

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. 44/19

Date to Members: 01/11/2019

Member's Deadline: 07/11/2019 (5.00pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2018. Under the arrangement certain reports are circulated on a weekly basis. The reports assess the application, considers representations which have been received, and make a recommendation regarding the proposal.

Having considered the reports, those applications that Councillors feel should be referred to the relevant Planning Committee must be notified to the Strategic Planning section by email within five working days of the publication of the schedule (by 5pm) in line with the procedure set out below. If there has been no valid Member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule.

Before referring an item to the Committee, it is recommended that Members speak to an officer about the issue, to explore whether any problems can perhaps be resolved without the need for referral to a Committee.

PLEASE NOTE: The circulated schedule process is only open to elected Members of South Gloucestershire Council.

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate planning committee then a referral should:

- a) Be made in writing using the attached form by emailing MemberReferral@southglos.gov.uk identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The request in writing must be made in writing by at least two or more Members, not being Members of the same ward
- d) In addition, the request in writing must have the written support of at least one of the Development Management Committee Chair and Spokes Members
- e) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral
- f) Indicate whether you have discussed the application(s) with the Case Officer and/or Development Manager
- g) Indicate whether you have discussed the application(s) with ward Member(s) if the site is outside of your ward

The Circulated Schedule will always contain the following applications unless the application is required to be determined by Committee:

- 1) Any application submitted by, or jointly, or on behalf of the Council.
- 2) Any application submitted by or any matter directly affecting or involving any

Member of the Council and any application(s), submitted by an Officer of the Council working in the Strategic Planning area (specifically the Policy and Specialist Advice, Development Management, Strategic Major Sites and Planning Enforcement, Validation & Registration and Planning Technical Support teams) or any Member or Officer of the Council acting as a planning agent.

- 3) Any application requiring a new planning agreement.
- 4) Any applications requiring a modification of an existing planning agreement where in the opinion of the Director, there would be a detriment to the public benefits secured.

5) Any application where the proposed decision of the Director would, in his opinion, be contrary to the policies of the Council as expressed in the Development Plan and/or any emerging plan and require referral to the Secretary of State following approval in principle by the Council for the purposes of development control decision making.

6) Any applications, except those listed below a-f where three or more representations contrary to the Officers recommendation are received within the notification period other than from officers of the Council acting in their professional capacity.

7) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officers recommendation from the Parish or Town Council within whose boundary the proposal lies wholly or in part.

8) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officer's recommendation from any Member of South Gloucestershire Council.

Applications that will not appear of the Circulated Schedule procedure as a result of representations received:

a. All applications, where approval is deemed to be granted upon the expiry of a defined period

b. All applications to be determined the lawfulness of a proposed or existing use of a site

c. All applications for non-material amendments

d. All applications to discharge planning conditions

e. All applications solely required because of the removal of Permitted Development Rights or Article 4 direction

f. Any footpath stopping up or diversion required to implement an approved scheme

Additional guidance for Members

Always make your referral request by email to MemberReferral@southglos.gov.uk (not individual email addresses), where referrals can be picked up quickly by the Technical Support Team.

When emailing your circulated referral request, please ensure you attach the written confirmation from the Supporting Member(s) and Supporting Chair or Spokes

Please note a copy of your referral e mail will appear on the website.

Before referring an application always contact the case officer or Development Manager first to see if your concerns can be addressed without the application being referred.

If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward Member(s) to see what their views are, before referring the application.

Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Please do not leave it to the last minute.

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

1. Application reference number:

2. Site Location:

3. Reasons for referral:

The referral should include the reasons for the referral indicating why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issues the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay of the referral

4. If the site is outside your ward have you contacted the ward Member(s) to inform them of the referral?

5. Have you discussed the referral with the case officer or Development Manager?

a) Referring Member:

b) Details of Supporting Member(s) (cannot be same ward as Referring Member)

c) Details of Supporting Chair or Spokes Member of the Development Management Committee

Do you consider this is an application of strategic importance such that you would request the Director to consider using his discretion to refer the matter to the Strategic Sites Delivery Committee? If so please set out your reasons:

Date:

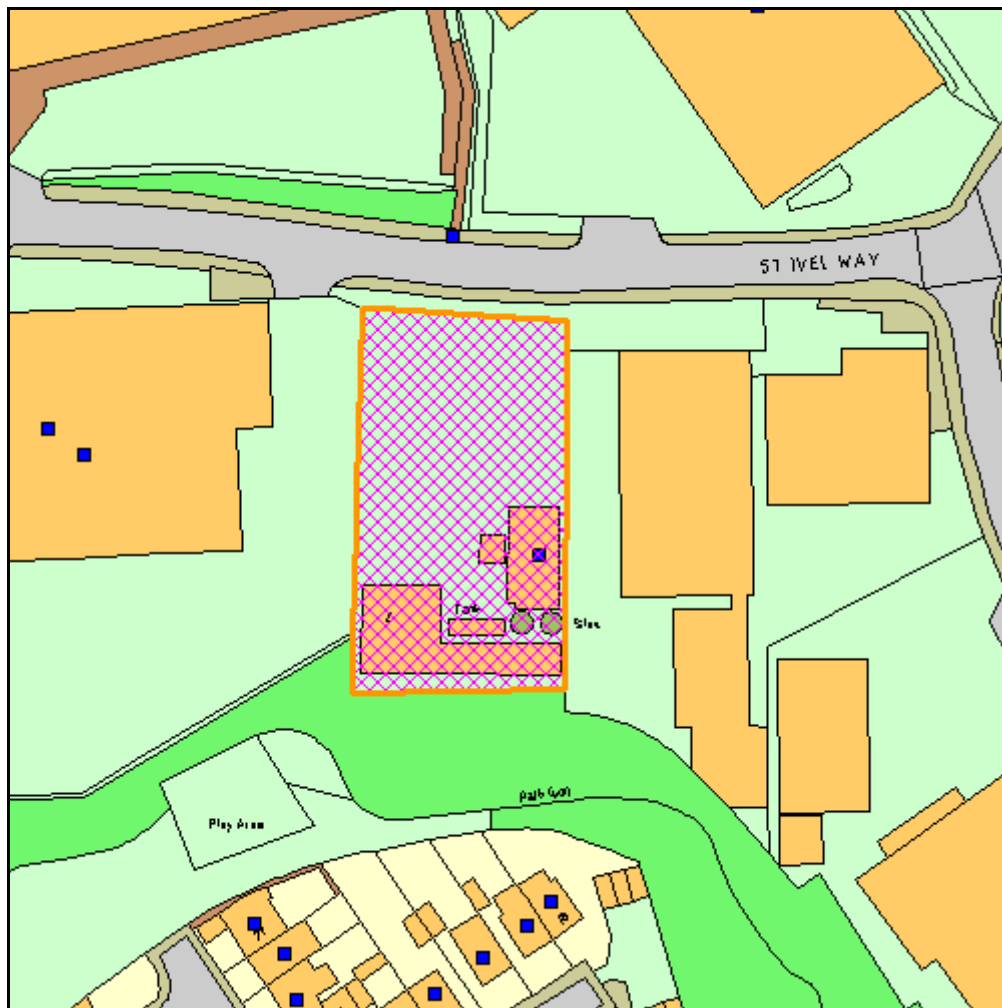
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 01 November 2019

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/09746/RVC	Approve with Conditions	2 St Ivel Way Warmley South Gloucestershire BS30 8TY	Parkwall And Warmley	Siston Parish Council
2	P19/11984/F	Approve with Conditions	68 Wheatfield Drive Bradley Stoke South Gloucestershire BS32 9DD	Bradley Stoke North	Bradley Stoke Town Council
3	P19/7680/F	Approve with Conditions	The Royal British Legion Kendall Road Staple Hill South Gloucestershire BS16 4NB	Staple Hill And Mangotsfield	None

CIRCULATED SCHEDULE NO. 44/19 – 1ST NOVEMBER 2019

App No.:	P19/09746/RVC	Applicant:	Wright Mini Mix
Site:	2 St Ivel Way Warmley South Gloucestershire BS30 8TY	Date Reg:	30th July 2019
Proposal:	Variation of condition 1 attached to planning permission PK11/3909/RVC to amend the working hours limit from 18.00 to 22.00. (PK11/3909/RVC-The removal of condition 3 and the variation of condition 2 of planning permission PK07/0197/F to change opening hours to 0630 to 1800 Mondays to Fridays and 0630 to 1300 hours Saturday and not at all on Sundays or Public holidays. Amend definition of term 'working').	Parish:	Siston Parish Council
Map Ref:	367348 172994	Ward:	Parkwall And Warmley
Application Category:	Minor	Target Date:	19th September 2019



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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule due to the receipt of a number of letters of objection from local residents and the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to Variation of condition 1 attached to planning permission PK11/3909/RVC to amend the working hours limit from 18.00 to 22.00.
- 1.2 PK11/3909/RVC was for the removal of condition 3 and the variation of condition 2 of planning permission PK07/0197/F to change opening hours to 0630 to 1800 Mondays to Fridays and 0630 to 1300 hours Saturday and not at all on Sundays or Public holidays. Amend definition of term 'working').

Condition 2 of PK07/0197/F read as follows:

'No working, deliveries or vehicle repairs shall take place at the premises before 07.00 or after 18.00 Monday to Fridays, and before 07.00 or after 13.00 hours on Saturdays and not at all 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. Any other use of the site outside these hours shall have the prior written approval of the Local Planning Authority.'

'Reason. To minimise disturbance to occupiers of the nearest residential properties in Hinton Drive and to accord with Policy E3 of the South Gloucestershire Local Plan.'

Condition 3 read:

'For a period of one year from the date of this permission working may commence at 06.30 on Mondays- Saturdays.'

The reason for the condition was to enable the council to fully assess the noise effects of working at these hours and to accord with policy E3 of the South Gloucestershire Local Plan.

- 1.3 PK11/3909/RVC was approved on 09.03.2012. Condition 2 of that consent reads as follows:
'No working, deliveries or vehicle repairs shall take place at the premises before 06.30 or after 18.00 Monday to Fridays, and before 06.30 or after 13.00 hours on Saturdays and not at all on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this conditions include: the use of any plant or machinery (mechanical or otherwise, but not meaning standard office equipment), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site

and the movement of HGV vehicles within the curtilage of site. Any other use of the site outside these hours shall have the prior written approval of the Local Planning Authority'

Reason:

To minimise disturbance to occupiers of the nearest residential properties in Hinton Drive and to accord with Policy E3 of the South Gloucestershire Local Plan.

- 1.4 This application therefore seeks to amend that condition permission to vary the hours of operation to 22.00.
- 1.5 It has been noted that from the supporting information to the proposal indicates that the amendment to the condition to extend working hour limit to 22:00 is simply to allow vehicles to return and park on site to ensure compliance with the sites vehicle operating licence. This has been confirmed with the applicants.
- 1.6 The application site/building is an established industrial premises, located within an existing industrial estate and safeguarded employment area in Warmley. Residential properties on Hinton Drive are located to the south of the application site, approximately 25 metres away beyond a buffer of trees and vegetation.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Core Strategy Adopted December 2013

CS1 High Quality Design

CS12 Safeguarded Areas for Economic Development

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

PSP11 Transport Impact Management

PSP21 Environmental Pollution and Impacts

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/0121/F Construction of commercial ready mix concrete and mortar plant.
Refused February 2005
- 3.2 PK05/1498/F Construction of commercial ready mix concrete and mortar plant. (re-submission)

Refused October 2005

- 3.3 PK06/1357/F Construction of commercial ready mix concrete plant and associated works. Allowed at appeal February 2007
- 3.4 PK07/0197/F Construction of commercial ready mix concrete plant and associated works. (Amendment to PK06/1357/F to alter the size of the office/workshop). Approved July 2007
- 3.5 PK11/3909/RVC - The removal of condition 3 and the variation of condition 2 of planning permission PK07/0197/F to change opening hours to 0630 to 1800 Mondays to Fridays and 0630 to 1300 hours Saturday and not at all on Sundays or Public holidays. Amend definition of term 'working'. Approved 09.03.2012

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
Members strongly object to the proposed changes to working hours/days at this site due to the noise nuisance and increase in traffic when in such close proximity to residential areas.
- 4.2 Bitton Parish Council
The comments of Bitton Parish Council are Objection. The council are concerned that now they are not just asking to park on St Ivel Way but to now work unsociable hours this will have an impact of noise to the neighbouring residents of our Parish.
4. Environmental Protection
The noise condition on the current permission is suitable and should remain as proposed.

However, even with the condition, I do have some concerns about the amendment of the condition as proposed and what that could potentially allow on site during the hours of 18:00- 22:00.

The proposal indicates that the amendment to the condition to extend working hour limit to 22:00 is simply to allow vehicles to return and park on site to ensure compliance with the sites vehicle operating licence. I feel that activity alone should not cause any significant change to the noise climate in the vicinity. However, any further works/ operations that are then allowed with the proposed amendment may result in significant changes to the noise climate at night which could pose an adverse effect on neighbouring residents. I feel that for this reason, it must be made clear that the amendment is limited to the arrival of vehicles to be parked and nothing more. i.e. NO washing of vehicles, NO other works currently not allowed.

Therefore I would suggest the condition below or similar:

'No working, deliveries or vehicle repairs shall take place at the premises before 06.30 or after 18.00 Monday to Fridays, and before 06.30 or after 13.00 hours on Saturday and not at all 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 otherwise but not meaning standard office equipment), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of HGV vehicles within the curtilage of the site, with the exception of HGV vehicles returning to site between 18:00- 22:00 Monday to Friday to park on site switching engines/machinery off once stationary. Any other use of the site outside these hours shall have prior written approval of the Local Planning Authority.'

4.3 Sustainable Transport

We note that this planning application seeks to vary a condition (ref 1) placed on the permission granted under ref P11/3909/RVC for the Wright Mini Mix site situated at Unit 2, St Ivel Way, Warmley. We understand that variation of this condition will enable the applicant to change hours of opening of the site which will enable late returning vehicles to enter the site rather than parking on the road outside. As a result, whilst we are somewhat concerned about extending the sites operating times, we believe this change will enable broadly beneficial. On balance, therefore, we do not consider that this operational change will rise any material highways or transportation concerns and we have no comments about this application.

Other Representations

4.4 Local Residents

Fourteen letters of objection have been received from local residents raising the following concerns:

- Factory is close to housing
- Noise issues already and proposal would increase noise and pollution
- Cleaning equipment causes noise and dust
- Lorry noise
- Existing hours are more than adequate
- Residents need protection from noise and nuisance
- HGV movements already too much and unacceptable
- Will result resulting in an increase in HGV vehicle movements during unsociable hours.
- Cement mixer HGV's would make more noise
- Already do not adhere to existing times
- Already breached original condition.
- Dust issues
- Cannot keep windows open due to dust and noise
- change will adversely affect the residential amenity of neighbouring residential properties through the level of associated activity, noise and traffic movement
- Acceptance of industrial estate but extending the working day is unacceptable
- health and well being of the residential community needs to be considered

- light pollution issues would be extended
- each application should be addressed on its own merits regardless of the conditions on other sites in the industrial area

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within a safeguarded employment area. Policies allow for proposals for employment development within the urban area and safeguarded employment areas provided that the proposals do not have unacceptable environmental effects, do not prejudice the amenities of nearby occupiers, and do not prejudice highway safety nor the retention of an acceptable level of parking provision or adversely affect the character of the area. The principles of the use of the site are therefore established and the matter for consideration is that of the impact of the variation of condition proposed upon the amenity of the nearest residential properties.

5.2 Design / Visual Amenity

No alterations to the building are proposed, as such the proposal would have no impact on the visual amenity of the area.

5.3 Residential Amenity

The application site is an industrial building and yard, located within an industrial estate. Residential properties on Hinton Drive are located to the south of the application site, approximately 25 metres away from the application site, furthermore there is a buffer of trees and vegetation between the application site and these neighbouring residential properties. The application is seeking consent to vary condition 1 to amend the working hours limit until 22.00. The primary reason for requesting the aforementioned variation in condition is to allow the company to conduct business in compliance with their associated operating licence. The operating licence requires all HGVs to be parked on site when not in use. Given that the current condition restricts the movement of all HGVs on the site to 18.00, should any of the HGVs return past this time they would have to park on the road outside the site. This would violate the terms of the operating licence.

- 5.4 In consideration of the specific requirements of the application and the site i.e. to allow HGV's to park on site, an amended wording has been suggested and drafted that covers the parking requirements, whilst maintaining the existing restrictions on the remainder of working operations to those currently permitted, as follows:

'No working, deliveries or vehicle repairs shall take place at the premises before 06.30 or after 18.00 Monday to Fridays, and before 06.30 or after 13.00 hours on Saturday and not at all 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 otherwise but not meaning standard office equipment), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of HGV vehicles within the curtilage of the site, with the exception of HGV vehicles returning to site between 18:00- 22:00 Monday to Friday to park on site switching

engines/machinery off once stationary. Any other use of the site outside these hours shall have prior written approval of the Local Planning Authority.'

- 5.5 A number of letters of objection have been received from neighbouring properties raising concerns with the levels of noise from the site. The above recommend condition, along with the maintenance of the existing noise limit condition would limit this. It is also of note, as has been raised in previous reports that other industrial operations on nearby land were not subject to controls on the hours of operation.
- 5.6 Conditions are already in place to ensure that the noise emitted from the site does not exceed 50dBA during the hours of 07.00 to 18.00 Monday to Saturday, and between the hours of 07.00 to 13.00 on Saturday or 45dBA at any other time, furthermore a condition is also already in place to ensure that vehicles do not operate any audible warning signals on the site. As such noise from within the site boundary should not adversely affect the nearest residents and the activities permitted beyond the existing time limits would also be restricted to the parking of returning HGV's instead of leaving them on the road.
- 5.7 The site is located within a well established industrial estate. Taking into account the revised wording on the proposed condition limiting the nature of the additional activity, the existing noise conditions restrictions that will remain in place and consideration the hours of operation of the surrounding units it is not considered that the proposed amendments to the existing condition, as revised, would result in any demonstrable harm to the residential amenities of the neighbouring properties over and above the existing site or indeed the background noise from the surrounding industrial estate. On this basis there are no objections in principle from the Councils Environmental Protection department.
- 5.8 Impact on parking and Highway safety
The proposals are unlikely to give rise to additional volumes of traffic, but provide for ability for later returning HGVs to park within the site. As such the proposal is not considered to have any detrimental impacts on highway safety.
- 5.9 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

1. No working, deliveries or vehicle repairs shall take place at the premises before 06.30 or after 18.00 Monday to Fridays, and before 06.30 or after 13.00 hours on Saturday and not at all 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 otherwise but not meaning standard office equipment), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of HGV vehicles within the curtilage of the site, with the exception of HGV vehicles returning to site between 18:00- 22:00 Monday to Friday to park on site switching engines/machinery off once stationary. Any other use of the site outside these hours shall have prior written approval of the Local Planning Authority.

Reason

To minimise disturbance to occupiers of the nearest residential properties and to accord with Policies CS1 of the South Gloucestershire Core Strategy Adopted December 2013 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

2. The level of noise emitted from the site shall not exceed 50dBA between the hours of 0700 to 1800 Monday to Friday, and between the hours of 0700 to 1300 on Saturday, and 45dBA at any other time, as measured at the boundary of any noise sensitive property. The measurement and assessment of noise shall be in accordance with BS4142:1997.

Reason

To minimise disturbance to occupiers of the nearest residential properties and to accord with Policies CS1 of the South Gloucestershire Core Strategy Adopted December 2013 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

3. No vehicle shall operate any audible warning signal on the site, except in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To minimise disturbance to occupiers of the nearest residential properties and to accord with Policies CS1 of the South Gloucestershire Core Strategy Adopted December 2013 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

4. All surface water run-off from outside parking or vehicle washdown areas shall pass through a properly constructed oil/ petrol interceptor or such other alternative system as may be agreed with the Local Planning Authority, before discharge to the public sewer, or other drainage system.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS1 of the South Gloucestershire Core Strategy Adopted December 2013

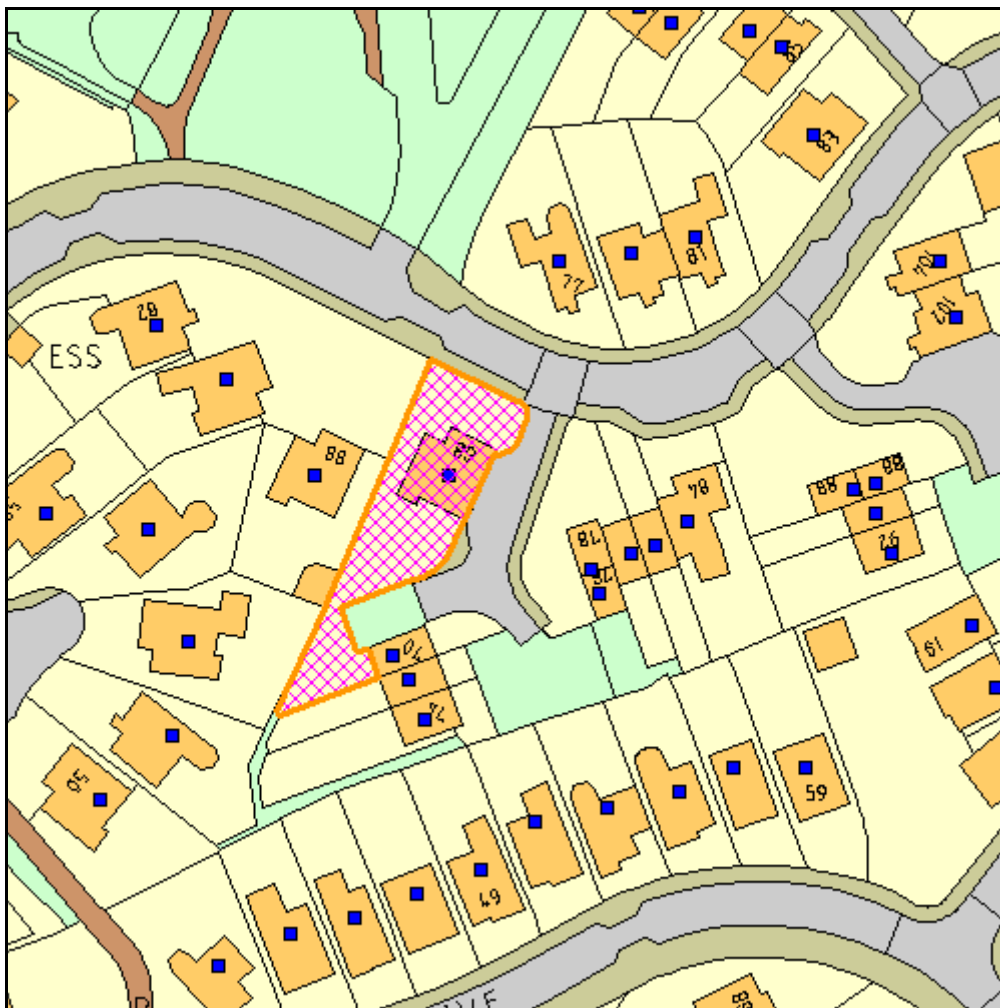
5. No outside storage shall take place at the premises.

Reason:

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality, and to accord with Policy CS1 of the South Gloucestershire Core Strategy Adopted December 2013

CIRCULATED SCHEDULE NO. 44/19 – 1ST NOVEMBER 2019

App No.:	P19/11984/F	Applicant:	Mr & Mrs Hanley
Site:	68 Wheatfield Drive Bradley Stoke Bristol South Gloucestershire BS32 9DD	Date Reg:	13th September 2019
Proposal:	Hip to gable roof extension with rear dormer, installation of 2 no. roof lights and juliet balcony to facilitate main roof loft conversion. Hip to gable roof extension with rear dormer window and 1 no. roof light to existing garage to facilitate the formation of additional living accommodation at first floor level.	Parish:	Bradley Stoke Town Council
Map Ref:	361692 182314	Ward:	Bradley Stoke North
Application Category:	Householder	Target Date:	5th November 2019



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

CIRCULATED SCHEDULE

This report appears on the circulated schedule following an objection from the Town council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the following development :
Hip to gable roof extension with rear dormer, installation of 2 no. roof lights and juliet balcony to facilitate main roof loft conversion. Hip to gable roof extension with rear dormer window and 1 no. roof light to existing garage to facilitate the formation of additional living accommodation at first floor level.
- 1.2 The application site relates to 68 Wheatfield Drive, Bradley Stoke, a two-storey detached property within the established settlement of Bradley Stoke.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS29	Communities of the East Fringe of Bristol

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007)
South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 P92/0020/353 Residential development on approximately 7.6 acres of land to include the erection of 100 dwellings and associated garages; construction of car parking areas and estate roads (in accordance with the applicants letter dated 11th September 1992 and the amended plans received by the council on 20th and 22nd October 1992)
Approved 11.11.92

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
Objection:
Bradley Stoke Town Council objects to this planning application on grounds that the proposals are out of keeping with the streetscene, overdevelopment of the site and concerns regarding parking provision.

Statutory / External Consultees

- 4.2 Transport
No objection

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal is for a hip to gable roof extension with rear dormer, installation of 2 no. roof lights and juliet balcony to facilitate main roof loft conversion. Hip to gable roof extension with rear dormer window and 1 no. roof light to existing garage to facilitate the formation of additional living accommodation at first floor level.
- 5.2 Principle of Development
The application stands to be assessed against the above listed policies and all material considerations. Policy PSP38 is supportive of development within existing residential curtilages provided it would not have a negative impact on the character of the area, on residential amenity or on highway matters.
- 5.3 The proposal is considered to accord with the principle of development and other matters are discussed below.
- 5.4 Design
The existing dwellinghouse is a two-storey detached property with an attached single garage. The original design of this house included a hipped roof to the main and garage roofs but only on the west side. This proposal would change both of these hips to gable roofs to facilitate the conversion of the existing loft of

the main house and to introduce additional living accommodation above the garage. Other works include rooflights and a Juliet balcony to the loft conversion.

- 5.5 It is noted that the proposal would result in extensive work to this property. However, with the exception of changing the hips to gables, the work would be to the rear elevation and as such would not have an adverse impact on the character of this modern estate.
- 5.6 In terms of design, scale, massing and materials the proposed development is considered to accord with adopted policy and in these terms can be recommended for approval.
- 5.7 Residential amenity
The existing dwelling holds a corner position with a small cul-de-sac to the south. The closest property, No. 70 is almost side-on to the rear of the application site but angled slightly further to the southwest. As such it is considered that this property would not be adversely impacted by the introduction of the loft conversion or the additional first floor to the garage. Sufficient amenity space would remain to serve the property and thereby the scheme is considered to accord with policy and can be supported.
- 5.8 Transport
The existing dwelling benefits from a single garage and parking for 2 vehicles to the front of the property. The proposed development would create an additional bedroom taking the number to 5. Adopted policy requires 3 off street parking spaces for a property of this size. It is therefore considered that the required amount of parking can be achieved and on this basis there are no objections to the scheme.
- 5.9 Impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.10 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.11 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that the application be **APPROVED** subject to the conditions written on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

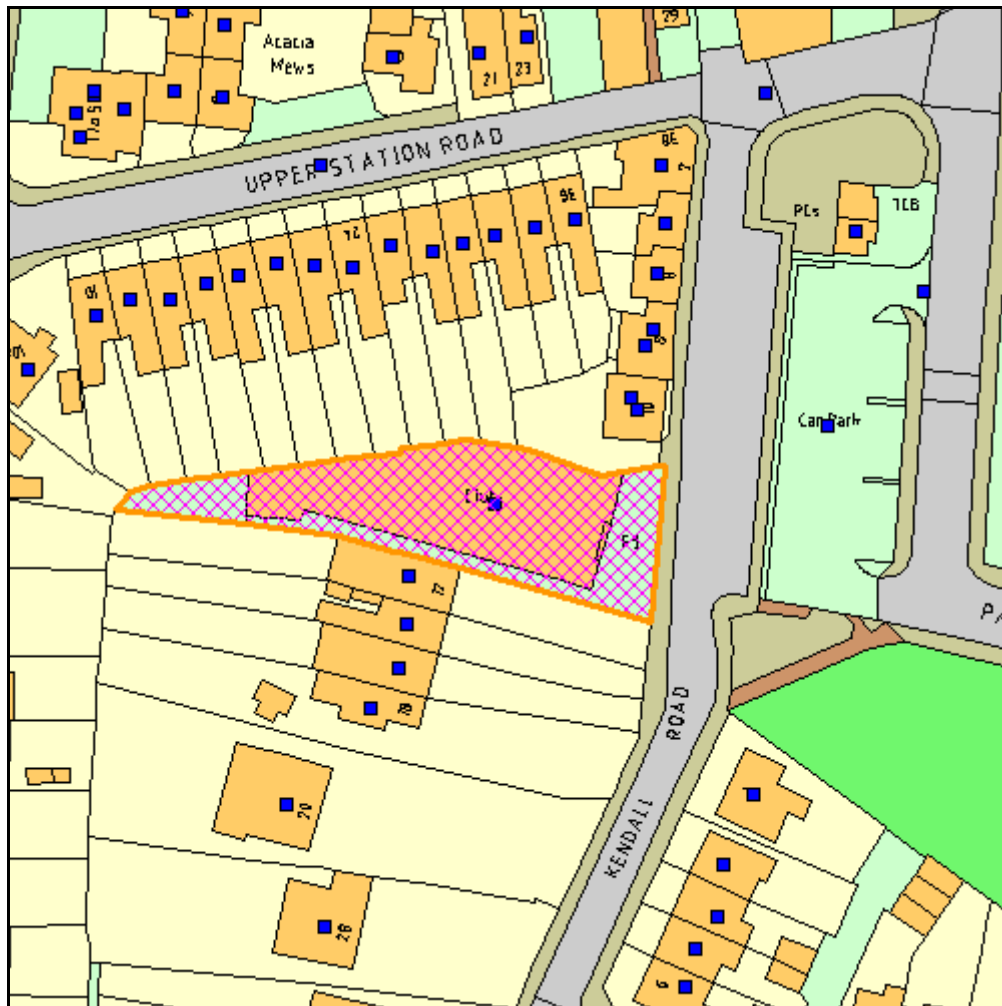
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 44/19 – 1ST NOVEMBER 2019

App No.:	P19/7680/F	Applicant:	Land And Buildings Ltd
Site:	The Royal British Legion Kendall Road Staple Hill Bristol South Gloucestershire BS16 4NB	Date Reg:	27th June 2019
Proposal:	Demolition of existing building. Erection of 2 No. semi-detached dwellings and 5 No. flats with associated access, parking, and landscaping works.	Parish:	None
Map Ref:	364685 175832	Ward:	Staple Hill And Mangotsfield
Application Category:	Minor	Target Date:	19th August 2019



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100023410, 2008. N.T.S. P19/7680/F

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

CIRCULATED SCHEDULE

This report appears on the Circulated Schedule due to objections from local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the demolition of the existing building, the erection of 2 no semi-detached dwellings and 5 no. flats with associated access, parking and works.
- 1.2 It is noted that this application follows a refusal for the partial demolition of the existing building and its conversion into residential accommodation. This scheme has been submitted to overcome the refusal reasons and takes an holistic approach to the redevelopment of the entire site.
- 1.3 The application site relates to the former Royal British Legion building in Staple Hill, Bristol. The building has a Class D2 use, assembly and leisure.
- 1.4 During the course of the application the applicant has worked extensively with the LPA to produce an acceptable scheme. Revised plans have been received and have addressed concerns raised by officers and some of those raised by neighbours.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 2019
National Planning Guidance

- 2.2 Development Plans

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
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP9	Health Impact Assessments
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007)

South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – (Adopted) March 2015

South Gloucestershire Council Waste Collection: guidance for new
developments SPD (Adopted) Jan 2015

3. **RELEVANT PLANNING HISTORY**

- 3.1 P19/1138/F Part demolition of existing building. Conversion of existing building to form 7 no. attached dwellings with new access and associated works (Resubmission of PK18/4995/F).

Refused 8.4.19

Reason 1:

The conversion of this existing building into 7 dwellings would not be desirable or practical as the presented scheme fails to represent the highest standards of design as required under both local and national planning policy. Due to the constraints of the site, the proposal to convert the existing building has resulted in design compromises which would impact on the character of the area in terms of appearance and impact on the amenity of future occupiers including the amount of light entering the flats from high level windows; the distance to access the bike store; the awkward and limited space around the parking areas; the poor provision of bin storage area.

The conversion of this community building into residential use would be harmful to the character of the area and would be contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted 2013); Policy PSP1 of the South Gloucestershire Policies Sites and Places Plan (Adopted 2017) and the NPPF.

Reason 2

The conversion of the existing building and the introduction of balconies and windows in the north elevation would have an adverse impact on the privacy and amenity of neighbours to the north of the site due to overlooking in excess of the current situation. In addition the close proximity of the parking area and bin storage area to the bedrooms of the front ground floor flat would be detrimental to the living conditions of these future occupiers. Overall the scheme would have an unacceptable impact on the residential amenity of both future occupants and existing neighbours contrary to Policy PSP 8 of the South Gloucestershire Policies Sites and Places Plan (Adopted 2017) and the NPPF.

- 3.2 PK18/4995/F Part demolition of existing building. Conversion of existing building to form 7 no. attached dwellings with new access and associated works
Refused 20.12.18

4. **CONSULTATION RESPONSES**

- 4.1 Parish/Town Council
The area is unparished

Internal Consultees

- 4.2 Urban Designer
Objection:
I would not be able to support the application as it stands. Revisions are required.

Updated comments:

*Following extensive and detailed discussions revisions have been received. Objection removed subject to **conditions**.*

- 4.3 Highway Structures
No comment

Statutory / External Consultees

- 4.4 Transport
No objection subject to **conditions** regarding off street parking and an **informative** regarding dropped kerb

- 4.5 Drainage
No objection subject to conditions

Updated comment:

*We are now satisfied with the level of information which has been submitted and therefore, providing the proposal is developed in accordance with the following plans and accompanying information, we are happy for a compliance **condition**.*

Other Representations

- 4.6 Local Residents
Seven letters have been received from local residents. The points raised are summarised as:
- Would prefer wall rather than fence to north side of site
 - Japanese knotweed on site
 - Concerns about erection of scaffolding
 - Noise, pollution and loss of privacy
 - Safety issue of vehicles reversing on site
 - Will devalue my property

- Issue of overlooking
- Concerns regarding security during construction and loss of privacy
- Encroachment on right of way for neighbouring properties
- Parking inadequate
- Loss of green space

5. **ANALYSIS OF PROPOSAL**

5.1 This application is for the comprehensive redevelopment of the site to form 7 residential units and associated works.

5.2 Principle of Development

The application stands to be assessed against the above listed planning policies and all material considerations. Both local and national planning policy is supportive of development within existing urban areas provided it would not have a negative impact on the character of the area, on residential amenity of neighbours and future occupants, on highway safety and on street parking. However, any development must also meet the high standards required of national and local planning policy and on this occasion the conversion of this building would give rise to a less than satisfactory outcome which cannot be supported. Furthermore, the loss of a community building must be considered and this is discussed more below.

5.3 Loss of Community Building

Policy CS23 existing community infrastructure will be retained unless it can be demonstrated that:

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

5.4 It is accepted that this particular Royal British Legion has been closed for some time. It is understood that there are several other Royal British Legion clubs within South Gloucestershire (Stoke Gifford, Kingswood and Hanham, Bitton and Oldland, Coalpit Heath and Frampton Cotterall, Yate) as alternatives to this one. It is acknowledged that these are not within walking distance of the application site but there are other community facilities available in close proximity including The Page Community Association. It can be regarded as a suitable alternative provision where the private membership has uses such as social occasions, meetings and clubs broadly similar to the Royal British Legion. It is accepted that there are vacancies in this association and former members could be accommodated there.

5.5 Given the above, the scheme accords with Policy CS23. Notwithstanding this, the other elements of the proposal still require full assessment.

5.6 Character of the area:

The properties surrounding the application site are two storey dwellings, with terraces to the north and south being of some age. Others, to the west and to the east are of a typical mid twentieth century style. Further down Kendall

Road itself are a few individual detached houses. The application site would relate most clearly to Kendall Road. In general properties to the south of the site are characterised by being set back and separated from the highway by gardens of varying depth. The terrace of cottages immediately to the south benefit from quite large and fairly open front gardens, with low boundary treatments separating one from the other. To the north of the site the cottages are directly adjacent to the highway with no separation.

5.7 The existing building is on a very awkward and constrained site and sits between existing residential properties and occupies most of the footprint of the site. .

5.8 Built as a community building, the building does not match the rest of the streets in this area. By its blank east (front) elevation and by the high narrow windows to the south, it currently fails to form part of the street scene or present an active frontage to the road side.

5.9 This application now proposes a more rounded approach to the redevelopment of this site and this is discussed in more detail below.

5.10 Design

The proposal is to demolish the existing building and replace it with a pair of semi-detached dwellings to the rear of the site while a three-storey block would be located to the front of the site to accommodate 7no. flats. An internal courtyard area in between these structures would provide parking for all the residential units.

5.11 Extensive negotiations have taken place between the LPA and the applicant and resulted in some design changes to the overall scheme. In terms of the general design, scale and massing this contemporary proposal is representative of a high quality scheme which is appropriate for this location. Good quality materials are to be used in the scheme and details will form part of the conditions.

5.12 It is considered that the scheme is in accordance with the aims of both local and national planning design policy and on this basis is recommended for approval.

5.13 Residential amenity

Amenity space:

Adopted planning policy PSP43 sets out the minimum amenity space required of new development for both houses and flats. It is noted that each of the two houses would have private gardens to the rear of the site and each of the flats would have some form of private amenity space with an additional small area of communal space close to apartment 2. It is considered that the amount of amenity space proposed is acceptable for this development and no objections are raised.

5.14 *Impact on neighbours:*

Concerns have been raised with regard to impact on privacy and overlooking. Plans show that windows for the semi-detached properties would face to the

west. These new dwellings would however, be at 90 degrees to the gardens of houses along Upper Station Road and around 17.5 metres from the rear of the closest house. It is therefore, considered that this distance plus the orientation of the two is not unacceptable particularly within an urban area. Similarly with regards to the flats, their main openings also follow an east-west orientation and those to the rear would be of sufficient distance from closest neighbours not to have such a negative impact on residential amenity of closest neighbours to warrant the refusal of the scheme.

5.15 Comments have expressed concern regarding noise and pollution resulting from the development. With regards to noise during construction an appropriate **condition** is to be attached to the decision notice advising best practice and hours of working. Given the degree of separation between existing neighbours and the application site and the scale of the development it is considered that it would not result in unacceptable levels of pollution caused by cars parking on site.

5.16 Overall the proposal would not have an adverse impact on the amenity of both future occupants and on existing neighbours and can therefore be supported.

5.17 Transport

The car parking requirement for this development is assessed against South Gloucestershire Council's parking standards SPD. Eleven car parking spaces are proposed within the parking court, including one visitor's space. On this basis the amount of parking is in line with adopted policy and as such there are no objections to the scheme subject to conditions attached to the decision notice. Materials to be used in the parking area are also to be conditioned to avoid any degradation of the material through use over time.

5.18 Japanese Knotweed

A neighbour has identified that Japanese Knotweed is present in adjacent gardens. It is understood that this is being managed but care is required during construction to avoid any further spread of this invasive species. An informative will be attached in relation to this matter.

5.19 Impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

5.20 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.

5.21 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

5.22 Other Matters

A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.

5.23 Light pollution: - it is likely that the level of domestic lighting that would result from this type of development would not be unacceptable given the urban location.

5.24 Property value: this is not a planning matter and therefore cannot be addressed here.

5.25 Access to rear of adjacent neighbouring properties – this is a civil matter to be discussed between the relevant parties and not something that can be discussed under the remit of a planning application.

5.26 Permission to access gardens to demolish or erect scaffolding etc: - this is a civil matter to be discussed between relevant parties

5.27 Loss of green space: the existing building takes up most of the current site and includes an area of hardstanding to the front. A small garden area lies to the rear. The proposal would introduce more greenery than is there at the moment.

5.28 Planning conclusion:

The proposed scheme would result in the demolition of the existing building and the creation of 7 new residential units in the form of a pair of semi-detached houses and 5 flats. The scheme has been sensitively designed to be in-keeping with the general area and has been found acceptable in terms of scale and massing. Sufficient amenity space will be provided and the amount of on-site parking accords with adopted policy. Impact on amenity of neighbours has been examined and concluded that due to the orientation of the new builds and the distance from neighbours there would be no adverse impact sufficient to warrant the refusal of the scheme. Subject to appropriate conditions the comprehensive re-development of this site is supported and recommended for approval.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that the application is **APPROVED** subject to the conditions written on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. The development shall proceed in accordance with the following plans:

As received by the LPA on 24.6.19:

Site Location Plan 3739.PL.001

Existing Site Plan Ground Floor & First Floor Plans 3739.PL.010

Existing Elevations 3739.PL.011

As received by the LPA on 30.9.19:

Site Sections Existing and Proposed 3739.PL.120 Rev E

Proposed Site Plan (Floor Plan) 3739.PL.090 Rev K

Proposed Site Plan (Roof) 3739.PL.091 Rev G

Apartments Proposed Floor Plans 3739.PL.110 Rev E

Houses Proposed Plans 3739.PL.100 Rev G

Street Elevations 3739.PL.115 Rev E

Drainage Strategy D-001 P02

Drainage Details Sheet 1 of 2 D-100 P01

Drainage Details Sheet 2 of 2 D-101 P01

As received by the LPA on 30.10.19:

Apartments Proposed Elevations 3739.PL.111 Rev H

Proposed House Elevations 3739.PL.102 Rev H

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; Policy PSP1 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

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

Reason

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

4. The drainage scheme approved, shall be implemented in accordance with the approved details set out below before the development is occupied.
 - o Wessex Water Correspondence - Dated 01/10/2019
 - o Appendix E - KRSH-D-001-P02 - Drainage Strategy - Dated 26/09/2019
 - o Appendix F - 2019-09-26 Proposed Drainage Calculations - Dated 27/09/2019
 - o KRSH-H-002-P01 - Overland Flow - Dated 10/10/2019
 - o TJI-KRSH-O&M-01 R02 - SuDs Template Operation and Maintenance Manual - Dated 10/10/2019

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.

5. The hours of working on site during the period of construction shall be restricted to
Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays.
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

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

6. Prior to application of this part of the development, samples of roofing materials and facing materials, including any bricks, render, mortar colour, cladding panels, timber cladding or stone (either recon or natural) shall be submitted or made available to the LPA for inspection or written approval. On-site sample panels are required for significant areas of facing materials and are to be made available to the LPA for inspection and approval. If recon stone is one of the facing materials, the coursing and jointing details also need to be submitted to the LPA for approval. Development shall be carried out in accordance with the agreed 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; PSP1 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

7. Prior to installation details of windows and doors including material and colour, with 1:50 scale technical drawing shall be submitted to the LPA for consideration and

written approval. Drawing details to show all recesses, reveals and associated elements, such as lintels and sills. Colours should be stated in RAL colour system. Development shall be carried out in accordance with the agreed 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; PSP1 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

8. Prior to installation, details of any projecting balcony structures or Juliette balcony railings shall be submitted to the LPA for written approval and shall include 1:50 scale plans along with accompanying illustrative materials (photos etc), to demonstrate how these structures will be constructed, look and how they will be fixed to the buildings. Development shall be carried out in accordance with the agreed 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; PSP1 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

9. Prior to this part of the development a scheme of landscaping, which shall include details of boundary treatments, including walls, railings, fencing and planting (i.e. hedging) shall be submitted to the LPA for written approval. Details of proposed planting (and times of planting) including species and size and details of proposed hard landscaping materials including any paving, kerbs, edging, gravel-based systems with associated retaining structures shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

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