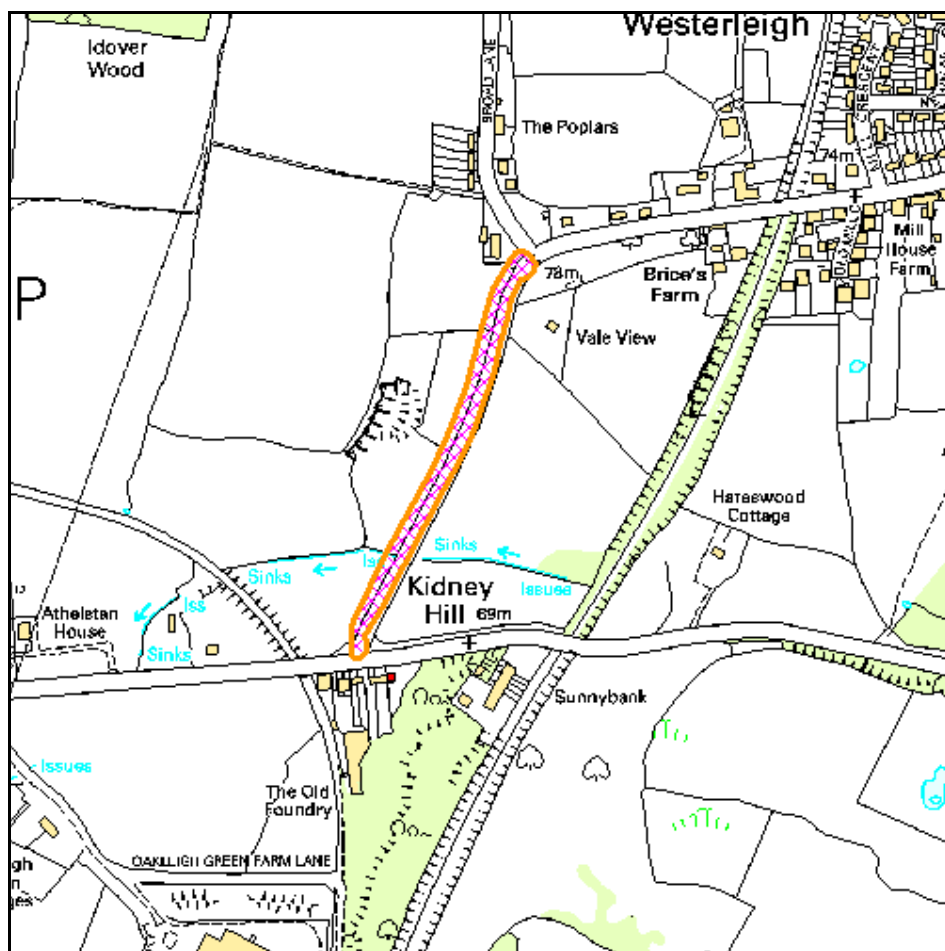
take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement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

Reason

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

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PK16/3612/R3F	Applicant:	South Gloucestershire Council
Site:	Land At Kidney Hill Westerleigh Bristol South Gloucestershire BS37 8QY	Date Reg:	13th June 2016
Proposal:	Link of shared use path in highway verge to connect field path with Westerleigh Road at Kidney Hill and associated works (Amendment to previously approved PK13/3612/R3F).	Parish:	Westerleigh Parish Council
Map Ref:	369316 179162	Ward:	Westerleigh
Application Category:	Minor	Target Date:	3rd August 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule because the application has been submitted on behalf of South Gloucestershire Council and as such, under the Council's Scheme of Delegation, must be determined via the Circulated Schedule.

1. THE PROPOSAL

- 1.1 Full planning permission PK10/0404/R3F was granted for the construction of a new shared use cycle/pedestrian and part equestrian path between the existing Bristol & Bath Railway Path at Coxgrove Hill to Shire Way, Yate. The approved route is approximately 3 miles long. The width of the cycle path/bridle way corridor would vary between 5 and 10 metres depending on the requirements for each section. The minimum width of the path would be 3m. Generally the cycle path would be a 220mm deep paved layer. In some sections a parallel grass verge would be provided for equestrian use. Appropriate stock or other fencing would be provided to delineate the boundary of the path and retain animal stock.
- 1.2 The route starts in the south at Coxgrove Hill and runs generally north along the disused railway before passing under the M4 and following the edge of farmland adjacent to the rail sidings. It then uses the Westerleigh level crossing located on a restricted rail line, and traverses an overgrown hill and short length of dismantled railway to reach Westerleigh Road. This section has already been constructed and is now in use.
- 1.3 From Westerleigh Road to its junction with Nibley Lane at Yate, the route runs over agricultural land, existing tracks and public highway, before terminating at Shire Way, Yate.
- 1.4 The southern part of the route from Coxgrove Hill to Westerleigh Road was previously granted permission in Sept. 2002 (see PK02/1373/F) but this permission lapsed due to lack of funding. In 2008 however the situation changed when South Gloucestershire Council along with Bristol City Council, were given Cycling City status, with the aim of doubling the number of regular cyclists in Greater Bristol by 2011. The proposal forms part of Route 15, the Mangotsfield to Yate Cycle Path, the preferred route of which has been derived from historic consultations with landowners, route location and more recent design work.
- 1.5 A subsequent permission PK13/3875/F slightly amended the section from Westerleigh Road to Broad Lane to provide a different link at the northern end to Broad Lane. The current application seeks to amend that permission to vary a small section of the originally approved scheme to provide a link from the highway verge close to the Westerleigh Road cross-over into the fields section parallel with Westerleigh Road at Kidney Hill; this being due to land ownership problems.

2. POLICY CONTEXT

2.1 National Policy

The National Planning Policy Framework (NPPF) 27 March 2012
The National Planning Practice Guidance (NPPG) 2014

Development Plans

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

CS1 - High quality designs
CS7 - Strategic Transport Infrastructure

2.3 South Gloucestershire Local Plan (Adopted) 6th January 2006

L1 - Landscape Protection and Enhancement
L4 - Forest of Avon
L8 - Sites of Regional and Local Nature Conservation Interest
L9 - Species Protection
T6 - Cycle Routes and Pedestrian Routes
T12 - Transportation Development Control Policy for New Development.
LC7 - Allocated sites for formal and informal open space.
LC12 - Recreational Routes.

2.4 Supplementary Planning Guidance

The South Gloucestershire Landscape Character Assessment SPD (adopted) NOV 2014 - Character Area 12 : Westerleigh Vale & Oldland Ridge.
The South Gloucestershire Design Check List (SPD) Adopted August 2007.
Trees on Development Sites Adopted Nov. 2005.
Development in the Green Belt (SPD) June 2007.

Emerging Plan

2.5 Proposed Submission : Policies, Sites and Places Plan June 2016

PSP2 - Landscape
PSP3 - Trees and Woodland
PSP7 - Development in the Green Belt
PSP8 - Residential Amenity
PSP10 – Active Travel Routes
PSP11 - Transport Impact Assessment
PSP19 - Wider Biodiversity
PSP20 - Flood Risk, Surface Water and Watercourse Management

3. RELEVANT PLANNING HISTORY

- 3.1 PK02/1373/F - Change of use from railway sidings and agricultural land to shared use path as extension to national cycle network.
Approved 30th Sept. 2002.
- 3.2 PK10/0404/R3F - Change of use from agricultural land to shared use path as extension to national cycle network.
Deemed Consent 4 Nov 2010.

- 3.3 PK13/3875/F - Link of shared use path in highway verge to connect field edge path with Broad Lane and associated works.
Approved 14 Feb. 2014

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No response

- 4.2 Other Consultees

Sustainable Transport

We have now reviewed this planning application and understand that seeks to construct a link between the shared use path in highway verge adjacent to Westerleigh Road south of Westerleigh. We consider this proposal to be beneficial to road safety in this area and have no highways or transportation comments about this application.

Fisher German LLP

The CLH Pipeline System may be affected by the proposal. CLH should be contacted.

Ecology Officer

Should planning permission be granted, the following Condition and Informative should be attached to planning permission requiring that:-

Condition

1. That as over 12 months has lapsed since the original field survey, the site is re-surveyed for badgers immediately ahead of development commencing to identify any works which might be subject to the licensing provisions of the Protection of Badgers Act 1992.

Informative

To avoid harm to breeding birds, development (including any clearance of vegetation or trees) should only take place outside the nesting season to avoid potential offences under the Wildlife & Countryside Act 1981 (as amended) or CROW Act 2000. Generally speaking, the nesting season is March to August inclusive although it will vary according to seasonal temperatures. If this is not possible, an experienced ecologist should inspect the vegetation 24 hours before removal and their advice acted on. Be aware that if breeding birds are present this may cause delays to the development programme (L9).

Other Representations

- 4.3 Local Residents
No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In the first instance the application must be determined in light of the Green Belt policy within the NPPF and The South Gloucestershire Development in the Green Belt SPD.

- 5.2 The NPPF (para.81) confirms that one of the primary objectives of the Green Belt is to provide opportunities for outdoor sport and outdoor recreation. Furthermore (para.89), it confirms that the use of land for an appropriate recreation facility is not considered to be inappropriate development provided that it preserves the open character of the Green Belt and does not conflict with the purposes of including the land within it. The NPPF (para. 90) also lists certain other forms of development that are not inappropriate in Green Belts provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt and these include:
- Engineering operations
 - Local transport infrastructure which can demonstrate a requirement for a Green Belt location.

- 5.3 Policy CS7 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013, safeguards routes of dismantled railways as transport routes, with preference given to cycle/walkways and includes the route from Bristol-Mangotsfield-Yate and Bath. This strategy is intended to reduce congestion by providing alternative modes of transport to the car.

- 5.4 Furthermore Policy T6 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 also safeguards land for proposed cycle/pedestrian routes and lists those routes that are protected. Although not all of the proposed route is safeguarded it includes the route from the Bristol & Bath Railway Path through to Broad Lane. The schedule to Policy T6 includes under Westerleigh – 1. Westerleigh Village; 2. Broad Lane and 3. Kidney Hill/Westerleigh. Policy LC12 seeks to retain and improve upon the rights of way network. Particular importance is attached to routes that provide links between residential areas and major employment sites and/or town centres and routes that link urban areas with the open countryside. Officers are therefore satisfied that since the proposal meets the above criteria, that it is acceptable in principle subject to consideration of the following issues:

5.5 Landscape and Green Belt Issues

Consideration must be given to whether or not the proposal retains the openness of the Green Belt and whether the character, distinctiveness, quality and amenity of the landscape in general would be sufficiently conserved and enhanced in accordance with the NPPF, Green Belt SPD and Policy L1 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006. Under the previous consents it was established that the Cycle Path is considered to be an essential recreational facility which would not be inappropriate within the Green Belt; as such it is by definition not harmful to the openness of the Green Belt. Furthermore the proposal is not considered to be harmful to the visual amenity of the Green Belt or have adverse effects on the

attributes of the landscape which make a significant contribution to the character or distinctiveness of the landscape along the Cycle Way route.

- 5.6 The slight deviation, from the originally approved Cycle Path route, the subject of this current proposal, is relatively small, involving only the link into the field, which was originally to be located slightly further west. The proposal now utilises an area of highway verge at the junction of Westerleigh Road and Broad Lane, south of an existing bus stop.

5.7 Transportation Issues

The section of new cycle way would in fact be slightly shorter than that previously approved. The revised location allows for a cross-over to the opposite side of Broad Lane which is considered to be an enhancement.

- 5.8 Officers are satisfied that the proposal would enhance the existing pedestrian and cycle provisions at or near the junction and hence, it is considered a 'betterment' situation. All highway schemes, prior to implementation, irrespective of whether or not they require planning permission, are subject to an independent safety audit report to ensure compliance with safety. The proposal is therefore considered to comply with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.9 Environmental Issues

The site lies in Flood Zone 1 and is not prone to flooding. The previous condition relating to the submission and approval of a SUDS scheme of drainage would be replicated if consent is forthcoming.

5.10 Ecology

The proposal forms part of the cycle route from Westerleigh Road cross-over to Broad Lane and includes a long section of the field to the west of Broad Lane. Under the original permission the field was surveyed for badgers but this was over 12 months ago so the life of the survey has now lapsed. Prior to the commencement of any works on this section of the Cycle Path the field will need to be re-surveyed to identify any works which might be subject to the licensing provisions of the Protection of Badgers Act 1992. Subject to a condition to secure the survey, there are no objections on ecology grounds.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission be GRANTED subject to the conditions listed on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. As over 12 months has lapsed since the original field survey, the site is re-surveyed for badgers immediately ahead of development commencing to identify the presence or otherwise of Badger Setts. Any works near or affecting any badger setts on the route of the cycle path shall be subject to the licensing provisions of the Protection of Badgers Act 1992.

Reason

To protect the ecology of the area in accordance with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006. This is a prior to commencement condition to ensure that badgers are not harmed.

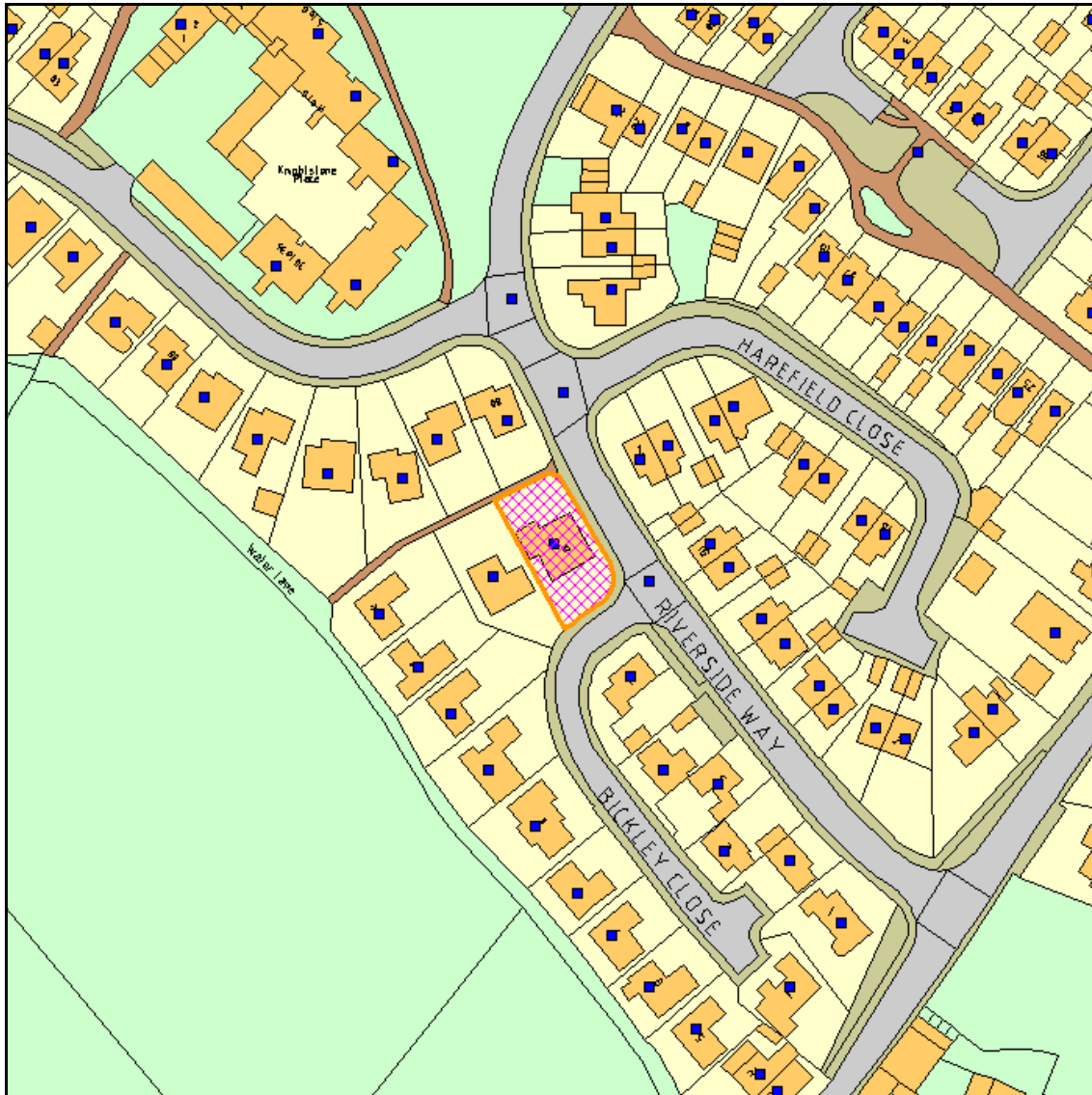
3. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning 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 EP2 of the South Gloucestershire Local Plan (Adopted) January 2006. This is a prior to commencement condition to ensure that works do not prevent the implementation of a satisfactory drainage scheme.

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PK16/3639/F	Applicant:	Mr Brian Edwards
Site:	16 Bickley Close Hanham Bristol South Gloucestershire BS15 3TB	Date Reg:	15th June 2016
Proposal:	Erection of first floor side extension to form additional living accommodation.	Parish:	Hanham Abbots Parish Council
Map Ref:	363992 170895	Ward:	Hanham
Application Category:	Householder	Target Date:	9th August 2016



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1. **INTRODUCTION**

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

2. **THE PROPOSAL**

- 1.1 The application is for the erection of a first floor side extension to form additional living accommodation.
- 1.2 The property is a relatively modern detached dwelling, located on a cul de sac within the residential area of Hanham. The extension would be in the side curtilage on the road side of the property.

2. **POLICY CONTEXT**

- 2.1 National Guidance
National Planning Policy Framework
National 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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Access/Transport
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD

3. **RELEVANT PLANNING HISTORY**

- 3.1 K3894 – Erection of games room. Approved 7th April 1982
- 3.2 K3894/1 – Singles storey extension. Approved 2nd March 1983

4. **CONSULTATION RESPONSES**

- 4.1 Hanham Abbots Parish Council
No objections

Sustainable Transportation

The proposed development will increase the bedrooms within the dwelling to five. The Council's residential parking standards state that a dwelling with five bedrooms requires a minimum of three parking spaces. The plans submitted show that the garage will remain after development but no other parking has been shown. Before further comment can be made a revised block plan which

clearly shows the proposed parking arrangements after development needs to be submitted.

Other Representations

4.2 Local Residents

One letter of objection has been received as follows:

'I believe that the proposed extension will impact on our privacy. Both in respect to our rear garden and living room. It will also block the view we now enjoy from our rear bedrooms, looking out over the area beyond the houses. The houses are already close enough, by building this extension it will bring that part of the house closer and more of our garden will be visible from that room. Because of these factors I do not believe this type of extension is suitable for this area, particularly to the rear of our property.'

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.

5.2 Design

The proposed extension is considered to be of an appropriate standard in design and is not out of keeping with the character of the main dwelling house and surrounding properties. The extension is of an acceptable size in comparison to the existing dwelling and the site and surroundings. Materials would match those of the existing dwelling.

5.3 Residential Amenity

The properties at this location are sited parallel with properties along the next cul de sac to the north, Hencliffe Way, with the rear gardens behind each property meeting to form the shared boundary. The proposals would add a further first floor element to the application property. In this respect rear facing windows of both properties are already towards each other. The proposals would add a further first floor element to the application property with rear facing windows at first floor level, however given the distance to the boundary at approximately 8 metres, the existing relationship and orientation of the properties and the level and nature of any additional impact over and above the existing situation that would arise, it is not considered that the proposals would give rise to what could be considered material impact through overlooking. Further to this there is no right to views over and across other properties and the extension is sufficiently far from the rear boundary not to be considered overbearing in this direction. To the side, west elevation, the extension would border the adjacent property and would face the side wall of that dwelling. Given the orientation of the properties, the design of the proposal and the distances and relationship involved it is not considered that any material impact would accrue in this direction. No side windows are proposed. The length, size,

location and orientation of the proposals are therefore not considered to give rise to any significant or material overbearing impact on adjacent properties such as to warrant or sustain a refusal of planning permission. Further to this sufficient garden space remains to serve the property.

5.4 Transportation

Whilst the transport comments are noted, and further to visiting the site, it is considered that at least 3 off-street parking spaces are and will remain available to serve the property, given the existing garage and the existing driveway parking to the front of the house. Sufficient off street parking provision is therefore provided within the site to meet the Council's requirements for the dwelling.

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 proposals are of an appropriate standard in design and are not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. Adequate parking can be provided on the site. As such the proposal accords with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy Adopted 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the west elevation of the property.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

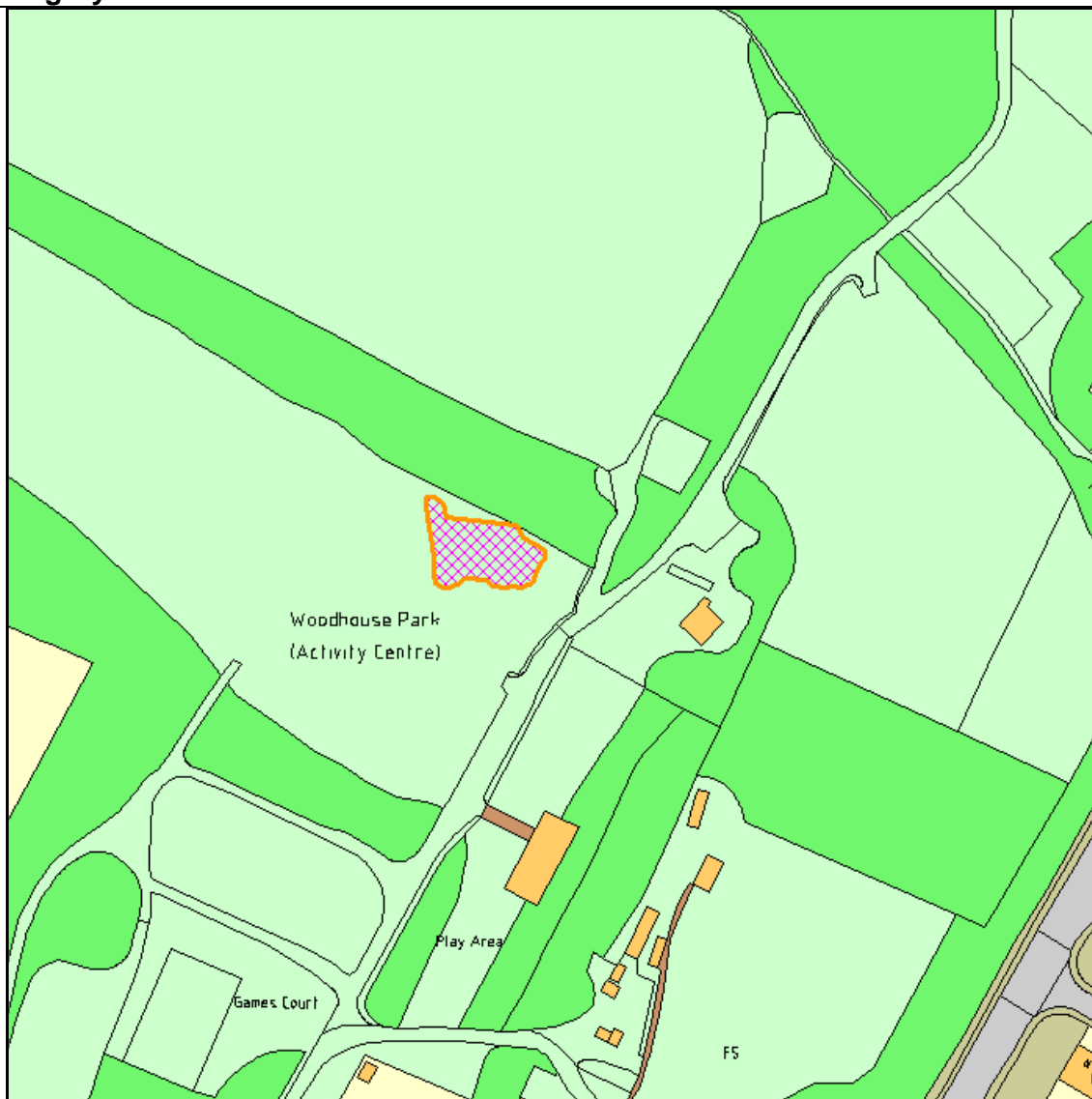
4. The hours of working on site during the period of construction shall be restricted to 08.00 - 18.00 Mondays to Fridays; 08.00 - 13.00 Sundays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use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

Reason

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

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PT15/3944/RVC	Applicant:	The Scout Association
Site:	Woodhouse Park Fernhill Almondsbury South Gloucestershire BS32 4LX	Date Reg:	18th September 2015
Proposal:	Removal of condition 5 attached to planning permission PT11/4065/F to add lights to the climbing tower	Parish:	Olveston Parish Council
Map Ref:	361475 185138	Ward:	Severn
Application Category:	Minor	Target Date:	11th November 2015



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PT15/3944/RVC

1. **THE PROPOSAL**

1.1 The application seeks consent for the variation of Condition 5 attached to planning permission PT11/4065/F to add lights to a climbing tower. The lights have already been installed meaning the application is retrospective.

1.2 Condition 5 attached to planning permission PT11/4065/F currently states:

The high ropes facility hereby approved shall not be floodlit and there shall be no external illumination, either permanent or of a temporary nature. Notwithstanding this a scheme of illumination for a specific event, times of installation, use of illuminated equipment, removal of lighting and measures to control light spillage, giving two weeks' notice could be expressly requested and agreed in writing by the Local Planning Authority. The illumination shall then be carried out as expressly requested and agreed in accordance with the approved details.

Reason:

In the interests of visual amenity of the green belt and to protect the amenity enjoyed by those living in the locality to accord with Policy D1, L1 and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

1.3 The proposal involves the addition of 4 floodlights and 1 fluorescent lamp located on the roof of a climbing tower. The applicant requests the condition is amended to allow for retention of the lights and that their use is allowed in the evening until 22:00.

1.4 The applicant is Woodhouse Park Scout Activity Centre located within the village of Almondsbury. Almondsbury is located within the statutory Green Belt. Woodhouse Park occupies a remote area away from the village centre; located off Fernhill Road.

1.5 The climbing tower is a part of a high-ropes activity area, located within a parcel of open land north of the main entrance. The land is approximately 3 square kilometres in size and is bounded by trees on the western, eastern and southern sides.

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)

- L1 Landscape Protection and Enhancement
- LC5 Outdoor Sports and Recreation Outside Existing Urban Area and Defined Settlement Boundaries
- LC9 Protection of Open Space and Playing Fields

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design

Proposed Submission Plan – South Gloucestershire Local Plan: Policies, Sites and Places Plan (Proposed Submission June 2016)

- PSP7 Development in the Green Belt
- PSP48 Outdoor Sports and Recreation Outside Settlement Boundaries

3. **RELEVANT PLANNING HISTORY**

PT08/3246/F – Erection of activity barn and associated landscaping. Withdrawn 31.03.2009

PT09/0323/F – Construction of outdoor artificial caving complex and associated groundworks – refused 28.4.2009

PT09/6098/F – erection of activity barn and associated landscaping (re-submission of PT08/3246/F) – granted 03.06.2010

PT10/0994/F Construction of outdoor artificial caving complex and associated groundworks (resubmission of PT09/0323/F) - refused 09.06.2010.

PT11/4065/F - Construction of outdoor high ropes course to include a climbing tower with an overall height of 14 metres (amendment to planning permission PT09/0460/F) – granted 18.05.12

PT12/0479/F Extension to existing dormitories to form scout leaders room and corridor - approved 27.03.12

4. **CONSULTATION RESPONSES**

4.1 Olveston Parish Council
No comment.

4.2 Other Consultees

Sustainable Transport:
'No Comment'

Natural and Built Environment Team:

'No Comment'

Strategic Planning Policy and Specialist Advice Team, Landscape Officer:

No Objection

Comments:

- It is considered the proposal will only have a limited localised effect and will not have a significant impact on the wider area.
- The visual impact will also be reduced due to the proposal being within close proximity to the A38

Recommendation:

- The condition should not be removed as there may be pressure for additional lighting for other features in the future which could have a more significant impact on the surrounding area.
- The lighting within the tower should have a time limit.
- As the lighting is within an area of mature woodland, the Councils ecologist should be consulted.

Environmental Protection:

No Comment

Natural and Built Environment – Ecology Officer:

'Given the lighting use restrictions that will be placed on the application, there will be no ecological constraints'

Other Representations

4.3 Local Residents

Objection:

2 Letters of objection have been received raising the following issues:

- Effect on the visual amenity of the Green Belt
- The Councils Planning Policies have not changed since Condition 5 was placed on planning permission granted in 2009 and 2011.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal seeks a variation of Condition 5 attached to planning permission PT11/0465/F granted in 2012 to add 4 floodlights and 1 fluorescent lamp to a climbing tower. The climbing tower is part of a high ropes course associated with Woodhouse Park Scout Activity Centre.

The application site is within the settlement boundary of Almondsbury; located north-east away from the village centre. Almondsbury is located within the Bristol/Bath Green Belt.

- 5.2 The addition of lighting does not amount to 'new development' as defined in Section 55 of 1990 Planning Act. Installing lights does not alter the structural composition or external appearance of the high-ropes activity area itself, meaning that in the absence of Condition 5, planning permission would not usually be required to install lighting. In light of this, this application seeking to vary Condition 5 will primarily be assessed on the effect of lighting on the openness of the Green Belt, character of the surrounding area and the amenity of those within the locality.

Principle of Development

- 5.3 Paragraph 88 (Section 9) of the National Planning Policy Framework (NPPF) makes it clear that when considering a planning application, local planning authorities should ensure that substantial weight is given to any harm within the Green Belt. Further, Paragraph 89 of the NPPF provides that the provision of appropriate facilities for outdoor sport and outdoor recreation is appropriate within the Green Belt so long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 5.4 Policy LC5 of the South Gloucestershire Local Plan (Adopted) 2006 stipulates that proposals for the development, expansion or improvement of outdoor sport and recreation facilities must ensure any external lighting or advertisements would not result in the unacceptable loss of amenity, nor constitute a safety hazard.
- 5.5 Emerging Policy PSP7 of the Policies, Sites and Places Plan – Proposed submission (June 2016) provides that in relation to the creation of outdoor sport and recreation facilities, consideration will be given to the beneficial use of Green Belt land in order to support the establishment. Officers have been advised this policy, due its un-adopted state, should be afforded limited weight.
- 5.6 Emerging Policy PSP44 of the Policies, Sites and Places Plan – Proposed Submission (June 2016) details that the provision of external lighting on outdoor sports and recreation facilities will be permitted provided it does not result in the unacceptable loss of amenity. Officers have been advised this policy, due its un-adopted state, should be afforded less than significant weight.

- 5.7 Policy CS1 of the South Gloucestershire Council Core Strategy (Adopted) 2013 requires proposed schemes to safeguard the existing features of the landscape and enhance the character and amenity of both the site and its context.
- 5.8 Policy CS9 of the South Gloucestershire Core Strategy (Adopted) 2013 asks for proposals to conserve and enhance the natural environment, avoiding or minimising the impacts on biodiversity and geodiversity.
- 5.9 Policy L1 of the South Gloucestershire Local Plan (Adopted) 2006 requires proposals to conserve, and where possible, enhance the amenity of the landscape.
- 5.10 Taking into account the above, policies are principally in support of enabling outdoor sport and recreation; providing it preserves the Green Belt, does not cause harm to the visual amenity of the surrounding area or harm to the amenity of local residents.
- 5.11 The contents of the above policies and guidance have been considered throughout the following paragraphs of this report.
- 5.12 Effect on the visual amenity of the Green Belt
- 5.13 Almondsbury is situated within the statutory Green Belt. The high ropes activity area lies within open land north of Wood House park reception. This area is sited at the top end of the land, and is accessed via a path leading on from the main entrance. Openness is an essential characteristic of the Green Belt and when considering a proposal; both local and national guidance seek to ensure the Green Belt is protected from proposals that would cause material harm. Accordingly, this assessment will be centred on whether the addition of lighting materially harms the visual amenity of this parcel of open land in the Green Belt during the evening when the lights are potentially in use.
- 5.14 Officers recognise it is inevitable that in the evening hours, when the lights are switched on, the floodlight beams will be apparent. Therefore, it is necessary to consider whether the amount of lighting, light emittance and orientation of the lights cause material harm.
- 5.15 The climbing tower measures 12 metres to the eaves, 3.5 metres in width and 5.5 metres in length. Two floodlights and a fluorescent lamp are located on the north facing side; while two floodlights are placed on the east side of the tower. All lights are located on the underside of the roof. The applicant has stated all of the floodlights contain low-energy 57watt LED bulbs, while the fluorescent lamp is 70watts.

- 5.16 The applicant has undertaken light readings in order establish the degree of light emittance during pm hours. The measure of light emittance is measured in lux (lx), and it is understood that street lighting commonly emits about 10lx. Readings indicate that when in close proximity to the climbing tower, light emittance is at greatest 19lx. However, moving as little as 10 metres away from the tower reduces the level of illuminance to approximately to 2lx. Indeed, the lights are prominent when in close proximity to the high-ropes area, however these lights clearly do not illuminate much of the land to which the activity area is situated in. Therefore, on balance, the level of light emittance is not such a scale that distinctly undermines the quality of the night-time rural appearance of this location.
- 5.17 Considering the visual impact of the lighting, if located on the topside of the roof, the lights would almost certainly reduce the rural and enclosed nature of this parcel of land as the spread of light would be wider. However, located on underside of the roof and facing down towards the ground, it is primarily the high-ropes area itself that is emitted. Further to this, the provision of 4 floodlights and 1 fluorescent lamp is not an unnecessary level of lighting for its intended purpose. Taking the above into account, Officers are satisfied with both the quantity and position of the lights.
- 5.18 The location of the activity area is important when considering the effect on the amenity of the Green Belt. The area being bounded by tall trees means light emittance is only marginally visible when located from any adjacent plots of land. This is supported by the applicants light readings (1). Further, submitted drawings illustrating 'lighting detail' show levels of illuminance extend 15 metres on the north facing side and 10 metres on the east side; the nearest trees are located 14 metres away from the climbing tower.
- 5.19 Indeed, a level of lighting that is characteristic of an urban area would be unacceptable. Officers however consider the proposed lighting scheme does not amount to this. Having taken the above information into account, the low level of lighting does not affect the perception of remoteness in the area and does not result in an inappropriate facility within the Green Belt. The proposal therefore accords with emerging Policy PSP48, Local Plan Policies L1 and LC5, Core Strategy Policy CS1 and the provisions of the National Planning Policy Framework.
- 5.20 Effect on the character of the area
- 5.21 The high- ropes area is located north-east of Almondsbury village centre. The site itself is well screened by trees to the south, east and west. Further, the A38 road (Gloucester Road) is in close proximity to the south of the site.

- 5.22 As detailed above, Officers are satisfied the addition of this lighting is not an inappropriate addition given its low level of light emittance. Inevitably, when in use, those either using Woodhouse Park Activity Centre or those residential properties located nearby will be able to see the lights when switched on in the evenings. The lighting however does not distinctly undermine the quality of the night-time rural outlook in the area. The applicant has stated the lights are not used every day and when in use, they are switched off by 22:00. Accordingly, there is the opportunity to condition the use of the lights, which will further mitigate their effect.
- 5.23 In light of the above, Officers consider the proposed lighting scheme accords with Local Plan Policies L1 and LC5, Core Strategy Policy CS1 and emerging Policy PSP48.
- 5.24 Effect on the residential amenity of nearby properties
- 5.25 The nearest residential properties are located approximately 100 metres east, 65 metres to the west and 140 metres to south. The site is screened by trees from residential properties on all sides, this coupled with the considerable distance of those nearest properties indicates there will be no detrimental impact on the amenity of local residents.
- 5.26 Considering whether the proposal can be re-conditioned
- 5.27 The high-ropes area, while used in conjunction with the rest of Woodhouse Park, does not have restricted hours of use. This means that there is unrestricted use of this facility during the evening.
- 5.28 The applicant states the need for lighting in order to conduct evening lessons during winter and autumnal months. These sessions run from 18:00 to 21:00 and the lights are used for a maximum of 6 hours from dusk during the winter months. Further, the applicant states the lights are not in use every evening, referencing that on average last year they were used four times per month from September to April. Within a supporting statement submitted as part of the application, the applicant requests the lights are allowed until 22:00. This is due to the need to clear the area after activity sessions end.
- 5.29 The Councils Landscape Officer had no objections to the proposal providing a condition is added limiting the hours the lights are switched on. Officers concur with this opinion, and should planning permission be granted, a condition will be added restricting the hours of operation to 22:00. While sessions do finish at 21:00, the addition of 1 hour to 22:00 would not cause an inappropriate level of harm.

5.30 With the inclusion of an appropriate condition restricting the use of the lights, Officers subsequently consider the proposal accords with Local Plan Policies L1 and LC5; Emerging Policy PSP44 and the provisions of the National Planning Policy Framework.

5.31 Environmental Effects

5.32 The climbing tower is situated 14 metres from any tree or hedge. The Ecology Officer considered a bat survey was not necessary, thereafter confirming there will be no ecological constraints. Further, the applicant has stated bats are located primarily to west of the site, away from the activity area.

5.33 Accordingly, the lighting scheme does not have any negative environmental impact and as a result accords with Local Plan Policy L1 and Core Strategy Policy CS9 seeking to protect ecology and biodiversity.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 It is recommended that planning permission is **Granted** subject to conditions.

Contact Officer: **Sam Garland**
Tel. No. **01454 863587**

CONDITIONS

1. The external lighting hereby approved shall be turned off no later than 22:00 Monday to Sunday.

Reason

To protect the character of the area and the visual amenity of the Green Belt in accordance with Policy CS1 of the South Gloucestershire Core Strategy (Adopted) and Policies L1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006 .

2. No forms of external illumination other than those floodlights contained with the following approved drawings: 'Roof Underside View' (5275367), 'Lighting Detail' (5275365) shall be implemented without the prior consent of the local planning authority. For clarity, this also precludes the installation of any forms of light bulb that is not indicated within the approved drawing 'Roof Underside View' (5275367).

Reason

The further installation of lights would require a further assessment of the impact on the character of the area and effect on the visual amenity of the Green Belt to accord with Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013; Policies L1 and LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

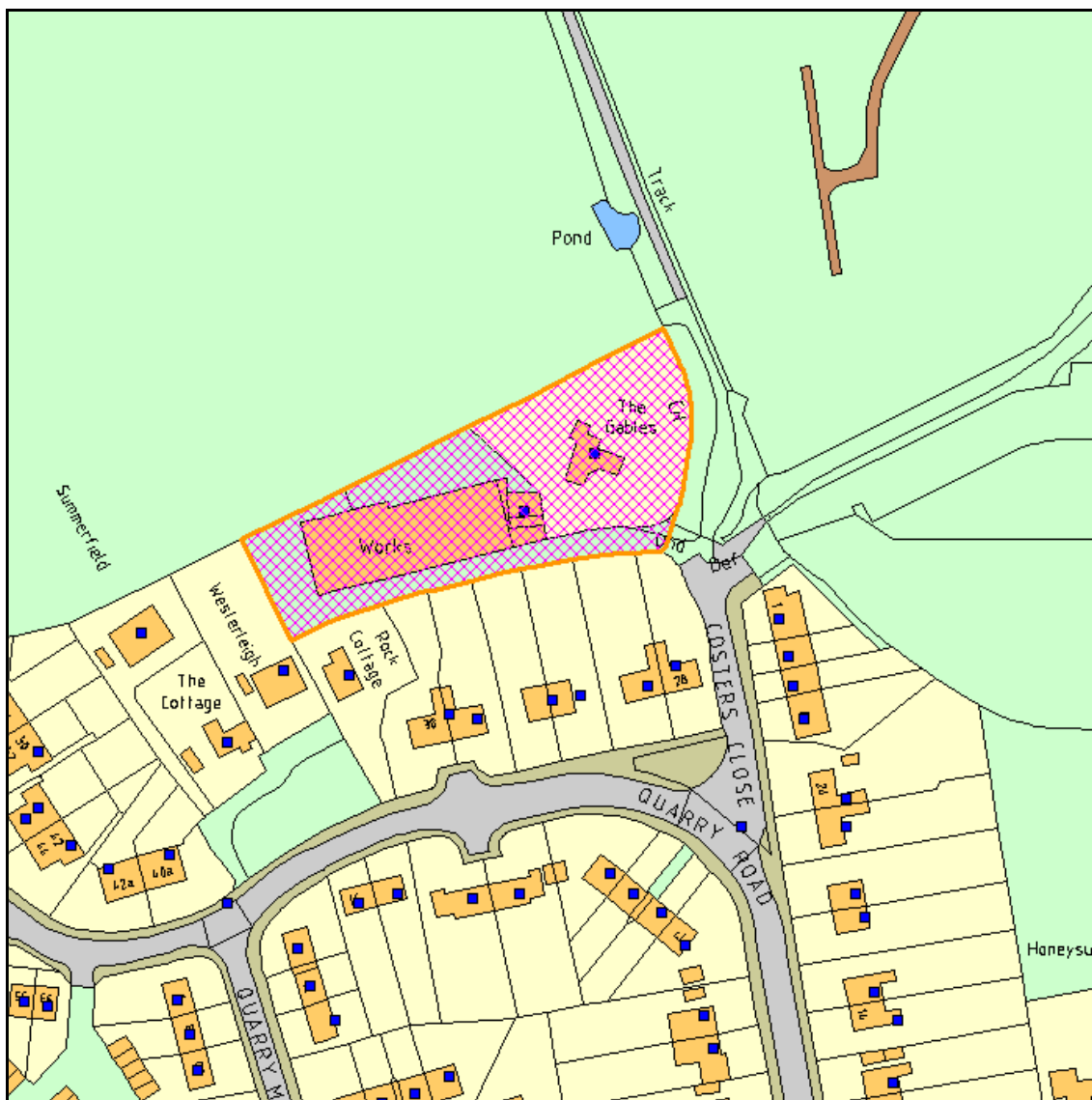
3. The development hereby permitted shall only be used in conjunction with the rest of the site for scouting activities and shall not be used as a separate planning unit or play and play facility by the general public.

Reason

In order to prevent a separate planning unit being established at this location in the Green Belt which would need further consideration under Policy LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PT15/5521/F	Applicant:	Mr Alan Potter
Site:	The Gables Costers Close Alveston South Gloucestershire BS35 3HZ	Date Reg:	8th January 2016
Proposal:	Demolition of existing industrial building and dwelling. Erection of 10 no. dwellings with alteration to access, car parking and associated works	Parish:	Alveston Parish Council
Map Ref:	363057 188458	Ward:	Thornbury South And Alveston
Application Category:	Major	Target Date:	7th April 2016



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PT15/5521/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of objections from local residents and the Alveston Parish Council.

1. THE PROPOSAL

- 1.1 The site consists of an industrial building and a two-storey detached property, the Gables. The site is located within the Alveston Village Development Boundary, which is washed over by the Green Belt. The existing access to the site is from Costers Close. The site immediately to the south of Marlwood School playing field. The existing industrial building and residential property are not listed buildings and are not included on the local list of heritage assets.
- 1.2 The proposed development consists of the demolition of the industrial building and the dwelling to facilitate the construction of 10 no. dwellings with a mix of semi-detached and terraced dwellings. Each new dwelling would have two parking spaces and there would be four visitor car parking spaces within the site.
- 1.3 During the course of the application, an additional ecological survey letter regarding Great crest newts has been submitted to address the Council's Ecologist concerns. It is considered that the submitted details are acceptable.
- 1.4 To support the application, the applicant submitted the following documents:
 - Design and Access Statement
 - A preliminary tree report
 - An Extended Phase One Habitat Survey
 - A letter of marketing information of the existing industrial building 4
 - Planning Statement
 - Highway Statement with a tracking drawing

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF) March 2012
National Planning Policy guidance (NPPG) 2014
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H3 Housing in Rural Areas
T12 Highway safety
L9 Species Protection
LC2 Contributions for Education Facilities
LC1 Contributions for Community Facilities

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4A	Presumption in favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and developer contributions
CS8	Improving Accessibility
CS9	Heritage and the natural environment
CS13	Non-Safeguarded Areas for Economic Development
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS24	Sport and recreation standards
CS34	Rural Areas

2.3 Supplementary Planning Guidance and other relevant documents

Residential Parking Standards SPD (Adopted 2013)
Affordable Housing and Extra Care Housing SPD (Adopted May 2014)
South Gloucestershire Biodiversity Action Plan (Adopted)
The South Gloucestershire Design Check List SPD (Adopted August 2007)
Trees on Development Sites SPD Adopted Nov. 2005
Waste Collection Guidance for new developments January 2015 SPD
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – Adopted March 2015
South Gloucestershire Health Improvement Strategy 2012-2016

2.4 Emerging Plan

Policies, Sites & Places Development Plan Document (Draft) June 2016

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	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 Management
PSP21	Environmental Pollution and Impacts
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 N1632 Temporary office building (Portakabin) in connection with light industrial premises. Approved 10.07.75
- 3.2 P94/1997 Erection of workshop to replace existing workshop. Approved 12.10.94

- 3.3 P98/2338 Variation of condition 8 attached to planning permission ref. P94/1997 to permit limited outside storage within the area shown hatched on submitted plans. Refused 16.12.98

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council: Objection on the grounds of overdevelopment adding to existing parking issues.
- 4.2 Thornbury Town Council: No objection.
- 4.3 Office for Nuclear Regulation: No objection subject to the Council Emergency Planner considers that the proposed development can be accommodated within their off-site emergency planning arrangements. The scale and location of the proposed development is such that ONR do not advise against the proposal.
- 4.4 Wales & West Utility: Advised that the Utility's apparatus may be affected and at risk during the construction works. The applicant is advised to contact the Utility directly to discuss the requirement.
- 4.5 Wessex Water: Advised that Bristol Water is responsible for water supply in this area, and waste water connections will be required from Wessex Water to serve the proposed development. On 1st October 2011, Wessex Water became responsible for the ownership and maintenance of formerly private sewers and lateral drain.
- 4.6 Council Emergency Planner: No objection as the development falls outside the DEPZ for Oldbury, therefore the proposal will have no impact on the off-site (emergency) plan
- 4.7 Environmental Protection Team: No objection subject to condition requiring a contamination investigation and the required mitigation measures, as the historic use of the site as a joinery works / industrial unit may have caused contaminations which could give rise to unacceptable risk to the proposed development.
- 4.8 Highway Drainage Engineer: No objection subject to condition requiring details of surface water drainage details
- 4.9 Highway Structures Team: No comment.
- 4.10 Arts and Development: No comment.
- 4.11 Waste Engineer: No objection.
- 4.12 Landscape Officer: No objection subject to a condition requiring a detailed landscaping plan to help soften and partially screen view of the development from the school playing field and Costers Close.

- 4.13 Arboricultural Officer: No objection subject to a condition requiring a tree protection plan, an arboricultural implications assessment and an arboricultural method statement. It is considered that the submitted preliminary tree report is accurate to reflect the tree categorisations.
- 4.14 Highway Officer: No objection to the submitted revised plan and the Highway Statement including the tracking drawing. The revised visitor car parking spaces would comply with the Council's Residential Parking Standards. The submitted tracking drawing shows a refuse vehicle would be able to access the site although the proposed access would be within the proximity of the tree canopy. Subject to a condition requiring a detailed hard landscaping plan, which is to be adopted, showing there would be a shared surface with the proposed access and the extended footpath, there is no highway objection.
- 4.15 Ecology Officer: No objection subject to condition requiring an Ecological Mitigation and Enhancement plan based on recommendations provided in Section 7 of the Extended Phase 1 Habitat Survey (Abricon, dated December 2015)
- 4.16 Crime Prevention Design Advisor: No objection to the proposal, and advised that all areas of car parking and the adopted road need to be provided with street lighting to the British Standard BS5489:2013, and the landscaping adjacent to the parking areas for plot 8 must be of species that do not grow taller than one metre.
- 4.17 Children and Young People Team: No comment.
- 4.18 Enabling Officer: Requiring 35% of dwellings to be delivered as affordable housing based on the proposal is for dwellings on 0.32 hectares located in a rural settlement. Tenure split of 80% social rent and 20% intermediate housing, as such, it requires a mix of 1x2 bed house and 1x3bed house for social rent and 1x2 bed house for shared ownership. No wheelchair standard accommodation is required as part of this application.
- 4.19 Community Infrastructure Officer: Requiring the following financial contribution to mitigate for impacts on open spaces arising from the additional demand generated by the population of the proposed development. Based on the submitted details, the proposed development would generated a total population increase of 21.6 residents.

Off-site POS provision/ enhancement contribution	£14,659.32
Off-site POS maintenance contribution	£19,671.98

Other Consultation Responses

4.20 Local Residents

Eight letters of objection and one letter of general comments have been received and the following is a summary of the comments received from members of the public (No 1-4 Costers Close and No. 34 and 36 Quarry Road) during the consultation period associated with this application. (Full comments can be viewed from the Council website)

Highway comments:

- Costers Close is a narrow, single track private road where residents already have difficulties in manoeuvring to park cars when other cars are parked on the other side of the road. The site is also closed to the access of the cemetery and the occasional interments. Therefore the additional traffic movements will cause a major problem to the existing residents.
- Anticipated increased levels of traffic and uncontrolled parking on Costers Close associated with the development
- The road certainly is not wide enough for the construction traffic.
- A traffic management expert at a recent developer's consultation considers that Costers Close was far too narrow to facilitate the increased traffic.
- Very limited visitor car parking spaces within the new development.
- No details regarding the site clearance and the delivery of materials, the maintenance of Costers Close free from debris, how large vehicles use this narrow access road, how will the road be widened to incorporate a pavement on the other side of the road.

Residential comments:

- Loss of privacy
- The industrial unit is regularly used for making wood furniture
- Overlooking neighbours' garden
- Potentially reduce the amount of light to the rear of the neighbouring properties
- No noise at present, the proposal would cause a noise issue as people driving in and out all day.

General comments:

- The neighbouring agricultural land owners does not object to the proposal, however is keen to ensure that safe and sufficient vehicular access is maintained at all times to allow large agricultural vehicles and contractors equipment to conveniently access the property.

5. ANALYSIS OF PROPOSAL

- 5.1 The development consists of the demolition of the existing industrial building and a two-storey detached dwelling on the site and the construction of ten dwellings with access onto Costers Close, Alvaston.

Each dwelling has two off street parking spaces and there will be four visitor car parking spaces. The site is within the Alveston Village Settlement Boundary which is washed over by the Green Belt.

5.2 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. On 27th March 2012 the National Planning Policy Framework (NPPF) was published. The policies in this Framework are to be applied from this date with due weight being given to the saved policies in the South Gloucestershire Local Plan 2006 (SGLP) subject to their degree of consistency with this Framework. It is considered that the Local Plan policies as stated in this report are broadly in compliance with the NPPF.

5.3 The Annual Monitoring Report (December 2015) shows that South Gloucestershire Council does not have a five year land supply. As such paragraph 49 of the NPPF is engaged and Policy CS5 is considered out of date. Paragraph 49 declares that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF goes on to state that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF. Notwithstanding the above, the adopted development plan is the starting position.

5.4 In this proposal, of particular relevance is that the Gables is situated in a rural area which is identified by the adopted Core Strategy, Changes to Policies Map, although the site is situated within the defined settlement boundary of Alveston (which is identified by the adopted Local Plan. Therefore the site is in the open countryside where development is strictly controlled. This is emphasised under paragraph 55 of the NPPF which the avoidance of isolated homes in the countryside unless there are special circumstances. Saved Policy H3 of the Local Plan expressed the same spirit. The Core Strategy Inspector confirms in his Report (paragraph 63) that he supports the Council's view that a dispersed pattern of development in the rural areas is not sustainable. Although it is acknowledged that Policy CS5 is out of date due to the lack of 5 year land supply, the principle of limiting development in the countryside is embodied in Policy CS5 (Location of Development) and also in CS34 (Rural Areas) of the Core Strategy. Emerging PSP 40 also restricts rural development and these policies set the context for which development affecting a rural area must be assessed against.

5.5 Paragraph 55 of the NPPF deals with development in rural areas stating that in order to promote sustainable development housing should be located where it will *enhance or maintain the vitality of rural communities* but that local planning authorities *should avoid new homes in the countryside unless there are special circumstances*. These can include:

- the essential need for rural workers to live near their place of work; or

- where it would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- be of exceptional quality or innovative design

5.6 Although the site is situated within the rural area, it is inside the existing settlement of Alveston. There is a group of residential properties to the south and west, a playing field of Marlwood School immediately adjacent to the north of the site. In addition, the site is approximately 190 Metres from Down Road, where there are a number of bus stops for a number services to Thornbury Town Centre, Cribbs Causeway, Chipping Sodbury and Wotton-under-Edge, as such the site can be considered as a sustainable location. On this basis the site could not reasonably be called isolated, and would not read as open countryside as such. Accordingly there is no significant or demonstrable harm on this basis to resist the presumption in favour of residential development.

5.7 Green Belt

The site is located within the Alveston Village Settlement Boundary which is washed over by the Green Belt. Paragraph 79 of the NPPF sets out that the 'fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open' and that 'the essential characteristic of Green Belts are their openness and their permanence'. Paragraph 80 of the NPPF goes on to provide the five purposes of including land within the Green Belt. These are;

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

5.8 Paragraph 89 of the NPPF provides, however, the limited categories of development that is appropriate within the Green Belt. These categories of appropriate development include the 'limited infilling in villages, and limited affordable housing for local community needs.'

5.9 The site is within Alveston Village Development Boundary. The Village Development Boundary runs along the northern edge of the application site. The site is enclosed by existing development associated with Marlwood School, Costers Close, and a cemetery. The area is characterised by modern residential development of different styles and design.

- 5.10 As set out earlier in this report, paragraph 89 of the National Planning Policy Framework indicates that 'limited infilling in villages' is appropriate in the Green Belt. The adopted South Gloucestershire Green Belt SPD defines 'infill development' as being development that is small in scale and which fits into an existing built up area in a defined settlement boundary. Whilst the proposed development does not entirely represent in a linear formation, it does reflect the general development pattern of Costers Close and Quarry Road, where there are groups of terraced dwellings along the northern boundary following pairs of semi-detached dwellings. Furthermore, the proposal would replace existing built form within the site. Moreover the majority of the site would be considered as brownfield land on this basis. Officers conclude that the proposed development is appropriate development in the Green Belt.
- 5.11 Policy CS13 of the adopted Core Strategy seeks to protect non-safeguarded economic development sites and gives a priority to alternative uses to a mixed use scheme. The applicant submitted details regarding the marketing of the existing industrial building. It indicated that the premises has been advertised in the beginning of December 2014. The unit has been constantly marketed for six to seven months and the agent has received a limited number of enquiries. The main reasons not pursuing a potential tenancy are the restricted access, particularly for large commercial vehicles, limited on site car parking and the fact that the unit is located in a predominantly residential area. It is concluded that it is unlikely that a tenant will be found for the unit due to the limited access and parking arrangements for such a large building. Officers therefore accepted that there is a very limited potential for the building to be retained for employment uses given the constraints of the site.
- 5.12 Regarding the potential mixed use of the scheme, the application site currently already has a mix of an industrial use and a residential use. The existing situation has sufficiently demonstrated that it is difficult to sustain the employment uses given the restrictive site layout and the proximity of residential dwellings and limited parking spaces. In this instance, officers have no objection to the proposed residential uses.
- 5.13 There is an existing detached cottage within the site, and it is part of the proposal to demolish this building. The cottage is not statutorily protected, and is not a building, which makes a significant contribution to the identity of the locality in which they are set. Therefore there is no objection to its demolition.
- 5.14 Density
The site is approximately 0.3 hectares and the proposal would result in an additional 9 units to the housing supply (as the existing cottage will be lost as a result of the proposal), 3 of which would be affordable homes. This would equate to a density of approximately 33 houses per hectare. This is represent a reasonable density development and would reflect the general density of the locality.
- 5.15 A further reason for questioning the appropriateness (or otherwise) of the density is in relation to whether there is an attempt to avoid affordable housing triggers. This is not the case here as will be seen from the section on affordable housing.

5.16 Design, Character and Visual Amenity

The surrounding residential area features a mixture of detached, semi-detached and terraced dwellings.

- 5.17 This application details 4 terraced dwellings compared to 6 semi-detached dwellings. The layout has been designed to respond to the constraints of the site, including the proximity of the existing residential properties in Costers Close. The proposal also takes opportunity to open new vistas through plot 8 and plot 9 from the neighbouring properties to the school playing field. Officers consider that the proposed layout successfully responds to the constraints. The site also provides the opportunity to serve a mix of units, in a layout that responds to the sub-urban character of the site. Whilst some of the new dwellings would be more than two-storey, it is not considered that these dwellings would cause a significant adverse impact given that they would only be slightly taller than other properties and they would be situated further away from Costers Close and Quarry Road. Officers therefore have no objection to the development subject to appropriate conditions requiring a sample of external materials.

5.18 Landscape assessment

The Council Landscape Officer has considered the submitted scheme. The proposed development is located within a site that currently contains a detached house and a large factory unit. There are residential properties to the east, south and west. Marlwood School playing field is located to the north. There is a wall and some scrubby planting along the boundary with the playing field.

- 5.19 The hedge along the eastern boundary would be removed and replaced with an 1800mm high close board fence. This would present a stark elevation in views from Costers Close and for people entering the public footpath to the east, therefore it is considered that some small trees should be planted within the gardens of Plots 1 -4 to help soften views of the development from these views.
- 5.20 It is also proposed to have 1800mm close board fence on the boundary with the school playing field. Similarly, small trees planting would be required within the back gardens and car park areas of plots 4-10 to help soften and partially screen the development from views from within the school.
- 5.21 There are spaces within the proposed development where small trees and shrubs can be planted which will help to provide interest and break up the built form.
- 5.22 Officers therefore have no landscaping objection to the proposal subject to a condition requiring a detailed landscaping plan to include small trees in the gardens and car park area to help soften and partially screen views of the development from the school playing field and Costers Close.

5.23 Residential Amenity

The proposed development is located within a well established residential area. The nearest residential dwellings to the proposal are Rock Cottage, which is backing onto plot 9, No. 30-36 (even no.) Quarry Road, which are backing onto plot 5-8, and No. Costers Close, which is adjacent to the access of the site. Officers acknowledge residents' concerns regarding issues relating to impact upon the neighbours' residential amenity.

- 5.24 The submitted plans show there will be a group of semi-detached dwellings to the east and west, and a group of terraced dwellings and parking area would be located in-between. The semi-detached dwellings would face the side elevation of the row of the terrace. The front elevation of the terrace would face the access road and the rear garden of properties along Costers Close. The rear elevation of this row of terraced dwelling would look out onto the school playing field. Officers acknowledge the residents' concerns regarding overlooking impact as the new dwellings would overlook the residents' garden area. However the proposed dwellings would be approximately 30 metres from the rear elevation of the nearby dwellings, and this would be consistent with normal domestic relationships and would not result in an unacceptable loss of privacy and amenity. In this instance officers consider that the proposed siting is acceptable.
- 5.25 Regarding the scale of the proposed development, plot 2, 9-10 would be three storey living accommodation. Whilst it would be slightly higher than the adjacent properties, they would be located further away the nearby residential properties and the existing industrial building, which will be demolished. Given the reasonable distance between the proposed development and the dwellings nearby, it is not considered that any over shadowing would occur that would give rise to an overbearing impact to the detriment of residential amenity.
- 5.26 Officers acknowledge that there will be additional vehicle movements and an increased population in the locality as a result of the development. There is a concern that the proposed development would cause a noise issue giving people driving in and out. Although there is a planning condition to restrict the noise level from the existing industrial unit, there is no restriction on the number of vehicles movements within the site. Whilst it is accepted that the proposed development may lead more vehicular movement onto the site, it is not considered that the proposal would generate a significantly greater level of vehicular movements than exist in the area at present and on this basis, is not likely to result in unacceptable increase of vehicular noise. In addition, residential development is not one which is associated with the generation of high levels of noise. Although there would be an increase in the population of the area as a result of the development, this is unlikely to result in a material increase in noise levels. In the event that individual households do generate anti-social noise levels then this is a matter for the Environmental Health or Police Legislation. It cannot be assumed that anti-social noise levels would be generated by households in the development.

- 5.27 The local residents have also raised concerns regarding the residential impact during the construction period. In the event that this application is approved, officers recommend that a 'working hours condition' is applied that would act to control working hours and delivery times. This would ensure that no working is carried on during sensitive hours. Similarly, officers would recommend that a 'construction management plan' is agreed by condition. This would allow the Local Planning Authority to agree appropriate parking procedures for site workers; dust control and site storage.
- 5.28 Policy PSP43 of the Proposed Submission: Policies, Sites and Places Plan (DPD) provides minimum standards for external amenity spec in respect of new dwellings. In this instance, the DPD carries limited weight in the determination of this planning application. Nonetheless, in this case, each of the proposed dwellings would have a reasonable amount of outdoor garden area, officers are satisfied that the proposed development would provide adequate private amenity space for use by the occupants of the proposed dwellings.
- 5.29 Having regards to the above, officers therefore consider that the proposed development would not have an unacceptable impact in residential amenity terms.
- 5.30 Access and Transportation issues
Officers and the Council Highway Officer acknowledge the residents' concerns regarding the public highway safety particularly the suitability of the access off Costers Close to serve this development.
- 5.31 Paragraph 32 of NPPF states that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residential cumulative impacts of development are severe.
- 5.32 The application site currently comprises an industrial unit and a single dwelling, officers consider that this extent situation could generate a significant number of vehicle movements if a different operator took over the building without the need for a change of use application, with potentially a higher percentage of HGV and OGV movements.
- 5.33 The Highway Officer was originally concerned that the constraints on the site in terms of geometry of the proposed road layout would prevent a refuse vehicle from accessing the site. To address the concerns, a revised site plan to include 4 no. visitor parking spaces and a refuse vehicle tracking has been submitted.
- 5.34 The Highway Officer considers that the revised proposed visitor spaces are adequate to comply with the Council's adopted Residential Parking Standards. Regarding the road layout, the tracking drawing shows that it would be restrictive for a refuse vehicle to manoeuvre within the site due to the proximity of the existing tree on the landscaped area. However, the proposed layout shows that there is a possibility to provide a shared surface for both the extended pedestrian and the access for refuse vehicles, therefore there is no

highway objection subject to a condition requiring a detailed hard-landscaping plan showing there will be same surface materials on the proposed access and pedestrian path.

5.35 Ecology

The approximately 0.3ha site is located in the north of Alveston. It consists of two sections, a residential property with garden, and a commercial holding with a large commercial unit. The site is bounded to the south and west by residential properties and gardens, to the north by a playing field and to the east by commercial premises. The site itself is not subject to any nature conservation designations; Lower Hazel Down Site of Nature Conservation Interest (SNCI) lies within 1km of the site and will not be adversely affected by the proposal. The applicant submitted an Extended Phase 1 Habitat Survey and an additional survey details regarding Great crested newts to confirm that no evidence for the presence of Great crested newts.

- 5.36 The Council Ecologist considers the submitted details are adequate to address the original concerns. Furthermore, whilst the hedgerows have potential to be used by Hazel dormouse, the sections proposed for removal are short and it is considered that impacts would be negligible. In this instance, there are no ecological constraints to granting planning permission subject to a condition requiring an Ecological Mitigation and Enhancement Plan.

5.37 Drainage and Flood Risk

The site is in Flood Zone 1 – at lowest risk from flooding. The applicant indicates that the foul sewage will be connected to mains sewer and the surface water will be disposed of via sustainable drainage system. Officers and the Drainage Engineer have considered the proposal and raised no drainage objection to the proposal subject to a condition securing details of surface water drainage proposal.

5.38 Environmental Issues

The site is currently used as a joinery workshop / industrial purpose, which may have caused contaminations to the site. Whilst officers have no objection to the proposal, it would be necessary to impose a condition requiring a site investigation and mitigation works (if any contaminations are found) to be submitted prior to the commencement of development.

5.39 Affordable housing

Policy CS18 deals with the need for affordable housing provision to meet housing need in South Gloucestershire. As such development should aim to achieve 35% affordable housing on all new housing developments. In rural areas the threshold is 5 no. or more dwellings or a site of 0.20ha. As this scheme is for 10 no. houses, this equates to three affordable units. It is acknowledged that the applicant has agreed the required provision of affordable housing units including the tenure split. The proposal therefore complies with the adopted Core Strategy and the relevant SPD subject to a S106 agreement to secure 3 no. affordable housing units and tenure split (including the Design and Specification criteria, etc).

- 35% of dwellings to be delivered as affordable housing, as defined by the NPPF. **The proposal is for 10 dwellings on 0.32 hectares located in a rural settlement. In rural areas policy CS18 requires 35% affordable housing on new housing developments of 5 or more dwellings or a residential site with a gross area of at least 0.20 ha, irrespective of the number of dwellings. Therefore 3 affordable homes should be delivered on site.**
- Tenure split of 80% social rent and 20% intermediate housing, as identified by the West of England Strategic Housing Market Assessment (SHMA) 2009. **2 x social rent and 1 x shared ownership dwellings should be provided.**
- A range of affordable unit types to meet housing need based upon the findings from the SHMA 2009 as shown below.

Based on the findings below the following mix should be provided;

1 x 2 bed house for social rent

1 x 3 bed house for social rent

1 x 2 bed house for shared ownership

Social Rent

Percentage	Type	Min Size m2
23%	1 bed 2 person flats	47
7%	2 bed 4 person flats	69
38%	2 bed 4 person 2 storey houses	77
22%	3 bed 5 person 2 storey houses	90
10%	4 bed 6 person 2 storey houses	112

Intermediate

Percentage	Type	Min Size m2
44%	1 bed 2 person flats	47
17%	2 bed 4 person flats	69
19%	2 bed 4 person 2 storey houses	77
19%	3 bed 5 person 2 storey houses	90
1%	4 bed 6 person 2 storey houses	112

- **No wheelchair standard accommodation is required as part of this application.**

5.40 Public Open Space

Policy CS6 of the adopted Core Strategy seeks to secure the necessary infrastructure, services and community facilities to be provided for all new development of a “sufficient scale”.

Alveston is a designated rural area here a lower threshold of 5 units or less applies, based on the submitted details, the proposed development of a net gain of 9 dwellings would generate a total population increase 21.6 residents.

The proposal shows that a featured landscape area proposed at the entrance of the site, at this stage, the applicant does not request the Council to adopt this landscaped area as public open space. Notwithstanding this, the Council would very unlikely adopt the area given that the size of the proposed area is very small. The applicant has agreed to make the following contribution for the off-site POS provision / enhancement and maintenance.

Off-site POS provision/ enhancement contribution	£14,659.32
Off-site POS maintenance contribution	£19,671.98

5.41 CIL tests and Planning Obligations

Legislation was introduced in 2010 that allows local councils to set a Community Infrastructure Levy (CIL). South Gloucestershire commenced CIL charging on 1 August 2015. Charges are liable for development of one or more dwellings. Affordable housing units are exempt from CIL payments but the other properties would attract a fee. The Council is able to spend CIL receipts upon infrastructure listed in its "Regulation 123" list. It cannot also require planning obligations upon the same matters, and in this way the scope of section 106 agreements are more limited than was previously the case. Affordable Housing is not considered to be "infrastructure" which is why (subject to policy) it is still a component of a section 106 agreement.

- 5.42 It is considered that the S106 financial obligations calculated in terms of affordable housing needs and off-site public open space requirement meet the statutory tests in being necessary to make the development acceptable in planning terms, is directly related to the proposed development and is fairly and reasonably related in scale and kind to the development.

5.43 The Planning Balance

As set out above, the Annual Monitoring Report has demonstrated that South Gloucestershire Council does not have a five-year supply of deliverable housing land and as such Policies CS5, CS15 and CS34 are out-of-date for the purpose of assessing this application. Whilst the proposal would result in a loss of an employment building and a dwelling, the proposal would provide a positive and modest contribution in meeting the shortfall identified in respect of the five-year housing land supply. On this basis, Paragraph 49 of the National Planning Framework is relevant and this planning application must now be considered in line with the 'presumption in favour of sustainable development' set out in paragraph 14 of the National Planning Policy Framework.

- 5.44 As set out above, officers consider that in all other respects the development is acceptable and on this basis is representative of sustainable development. Paragraph 14 of the National Planning Policy Framework sets out that policies are out of date, the Local Planning Authority should grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

- 5.45 The proposal is for the erection of 10 no. new dwellings of which three units of affordable housing have been proposed. The benefits of new housing and in particular affordable housing units to the housing supply is given considerable weight. It is considered that the proposal represents a sustainable development in terms of the NPPF three strands (social, economic and environmental). Whilst it is acknowledged that some impact would occur in respect of the general character of the site, and the loss of an employment building and a detached residential dwelling, officers consider that these are not to a degree where it would significantly and demonstrably outweigh the benefit; which is the provision of new housing including 3 no. affordable housing units, and that there are no significant or demonstrable harms that outweigh the benefit such that the presumption in favour should be resisted. On this basis, officers consider that there is considerable weight in favour of granting planning consent in respect of this application.

6. CONCLUSION

- 6.1 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, in particular the advice in the NPPF.

7. RECOMMENDATION

- 7.1 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) Affordable Housing

35% of dwellings to be delivered as affordable housing at nil public subsidy, as defined by the National Planning Policy Framework. Based on a scheme of 10 dwellings this will trigger a requirement for 3 affordable homes delivered on the basis of a Tenure split of 80% social rent and 20% shared ownership housing, as identified by the Wider Bristol Strategic Housing Market Assessment (SHMA) 2015, equating to;

1 x 2 bed house for social rent

1 x 3 bed house for social rent

1 x 2 bed house for shared ownership, and

In accordance with all detailed requirements as set out in the Enabling Officer's comment.

Reason

To provide appropriate on-site affordable housing proportionate to the scale of the development In accordance with Policy CS18 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013.

ii) *Public Open Space*

Off-site POS provision/ enhancement contribution	£14,659.32
Off-site POS maintenance contribution	£19,671.98

Reason

To secure the necessary infrastructure, services and community facilities to be provided for all new development in accordance Policy CS6 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013.

- 7.2 That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.
- 7.3 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: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. The development shall proceed strictly in accordance with the plans listed below;

14/0037/001 (Site location and Existing Block Plan)
14/0037/109 (Proposed Street Scene and Elevations)
14/0037/102 (Plots 1 & 2 Proposed Elevations)
14/0037/104 (Plots 3 & 4 Proposed Elevations)
14/0037/106 (Plots 5, 6, 7 & 8 Proposed Elevations)
14/0037/108 (Plots 9 & 10 Proposed Elevations)
14/0037/0101A (Plots 1 & 2 Proposed Floor Plans)
14/0037/0103 (Plots 3 & 4 Proposed Floor Plans)
14/0037/0105A (Plots 5, 6, 7 & 8 Proposed Floor Plans)
14/0037/0107 (Plots 9 & 10 Proposed Floor Plans)

as received by the Local Planning Authority on 23 December 2015,

14/0037/100A (Proposed Site Block Plan) as received by the Local Planning Authority on 28 April 2016.

Reason

For the avoidance of doubt.

3. Prior to the commencement of the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority.

A) 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 investigation 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 the occupation of the development, 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.

Reasons

This is a pre-commencement condition in order to avoid any unnecessary remedial works in the future.

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. Prior to the commencement of the development hereby approved a site specific Construction Environmental Management Plan (CEMP) shall be agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

For the avoidance of doubt, the CEMP shall address the following matters:

- (i) Procedures for maintaining good public relations including complaint management and public consultation

- (ii) Mitigation measures as defined in the British Standard BS 5228: Parts 1 and 2 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance. Piling will not be undertaken and Best Practice alongside the application of BS 5228 shall be agreed with the LPA.
- (iv) The use of a Considerate Contractors or similar regime for the site induction of the workforce highlighting pollution prevention and awareness.
- (v) Measures to control the tracking of mud off-site from vehicles.
- (vi) Measures to control dust from the demolition and construction works approved.
- (vi) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- (vii) Adequate provision for the delivery and storage of materials.
- (viii) Adequate provision for contractor parking.

Thereafter the development shall proceed in accordance with the agreed details.

Reason

This is a pre-commencement condition to ensure that the control required is secured from the beginning of the construction phase.

To prevent residential parking and access conflict with local residents in the local area and in the interests of the residential amenity of the occupants of nearby dwellings.

5. Prior to the commencement of the development, a tree protection plan, an arboricultural implications assessment and an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason

This is a pre-commencement condition in order to avoid any unnecessary remedial works in the future.

In the interest of the health and amenity of the tree located adjacent to the east boundary of the site and to accord with Policy 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.

6. Prior to the commencement of the development an Ecological Mitigation and Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority based on the recommendations provided in Section 7 of the Extended Phase 1 Habitat Survey (Abricon, dated December 2015). For the avoidance of doubt, the plan shall include a proportion of native planting as compensation for hedgerow section removal. Development will be carried out in strict accordance with this approved plan.

Reason

This is a pre-commencement condition in order to avoid any unnecessary works in the future.

In the interests of the wildlife habitat, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

7. Prior to the commencement of the development details of surface water drainage including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory) shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the details shall include a detailed development layout showing surface water and SUDS proposals.

Reason

This is a pre-commencement condition in order to avoid any unnecessary works in the future.

In safeguard flood prevention; pollution control and environmental protection, and to comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012.

8. Prior to the commencement of development a full details of hard and soft landscaping work shall be submitted to and approved by the Local Planning Authority. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme. For the avoidance of doubt, the details of the hard landscaping works shall show the proposed access road and the extended footpath sharing the same surface materials, details of all street lighting layouts and equipment specification. The approved scheme shall be implemented in accordance with the approved plan with the agreed implementation programme.

Reasons

This is a pre-commencement condition in order to avoid any unnecessary remedial works in the future.

In the interests of the character, visual amenity of the area, residential amenity, crime prevention, and public highway safety to accord with Policy CS1, CS8 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved Policy L1, Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Notwithstanding the submitted details, samples of all external facing materials and hard surfacing materials shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of above ground elements of the development hereby approved. Thereafter the development shall proceed in accordance with the agreed details and shall be retained as such.

Reason

In the interests of good design and the character and visual amenity of the site and the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013.

10. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday and 08:00 until 13:00 on Saturday; 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 prevent working on site at sensitive times of the day and in the interests of the residential amenity of the occupants of nearby dwellings.

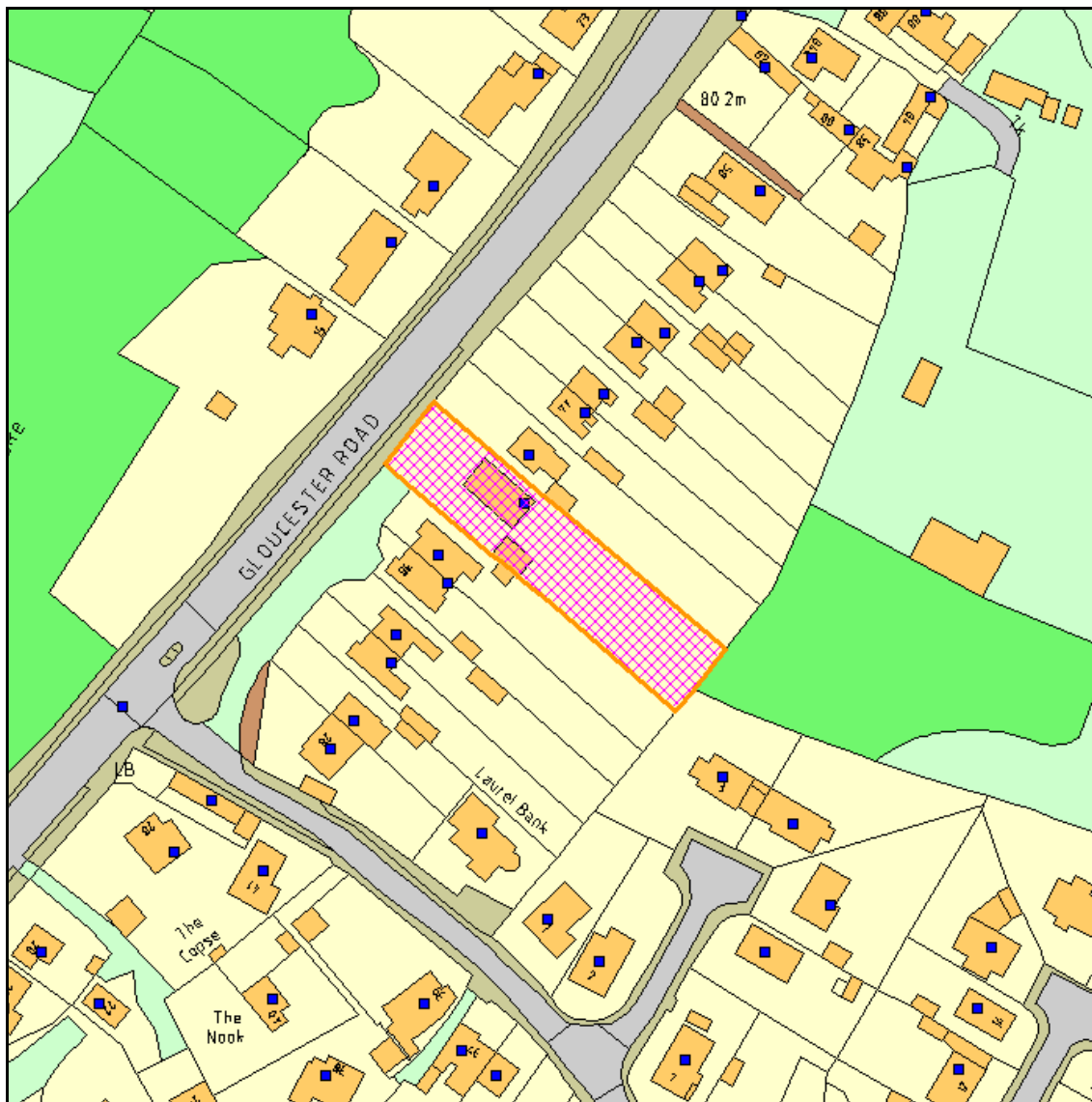
11. The development shall not be occupied for residential purposes until the vehicular parking has been provided in a completed condition. Thereafter the development shall be retained as such.

Reason

In the interests of highway safety, and to accord with the adopted South Gloucestershire Residential Parking Standards Supplementary Planning Document, and Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PT16/1355/F	Applicant:	Mr Ben Thompson
Site:	Red Lodge 40 Gloucester Road Rudgeway South Gloucestershire BS35 3RT	Date Reg:	31st March 2016
Proposal:	Demolition of existing garage and erection of single storey side rear extension to provide additional living accommodation.	Parish:	Alveston Parish Council
Map Ref:	362527 186430	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	24th May 2016



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PT16/1355/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The planning application has been referred to the Council's Circulated Schedule procedure due to an objection received from Alveston Parish Council and a local resident.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the demolition of existing garage and the erection of a single storey side and rear extension to form additional living accommodation at Red Lodge 40 Gloucester Road in Rudgeway. The site is 'washed over' by the Bristol/ Bath Green Belt.
- 1.2 The host dwelling is a detached 1.5 storey property located within the settlement boundary. The property has cream rendered elevations, a hipped roof with concrete tiles. The windows and doors are UPVC.
- 1.3 The dwelling has an existing single storey garage, this will be replaced by the single storey side and rear extension.
- 1.4 Following discussion about the size and layout of the proposed single storey side/ rear extension revised plans were submitted for consideration on 30th June 2016. A period of reconsultation was provided to all consultees.
- 1.5 The boundary treatments to the rear of the dwelling consist of 2 metre fences to the west and a large fir hedge to the east.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage

2.3 Supplementary Planning Guidance

Design Checklist Supplementary Planning Document (adopted) August 2007
Residential Parking Standards Supplementary Planning Document (adopted) December 2013
Development in the Green Belt Supplementary Planning Document (adopted) June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P93/2540 Erection of pitched roof over existing flat-roofed rear extension (in accordance with additional plans received by the council on 3 February 1994)

Approval Full Planning 09/02/1994

- 3.2 N8561 Erection of single storey rear extension to form sun lounge.
Approved with Conditions 24/03/1983

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council

Objection to the proposal in support of the neighbour's objection relating to the blocking of light to their dwelling.

Upon reconsultation Alveston Parish Council's objection remains.

- 4.2 Sustainable Transport

The proposal seeks permission for the demolition of the existing garage and erection of a single storey side/ rear extension. There is a sufficient parking and turning area to accommodate the additional bedrooms proposed. Following the revised plans the Sustainable Transport Officer notes that a larger parking area will be provided.

Other Representations

- 4.3 Local Residents

One letter of objection has been received from a neighbouring resident. Their comments are as follows: the proposed extension appears to extend much further into the driveway than where the garage is situated which will have an impact upon the adjacent bungalow. The layout and density of the proposed building will block out all daylight/sunlight to both kitchen and bathroom windows of the adjacent bungalow.

Whilst no further comments have been received the original objection will be considered within this report.

5. ANALYSIS OF PROPOSAL

- 5.1 This planning application seeks permission for the demolition of existing garage and erection of a single storey side and rear extension to provide additional living accommodation at Red Lodge 40 Gloucester Road, Rudgeway, which is situated within the Bristol/ Bath Green Belt.

- 5.2 Principle of Development

The principle of the proposed development will be assessed against Sections 9 (Green Belt) of the National Planning Policy Framework; as well as policy CS5 of the Core Strategy (adopted December 2013).

Because of the site's location the Green Belt the Development in the Green Belt Supplementary Planning Document (adopted June 2007) will also be a material consideration.

Additionally it will be important to consider the principle of development against policies CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) are both supportive in principle. Saved Policy H4 is supportive providing development is within the curtilage of existing dwellings, the design is acceptable with relation to policy CS1 of the Core Strategy, providing that there is safe and adequate parking, and also providing the development has no negative effects on transport.

Policy CS1 of the Core Strategy exists to make sure developments enhance and respect the character, distinctiveness and amenity of the site and its context. The proposal shall be determined against the analysis below.

5.2 Green Belt

The application site is washed over by the Bristol/Bath Green Belt. The Green Belt is of great importance to the Government, the aim of Green Belt policy is to keep land permanently open. When assessing the proposal it should be considered whether the proposed development is an inappropriate development for the Green Belt in relation to the NPPF, whether the development causes any other harm and whether the development requires special circumstances necessary to justify development. Furthermore as stated within the Development in the Green Belt Supplementary Planning Document (adopted June 2007) additions to existing dwellings should only be considered acceptable if the proposal is not disproportionate; the proposed development compliments the existing character and it does not harm the openness of the Green Belt. Disproportionality is assessed on a case-by-case basis, but ideally house extensions should not exceed 30%, those which do should have very special circumstances.

5.3 From the information accessible to the Local Planning Authority it is clear that planning permission has previously been granted, however, from the officers' site visit it was not clear that this permission was implemented.

The volume of the current house is approximately 542.78m³, with the volume of the existing garage and outbuilding being circa 145.12m³. The garage will be demolished and replaced with a single storey side/ rear extension. The original proposal would have resulted in a 73% volume increase.

The revised plans received on 30th June 2016 show that the proposal has been scaled down, meaning that the proposed works will have the volume of circa 320.7m³. The volume increase will be approximately 65%.

5.4 Whilst it is noted that the cumulative volume is in excess of the threshold of what is considered a 'limited extension' (50%) as defined within the Development in the Green Belt Supplementary Planning Document (adopted June 2007).

The site is situated within the settlement boundary (which is washed over by the Bristol/ Bath Green Belt) and will be replacing existing buildings. The resulting dwelling will be read within the context of existing housing development. As such, because of the built up area the proposal is not considered to create a loss of openness; it is considered that the proposal is acceptable in relation to Green Belt Policy.

5.5 Design and Visual Amenity

The applicant site is a detached dwelling located over 1.5 floors situated within the settlement boundary of Rudgeway. To the front of the property there is an area of hardstanding. There is an existing single storey flat roof garage to the north east of the site, this is proposed to be demolished. The application seeks planning permission for the demolition of the existing garage and erection of a single storey side/ rear extension to provide additional living accommodation.

- 5.6 The proposed single storey side/ rear extension will have a front gable and a hipped roof. The proposed extension will have a total height of 5.4 metres to the ridge line making it subordinate to the original dwelling. The amended plans show the proposed extension will extend beyond the existing rear elevation by 12.1 metres, and extend beyond the side elevation by 2.2 metres; the overall width of the proposed extension will be 8.2 metres. Whilst it is noted that the proposed development will be visible from the street scene it is considered to be read with the existing property and the design is considered to be of a higher quality than the existing site layout.

- 5.7 The proposed materials will match those used within the existing dwelling, with painted render elevations, concrete double roman roof tiles and white uPVC doors and windows to match existing. The design and materials would be in-keeping with the character of the existing dwelling and would respect the character area.

- 5.8 The proposal respects the character of the site and the wider context as well as being of an appropriate scale and proportion with the original dwelling and surrounding properties. Thus, the proposal satisfies policy CS1 of the adopted Core Strategy.

5.9 Residential Amenity

Saved policy H4 of the adopted Local Plan states that proposals for development within existing residential curtilages will only be permitted where they would not prejudice the amenity of nearby occupiers.

The applicant site is a detached 1.5 storey property located within the settlement boundary of Rudgeway and set back from the main road by an area of hardstanding. The application seeks planning permission for the demolition of the existing garage and erection of a single storey side/rear extension to provide additional living accommodation. The existing boundary treatments at the site consist of 2metre timber fences and approximately 2.5 metre hedges.

- 5.10 Objections have been received, mainly based upon the original plans by a neighbouring resident and Alveston Parish Council. The objections relate to the original proposal impacting the daylight and sunlight to the adjacent bungalow and being overbearing. Further to revised plans being submitted Alveston Parish Council still object to the proposal in support of the neighbours' objection.
- 5.11 Officers note that the revised plans show a larger distance between the proposed extension and neighbouring bungalow, and that the applicant has removed the proposed car port to reducing the overbearing impact of the proposal. The proposed side/rear extension is located in a position which is considered to result in minimal over bearing towards neighbouring dwellings.
- 5.12 There are a number of windows and doors proposed within the single storey side/ rear extension. Due to the boundary treatments at the site and the nature of the extension these are not considered to detrimentally impact the privacy of the applicant site or surrounding residents.
- 5.13 The proposed extensions are unlikely to affect the private amenity space of the existing residents or any future residents as there is a large rear garden available.
- 5.14 Overall the proposal would not result in any adverse impacts on the residential amenity of neighbouring occupiers or future occupiers. As such the proposal is considered acceptable in terms of saved policy H4 of the Local Plan (adopted) 2006.
- 5.15 Highways
The proposal includes the demolition of the existing garage and the erection of a single storey side/rear extension. There is an existing area of hardstanding to the front of the property which will not be affected by the proposal. The works will increase the parking area available. It is considered that there is sufficient parking available at the site which complies with the Residential Parking Standard, and as such there is no objection in relation to highway safety.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the application is **APPROVED** with the following conditions.

Contact Officer: Fiona Martin
Tel. No. 01454 865119

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).

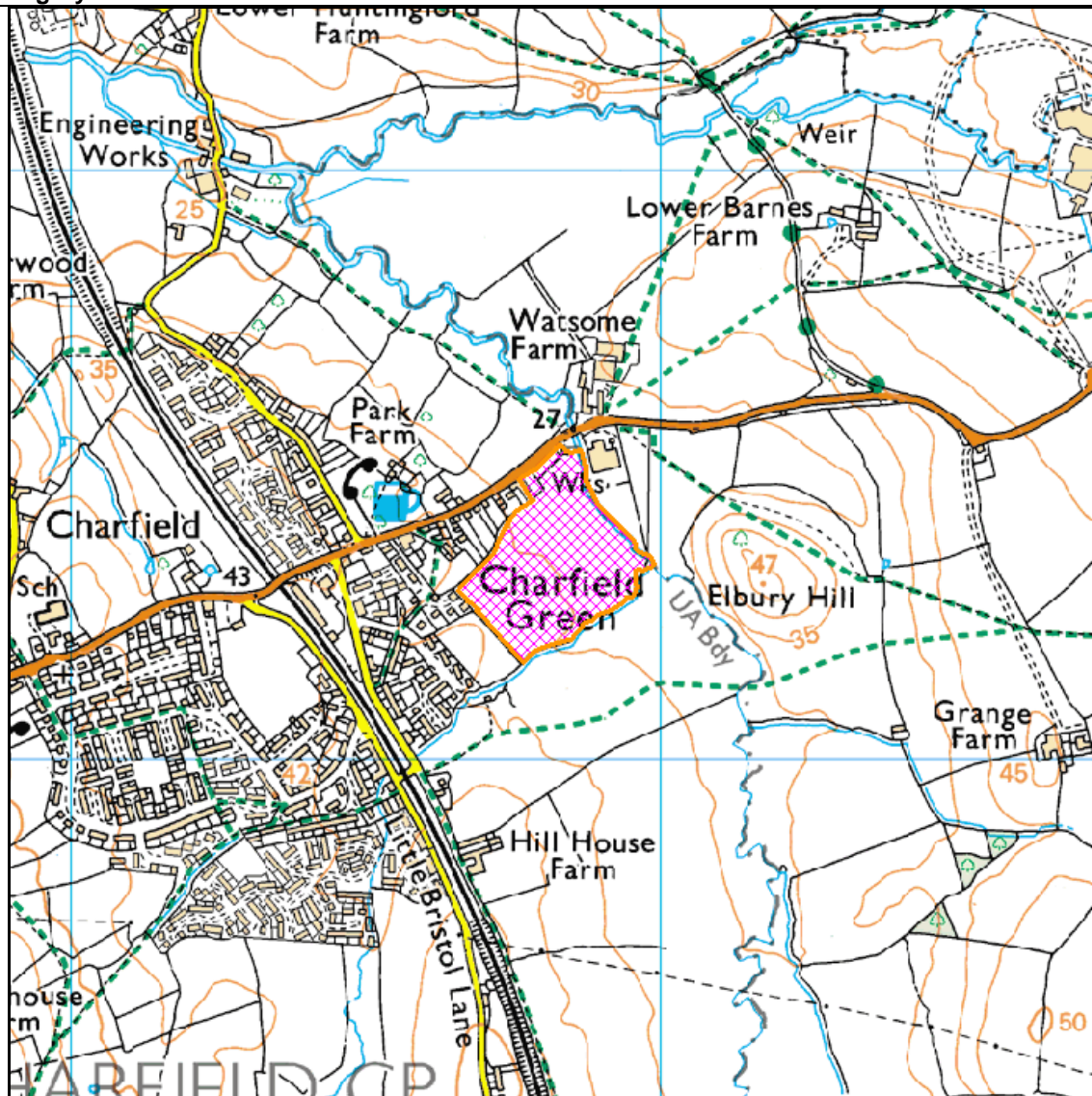
2. The hours of working on site during the period of construction shall be restricted to 08:00hrs to 18:00hrs Mon to Fri; and 08:00 to 13:00hrs Sat, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the 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 neighbouring occupiers and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PT16/1503/RM	Applicant:	Crest Nicholson (South West) Ltd
Site:	Land South Of Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8SR	Date Reg:	13th April 2016
Proposal:	Erection of 106 no. dwellings with details of appearance, landscaping, layout, scale and associated works (Approval of Reserved Matters to be read in conjunction with outline application PT13/4182/O).	Parish:	Charfield Parish Council
Map Ref:	372742 192444	Ward:	Charfield
Application Category:	Major	Target Date:	12th July 2016



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PT16/1503/RM

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

The application for reserved matters approval follows the grant of outline consent for this major mixed use development. The application has been forwarded to the Council's Circulated Schedule of applications in accordance with the adopted scheme of delegation as representations have been received from the Parish Council and residents raising views contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks approval of all reserved matters related to outline approval PT13/4182/O for the erection of 106 no. dwellings, access, parking, public open space with play facilities and landscaping (outline) with access to be determined. All other matters were reserved.

The reserved matters, which comprise landscaping, appearance, layout and scale, should be read in conjunction with outline planning permission PT13/4182/O.

- 1.2 The application site lies on the eastern edge of Charfield, outside the defined village settlement boundary, and comprises of a pastoral field approximately 6 hectares in size. The site is south of Wotton Road with access proposed off this road in the northernmost corner. On the northern boundary of the field is an established hedgerow with existing houses on Wotton Road that have long gardens that back onto the site. Inside the site to the north lies an existing building depot. The eastern site boundary is defined by the Little River Avon set within mature woodland which separates the site from adjacent Renishaws. To the south is more established vegetation and some large trees with a field and open countryside beyond. Finally, the western boundary has two modern houses situated close to the site and then the backs of the long gardens that serve eight detached houses off Horsford Road.
- 1.3 A number of easements run broadly east to west through the middle of the site to protect existing main sewers. No development can take place within the easements.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
NPPG

- 2.2 Development Plans

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

EP2 Flood Risk and Development
H3 Residential Development in the Countryside
L1 Landscape Protection and Enhancement
L9 Species Protection
L11 Archaeology

- L13 Listed Buildings
- L16 Protecting the Best Agricultural Land
- LC1 Provision for Built Sports, Leisure and Community Facilities
- LC2 Provision for Education Facilities
- T12 Transportation Development Control Policy
- T7 Cycle Parking
- T8 Parking Standards

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS2 Green Infrastructure
- CS6 Infrastructure and Developer Contributions
- CS7 Strategic Transport Infrastructure
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS16 Housing Density
- CS17 Housing Diversity
- CS18 Affordable Housing
- CS23 Community Infrastructure and Cultural Activity
- CS24 Green Infrastructure, Sport and Recreation Standards
- CS34 Rural Areas

- 2.3 Supplementary Planning Guidance
The Charfield Village Plan 2013
Residential Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/031/SCR - Residential development of up to 150 dwellings. Screening Opinion adopted 30th September 2013. EIA not required.
- 3.2 PT13/4182/O - Erection of 106 no. dwellings, access, parking, public open space with play facilities and landscaping (outline) with access to be determined. All other matters reserved – Refused 17.04.2014
Appeal allowed - 08.06.2015

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council

Objection for the following reasons quoted in full:

This application was considered at length by members at a meeting of the full council on Tuesday 17th May 2017. Whilst members appreciate that outline planning has been approved - and that the development will go ahead - they do have major concerns with the application that has been submitted. These are in no particular order:-

- 1) The fact that there is only one road in and one road out of the site - leaving it very cut off from the rest of the village. There are no links / footpaths. Wotton Road is a busy road - and at rush hour time turning out onto it isn't

easy....a roundabout would surely help the traffic flow better. There is no emergency access....

- 2) The fact that the site is so cut off with no links via footpaths is a problem - as pedestrians (be they adults or children) will have to walk long way round - and alongside a busy road.
- 3) Members know that a crossing is planned - but no details are forthcoming yet - and they need to be sure for the safety of future residents (and existing) that this crossing is in the right place....they know that this is being looked into but until plans are drawn up - they are in the dark.
- 4) Where the allotments are planned on being sited are where the flooding of the area is at its worst - and it is felt that these really are an add on / afterthought....
- 5) It is also felt that placing the children's play area where it is planned isn't a good idea....this is the part of the field that is susceptible to flooding - plus it isn't really an integral part of the development.
- 6) Members know only too well that the field has flooded (as have surrounding fields) and won't go into technical details as others with far more expertise have....but again they really don't feel this issues has been addressed satisfactorily. Therefore - due to all of the above factors - with the application in its present form - members felt that they could only OBJECT to them as they currently stand.

Other Consultees

Highway Structures

No objection. The applicant should note the following:

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

Environmental Protection – Air Quality

Construction dust management plan should be in place as recommended in comments regarding application PT13/4182/O to minimise the impact of construction dust.

Environmental Protection – Noise

No objection. Standard informative related to construction sites to be attached to the decision notice.

Waste Management

Most properties appear to have rear gardens with good access to the adopted road and the roads give the impression of being passable by a refuse collection vehicle. Some properties are mid terrace (example plot 25) and may need to have a bin storage area to the front of the property and some properties are on

no through roads that do not appear suitable or do not have a turning point. These properties will need an identified presentation point for the householder to take the bins to. A plan showing the refuse vehicle track and the locations of bin presentation points should be provided.

Tree Officer

The tree protection plan was amended as the RPZ overlapped the hammerhead of a main adoptable road. The Arb Method Statement indicated no dig within the RPZ but the subtext stated hand digging with all roots to be severed. The TPO woodland to the south of the site was subsequently resurveyed as individual trees rather than a group and the RPZ could then be reduced on the tree protection plan so no overlap now exists with any below ground development. No trees of any significant amenity value will be lost. There will be no direct impact on the group TPOs on site and the arb method statement demonstrates that trees will be protected during construction. No objection.

Archaeological Officer

The archaeological evaluation work has revealed very limited evidence for archaeology here and, subject to submission of the formal report on these findings under the outline application condition, no further archaeological objection.

Conservation Officer

There are no designated heritage assets in close proximity to the site. No Conservation objections

Urban Design Officer

The road structure and number of units is in accordance with the approved 'master plan'. However the following issues must be addressed before the application can be supported:

- A much greater contrast is required between the form and density of units along the main street and those at the edge
- Unacceptable overbearing / overshadowing impacts between a number of units
- Reference to the character appraisal in the outline DAS and local distinctiveness is required.
- 'Landmark' buildings required
- Plots 105 & 106 are too far back and plot 105 outlook is compromised.

The scheme was subsequently amended to include revised highway details, removal of substantive blue engineering bricks from contemporary units, improvement of landscaping and gardens to units in rear courts and hipping back roofs in areas to reduce overbearing / overshadowing impacts etc. This is welcome. Response to local distinctiveness was clarified along with landmark plots. Detailing and material mix were further reviewed. Outstanding bin storage issues were resolved. No objection

Highways England

No objection

Arts and Development Officer

No comment

Affordable Housing Officer

Provision of Affordable Housing on this site must be considered against the requirements set out in the Unilateral Undertaking (UU) signed on 16 January 2015 (PT13/4182/O). The Planning Statement, Affordable Housing Statement and Affordable Housing plan number 13209/5503 for the land at South of Wotton Road, Charfield have been considered against the UU.

35% (37) affordable homes and mix is accepted. This mix includes a deviation from the UU whereby 1 x 2 bed house for shared ownership is substituted for 1 x 3 bed house.

All the house type sizes proposed for the affordable housing meet the minimum size requirements.

The UU limits clusters of affordable homes to no more than 12 houses or 6 flats. The affordable housing and planning layouts submitted with the application do not fully comply with these cluster size requirements. However, in the circumstances we accept the clustering proposed, including a deviation from the UU whereby one cluster is 1 home over the cluster limit.

The applicant has confirmed the design and specification of the affordable homes. All the house types proposed for the affordable housing meet the minimum size requirements.

Allocated parking spaces have now been identified for the affordable homes and are acceptable.

In terms of delivery we are satisfied that the applicant has now supplied sufficient information to fulfil para 1.1.3 i) to vi) of the UU

Drainage Engineer

The previous issues concerning discharge rates have now been resolved and the rates now meet the Council's adopted standard. The drainage strategy including underground reservoir, balancing pond, swale within a SuDS is now considered to be acceptable. The reserved matters are also acceptable in terms of fluvial flooding and foul drainage. No objection.

POS Officer

The POS accords with the spatial requirements as secured at outline stage and stated in the associated s106 agreement. The balancing pond now has sufficient detail submitted including sections and details of gabion walls and fencing. The allotments are of sufficient plot sizes and the proposed well to be used for irrigation is acceptable. No objection

Sustainable Transport

Issues concerning tracking of large service vehicles which had previously created pinch points at both sides of the boulevard have been resolved. Parking is acceptable in accordance with the adopted SPD. Traffic calming is provided within the site and segregated footway within the primary route to create safe route to school. No objection.

Landscape Officer

The landscape scheme has been amended to maximise the number of trees on site including trees within gardens and feature trees on main streets, within the areas of POS and at the entrance to the site. The swale has been provided to maximise views to and from Elbury Hill. Tree protection has been provided and supported by an acceptable method statement. No landscape objection, subject to conditions concerning landscape implementation and replacement planting for the first 5 years.

Other Representations

4.3 Local Residents

10 objections received from the occupiers of Charfield; 1 New Street; 6a; 13 Horsford Road; 12 Kings Meadow; Kings Meadow address (house number not given); The Jays; Charfield Service Station; Wooton Road, 143 Woodlands Road raising the following concerns:

- The village does not have the community, public transport, highway infrastructure to support this development and population increase
- Additional traffic through the village will be generated
- The new development would be out of scale with the existing village
- Having one access point into the site would be detrimental to highway safety.
- The site is too detached from the village, visually, in terms of community integration and pedestrian safety e.g. school children.
- A roundabout at the entrance of the site would create a safer access.
- The proposed ped crossing should be located closer to New Street and would require pedestrians to cross a busy fuel station forecourt.
- Children's play area and allotments would be located in an area known to flood and both should therefore be moved.
- The only access road into the site would be located in a flood sensitive area.
- Wheel washing should be located at the egress of the construction site.
- The layout shows insufficient parking, particularly for the affordable units, which could result in on street parking, hazardous to highway safety. 21 visitor spaces is insufficient and cars will end up being parked over areas of open space.
- There is no clear boundary between the new dwellings/parking area and wildlife corridor adjacent to the rear of existing dwellings on Horsford Road, to protect the ecological corridor.

- It is unclear who will be responsible for maintenance of the communal areas including the park, the wildlife corridor and the other communal land on the border of the development.
- The proposed dwellings close to the south west boundary should be moved away from the boundary as the gable ends facing the existing dwellings on Horsford Road are inconsiderate, and no windows should be allowed in the south west facing gable ends.
- Boundary positions should be defined as soon as possible so agreement can be reached prior to construction.
- The Arboricultural Assessment shows different vegetation and treeline on the boundary with dwellings at Kings Meadow (in particular no.12) to reality. You can normally see through/under the canopy.
- As such the proposal would result in overlooking to existing Kings Meadow dwellings exacerbated by ground level rising to the new site.
- A row of 3m high trees on the boundary with the site and Kings Meadow will be required and 6ft fencing surrounding new dwellings to protect residents' amenity.
- Public and private views to Elbury Hill will be obscured/diminished.
- The new development would be harmful to the existing character and appearance of the area.
- Concern that youths will congregate in areas of open space.
- Loss of residential amenity during construction through noise, dust etc.
- Condition 7 of PT13/4182/O requires an assessment for the potential for SuDS. This is not included in the applicant's drainage strategy submission for discharge of condition 7. Additionally a plan showing the future management and maintenance of the SuDS is required, and is essential for the future efficiency of the SuDS, this has not been submitted. A point of contact for problems and mechanism to ensure the responsible body carry out its obligations is required.
- Local Charfield residents should be given priority with the new housing

Further comments received in relation to amended plans from 3 Elbury View:

- Concern in relation to new hedge planting on boundaries where wall/fences are proposed and future maintenance.

1 comment was received neither objecting to nor supporting the Planning Application from the occupiers of 15 Horsford Road raising the following points:

- The design of the schemes in the interest of wildlife should preclude access by people and dogs
- The details of boundary treatment should be the subject of liaison with existing residents at the very outset
- The landscaping /ecology works should be undertaken in conjunction with the initial development phase

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

The principle of development has been established through the granting of the outline planning permission PT13/4182/O on appeal on 08.06.2015. The outline permission granted consent for “Erection of 106 no. dwellings, access, parking, public open space with play facilities and landscaping (outline) with access to be determined. All other matters reserved”.

This submission relates to all Reserved Matters for the development site comprising appearance, landscaping, layout and scale.

The layout accords generally with the ‘master plan’ (Framework Development Plan and Green Infrastructure Plan) and principles laid out within the Design and Access Statement all of which were approved as part of the original outline application.

Concerns have been raised from local residents and Parish Council related to the capacity of the local schools, community facilities, the capacity of the local roads and traffic increasing on local roads, also permeability within the site. These matters were considered as part of the outline application which has been approved. These matters cannot be reconsidered at reserved matters stage.

5.2 Urban Design and Visual Amenity

The outline approval includes condition 5 which reads,

‘The Reserved Matters submitted pursuant to Condition 1 shall generally accord with the principles for the site as shown on Development Framework Plan Reference 5519-L-03 Rev I and Green Infrastructure Plan Reference 5519-L-06 Rev C, and shall be limited to no more than 106 dwellings.’

The reserved matters generally accord with the framework and Green Infrastructure plans referenced above and the approved Design and Access Statement (DAS) in terms of green infrastructure, urban design principles, layout, character, access and movement. The road structure and number of units are also consistent with the DAS and framework and GI plans.

The access from Wooton Road is approved in detail through the outline consent.

The development of 106 no. units provides a density of around 20dph compliant with the upper limit set out at outline stage.

5.21 **Layout and Street Hierarchy:**

The layout follows the approved master plans and DAS with a circular primary road layout with lanes projecting off into less formal shared cul de sacs. A central swale feature is proposed through the site running from west to east. This will be the site’s most predominant landscape feature and will aid in

retaining views across the site to Elbury Hill in the east. Areas of public open space are provided at the fringes of the site and mainly to the east as approved at outline stage. There is good connectivity between the residential development and areas of POS with a play area forming a focal point to the main POS. The layout and street hierarchy follow a logical approach in accordance with the outline approval. This is considered to be acceptable.

Rear access is provided to all dwellings to enable the secure storage of bins and cycles and dedicated bicycle and bin stores are provided for the apartments set back from the road edge.

5.22 Character and detailed design:

The reserved matters are considered to accord with the principles approved at outline stage in terms of detailed design. The outline parameters provided three character areas:

- The Main Street character area includes vehicular access and primary circulation routes through the centre of the site, include focal and villa design typical of Charfield with some simpler stone and render cottages.
- The Green Frontage character area consists of the dwellings on the outer edge of the site fronting onto public open space. The Green Frontage includes larger detached dwellings, in brick and render, set on informal lanes.
- The Boulevard runs west to east through the centre of the site and consists of detached villas and smaller terrace cottages fronting onto the central landscaped swale. The dwellings on The Boulevard are designed using modern fenestration detailing.

The reserved matters have been amended following negotiation with Officers. The contrast between the main street and green frontage character areas has been improved through changes to fenestration and housetypes. Landmark buildings are now more clearly defined and the detailed fenestration design shows a greater reference to the local distinctiveness of Charfield. Buildings are a maximum of 2 storeys to reflect the scale of surrounding buildings in Charfield. Parking is generally provided to the side or rear of the housing with a small amount of on-street parking proposed.

The historic building stock includes the existence of 'cottage' forms as characterised by simple rectangular plan forms, stone or render finish, brick chimneys, flush eaves and verges, windows of a vertical emphasis with small cills and simple brick arches etc. In addition, throughout Charfield are instances of 'grander' wide fronted (Victorian villas) houses characterised by symmetrical elevations of bay windows and more decorative eave, barge board and porch detailing. These dwellings tend to be in an orange/red brick of a 'flat' finish. The post-war council housing along the high street has a certain quality defined by its more generous proportions, set back building line, repetitive forms and plot widths, front facing gables, simple pitched and flat door canopies, simple detailing & substantive chimneys etc. The amended reserved matters have sought to replicate these architectural styles without resulting in pastiche. The traditional building styles are instead balanced against more distinctive modern and clinical dwellings creating a good balance of styles which adds interest and

vibrancy to the streets. The proposed dwellings range from modest one-bedroom apartments to large five-bedroom detached units, to provide a good mix of dwelling types. The building styles are traditional in terms of plan form. The proposed materials include stone or render cottages and larger detached brick villas. These design features accord with the principles approved at outline application stage and this approach is considered to be acceptable. A condition is recommended to ensure samples of all external facing materials are approved prior to construction of any dwellings.

5.23 Energy efficiency and sustainability:

At outline stage the applicant committed to build to the 2013 building regulations and be compliant with Code for Sustainable Homes (CFSH) Level 4. CFSH level 4 is encouraged by Core Strategy CS1. A condition would have secured this to ensure this was followed through in the reserved matters. The Inspector did not attach a condition to secure these details at RM stage. However, the CFSH was abolished by the Government in 2015. As such this matter cannot be pursued further.

5.24 Residential Amenity:

The layout plan has been amended following discussions with Officers to ensure that any facing windows for principle rooms at first floor or above are a minimum of 21m facing distance. This is a standard acceptable distance to ensure protection of the amenity of the existing and future occupiers and in the interest of good design practice. The layout generally achieves this standard. There are a few exceptions to this, however, in these cases although the distance between facing windows is less than 21m, the dwellings are not directly facing and the angle of the facing windows would result in obscured viewpoints.

Outside the site, in terms of the amenity impact on adjacent dwellings, no's 3 and 4 Elbury View have rear elevations facing into the site. The only proposed dwelling within 21m of no's 3 and 4 would be plot 54 which would be positioned with the side elevation only facing towards no's 3 and 4. No first floor windows are proposed in this side elevation. The side elevation of plot 54 would be situated approximately 13m from the rear elevation of no.3 and the single storey garage for plot 54 would be 11.5m. The occupiers of no.4 would be situated yet further from plot 54 and a minimum of 27m from plot 53 and its garage. This is considered to be sufficient distance to ensure no significant overshadowing, overbearing impact or any loss of sunlight to the occupiers of nos.3 and 4 Elbury View.

To the north, no.18 Kings Meadow would be situated 8m from the boundary to the site and a further 15m from the nearest proposed dwelling (plot 50). This is considered to be sufficient distance to ensure no significant loss of privacy or overshadowing, overbearing impact or any loss of sunlight to the occupiers of no.18. All other proposed dwellings would be situated a minimum distance of 21m from the boundary to the north. Concern has been raised by occupiers of dwellings at Kings Meadow to the north of the site that boundary screening by trees on this northern boundary is sparser than suggested in the application

providing photographs which affirm this concern. However, the separation distance between the proposed dwellings and dwellings at Kings Meadow is considered to be sufficient (significantly in excess of 21m) to ensure no significant loss of privacy or overshadowing, overbearing impact or any loss of sunlight to the occupiers without consideration of any boundary tree screening. On this basis, a more detailed assessment of the boundary screening on the north boundary is not necessary to demonstrate the residential amenity impact.

At the site access no.90 Wooton Road would be situated 42m from the access separated by two proposed dwellings (plots 105 and 106). This distance is sufficient to ensure no significant impact from use of the access on the amenity of the occupiers of no.90 (in terms of noise, light pollution from vehicles entering and exiting the site). Additionally, the access is in use currently as a depot and as such larger HGVs access the site. Plot 105 would be situated 12m from the rear elevation of 90 Wooton Road. However, when compared to the existing office/commercial building which occupies the site 5.5m from the side elevation of no.90 which is significantly larger and closer to no.90, the impact on no.90 of the new dwellings would be a significant improvement to the existing situation.

Officers have considered the increase in finished floor levels (see 5.72) in respect of all of the above and confirmed that this would not impact on residential amenity.

All of the proposed houses are now considered to have reasonably sized gardens, commensurate to the dwelling types to which the gardens relate. The majority of apartments would benefit from outside amenity space and all dwellings are situated in walking distance to public open space.

5.3 Street Lighting

The Inspector attached the following condition to the outline consent,

Prior to the installation of any external lighting, except for the dwellings hereby permitted, the precise details of any proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall take into account any ecological mitigation measures as identified in the ecological surveys. The external lighting shall be installed in accordance with the approved details.

As such street lighting design will be dealt with post decision through condition discharge.

5.4 Landscaping and Trees

Landscape detail was a matter reserved for future consideration at outline stage.

5.41 **Accordance with the outline Consent:**

The principle developing the site for residential development and associated visual and landscape impact has been established through the outline approval. Additionally, the outline approval includes condition 5 which reads,

'The Reserved Matters submitted pursuant to Condition 1 shall generally accord with the principles for the site as shown on Development Framework Plan Reference 5519-L-03 Rev I and Green Infrastructure Plan Reference 5519-L-06 Rev C, and shall be limited to no more than 106 dwellings.'

Further, the approved DAS proposes the following key landscape features:

- Creation of a strong green frontage to Wotton Road, new tree planting, footpaths, estate railing and grassland.
- A green filtered edge to the site to screen views from the wider countryside to the east and south
- Creation of an equipped play area (LEAP) for the proposed housing to the edge of the site
- The creation of a linear open space runs along the east and south

The reserved matters generally accord with the Green Infrastructure and framework plans referenced above in terms of green infrastructure, planting principles and green linkages, footpaths etc. The reserved matters also provide the key landscape features required in the approved DAS.

The Landscape and Visual Impact assessment (LVIA) carried out at outline stage also identified these key points:

- A strong green buffer is required to the existing dwellings to the north
- Clear views are possible of the site from a local highpoint at Elbury Hill to the east of the site.
- Buffer planting along the southern boundary will help to create a filtered edge to the development reducing the impact on this footpath and the wider countryside.

The reserved matters provide a green buffer to the dwellings to the north which assists in protecting their residential amenity. The proposed swale through the centre of the site has a multipurpose. In addition to providing sustainable drainage for surface water and maintaining the existing easement, the swale maintains open views through the site to Elbury Hill to the east. Buffer planting has also been provided to the south to provide a strengthened visual screening to the footpath beyond to the south. The reserved matters therefore meets the key points identified in the LVIA approved at outline stage.

5.42 Layout and planting:

Climbers have been included on boundary walls to the parking forecourts to add interest and lift what otherwise can usually be an oppressive space. A number of additional trees have been added to rear private gardens to add interest and to provide green backdrops to wider views of the site. Feature trees are proposed within the areas of POS, along the main primary circular route within the site and along the swale feature. Feature trees are also proposed at the entrance to the site as identified in the approved LVIA at

outline stage. The landscape scheme is considered to be acceptable providing a good range of planting within the site to enhance existing landscape features and provide a soft green character to the development. Conditions are recommended to ensure that the landscape scheme is implemented in the first planting season following occupation and that any planting which dies or is removed in the first 5 years is replaced. Subject to these conditions, the layout is considered to be acceptable in landscape terms.

Concern has been raised by local residents about the future maintenance of the landscape strip along the west boundary of the site. Access will be available for maintenance purposes through a secure gate adjacent to plot 54 for maintenance purposes.

5.43 Public Open Space:

At outline stage the Case Officer secured the following on site public open space (POS):

508.8m² of allotments
2925m² of informal recreational
3816m² of natural and semi natural
636 of play area

This POS must be provided by the occupation of 75% of the residential development as secured in the s106 agreement (25% of the development for the allotments). These are to be managed thereafter by a management company.

An off-site financial contribution was secured for sports POS.

The reserved matters accord with the above POS spatial requirements as secured in the s106 agreement.

The proposed swale feature which is the defining feature of the central boulevard within the site is excluded from the public open space provision along with the balancing pond provided for surface water attenuation. Both of these features serve as drainage and as such the exclusion from POS calculations is welcomed. The balancing pond will include gabion wall on the west side. This is to provide sufficient capacity given the confined space. The wall will include post and rail fence for security. The design of the balancing pond is considered to be acceptable and on other sides the gradient of the banks are considered to be sufficient ensure maintenance is possible.

Eleven 5m x 10m allotment plots are proposed in the north east corner of the site, separated by a 2m wide gravel path. The allotments are considered to have acceptable plot sizes. The allotments are located within the flood plain but are unlikely to flood other than in an extreme storm event, which is acceptable. A well is proposed to provide water to the site. This is acceptable and meets environmental health requirements for water cleanliness. Parking is also provided at the allotments which opens up their possible usage to the wider community supporting their future sustainability.

5.44 **Trees:**

The site is protected by two group tree preservation orders (TPO) which run along the east and south boundaries. The eastern TPO area comprises a woodland (W1) and the southern TPO comprises a woodland (ref: W2). As the trees within these areas are protected it is important that the development does not result in any direct impact through development within the root protection zones (RPZ) for the protected trees.

The applicant has submitted an arboricultural method statement with a plan that shows the location of the retained trees and their Root Protection Areas. As it is the intention of the applicant to retain the trees they will need to be protected for the duration of the development in accordance with BS:5837:2012. The development was found to project into the RPZ specifically the proposed road between plots 82 and 102. A fresh tree survey was then carried out for trees within woodland W2 individually rather than the group assessment carried out for the TPO designation. It was then possible to reduce the RPZ such that the road has only a minor overlap into the RPZ. The arboricultural method statement was updated to ensure that any below ground work within the RPZ would be dug by hand and any roots found would be protected. The RPZ in the location of the road relates to a number of Crack Willow which are a hardy species that can adequately withstand small incursions into its RPZ. The method statement also states that the Protect Arboriculturalist on site will be present at the time of road construction to oversee pruning of any substantial roots if they are found. A section of the pedestrian path through the POS area in the south east corner falls within the RPZ but the method statement indicates this to be a no dig construction and this is acceptable. Considering all of these matters, the small projection of development into the RPZ of W2 is considered to be acceptable and would result in no significant impact on the woodland.

The arboricultural method statement also includes a tree protection plan including protective fencing during construction in accordance with the national standard (BS:5837:2012). No trees of any significant amenity value would be lost and all trees which have been considered by Officers to have an amenity value would be retained and no other encroachment is proposed into any RPZ for retained trees. As such the proposal is considered to be acceptable in terms of direct tree impact and coupled with proposed tree planting referred to in par.5.42 above the development would not result in a detrimental impact on any trees and landscape features which contribute to the character and appearance of the locality. A condition is recommended to ensure the tree protection is implemented prior to commencement of any development on site.

5.5 Transportation

5.51 **Access:**

The means of access to the site from Wotton Road is situated in the same location as the original depot access. The new access was approved in detail as part of the outline consent. A new pedestrian crossing will be provided on Wotton Road. This was secured by condition attached to the outline consent and shall be provided prior to occupation of any dwelling. Details have been

submitted for discharge of this condition through a separate conditions application and are under consideration.

5.52 Parking and layout:

The planning layout proposes 286 vehicle spaces within the site including 21 visitor spaces. This accords with the Council's adopted residential parking standards SPD. Cycle and motorcycle parking spaces are also proposed on site. The Council's adopted residential parking standards allow garages to be classed as parking spaces if they have minimum dimensions of 6m x 3m for a single garage or 6m x 5.6m for a double. All proposed garages accord with these minimum dimensions meaning the garages can be included in the above parking provision.

Cycle parking for the houses can be accommodated within the garages or sheds within the rear garden. All rear gardens are accessible externally. Cycle parking provision for the flats is provided within dedicated secure and covered cycle stores within the associated parking courts.

Traffic calming measures are included in all streets providing narrowing at various points in roads and changes to surface materials to naturally slow traffic.

The central primary road through the development connects to the road infrastructure providing a circular route and ensuring that refuse and delivery vehicles can leave the site in a forward gear. Turning heads are provided at the necessary points within the site providing adequate provision for the turning of refuse and delivery, such as between plots 10 and 12. The primary route to be used by service vehicles has been auto tracked accounting for larger refuse vehicles up to 11.3m length. The submitted tracking is accepted and meets the Council's standard in this respect. The layout of the site in terms of highway hierarchy, highway arrangement and dimensions are all in full accordance with the Council's adopted standards and the Highway Authority raises no objections to the proposed layout.

The Council's transportation Officer has raised no objection to the reserved matters following revision to the swept path auto track drawings for 11.3m service vehicles. However, in order to ensure that landscape features do not obstruct these vehicle tracks.

5.53 Safe routes to school:

The primary circulation road through the site has a segregated footway on both sides. This joins to the Wotton Road which already benefits from segregated footway on the south side which runs to the local school (Charfield Primary School) to the west of the site. The principle of this route was approved at outline stage. The local bus service runs along the Wotton on Road and a safe route is proposed including the proposed pedestrian crossing on Wooton Road to ensure a safe route for children using the local bus service to and from schools in Kingswood and Wooton Under Edge.

5.6 Affordable Housing

Provision of Affordable Housing on this site must be considered against the requirements set out in the Unilateral Undertaking (UU) signed on 16 January 2015 (PT13/4182/O). The Planning Statement, Affordable Housing Statement and Affordable Housing plan number 13209/5503 for the land at South of Wotton Road, Charfield have been considered against the UU.

Housing Mix and Tenure:

The UU states that the affordable housing scheme proposed for the site should be provided in a mix as set out in Schedule 3. The proposed scheme of total 106 units means 35% (37) affordable homes. A mix has been agreed as per the table below. This mix includes a deviation from the UU whereby 1 x 2 bed house for shared ownership is substituted for 1 x 3 bed house.

Type/ Bedrooms	Total 35%	Social rented	Affordable rented	Shared Ownership	Total	Unit size m2 (min GIA)	Units size convert- ed to sqft (min GIA)
1bed2person flat		10	0	0	10	47	506
2bed4person flat		2	0	0	2	69	743
2bed4person house		12	0	2	15	77	829
3bed5person house		0	4	4	7	90	969
4bed6person house		3	0	0	3	103	1109
	37	27	4	6	37		

All the house type sizes proposed for the affordable housing meet the minimum size requirements.

Clustering, Design and Unit Layout:

The UU limits clusters of affordable homes to no more than 12 houses or 6 flats. However, we accept the clustering proposed, which includes one deviation from the UU whereby one cluster is 1 home over the cluster limit.

The applicant has confirmed the design and specification of the affordable homes. All the house types proposed for the affordable housing meet the minimum size requirements.

Allocated parking spaces have now been identified for the affordable homes and are acceptable.

Delivery:

The applicant has provided sufficient information to demonstrate that the delivery will fulfil the relevant sections of the UU (para 1.1.3 i) to vi)).

5.7 Drainage

5.71 **Fluvial flooding:**

The Little Avon River, designated Main River, is situated adjacent to the eastern boundary of the site and flows northwards before discharging into the River Severn. A tributary of the Little Avon River flows eastwards along the southern boundary of the site before converging with the Little Avon River in the south eastern corner of the site. There is a flow restrictor present on the southern tributary upstream of the southwest corner of the site. As a result of the location of these watercourses, the western edge and south west corner of the site is located within Flood Zones 2 (between 75 and 200 year flood event) and 3 (between 200 and 1000 year flood event). This area is also susceptible to surface water flooding according to the EA's flood map records.

The outline application excluded any development from the fluvial flood sensitive areas, including only POS within this area. This layout was approved at the appeal. The reserved matters accord with these principles and no residential development is proposed within the flood zone areas. Although Public Open Space, allotments and some pedestrian paths are located within the flood zones, the principle of this layout arrangement has been established through the outline approval. The children's play area would be located outside flood zones 2 and 3 and as such is not susceptible to flooding. The proposed layout accords with the principles laid out in the outline approval and as such the reserved matters are considered to be acceptable in terms of fluvial flood risk.

5.72 **Surface water flooding:**

The Environment Agency (EA) raised no objection to the original outline application subject to conditions and the Inspector allowed the subsequent appeal subject to a condition (7) requiring a scheme for surface water drainage works to be submitted and implemented as approved with an assessment of whether a sustainable drainage system (SuDS) can be achieved and then a list of specific technical requirements of a SuDS can be achieved.

The outline application included a Flood Risk Assessment (FRA) which made recommendations for flood mitigation measures within the site. These included building up all finish floor levels to 29.6m AOD (also recommended by the EA), which would take floor levels above a 1000 year flood event. Underground storage for surface water for a rainfall flood event should be included to manage the rate of surface water discharge into the water course for up to 1 in 30 year flood event. For storm events an additional balancing pond is recommended for storage of surface water within the site. A central swale feature which runs through the site east to west provides a further multi-level means of taking surface water drainage from the immediate surroundings (driveways, paths and highway) and conveying it to the below ground storage medium (stone surround to perforated pipe) which will also receive direct connections below ground, and offering more surface water storage before discharging to the pond. The swale will also serve to clean the surface water before discharge.

The reserved matters provide the detailed design for the mitigation measures outlined in the applicant's original FRA. Dwellings are built with the required finish floor level, underground storage for surface water and external balancing pond for storm events have been incorporated into the scheme. The clay geology of the site restricts the ability to provide an entirely natural drainage system, as currently the site drains at a shallow level into the watercourse. The drainage system will be sustainable accounting for this site constraint with surface water management through underground storage and attenuation balancing pond managing surface water disposal. Areas of hard surfacing will be permeable and drain into the new storage system. The system and rate of discharge have been agreed with the Council's Drainage Engineer. The proposal is therefore considered to be acceptable in terms of flood and surface water management.

5.73 Foul Drainage:

The detailed layout includes provision of a swale feature running east to west through the middle of the site to maintain the existing sewer easements. The proposed foul drainage system would accord with the outline system approved under the outline approval. The foul system is considered to be acceptable and would have a capacity clearly in excess of the requirement for this development of 106 units. The system would be adopted by Wessex Water.

5.8 Ecology

A report entitled Protected Species Ecological Method Statement was submitted with this reserved matters dated 1st April 2016.

The site is not covered by any statutory or non-statutory nature conservation designations and therefore there are no ecological constraints to granting planning permission subject to compliance with condition 9 attached to the outline planning permission reference PT13/4182/O.

The Slow Worm corridor on the GI Plan approved at outline stage has been carried forward into the detailed design.

5.9 Archaeology and Heritage

The archaeological evaluation work has revealed very limited evidence for archaeology on site and as such the proposal is considered to be acceptable in archaeological terms, subject to compliance with condition 15 attached to the outline planning permission reference PT13/4182/O.

There are no designated heritage assets in close proximity to the site. As such the proposal would have no significant impact in this respect.

5.10 Environmental Impacts

5.101 Air quality:

The Environmental Protection Officer requested that Air Quality a construction dust management plan should be in place as recommended in the original outline application, in order to minimise the impact of construction dust. The Inspector determined in condition 12 of their decision that a construction method statement be submitted prior to commencement of development to

include amongst other matters, measures to control the emission of dust and dirt during construction. As such the matter of dust is controlled by condition and no further controls are required at reserved matters stage. Subject to compliance with condition 12 the development is considered to be acceptable in terms of air quality.

5.102 Noise:

The principle of 106 dwellings and the noise associated with their construction and future occupation is established through the original outline consent. The reserved matters raise no significant additional matters related to noise.

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 reserved matters 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 Reserved matters are APPROVED in accordance with conditions 1 and 2 attached to outline approval PT13/4182/O.

Contact Officer: Sean Herbert
Tel. No. 01454 863056

CONDITIONS

1. All hard and soft landscaping shall be carried out in full in accordance with the details hereby approved.

Reason:

In the interests of the visual amenity of the scheme and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted 2013.

2. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason:

In the interests of the visual amenity of the scheme and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted 2013.

3. Prior to the commencement of development samples of the roofing and external facing materials proposed to be used on all external surfaces 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; and the National Planning Policy Framework.

4. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the dwelling to which the parking relates 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 retained Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policies CS1, CS8 and CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted Dec 2013).

5. No development shall commence including any ground clearance until the protective fencing as detailed in the approved arboricultural method statement (shown on Drawing 5519-A-07 B) has been erected in full and the erected fencing approved in writing by the Local Planning Authority. The protective fencing shall remain in place and fully intact until all dwellings are complete and occupiable or other timescale to be first agreed in writing with the Local Planning Authority. The approved arboricultural method statement shall be adhered to at all times including the no dig construction for the section of pedestrian path.

Reason:

To protect trees and landscape features within the site to protect the character and appearance of the area in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (adopted Dec 2013).

This pre commencement condition is required in order to ensure protection of the trees throughout the development process.

CIRCULATED SCHEDULE NO. 30/16 – 29 JULY 2016

App No.:	PT16/2103/F	Applicant:	Mrs J Grose
Site:	Land Adjacent To Crossland Cottage Severn Road Northwick Pilning Bristol South Gloucestershire	Date Reg:	4th May 2016
Proposal:	Erection of an agricultural building for the storage of hay, straw, fodder and agricultural machinery.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	355666 186922	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	24th June 2016



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100023410, 2008. N.T.S. PT16/2103/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's circulated schedule procedure as comments received have been contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The proposal seeks planning permission for the erection of an agricultural building for the storage of hay, straw, fodder and agricultural machinery.
- 1.2 The application site is located on land to the north west of Crossland Cottage, the site is accessed through Warth Lane which gains accessed from the A403 (Severn Road). The proposed barn would be located to the north west of an existing section of hardstanding and to the south of a hedgerow on a strip of grassland.
- 1.3 The proposed barn would be a fairly typical modern barn being composed of a part steel profile with timber boarding; the roof would be composed of fibre cement and would be grey in appearance; the base would be concrete panel walls and the south western elevation would be open. The dual pitched roof barn would have a length of approximately 18.3 metres; a breadth of approximately 9.1 metres and a maximum height of approximately 5 metres (3.7 metres from ground level to eaves).
- 1.4 The building proposed is required in order to replace an existing temporary shipping container currently located on land that is not suitable for purpose.
- 1.5 The application site itself is not covered by any statutory or non-statutory nature conservation designations. However, the field of which it forms a part lies close to the foreshore of the Severn Estuary which is notified as a Site of Special Scientific Interest (SSSI) and protected under the Wildlife & Countryside Act 1981 (as amended) and designated as a Special Protection Area (SPA) under EC Directive 79/409 on the Conservation of Wild Birds ('the Birds Directive') and Ramsar site under the Ramsar Convention on the Conservation of Wetlands of Importance.
- 1.6 The Estuary is also a Special Area of Conservation (SAC) under European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora ('the Habitats Directive 1992'), implemented in Britain by the Conservation (Natural Habitats & c) Regulations 2010 ('the Habitat Regulations'), otherwise known as European or Natura 2000 (N2K) Sites.
- 1.7 The application site is also within the designated Coastal Zone, further to this, a public right of way runs along Warth Lane which, as already stated, is an established vehicular access.
- 1.8 Early in 2016 the application notified the Council of the intention to erect an agricultural building at the site for the storage of fodder and machinery. The application was refused, details of this will be included within the 'Relevant Planning History' section (PT15/5382/PNA). This application is largely similar to

the previously refused scheme, although the position of the barn has moved to the south east within the site.

2. POLICY CONTEXT

2.1 National Guidance

NPPF National Planning Policy Framework March 2012

PPG National Planning Policy Guidance 2014

TG Technical Guidance to the National Planning Policy Framework

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS3 Renewable and Low Carbon Energy Generation

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation

E9 Agricultural Development

LC12 Recreational Routes

L1 Landscape Protection and Enhancement

L7 SSSI's

L9 Species Protection

EP2 Flood Risk Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) August 2007

Development in the Green Belt SPD (Adopted) June 2007

South Gloucestershire Local Flood Risk Standing Advice (January 2014)
(known hereafter as LFRSA).

3. RELEVANT PLANNING HISTORY

- 3.1 PT15/5382/PNA Prior Approval Refused 11/01/2016
Prior notification of the intention to erect an agricultural building for the storage of fodder and machinery.
Refusal Reasons:

- 1. Previous ecological surveys have recorded a number of medium-sized (breeding) great crested newts in the vicinity of the development (southern boundary of the field). Insufficient information has been submitted to demonstrate that the siting of the development would not adversely impact upon the population of great crested newt. Accordingly, the Local Planning Authority refuse to grant prior approval for this application.*

1. The application is for an agricultural building is not reasonably necessary for less than 5 hectares of Agricultural land.
2. The agricultural building is in the same location as the barn refused as part of the application of PT13/0250/F and PT15/5383/PNA

In the event that the Council is minded to approve this application, we strongly urge the Council to impose a condition limiting the use of the building to agriculture and no other uses and, if the use of the building for the purposes of agriculture ceases within 10 years from the date the building was substantially completed (or however long the Council feels appropriate), then the building must be removed and the land restored to its current condition.

Sustainable Transport

No objection.

Highway Structures

No comment.

Lower Severn Internal Drainage Board (LSIDB)

No objection. The Lower Severn Internal Drainage Board would expect to see details of the drainage scheme at the time the full application is made. Officers prompted the LSIDB to respond to the drainage scheme submitted by the applicant, however, no response was received.

Lead Local Flood Authority (LLFA)

No objection. The LLFA state the application site is within Flood Zone 3b. The LLFA also confirmed that subject to the submitted flood risk assessments and conformance with the submitted drawings, the development proposed will be safe for its users without increasing flood risks elsewhere.

Environment Agency (South West)

This consultation did not fall within a category to which the Environment Agency are required to be consulted. The Environment Agency refers you to the Local Flood Risk Standing Advice should be applied by yourselves. For clarity officers find it reasonable to outline the standing advice contained within the South Gloucestershire Local Flood Risk Standing Advice for agricultural development within Flood Zone 3:

The Local Planning Authority should satisfy themselves with regard to the comments below:

- Ensure that the level information has been provided and the standards set out have been met.
- Look for assurance from the applicant that resilience have been addressed in accordance with the requirements opposite [provided mitigation measures]. Seek assurance if not already provided. Cross check the planning application with the Local Plan. Consultation with the local authority Building Control is recommended.

See Sheet AGR1 within the LFRSA for further details.

Ecology Officer

No objection subject to conditions.

Planning Enforcement

None received.

Natural England

No objection.

Other Representations

4.2 Local Residents

A number of comments of objection to the proposal have been submitted from five separate people. These comments have been summarised below:

Ecological Concerns

- The barn should be repositioned and the scale reduced.

Future and Existing Use

- A condition should be imposed that requires the development to only be utilised for agriculture;
- Existing site is not an existing agricultural business;
- Existing container is sufficient;
- Applicants have an existing storage container on site that stores hay;
- The existing gates should be removed and replaced with hedgerow;
- The barn will be utilised for an equestrian use in the future.

Land Use Concerns

- Development is in the Green Belt, case law suggests that the impact of the barn on the openness of the Green Belt and the purposes of including land in Green Belt must be considered;
- The proposal would have a much more detrimental impact on the Green Belt than existing temporary structures – case law reiterates this;
- Development is outside of a settlement boundary and within a Coastal Zone;
- Further incremental deterioration of the forgotten landscape;
- The address of the site is wrong;

Highways Concerns

- No parking proposed;

Drainage and Flood Risk

- The drainage proposed is inadequate;
- The field floods;
- Result in the removal of floodplain;
- Problems regarding flood warning and flood evacuation;
- Submitted flood risk assessment is not acceptable.

Animal Welfare Concerns

- The suggested concerns by the applicants regarding the need for the barn in relation to animal welfare are unfounded.

Sequential and Exception Test

- The existing hay storage facility is adequate for their agricultural need.

5. ANALYSIS OF PROPOSAL

- 5.1 This planning application seeks planning permission for the erection of an agricultural barn in an ecological sensitive area within the Green Belt and the designated Coastal Zone, as well as Flood Zone 3b.
- 5.2 Principle of Development
The NPPF permits agricultural buildings within the Green Belt as they are considered to be appropriate development within the Green Belt (Paragraph 89).
- 5.3 Saved policy E9 of the adopted Local Plan permits proposals for the erection of agricultural buildings in principle subject to criteria relating to the availability of alternative buildings, access and manoeuvring, environmental effects, and residential amenity. Saved policy L1 of the adopted Local Plan and policies CS1 and CS9 of the adopted Core Strategy seek to protect the character and distinctiveness of the landscape and secure high quality design. Policy CS9 also states that development should be located away from areas of flood risk, and also that proposals should avoid the undeveloped coastal area.
- 5.4 The proposal is also within an area of flood risk, the NPPF encourages that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. In-keeping with this approach is Policy CS5 'Location of Development' which requires a sequential approach in directing development to areas at the lowest probability of flooding. Policy CS1 'High Quality Design' of the adopted Core Strategy also encourages development to take account of South Gloucestershire Strategic Flood Risk Assessments.
- 5.5 Green Belt
The development proposed will have an impact on the openness of the Green Belt, openness is the absence of built form, and with this in mind, it is inevitable that a barn would reduce openness. However, this is not to say the development is inappropriate, far from it paragraph 89 of the NPPF sets out exceptions where development in the Green Belt is appropriate, and agricultural development is considered to be one of those exceptions. This support is without the caveat attached to a number of the exception categories which include the phrase 'as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it'. With this in mind, officers can see that the Government has accepted that agricultural development will impact on the openness of the Green Belt.
- 5.6 The development proposed is appropriate to the Green Belt. Whilst it will have a minor impact on the openness of the Green Belt, officers consider this to be acceptable in the context of paragraph 89 which finds agricultural development to be appropriate in the Green Belt.
- 5.7 Flood Risk
- 5.8 *Flood Risk – Inappropriate Development within the Flood Zone*

- 5.9 The application site is within Flood Zone 3b, which is known to be the functional floodplain, indeed the application site is adjacent to the Severn Estuary and forms part of the designated Coastal Zone. The applicant's flood risk assessment disputes this designation, however, officers find no reason to doubt the provided Strategic Flood Risk Assessment (SFRA) which the Local Planning Authority undertakes which determines whether an area is within Flood Zone 3a or Flood Zone 3b. The applicant's drainage specialist states that the Local Planning Authority cannot produce any evidence as to why the area in question is designated as Flood Zone 3b, the specialist went onto state that the LSIDB cannot recall any flooding within the area. The Authority's SFRA is a 'live document', in that it is constantly being updated in accordance with empirical data/modelling. A planning application is not the appropriate place to challenge a designated flood zone, with this in mind, based on the information available to officers, the application site is considered to be within Flood Zone 3b.
- 5.10 The PPG contains guidance with relation to how local planning authorities should assess development in different flood zones. Flood Zone 3b is defined by paragraph 65 of the PPG as comprising land where water has to flow or be stored in times of flood. Paragraph 66 of the PPG sets out that land and buildings used for agriculture and forestry are classified as 'less vulnerable' development, further to this paragraph 67 of the PPG goes onto set out what approach should be taken to certain forms of development in flood zones. The table states that less vulnerable development should not be permitted within Flood Zone 3b, only essential infrastructure and water compatible uses/development should be permitted in this flood zone. With this in mind, based on the table within paragraph 67 of the PPG the proposed barn is considered to be inappropriate development within in Flood Zone 3b which should not be permitted.
- 5.11 However, this national advice contained with paragraph 67 of the PPG is not the only advice provided to the Local Planning Authority, specifically, the Local Planning Authority also has the LFRSA which is issued to the Authority by the Environment Agency. This guidance suggests that the majority of agricultural development is acceptable in Flood Zone 3, both a and b. This acceptance is on the basis that the development accords with Sheet AGR1 within the LFRSA. The Lead Local Authority has assessed the development against this document and have not objected to the proposal. With this in mind, officers find there to be a contradictory approach between Paragraph 67 of the PPG and the LFRSA. Officers therefore find that agricultural development of this kind, which is classified as 'less vulnerable' by the PPG, should be accepted in principle regardless of flood risk, provided the development meets the relevant mitigation requirements and the tests and policy of the NPPF. This after all is the approach championed within the NPPF, the national policy document, rather than the national planning policy guidance document, the PPG.
- 5.12 Officers therefore find it appropriate to perform both the Sequential and Exception Tests contained within the NPPF.

5.13 *Flood Risk – Sequential Test*

5.14 Paragraph 100 of the NPPF states:

‘inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere’.

5.15 Paragraph 100 goes on to champion a:

‘...sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of impacts of climate change by: applying the Sequential Test; and if necessary, applying the Exception Test’.

5.16 With this in mind, the first question to ask of the development proposed is whether it is *necessary*. The proposed barn is suggested to be required by the applicant as to provide cover for the storage of hay, straw, fodder and agricultural machinery, the building would be within an agricultural unit of approximately 6.1 hectares. The previous application at the PT15/5382/PNA provided evidence that the land was in an agricultural use (the grazing of sheep), although a small number of sheep, an agricultural trade/business was demonstrated. This business was extremely modest, however, the relevant permitted development right within the GPDO is clear in that proposed agricultural buildings should not be prejudiced on the basis that the farming activity does not provide the applicant’s livelihood. Officers see no reason to deviate from this approach within this application.

5.17 Case law and appeal decisions relating to Part 6 of Schedule 2 of the GPDO with regard to whether agricultural development is ‘reasonably necessary’ has given clarity on this issue. Officers find such case law and appeal decisions to be helpful in this assessment.

5.18 A case which is noteworthy was at the hands of the Court of Appeal in *Clarke v SOS. & Melton 12/6/92*; this judgement did not rule out the consideration of other suggested and practicably possible alternative farming activities at the unit concerned, given its size and nature, for which buildings could be viably used. An appeal recently after this judgement (Chelmsford 13/10/1992) demonstrated this interpretation well, in this appeal, the Inspector felt that in testing whether buildings are reasonably necessary, it was appropriate to consider what general agricultural purposes the land might reasonably be used for, without seeking some unlikely use not suggested. Accordingly, with this in mind, officers must consider whether the proposed barn is reasonably necessary for purposes of agriculture within the unit. The unit is utilized for sheep farming within in a 6.1 hectare unit, within the previous application when questioned with regard to the use of the land, the agent stated the following:

‘As at the date of application 17 store (whether) lambs are being reared and will be sent direct to slaughter. In addition there are 17 ewes with a ram which are

due to lamb down in March. Some of the flock are pure Zwartables and it is my clients' intention to increase the number of these as they are producing the type of meat required. Additional ewes are off site being serviced by a ram with the intention to bring these back to the holding for lambing down'.

5.19 Accordingly, the proposed barn would have a floor area of approximately 162sq.m, within a 6.1 hectare unit. Officers must consider if the proposed barn is reasonably necessary for the general agricultural purposes the land might reasonably be used for, without seeking some unlikely use not suggested. Officers are aware that the existing sheep farming use is relatively small in scale, however, the size of the proposed barn is not substantially large. Further to this, it is not unlikely that the size of flock of sheep at the site will not grow, indeed, the agent has suggested that the applicant does wish to increase the size of the flock, and the proposed barn would aid in facilitating this. Overall, taking into account the size of the proposed barn; the size of the agriculture unit and the existing and intended future farming activities at the site; the proposed barn is considered to be reasonably necessary for the purposes of agriculture at the unit.

5.20 The NPPF seeks to direct development away from areas at high risk of flooding, this is the aim of the Sequential Test, indeed paragraph 101 of the NPPF states:

'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding...A sequential approach should be used in areas known to be at risk from any form of flooding'. '

5.21 When undertaking a sequential test, officers find it appropriate to consider the whole district, the principal issue being whether there are more reasonably available sites appropriate for the proposed development in areas within a lower probability of flooding.

5.22 Within the district there are swathes of agricultural land which are not within Flood Zone 2 or 3, with this in mind, officers find that there are other available sites that would be appropriate for the proposed development within a lower probability of flooding. However, what officers must also consider is if such sites are reasonably available to the applicant. Put simply is it reasonable to direct this proposed development to areas with a lower level of flood risk considering that the barn proposed is required in association with the applicant's modest smallholding which is situated in Flood Zone 3.

5.23 With this in mind, officer do not find it to be reasonable to require the applicant to relocate the barn elsewhere considering that the development proposed is required in support of the agriculture at the host unit. The development is therefore considered to pass the Sequential Test.

5.24 *Flood Risk – Exception Test*

5.25 Where development passes the Sequential Test, paragraph 102 of the NPPF directs officers to apply the Exception Test where appropriate. Table 3

contained within paragraph 67 of the PPG states that less vulnerable development in Flood Zone 3b should not be permitted, with this in mind, officers will conduct the Exception Test.

- 5.26 Paragraph 35 of the PPG states that *'an applicant will need to show that both elements of the [Exception] Test, as set out in paragraph 102 of the Framework, can be satisfied'*. Paragraph 102 states that for the Exception test to be passed:
- *'it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and*
 - *a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.*
- 5.27 Paragraph 102 finishes by stating that both elements of the test will have to be passed for development to be allocated or permitted.
- 5.28 Firstly, the wider sustainability benefits of the proposal will be assessed first. Paragraph 7 of the NPPF sets out that there are three dimensions to sustainable development: economic, social and environmental.
- 5.29 Should planning permission not be permitted, the applicant's suggest the existing sheep farming enterprise would likely cease as animal welfare conditions would arise due the applicant's inability to store winter feed and bedding. Whilst officers are not in a position to confirm the claim of the applicant with regard to the potential cessation of the agricultural enterprise at the unit should planning permission be refused, officers are confident that should planning permission be refused, the existing agricultural enterprise would suffer, and its expansion would be hindered. Further to this, there are environmental benefits associated with the application site and its surrounding land being grazed.
- 5.30 Paragraph 28 of the NPPF highlights the importance of supporting the economic growth in rural areas, and officers also realise the development would have economic benefits to the area, that although minor, should be considered as a wider community benefits; such as potential employment opportunities and local trade occurring. Further to this, the development would aid in the reduction of losses for the existing agricultural business in terms of hay and straw being spoilt due to existing poor storage circumstances. From an environmental perspective the proposal would not harm the sensitive ecology and biodiversity in the area, this has been confirmed by the Council Ecologist. The management of the land in terms of the biodiversity of the area should also be encouraged, grazing the land could be such an appropriate tool of management. Further to this, larger and more appropriate storage facilities at the site will likely reduce future potential traffic movements which are required to transport feed etc. From a social perspective it is questionable of the degree to which the development proposed will benefit the community, with this in

mind, officers can only conclude that the development will have a neutral impact on the social aspects of the nearby community.

5.31 A strategic flood risk assessment has been submitted that meets the requirements of the LFRSA. With this in mind, officers accept that the development proposed has sufficient mitigation and resilience measures which mean the development is appropriately designed to effectively manage the risk of flooding which the application site is subject to. The development therefore passes the second component of the Exception Test. Further to this, officers must consider the sustainability benefits associated with the development. As assessed above, sustainability is composed of three intertwined roles: social, economic and environmental. Officers consider the proposal to have a positive impact with regard to the wider community, and the economic and environmental repercussions of the development proposed.

5.32 Accordingly, officers find the development to be supported by an adequate flood risk assessment meaning the development passes the flood risk elements of the Exception Test. Further to this, the development has benefits, which although minor in scale, are nonetheless benefits to the wider community, which outweigh the flood risk associated with this proposal. With this in mind, the development is found to pass the Exception Test.

5.33 *Flood Risk – Conclusion*

Agricultural uses and development is common within areas at risk of flooding, the application site is an established agricultural unit. The development is considered to be acceptable, in accordance with Paragraph 102 of the NPPF the development should be permitted. In support of the development passing the Sequential and Exception Tests was the submitted flood risk assessments and also the fact that the development is agricultural. With this in mind officers suggest two conditions should planning permission granted with regard to flood risk:

- That the development is carried out in accordance with the submitted flood risk assessments – please note this also contains appropriate methods of drainage;
- That the development is removed on the active cessation of agriculture at the unit.

5.34 Coastal Area/Zone

The application site is outside of any designated settlement boundary or urban area located within the designated Coastal Zone. Policy CS9 states that new development will be expected to avoid the undeveloped coastal area. Paragraph 8.13 states that development within the Severn Estuary Coastal Zone should be resisted, however, where such development requires a coastal location, development will be directed to the settlement boundaries of within the nearby area. The location of the development proposed is largely fixed to the existing location of the agricultural unit. In this way it would be impractical and unreasonable to direct the development of this barn to a settlement boundary within the wider area. The development is also located just beyond an existing area of hardstanding. With this in mind, the development will stray into

undeveloped grassland, however, the development is not within an undeveloped site.

- 5.35 Policy CS9 aims to protect the coastal area's sensitive features such as landscape and ecological considerations. As the following section will demonstrate, the proposal will not result in material harm to the ecological aspects of the site, further to this, a landscaping scheme will be required through condition should planning permission be granted. Further to this, the proposal has been found to be acceptable in terms of flood risk. With this in mind, the development is found to be acceptable in terms of Policy CS9.

5.36 Ecology

As set out within the introduction to this report, the application site is adjacent to an extremely sensitive location, which is also heavily protected through both national and European legislation. The previous application for prior approval at the site, was refused for a number of reasons, two of which related to ecology. These refusal reasons were largely reflective of the lack of information submitted with this application. This application was supported by more ecological information, and consequently the Council's Ecology Officer now has no objection to the proposal.

- 5.37 The Risk Analysis and Mitigation Strategy dated 8th April 2016 by Just Ecology forming part of the application indicates that the development footprint will result in the loss of 162m² of grazed grassland. This is adjacent to an existing hedgerow, which tends to discourage use by waterbirds due to a lack of clear line of sight; and the direct loss of habitat from the development would be *de minimus* in the context of the landholding and overall coastal floodplain. Indeed, the representation made by Mr Roberts indicates that significant counts of waterbirds – 48-60 curlew peak count (1.31% - 1.64% estuarine population) and 12-16 whimbrel peak count (6.21% - 8.29%) – which tends to suggest that birds are not discouraged from using the coastal fields by the current grazing and activities.

5.38 *Visual Disturbance*

- 5.39 The fields wherein the application site is located is screened from 'the Flash' and wider foreshore by a dense, mature hedgerow and the sea defences of the Severn Way. Given this, as well as the distance between the barn and foreshore, it is considered that the building would not have any visual intrusiveness or impact on waterbirds.

5.40 *Disturbance – Operational Phase*

- 5.41 The main concerns associated with the previous application (PT13/0250/F) related to potential disturbance/displacement of waterbirds from the foreshore through noise, both during the construction and operational phases of development. Noise arising from use of the manege was the primary cause for concern (the precautionary principle applying in assessing the impact of development on European Sites) as it was difficult to predict or assess re

impacts on waterfowl using the adjacent foreshore. However, this element does not now form part of the development and so is no longer an issue. Disturbance to waterfowl during the operational phase – use of the barn – is considered highly unlikely: the building is 250m away from ‘the Flash’/wider foreshore and screened by the high, mature hedgerow forming the north-west field boundary. Most of the operations associated with its use are those associated with agricultural practices and therefore perfectly legal/missible anyway.

5.42 *Disturbance – Construction Phase*

- 5.43 Finally, the Risk Analysis and Mitigation Strategy forming part of the application correctly identifies that there is the potential for waterbirds to be disturbed/displaced from the foreshore by noise and activity associated with construction of the building. However – again – the building is located some 250m from ‘the Flash’ and foreshore of the SPA/Ramsar; and, with a build period of some 3 weeks, as a precautionary measure, a Condition can be utilised to ensure that construction of the building is only permitted between April and September as a precautionary measure to avoid the sensitive over-wintering months. Such a precautionary measure would be included within a condition should planning permission be granted.

5.44 *Cumulative Impact*

- 5.45 As a ‘*plan or project*’, the proposed scheme has to be assessed cumulatively along with other factors. The only other activity causing displacement of waterbirds from the foreshore of the SPA/Ramsar in the locality is the sporadic and unmanaged disturbance through dogs being let off leads and pursuing birds across the saltmarsh at Northwick Warth. However, construction will be scheduled outside the sensitive wintering months; and its operations are those associated with normal agricultural practices and therefore perfectly permissible. It is therefore considered that any cumulative impact on the Severn Estuary SPA/Ramsar would be *de minimus* and negligible.

5.46 *Ecology – Conclusion*

- 5.47 Subject to the construction of the agricultural building being time constrained to avoid the sensitive over-wintering months for water birds associated with the Severn Estuary, it is considered that the development as proposed within this application will not have a significant effect on the conservation objectives of the Severn Estuary European Site (SAC/SPA/Ramsar) either directly or indirectly or cumulatively with other plans or projects.
- 5.48 These conclusions are supported by Natural England in their letter dated 24th May 2016 and a separate. Overall, subject to a condition regarding the dates at which the development takes place, and also a condition which requires the development to accord with the submitted mitigation measures, there are no ecological objections to this proposal.

5.49 For the avoidance of doubt the Council's Ecologist suggested the following conditions/informative:

5.49.1 That all development is carried out in strict accordance with the Reasonable Avoidance Measures (RAMs) Method Statement for Great Crested Newts dated 8th April 2016 by Just Ecology (L9);

5.49.2 That construction of the agricultural building and storage/stockpiling of materials associated with the same shall only be carried out between 1 April and 30 September in any year to avoid disturbance/displacement of waterfowl for which the adjacent Severn Estuary is designated as an SSSI and SPA/Ramsar, in accordance with the recommendations made by Natural England in their letter of 24th May 2016 (L7, NPPF, CS9, Habitat Regulations 2010);

5.49.3 That the following Informative Note is attached to Consent (if granted): If breeding birds are present, development (including any clearance of vegetation or trees) should only take place outside the nesting season to avoid potential offences under the Wildlife & Countryside Act 1981 (as amended) or CROW Act 2000. Generally speaking, this will be between March and August inclusively although it will vary according to seasonal temperatures (L9).

5.50 Availability of Existing Buildings

Currently on site there are storage facilities in the form of storage containers. Such facilities are neither visually attractive nor adequately appropriate for the existing or future agricultural use at the site. With this in mind, the existing facilities on site are not adequate, notwithstanding this, should planning permission be granted, the existing containers will be required to be removed through condition. This is both consistent with Flood Risk policy, most specifically the sequential approach set out within the NPPF, and also Green Belt policy which aims to promote the permanent openness of the Green Belt. Given the scale of the proposal, officers also suggest a condition which prevents the future imposition of storage containers at the site.

5.51 Design and Visual Amenity

The proposed size and scale of the building is acceptable in terms of visual amenity and impact on the landscape subject to a landscaping scheme being submitted (this can be secured through condition). Officers note the concerns submitted regarding the scale of the barn, however, based on the information submitted and the size of the agricultural unit, officers do not consider the scale to be unreasonable. There are existing large metal gates at the site that are considered to be immune from enforcement action. Whilst unsightly and garish, officers find it unreasonable to attempt to remove such gates through condition should planning permission be granted. Further to this, it is considered that the materials to be used within the proposal are also acceptable.

5.52 Transport and Access

A public right of way runs along the access route which provides access to the proposed barn. The existing access route currently provides access to the agricultural field, and the erection of the proposed barn would not materially

change the traffic using the lane. There is adequate vehicular parking at the site through the existing hardstanding. With this in mind, the proposal is considered to be acceptable in terms of the public right of way and highway safety.

5.53 Summary

The proposal is to erect an agricultural barn within an established agricultural unit in order to provide facilities for the storage of hay, straw, fodder and agricultural machinery. The proposal is within the Green Belt, where only certain development is considered to be appropriate, the development proposed is considered to be appropriate development with a very limited impact on the openness of the Green Belt. The application site is also within an area of flood risk where officers would rather development was not located, however, due to the location of the proposal being fixed to the agricultural unit, the location of the barn in Flood Zone 3b is unavoidable, the submitted information also confirmed the adequate flood protection measures were submitted. The erection of a barn at this site will also contribute positively to the rural economy, and will also have neutral impact on the sensitive ecology within the area. Overall, the proposal is considered to be acceptable subject to the conditions included within this report.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is **APPROVED** subject to the conditions listed below and on the decision notice.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. The development hereby approved should be carried out in strict accordance with the following details submitted within the following reports/assessments:
 - o Flood Risk Assessment prepared by North and Letherby received by the Council on the 27/04/2016;
 - o Sequential Test and Exception Test Report prepared by North and Letherby received by the Council on the 21/07/2016;
 - o Flood Risk Assessment prepared by Clive Onions dated the 22/06/2016.

Reason

In the interests flood risk mitigation and adequate drainage on the site, and to accord with paragraph 102 of the National Planning Policy Framework; Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The use of the permitted barn shall only be used for agricultural purposes as defined within Section 336 of the Town and Country Planning Act 1990. Within 3 months of the cessation of an active agricultural use at the site, the barn hereby permitted shall be removed, and the land shall be returned to its previous state (grassland).

Reason

The barn was only approved at this site due to the barn being required in connection within the existing agricultural use at the site, the barn passed the required Sequential Test and Exception Test on this basis. Further to this, the use of the barn was only reason it was considered to be appropriate in Green Belt terms. With this in mind, should the barn be used for another use, or the agricultural use cease at the site, the building permitted would not only not be reasonably required, but its very presence or differing use would require a full assessment against current planning policy. Further to this, the condition is required in accordance with the following policies: Sections 9 and 10 of the National Planning Policy Framework; Policies CS1, CS5, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The development hereby approved shall be carried out in strict accordance with the submitted Reasonable Avoidance Measures (RAMs) Method Statement for Great Crested Newts dated 08/04/2016 prepared by Just Ecology.

Reason

In the interests of the sensitive ecological nature of the site and its surroundings; and to accord with Policy L7 and L9 the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

5. The construction of the development hereby approved shall only be carried out between the 1st of April and the 30th of September in any year.

Reason

In the interests of the sensitive ecological nature of the site and its surroundings; and to accord with Policy L7 and L9 the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

6. Notwithstanding the provisions of Schedule 2 The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) (or any Order revoking and re-enacting that Order with or without modification), no development as specified in of Part 3 or Part 6, other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In the interests of visual amenity, the openness of the Green Belt, and flood risk; and to accord with Policies CS1, CS5, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

7. Prior to the commencement of development a scheme of landscaping, which shall include details of proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

In the interests of visual amenity and the Coastal landscape and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.