

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. 28/19

Date to Members: 12/07/2019

Member's Deadline: 18/07/2019 (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:

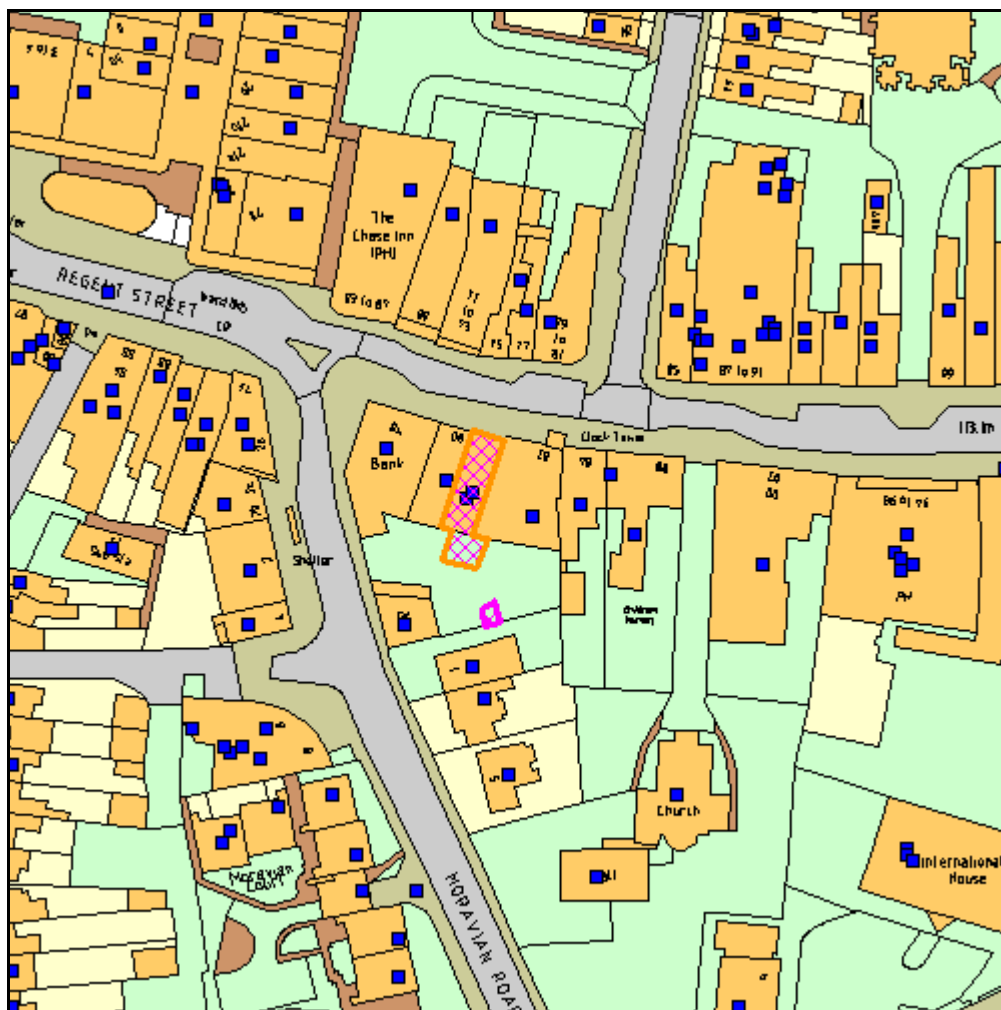
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 12 July 2019

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/1548/RVC	Approve with Conditions	80A Regent Street Kingswood South Gloucestershire BS15 8HU	Kingswood	None
2	P19/1803/F	Approve with Conditions	57 - 67 Cleeve Hill Downend South Gloucestershire BS16 6EU	Frenchay And Downend	Downend And Bromley Heath Parish Council
3	P19/3017/F	Refusal	Welling Cottage Farm Moorhouse Lane Hallen South Gloucestershire BS10 7RT	Pilning And Severn Beach	Almondsbury Parish Council
4	P19/3567/F	Approve with Conditions	Land At The Former Frenchay Hospital Frenchay Park Road Frenchay South Gloucestershire BS16 1UU	Frenchay And Downend	Winterbourne Parish Council
5	P19/3784/F	Approve with Conditions	Barns At Hayfields The Street Alveston South Gloucestershire BS35 3SX	Severn Vale	Alveston Parish Council
6	P19/3926/F	Approve with Conditions	6 Thornhayes Close Frampton Cotterell South Gloucestershire BS36 2BG	Frampton Cotterell	Frampton Cotterell Parish Council
7	P19/4171/F	Approve with Conditions	Adjacent To 33 Church Road Hanham South Gloucestershire BS15 3AE	Hanham	Hanham Parish Council
8	P19/5289/F	Approve with Conditions	13 Westcourt Drive Oldland Common South Gloucestershire BS30 9RU	Bitton And Oldland	Bitton Parish Council
9	P19/5473/F	Approve with Conditions	6 Norman Road Warmley South Gloucestershire BS30 5JA	Parkwall And Warmley	Siston Parish Council
10	PT17/5363/RM	Approve with Conditions	Frenchay Hospital Beckspool Road Frenchay South Gloucestershire BS16 1JE	Frenchay And Downend	Winterbourne Parish Council
11	PT18/4944/F	Approve with Conditions	119 Bristol Road Frampton Cotterell South Gloucestershire BS36 2AU	Frampton Cotterell	Frampton Cotterell Parish Council
12	PT18/5810/RVC	Approve with Conditions	Land North Of Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8TG	Charfield	Charfield Parish Council

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	P19/1548/RVC	Applicant:	Mr Evrim Tekin
Site:	80A Regent Street Kingswood Bristol South Gloucestershire BS15 8HU	Date Reg:	12th February 2019
Proposal:	Variation of condition 1 attached to PK18/0559/F to amend the opening hours to Monday to Thursday 08:00 to 02:00 and Friday to Sunday 08:00 to 04:00.	Parish:	None
Map Ref:	364806 173831	Ward:	Kingswood
Application Category:	Minor	Target Date:	8th April 2019



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P19/1548/RVC

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 THE CIRCULATED SCHEDULE

This planning application is appearing on the Circulated Schedule as three or more representations have been received contrary to the Officer's recommendation.

1. THE PROPOSAL

1.1. The proposal is for a variation of condition 1 attached to planning permission PK18/0559/F to amend the opening hours to Monday to Thursday 08:00 to 02:00 and Friday to Sunday 08:00 to 04:00.

1.2. Condition 1 states that:

1. *The hot food takeaway hereby permitted shall not be open to customers, nor shall any dispatches of food be made nor deliveries of any kind received, before 09.00 hours or after 23.00 hours daily.*

Reason

To protect the amenities of the surrounding residents in accordance with Policy PSP8 and PSP35 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

1.3. It is understood that the premises is already opening during the revised hours applied for, and therefore this application is retrospective.

1.4. The premises is located in Regent Street, Kingswood, which forms part of the Kingswood town centre and is a busy shopping area. The premises is designated as a Secondary Shopping Frontage and is located in a rank of retail units, which include a hot food takeaway, a pawnbrokers and a bank. Many of the units, including the premises, have residential accommodation above them.

2. POLICY CONTEXT

2.1. National Guidance

National Planning Policy Framework March 2012

2.2. Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

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

PSP8 Residential Amenity

PSP11 Traffic Impact Management
PSP16 Parking Standards
PSP21 Environmental Pollution and Impacts
PSP35 Food and Drink Uses (including drive through takeaway facilities)

2.3. Supplementary Planning Guidance

None.

3. **RELEVANT PLANNING HISTORY**

- 3.1. PK15/4008/F – Change of use from retail (class A1) to restaurants/cafes (class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and installation of 2 no. extraction units to rear elevation. Approved subject to conditions on 6th January 2016.
- 3.2. PK18/0559/F - Change of use of ground floor from use Class A3 (restaurants and cafes) to A5 (hot food takeaway) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Approved subject to conditions on 1st June 2018.
- 3.3. PK18/0556/F – Change of use of first and second floor restaurant to 1no. residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)(retrospective). Approved subject to conditions on 12th June 2018.

4. **CONSULTATION RESPONSES**

4.1. Other Consultees

Environmental Protection:

Initially, the Officer commented as follows:

I have concerns over noise from plant and equipment being used after the current closing time of 23:00 affecting nearby residential amenity. I also have concerns about noise from the use of the takeaway/restaurant affecting those living in the locality from increased noise during times that residents may be sleeping. I understand from the previous acoustic report submitted with planning app: PK18/0559/F that noise from the plant was assessed only to take account for the opening hours applied for- ie a closure time of 23:00. The levels measured in that report would demonstrate an adverse affect in terms of noise during the night (i.e. after 23:00) due to the lower background noise levels measured during the night. Therefore I would recommend that a new acoustic report will be necessary to identify what further mitigation measures would be required for the plant to reach a level that is acceptable for use after 23:00.

The Officer has now revised her comments to:

I can now confirm that the latest noise report received has been updated with the necessary information, and that providing the attenuator is installed as proposed, it appears that the noise from the fan would be reduced to an acceptable level to those living in the flats above the premises. I would therefore have no objection to the extension to the operating hours as applied for. It may be prudent to add a condition that the attenuator is installed?

Transport:

We note that this planning application seeks to vary a condition (ref 1) placed on the permission granted under ref PK18/0559/F for a hot food take-away situated at 80a Regent Street, Kingswood. We understand that variation of this condition will enable the applicant to change the opening hours of these premises. As we understand that the existing opening restriction was placed on these premises for amenity reasons rather than highway safety considerations. Therefore, as we consider that this position has not changed, we have no comments about this application.

Economic Development:

No objection.

Other Representations

4.2. Local Residents

The following comments were received from local residents:

- It will lead to an increase in waste and litter;
- It will lead to an increase in noise late at night;
- Concerns about access, increase in traffic and road safety;
- Concerns about anti-social behaviour, including possible 'post-pub flash-points';
- It will lead to an increase in unpleasant smells; and
- It will have a negative impact on the quality of life for the residents living close by.

5. ANALYSIS OF PROPOSAL

5.1. Principle of Development

5.2. The principle of the change of use to a hot food takeaway has already been determined to be acceptable under planning permission reference PK18/0559/F. As such, this application will only consider whether the proposed change to the opening hours of the proposal site is in accordance with policy.

5.3. Policy PSP35 of South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017 ("PSP") provides that proposals for food and drink uses will be acceptable provided that, individually or cumulatively, any impact would not harm the character of the area, residential amenity and/or public safety. The policy states that the following matters will be taken into account:

- a harmful concentration of food and drink uses would be created;

- the number, distribution and proximity of food and drink uses, hot food takeaways;
- noise, general disturbance, fumes, smells, litter and late night activity (also covered by Policy PSP8 of the PSP);
- the availability of parking and servicing (also covered by policies PSP11 and PSP16 of the PSP);
- opening hours;
- highway safety (also covered by PSP11 of the PSP);
- the availability of refuse storage and disposal facilities; and
- the appearance of any associated extensions, flues and installations (also covered by policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 (“Core Strategy”)).

5.4. Policy PSP21 provides that proposals will be acceptable provided that it can be demonstrated that the development is sited and designed to prevent unacceptable risks and avoid unacceptable levels of pollution adversely impacting on environmental amenity and the health, safety and amenity of users of the site and surrounding areas.

5.5. It is considered that the proposal is acceptable in principle but should be determined against the analysis set out below.

Residential Amenity

5.6. Policy PSP35 of the PSP provides that noise, general disturbance, fumes, smells, litter and late night activity must be taken into account when determining applications for food and drink uses, and PSP21 states that development proposals will be acceptable where they demonstrate that the development is sited and designed to prevent unacceptable levels of pollution adversely impacting on environmental amenity and the health, safety and amenity of users of the site or the surrounding area. Policy PSP8 also states that proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties, and that unacceptable impacts could result from noise or disturbance and odours.

5.7. It is acknowledged that, if this application were to be approved, this would unavoidably lead to an increase in noise and disturbance at night time in the vicinity of the premises due to comings and goings from the property. However, the Officer understands that the proposal site is licensed to be open between 08:00 and 02:00 Monday to Thursday and 08:00 to 04:00 Friday to Sunday, with the times when late night refreshment and alcohol can be supplied restricted within these hours. It is also understood that a number of hot food takeaways within the vicinity of the proposal site have similar licensed opening hours. Therefore, whilst ordinarily the proposal is not something that the Local Planning Authority would support because of the increase in noise and disturbance to nearby residential properties, this must be borne in mind as a material consideration when considering the context of this application. However, this Officer does consider that, if the application were to be granted, a condition should

still be attached to restrict the opening hours and the times when deliveries can be made to site.

- 5.8. In respect of noise, the applicant has submitted a noise report as part of the planning application. The Council's Environmental Protection Officer has commented that providing the attenuator is installed as proposed, it appears that the noise from the fan would be reduced to an acceptable level to those living in the flats above the premises. Therefore, the Environmental Protection Officer would have no objection to the extension to the operating hours as applied for. This Officer agrees with that assessment and considers that it would be appropriate to attach a condition requiring the attenuator to be installed. Should there be issues with noise in the future, the Council's Environmental Protection Team will be able to deal with this using their statutory nuisance powers.
- 5.9. Although it is acknowledged that hot food takeaways may cause more general disturbance because of customers coming and going etc, it is not considered that the proposal will individually or cumulatively cause an unacceptable level of harm to residential amenity, bearing in mind its location in a busy local centre and the licensed hours for the proposal site and nearby hot food takeaways.
- 5.10. In terms of odour, the applicant has previously provided specifications of the extraction system currently installed at the proposal site, and the Environmental Protection Officer has not objected to the application on these grounds. It is not considered that a change in the opening hours of the premises would alter the position in respect of odour and, should there be issues with odour in the future, the Council's Environmental Protection team will also be able to deal with this using their statutory nuisance powers.
- 5.11. Some of the comments received cite a possibility of an increase in anti-social behaviour. However, it is not considered that there is any evidence that the extension of the opening hours for this premises will lead to this, and the hours within which alcohol can be sold from the premises are controlled under the licensing regime.
- 5.12. In light of the above, it is considered that the proposal accords with these aspects of PSP35, PSP21 and PSP8.

Refuse Storage and Disposal Facilities

- 5.13. Policy PSP35 provides that the availability of refuse storage and disposal facilities and litter will be taken into account when assessing food and drink development proposals.
- 5.14. The Officer observed at the site visit that the applicant already has adequate refuse storage and disposal facilities.
- 5.15. The Council has received objections from local residents which suggest that the proposed change in the opening hours will result in more litter and waste issues. However, the Officer does not agree that it necessarily follows that longer opening hours will necessarily result in more litter, and there are numerous litter bins within

close proximity of the proposal site. Thus it is not considered that there is likely to be an increase in litter as a result of the proposed development.

- 5.16. As such, it is considered that the proposed development accords with these aspects of PSP35.

Parking and Highway Safety

- 5.17. Policy PSP35 provides that the availability of parking and servicing and highway safety will be taken into account when assessing food and drink development proposals.
- 5.18. Moreover, PSP11 sets out that development proposals which generate a demand for travel will be acceptable where appropriate, safe, accessible, convenient and attractive access is provided; commercial development is located on safe, useable walking routes that are an appropriate distance to a suitable bus stop facility; appropriate on-site loading, unloading and waiting facilities are provided for commercial developments; and it would not generate traffic that would create severe congestion or have an unacceptable effect on highway and road safety. PSP16 provides the relevant parking standards.
- 5.19. The Council's Transportation Development Control Officer has stated that the existing opening restriction was placed on these premises for amenity reasons rather than highway safety considerations. Therefore, they consider that this position has not changed, and they have no comments about this application. This Officer agrees with this assessment, and does not consider that the proposal to extend the opening hours of the premises will have any significant impact on the parking required or traffic generated by the use of the premises as a hot food takeaway, or will pose any significant highway safety concerns.
- 5.20. As such, it is considered that the proposal is in accordance with Policy PSP11 and PSP35 of the PSP, although it does not meet PSP16 of the PSP.

Appearance of Flue

- 5.21. Policy PSP35 states that the appearance of any flues will be taken into account when assessing the impact of food and drink development proposals. Moreover, Policy CS1 of the Core Strategy provides that development proposals are required to demonstrate that siting, form, scale, height, colours and materials are informed by and respect and enhance the character and amenity of the site and its context.
- 5.22. The attenuator proposed to be installed by the applicant in order to remediate potential noise issues will slightly alter the appearance of the existing flue as, rather than appearing as one cylinder, it will have modular attachments added. It is proposed to be located towards the south of the proposal site (on the side facing the parking area) near the bottom of the roof slope, and will still be approximately 2.2 metres in height. Whilst the flue is large and utilitarian in design, the flue is not visible from the front elevation of the proposal site and can only be seen to a limited extent from Moravian Road. The flue does not appear out of character in a rank of commercial units in a town centre. Furthermore, although the flue is in close proximity to an existing rooflight on the proposal site

(and would also be in close proximity to another rooflight approved by planning permission reference PK18/0556/F), it is not / would not be the focus of the outlook from either rooflight or from any neighbouring properties. Therefore, it is not considered that the flue will have a significant detrimental impact on visual amenity.

5.23. In light of the above, it is considered that the proposed development accords with policies PSP35 and CS1 in this respect.

5.24. 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 this application be approved, subject to conditions.

Contact Officer: Kathryn Leeming
Tel. No. 01454 866032

CONDITIONS

1. The hot food takeaway hereby permitted shall not be open to customers, nor shall any dispatches of food be made, outside of the following hours:

Monday to Thursday: 08:00 to 02:00 the following day; and
Friday to Sunday: 08:00 to 04:00 the following day.

Reason

To protect the amenities of the surrounding residents in accordance with Policy PSP8 and PSP35 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

2. No deliveries shall be made to the hot food takeaway hereby permitted before 09.00 hours or after 23.00 hours daily.

Reason

To protect the amenities of the surrounding residents in accordance with Policy PSP8 and PSP35 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

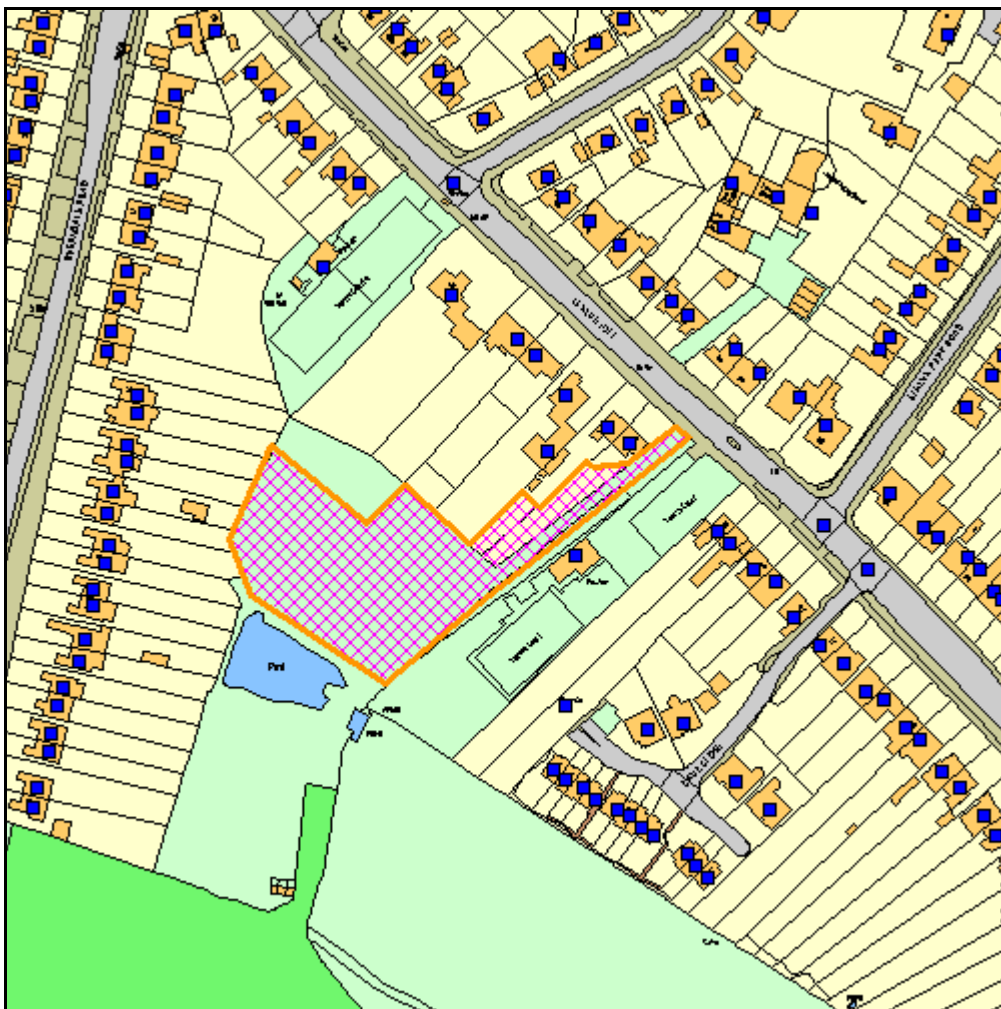
3. Within 3 months, the proposed attenuator shall be installed at the premises as per the revised acoustic report and proposed attenuator plan (drawing no. P104 Rev A), both received by the local planning authority on 18th June 2019

Reason

In order to prevent unacceptable levels of noise to nearby residents, in accordance with policies PSP8, PSP21 and PSP35 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	P19/1803/F	Applicant:	Players Court Ltd
Site:	57 - 67 Cleeve Hill Downend Bristol South Gloucestershire BS16 6EU	Date Reg:	18th February 2019
Proposal:	Erection of 5no. dwellings with new vehicular access and associated works	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364861 177049	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	12th April 2019



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P19/1803/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.

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 5no. dwellings with new vehicular access and associated works.
- 1.2 The application site comprises 0.43 hectares of land to the rear of nos. 57-67 Cleeve Hill, Downend. The land was formerly associated with the Cleeve Hill House Estate. The site forms part of a wider plot extending south beyond a pond. Of note this site as a whole has relatively recently been granted planning permission for 12 no. dwellings. This application seeks permission for 5 detached dwellings over a smaller area of land, solely to the north of the pond.
- 1.3 The site is generally relatively well enclosed by boundary trees and vegetation. The site borders the bottom of the residential curtilages associated with properties along Cleeve Hill to the north. A tennis club exists to the south east boundary. To the west the site lies on low cliff below which are the rear curtilages associated with properties along Overndale Road. The site is located within the defined settlement boundary.
- 1.4 The application is accompanied by Arboricultural Surveys and Report, Ecological Assessment, Swept Path Analysis and Drainage and Landscape plans

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy (Adopted) December 2013
CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density

CS17 Housing Diversity

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP19 Bio-diversity

PSP20 Flood Risk, Surface Water and Watercourse Management

PSP37 Internal Space and Accessibility Standards for dwellings

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

Waste Collection: Guidance for New Development SPD (Adopted) January 2015

Technical Advice Note: Assessing Residential Amenity (Adopted) June 2016

3. RELEVANT PLANNING HISTORY

- 3.1 Other than extensions to the existing houses, tree applications and applications relating to the neighbouring tennis club, the key planning history relates to the following:
- 3.2 K5753 - Erection of 5no. dwellings and garages and alterations to existing access (outline). Refused 6 June 1988. Dismissed at appeal.
- 3.3 PK14/4921/F - Erection of a 60no. bedroom Residential Care Home (Class C2) with access, parking, landscaping and associated works. Refused 12th June 2015.
- 3.4 PK16/2577/O - Erection of 12no. dwellings (outline) with layout, scale and access to be determined. Approved 28/7/17

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection.
- 4.2 Other Consultees

Highway Structures
No comment.

Lead Local Flood Authority

No objection in principle.

Transport

We understand that this planning application seeks to erect five new dwellings to the rear of 57 to 67 Cleeve Hill, Downend and that its forms part of a larger site granted permission for the construction of twelve dwellings under application ref PK16/2577/O. We note that this site will be accessed by a lengthy driveway and understand that this will not be adopted. Hence, we have commented on that basis.

As we note that this site is located within a predominately urban area and active bus stops, we consider it fully complies with the requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places document in terms of juxtaposition to necessary facilities and access by all travel modes. Therefore, we would not wish to make a highways or transportation objection on this basis.

The Council's minimum domestic car parking requirements, as set out in the Residential Parking Standards SPD adopted in December 2013, relate the number of off-street parking spaces required to the number of bedrooms present in any property. In this case, we understand that these dwellings will have 3 or 4 bedrooms and so it is necessary to provide at least 2 spaces each.

We note that each house is provided with 2 spaces and a garage, and that there remains sufficient space for vehicles to turn to leave the site in forward gear. Consequently, we believe that it conforms to these requirements. However, our examination suggests that the proposed double garages do not meet the Council's standards and we would recommend that this is changed. We will also require the dimensions of the proposed single garages to be clarified and an indication of the provision for bicycle storage to be provided.

We also note that an indication of the means in which refuse is to be collected from the site has been provided in the form of vehicle tracking. This appears to show the refuse vehicles will enter the front garden of Plot 2 during their manoeuvres. This will need to be rectified. Moreover, the vehicle type used in the procedure does not appear to conform to that set out in the Council's Waste Collection SPD, this will also need to be corrected.

Consequently, we would wish to see these issues clarified so we can reach a conclusion about this application. Should this information not be forthcoming or be unsatisfactory in nature, then we would recommend an objection be lodged against this proposal. Otherwise, we do not believe that this proposal will create any significant highway or transportation issues and it unlikely we would object to it.

Finally, we note that the applicants were required to make a £5,000 contribution to highway safety works as a result of their previous application. It seems reasonable to reduce this amount to £2,500 to reflect the 50% reduction in development size. Nevertheless, we would recommend that any relevant

conditions placed on the planning permission previously granted for this development, should be carried over to the current version as well.

Ecology

No objections, subject to adjustment to the seed mix and conditions securing compliance with mitigation measures and lighting details.

Archaeology Officer

As the residential development is located away from the historic access road (carriage drive) there is no objection to this application.

Highways Structures

No comment

Lead Local Flood Authority

No objection in principle, recommends surface water drainage condition

Other Representations

4.3 Local Residents

Objections from 5 local residents have been received, raising the following issues:

- Increased noise and light pollution.
- Adverse impact on wildlife – birds, bats, badgers, newts, fox and deer.
- Loss of TPO'd Trees.
- Adverse impact on sewage and drainage infrastructure.
- The houses in Overndale Road will be impacted by drainage and potential overfill by water from the pond.
- There should be no soakaways.
- Properties are too close to the Overndale boundaries and works may destabilise the cliff causing subsidence and landslides to gardens of houses below
- Light pollution
- Car headlights at this higher level may shine across the properties
- Overlooking and loss of privacy to properties in Overndale Road.
- Overbearing impact and loss of light for properties in Overndale Road.
- The tree cover on the boundary would not be sufficient screening in winter months.
- Impact on badger setts.
- Loss of sunlight

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 sets out the locational strategy for development in the district. New development is directed towards existing urban areas and defined settlements. As the site is located within the settlement boundary, development is supported in this location. As such, based solely on the location of the site, the principle of the development is acceptable. Of further note and material consideration is the previous planning permission for a larger number of dwellings over a larger site.

This application covers a smaller part of that approved site. The number of dwellings on this smaller northern section of the larger plot is also reduced from 8, inclusive of a row of 4 terraced dwellings, to 5 detached dwellings.

- 5.2 Whilst the principle of the proposed development is acceptable under the provisions of policy CS5 and the previous approval, the impacts of the revised development require further assessment to identify any potential harm. The further main areas of assessment are design and visual amenity, residential amenity, transportation and ecology.

5.3 Design and Visual Amenity

The site is in a 'backlands' area, behind existing properties fronting the main road. The site is generally relatively well enclosed by boundary trees and vegetation and other properties. Of note planning permission for residential development has been granted for the site over a wider area and for more dwellings.

- 5.4 The buildings in terms of their design, scale and orientation are considered to be similar to the previous scheme, and acceptable. Materials would consist of Redland double clay roman tiles, brick, render and tile hanging walls with brick and reconstituted stone detailing. Overall therefore the proposals are again considered acceptable in design and layout terms.

- 5.5 The gardens proposed in each case are considered to be of sufficient size and useable space to serve each property, in accordance with Policy PSP43. Hard and soft landscape plans have been submitted with the proposals. Given this, and the location and nature of the existing site, it is considered that the proposals would be acceptable in visual amenity terms.

5.6 Residential Amenity

Policies PSP8 and PSP38 of the adopted PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; overlooking; poor amenity space; loss of light; and loss of privacy of neighbouring occupiers.

- 5.7 A larger scheme has already been approved on the site and so the principle of development is established. Further to this the proposed layout of this smaller number of dwellings on the northern portion of the site only, is similar to that of the previously approved scheme in terms of housing positions and proximity to the nearest existing dwellings. The nearest residential properties are located to the north east, along Cleeve Hill, and to the west, along Overndale Road.

- 5.8 To the north east, the proposed development is at the bottom end of the curtilages of properties on Cleeve Hill. At the nearest point the distance between the nearest proposed dwelling and existing dwelling would be approximately 55 metres, building to building. No habitable windows are proposed on this elevation at first floor level.

- 5.9 To the west, the proposed development is at the bottom end of the curtilages along Overndale Road. At the nearest point the distance between the nearest proposed dwelling and existing dwelling would be approximately 45 metres

building to building. The properties along Overndale Road are set lower than the application site, by virtue of a small 'cliff' which drops off at the extent of the application site towards the bottom end of the rear curtilages of the existing properties. This would mean that the proposed nearest dwelling would be at an elevated level. Given the distances involved, this would not be considered to give rise to a material amenity impact such as to warrant objection or sustain a refusal of the application on this basis. In addition a level of boundary cover in the form of mature trees and hedgerows further reduces the impact. No side facing windows are proposed in the facing side wall of the nearest dwelling.

- 5.10 The site has previously been approved for development and so the principle of the acceptability of the site has been established. Suitability and stability of land for foundations and depth of footings required would be a matter for building control to assess as part of the Building Regulations requirements.
- 5.11 As stated the principle of the proposals is established and the permission is extant. Further to this, given the location of the development within the urban area, relative distances and orientation to the nearest properties and the design and scale of the development it is considered that the proposals remain acceptable. It is not considered therefore that these proposals give rise to materially significant additional issues or materially increase any local amenity issues such as to warrant objection or refusal planning permission on this basis.
- 5.12 Highways
The site is located in a sustainable location. The principle of proposed housing at this location has been approved. The current proposals would equate to less dwellings and less potential vehicular movements. The transportation comments above are noted and additional tracking plans have been received to the satisfaction of the Council. Satisfactory off-street parking provision is made, in accordance with the Council's off-street parking requirements. The dimensions of the single garages will comply with the Council's requirements in terms of size. The double garages referred to are in addition to the provision of sufficient off-street parking, on the relevant plots. Bike storage is also available.
- 5.13 The applicants were required to make a £5,000 contribution to highway safety works as a result of their previous application. It is considered reasonable that a requirement for contribution remains and is carried forward to the current application but that the contribution is reduced to £2,500 to reflect the 50% reduction in development size. This is agreed with the applicants.
- 5.14 Ecology
The application is accompanied by an Ecological Assessment, in addition to the previous assessment and considerations made on the previous application, across the whole site. The site was surveyed when the habitats were still present, but a large area of the site was cleared removing the majority of scrub and grassland and several saplings.
- 5.15 The site has been assessed for presence of and habitat related to bats, birds, badgers, dormouse, reptiles, Great crested newt and hedgehog.

- 5.16 The report recommends various ecological mitigation for the loss of habitat on site and the addition of seeding of wildflower mixes and inclusion of native species within the design. There are no ecological objections to the proposals based upon the findings subject to conditions securing compliance with mitigation measures and lighting details.
- 5.17 Informatives are recommended advising of the requirements of any development in relation to protected species.
- 5.18 As stated the principle of the proposals is established and the permission is extant. It is not considered that these proposals give rise to materially significant additional ecological issues or materially increase any ecological concerns.
- 5.19 Trees
TPO's exist within the site. The application is accompanied by an Arboricultural Report, including Arboricultural Constraints, Arboricultural Impact Assessment, Tree Protection measures and Arboricultural Method Statement, in addition to the previous assessment and consideration made on the previous application, across the whole site and a condition securing the measures recommend in that report approved. It is of note that development is approved across a wider area of the site. It is recommended that a condition is added to any consent to secure compliance with the findings and measures recommended in the Arboricultural Report.
- 5.20 Drainage
The application is accompanied by drainage plans and details and a subsequent Phase II Geoenvironmental Assessment was also provided. Surface water is proposed to drain to soakaways. There are no objections in principle to the proposals on drainage grounds. The use of soakaways and their location to each property and the private access road are acceptable in planning terms. Some further clarification on the capacity and management of drainage provision is required and a condition is recommended in this respect.
- 5.21 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 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 a further legal agreement under Section 106 of the Town and Country Planning act 1990 (as amended), to secure the following:
- i) A sum of £2,500 payable to the Council for contribution to highway safety works.
- ii) Should the Legal Agreement not be completed within 6 months from the date of this decision, then a further recommendation, on the basis of the requirements of the Legal Agreement not having being met, be made.

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 development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 9 of the Ecological Assessment (Ethos Environmental Planning, November 2018)

Reason

To protect ecological and biodiversity interests of the site and to accord with Policy PSP19 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017.

3. Prior to occupation, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- o Identify those areas/features on site that are particularly sensitive for bats, badgers and hedgehog and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - o Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority

Reason

To protect ecological and biodiversity interests of the site and to accord with Policy PSP19 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017.

4. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the Ecological Assessment (Ethos Environmental Planning, August 2018) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes, permeable fencing, native planting

Reason

To protect ecological and biodiversity interests of the site and to accord with Policy PSP19 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017.

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

Reason

To minimise disturbance to neighbouring properties and to accord with PSP8 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017 and the provisions of the NPPF.

6. The development hereby approved shall be carried in full accordance with recommendations contained within the Arboricultural Report dated March 2019.

Reason

To ensure the satisfactory appearance of the development and to protect the landscape character in general to accord with Policies CS1 and CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 December 2013 and the provisions of the NPPF.

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

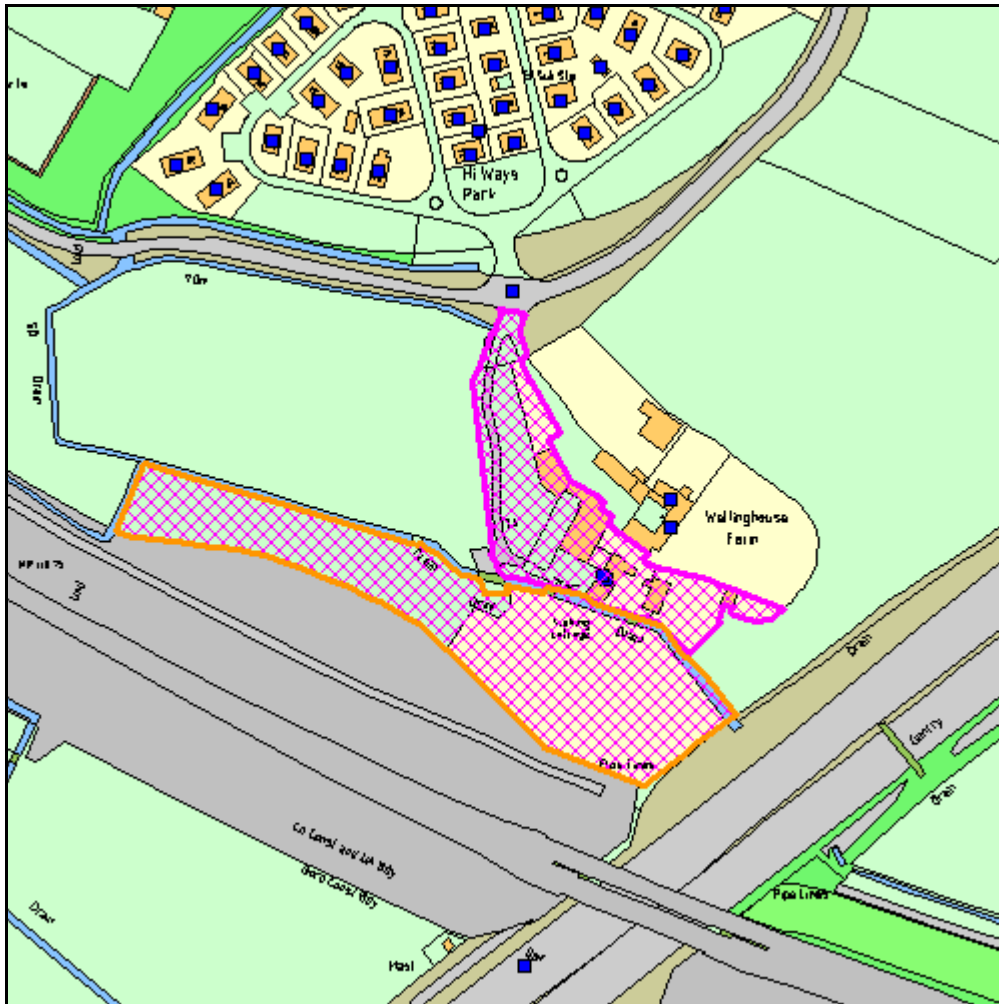
Reason

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2012.

This is a pre-commencement condition to ensure that drainage provisions are integrated within the development at an early stage.

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	P19/3017/F	Applicant:	Mr And Mrs Cole
Site:	Welling Cottage Farm Moorhouse Lane Hallen South Gloucestershire BS10 7RT	Date Reg:	22nd March 2019
Proposal:	Alterations to former milking parlour to facilitate conversion to 1 No. dwelling (use class C3). Resubmission of PT18/3956/F.	Parish:	Almondsbury Parish Council
Map Ref:	354867 179673	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	16th May 2019



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100023410, 2008.

N.T.S.

P19/3017/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.

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination to take into account comments received during the public consultation which are contrary to the officer's recommendation for refusal.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for alterations to a detached outbuilding, situated to the front of Welling Cottage, to facilitate its use as a separate dwelling. To enable the building to function as living accommodation, operational development is proposed along with the creation of a residential curtilage.
- 1.2 The site relates to a former milking parlour off Moorhouse Lane near Hallen. In terms of constraints, the site is:
 - outside the settlement boundary of the village;
 - within the Bristol/Bath Green Belt;
 - an area of archaeological interest;
 - the setting of the original grade II listed farmhouse; and
 - flood zones 2 and 3.
- 1.3 This application is a resubmission of a previously refused scheme, PT18/3956/F. The reasons for refusal are listed in section 3 of this report. Amendments have been made to the proposal in an attempt to overcome the past objections.
- 1.4 During the course of the application, local planning authority (LPA) officers met with the applicant and his agent(s). At this we discussed the inconsistencies in advice given during pre-application and the reliance on that advice which will result in two planning determinations (PT18/3956/F and this application) which oppose the pre-application advice. However, the Planning Practice Guidance makes it clear that pre-application advice provided by the LPA cannot pre-empt the democratic decision making process or a particular outcome, in the event that a formal planning application is made. Furthermore, although pre-application advice is not binding, the Authority maintains their response has been consistent throughout – that a sensitive design is required to facilitate the conversion and that due to the limited information submitted at pre-application, a request to reduce the mass and enhance the building's appearance at the planning application stage remains in line with pre-application advice and does not constitute unreasonable behaviour.
- 1.5 After this meeting, the LPA accepted a revised set of plans. This application shall therefore be determined on these.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) February 2019

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets
PSP18	Statutory Wildlife Sites
PSP19	Wider Biodiversity
PSP20	Flood Risk
PSP21	Environmental Protection
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Green Belt SPD (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

CIL and S106 SPD (Adopted) 2015

Waste Collection SPD (Adopted) Updated 2017

3. RELEVANT PLANNING HISTORY

Application site

3.1 PT18/3956/F

Alterations to former milking parlour to facilitate conversion to 1no dwelling (use class C3).

Refusal

22.01.2019

Reasons:

1. The proposed development fails to reach the highest possible standards of design, as required by policy CS1, due to the detailing and overall appearance of the proposal. The proposal therefore fails to respect and enhance the character and appearance of the existing building group, or preserve the setting of the adjacent grade II listed farmhouse and thus causing "less than substantial harm" to its significance. However, the public benefits arising from the development would not outweigh that harm, or the conflict with the revised National Planning Policy Framework; Policies CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; or Policies PSP1, PSP17 and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.
2. Due to the location of proposed "playroom" window in the southeast elevation, relative to Welling Cottage, there would be an overlooking opportunity between habitable rooms, thereby prejudicing the residential amenity of both occupiers. The proposal is therefore contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the revised National Planning Policy Framework.

3.2 PRE18/0141

Conversion of barn into dwelling.
28.03.2018

3.3 PT11/2788/LB

Erection of single storey side extension to workshop to provide office accommodation.
Withdrawn
12.10.2011

3.4 PT11/2530/F

Erection of single storey side extensions to form workshop/ office space. Change of Use from Milking Parlour to Workshop/Office Space (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
Withdrawn
12.10.2011

3.5 PT01/2122/F

Conversion of redundant milking parlour to form annex to existing house.
Refusal
24.08.2001

Reasons:

1. The site is located within the Bristol/Bath Green Belt. The proposal would necessitate building works which would be tantamount to the construction of a new dwelling in the Green Belt. As such, the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2, Policy GB1 of the South Gloucestershire Local Plan (Deposit Draft), Policy GB6 of the approved Avon County Structure Plan incorporating Third Alteration,

Policy 16 of the Joint Replacement Structure Plan (As Intended to be Adopted), and Policy RP34 of the adopted Northavon Rural Areas Local Plan.

2. The proposal is considered contrary to Policy RP32 of the adopted Northavon Rural Areas Local Plan, and Policy H9 of the South Gloucestershire Local Plan (Deposit Draft) and PPG7 in relation to the conversion of agricultural buildings. This is due to the fact that the building has not been demonstrated that the use can be accommodated within the fabric of the existing building, or that it is structurally sound without requiring works tantamount to the erection of a new building. It has not been demonstrated that all reasonable attempts have been made to secure a suitable business re-use for the building; the proposed use would not contribute to the diversification of rural economic activity.
3. The existing agricultural building is not considered suitable for conversion to a dwelling by reason of its size, design, modern construction, scale and location, and as such the proposal would be contrary to Policies RP1, RP32 and RP46 of the adopted Northavon Rural Areas Local Plan; Policies D1 and H9 of the South Gloucestershire Local Plan (Deposit Draft); and the guidance set out in PPG2 and PPG7.
4. The proposed works would be detrimental to the setting of a listed building contrary to Policy RP42 of the adopted Northavon Rural Areas Local Plan, and L14 of the South Gloucestershire Local Plan (Deposit Draft) and the advice contained in PPG15.

3.6 PT00/2548/F

Conversion of milking parlour to dwelling bungalow.

Refusal

02.01.2001

Reasons:

1. The Building is not in keeping with the character, form and overall design of its surroundings and its conversion and re-use would be contrary to policy H9 of the South Gloucestershire Local Plan (Deposit Draft) September 2000 and advice contained within Planning Policy Guidance Note 2 "Green Belts".
2. No evidence of attempts to find suitable business re-use of the building has been provided and it is considered that the conversion to a building more suitable for a commercial use would reduce local opportunities for diversification of the rural economy, contrary to policy RP32 of the adopted Northavon Rural Areas Local Plan, policy H9 of the South Gloucestershire Local Plan (Deposit Draft) September 2000 and advice contained within Planning Policy Guidance Note 7 "The Countryside".
3. The proposal, if allowed, would result in the conversion to a residential unit to an existing building within the Green Belt, outside of an established settlement, and as such, does not fall within the category of development within the Green Belt deemed appropriate under policy GB6 of the Avon County Structure Plan (3rd Alteration).

3.7 P99/2453

Conversion of disused milking parlour to dwelling.

Refusal

17.11.1999

Reasons:

1. The site lies within the Bristol Green Belt. The proposal would necessitate substantial rebuilding works which would be tantamount to the construction of a new dwelling in the Green Belt and as such would not fall within the limited

categories of development normally considered appropriate within the Green Belt, nor has the applicant demonstrated that very special circumstances exist such that the normal presumption against such inappropriate development should be overridden. The proposal is therefore contrary to Policy GB6 of the approved Avon County Structure Plan incorporating the Third Alteration, Policy RP34 of the adopted Northavon Rural Areas Local Plan, Policy N10 of the Northavon Local Plan (Deposit Draft), and the provisions of Planning Policy Guidance Note 2 - Green Belts.

2. The existing agricultural building is not considered suitable for conversion to a dwelling by reason of its size, design, modern construction, scale and location, and as such the proposal would be contrary to Policies RP1, RP32, and RP46 of the adopted Northavon Rural Areas Local Plan, and N1, N66 and N170 of the Northavon Local Plan (Deposit Draft).

Appeal: APP/P0119/A/00/1036400
Dismissed
6 June 2000

Welling Cottage

3.8 PT11/2786/LB

Erection of two storey rear extension to form additional living accommodation.

Withdrawn

12.10.2011

3.9 PT11/2435/F

Erection of two storey rear extension to form additional living accommodation.

12.11.2011

3.10 P87/2801/L

Conversion of redundant barn to form dwellinghouse. Alterations to existing vehicular and pedestrian access

Consent

09.12.1987

3.11 P87/2720

Conversion of redundant barn to form dwellinghouse. Alterations to existing vehicular and pedestrian access

Approval

09.12.1987

4. **CONSULTATION RESPONSES**

4.1 Almondsbury Parish Council

No objection but support any decision the Conservation Officer makes.

4.2 Councillor

Support

- structurally sound building
- not visible from the road
- sustainable reuse of material

4.3 Other Consultees

Highway Structures

No objection

Lead Local Flood Authority

Require clarity as to whether foul sewage will discharge to an existing cesspool or septic tank as indicated.

Sustainable Transport

If any conditions were recommended for PT18/3956/F, these should be carried over.

Archaeology Officer

No objection

Landscape Officer

- A plan is required showing all existing vegetation to be retained and removed.
- All boundaries should be native species hedgerows with extra heavy standard trees every 4m.
- Fruit trees should be planted within the grass area at the end of the garden.
- A full landscape planting plan is required, stating all species to be planted.

Ecology Officer

No objection

Conservation Officer

Objection

- introduction of stone elements does reduce the extensive use of timber cladding previously proposed but does not overcome the previous concerns raised
- poor design
- fails to preserve the setting and significance of the adjacent grade II listed farmhouse

Environment Agency

No comment

Environmental Protection

No objection

- informatives recommended relating to potential contamination and construction site practice.
- acoustic report required detailing how noise from the M5 and railway line will affect the proposed development

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission to convert a former milking parlour into a dwelling on land in front of Welling, Hallen. It is a resubmission of a previously refused scheme.

5.2 Principle of Development

Officers have had due regard of the site's extensive planning history, in particular the latest refusal (PT18/3956/F) in January. In rejecting that application, Officers considered the proposal met the green belt exceptions set out in paragraphs 146 (d) and (e) of the NPPF regarding the re-use of buildings of permanent and substantial construction and changes of use of land. This acceptance has not changed but was subject to conditions removing permitted development rights and requiring a full landscaping scheme.

- 5.3 However, in order for this application to proceed, the development must demonstrate the previous refusal reasons have been overcome. This can be either through a fully policy supported proposal or by reducing the resulting harm from the development so that it does not outweigh its own benefit. The application is therefore determined against the analysis below.

5.4 Design and Impact upon Listed Farmhouse

The first refusal reason on application PT18/3956/F related to the poor design of the scheme and its unacceptable impact on the listed building – unfortunately, despite a meeting and subsequent revisions, Officers do not consider enough has been done to overcome that assessment.

- 5.5 As noted previously, this is a site with extensive planning history and relatively consistent Conservation guidance has been provided in respect of the need to ensure that the setting of the adjacent grade II listed farmhouse is not harmed through inappropriate development.

- 5.6 It was remarked in the 2011 application (subsequently withdrawn) that:

“Welling Farm House dates from the early seventeenth century, with later alterations. There are a number of former agricultural outbuildings located in close proximity around the farmhouse, to its south-east, south, south-west and north-west. The full height barn has been converted to a residential dwelling around 20 years ago and is now in separate ownership to the farmhouse. A number of the former agricultural buildings are included in this ownership. They consist of a smaller traditional stone outbuilding to the east of the dwelling and a large single storey rendered blockwork milking parlour to the west. This is attached to the walled remains of a traditional stone animal shed. These walls form an enclosure, and much of the stone walling has been rendered. The various stone outbuildings and walls contribute to an understanding

of the original use of the site, and the setting of the listed farmhouse. The rendered modern milking parlour is of non-traditional proportions, form, design and materials. It is unfortunately prominently sited forward of the traditional farmhouse and barns”.

- 5.7 Unlike application PT18/3956/F, a heritage statement has been submitted which seeks to justify the present proposal having regard to the significance of the listed farmhouse and its curtilage listed barns and outbuildings. The changes to the design of the conversion are also noted as helping to upgrade the external appearance of the building. The statement concludes that the proposal will result in public benefit that outweighs any concerns relating to “less than substantial” harm to the listed building.
- 5.8 However, the former milking parlour remains visible on the approach to the listed building from the road, is seen in conjunction with the listed building in many views around the site, and forms a prominent feature of the group. The development site is therefore experienced as being within the setting of the listed building and, as highlighted before, development here has the potential to impact on the setting and thus significance of the farmhouse.
- 5.9 A completely objective assessment of the setting of the listed building cannot but recognise the incongruous design, form, scale, proportions and use of inferior materials of the former milking parlour, and its detrimental impact on the traditional character and appearance of the farmhouse and its associated historic outbuildings. It is a purely utilitarian, low-cost structure, designed for modern agricultural use, built from low-quality materials and erected when the site was a working farm. It is not a structure that makes a positive contribution to the setting of the listed building and its purely functional design and rudimentary appearance, compared to the historic stone buildings around it, give it the character of a cheap and functional structure, as opposed to a good quality, permanent addition to the group.
- 5.10 In terms of the design changes, the number of rooflights have been reduced which is an improvement over the scattergun approach previously. A different approach to the fenestration and elevational treatment has also been adopted, with a mixture of stone and horizontal timber cladding being introduced and grey aluminium windows inserted into new openings. An enclosed area of garden is still proposed, this being formed by the planting of a low hedge.
- 5.11 Rather than heeding previous advice (provided verbally before determination of PT18/3956/F and at a recent meeting, explained at point paragraph 1.4) in respect of reducing the size/proportions of the structure to make a smaller ancillary annex to the Cottage, this application still seeks to create a new residential building with its own domestic curtilage in the setting of the listed building and in a prominent location within the site, forward of both the listed farmhouse and its converted main barn. Whilst changes to the elevational treatment have been put forward, they do not, in Officer opinion, help to mitigate the adverse impact that the conversion of this structure has in principle on the setting of the listed building. The odd hybrid of styles and materials impart a distinctly modern, domestic character to the group, thereby drawing unwarranted attention to itself. Whilst timber cladding is used across the site on

gables and projecting features, it is very much used as a secondary material used in conjunction with other materials, not as a cladding material for large elevational sections.

- 5.12 The proposed elevation treatment, including the use of materials, and the creation of a defined residential curtilage will, in Officer opinion, serve to reinforce the sense of this structure as being an incongruous and dominant new dwelling in the context of the listed building and its traditional farmstead. Rather than appear as a sympathetic conversion of a traditional building, the proposal would result in an unremarkable large bungalow in a prominent position in the setting of a grade II listed building. Officers therefore reinforce the opinions expressed since at least 2001 – that this modern agricultural building is not suitable for a residential conversion in its current form and that the proposal will result in a development that harms the setting and significance of the listed building. Such a finding makes the proposal contrary to Local Plan policy PSP17, but in terms of the NPPF, a level of harm must be afforded. Previously the level of harm to the overall significance of the listed building equated to “less than substantial” – and Officers do not consider this has changed. However, in such situations, NPPF paragraph 196 requires the harm to be weighed against any public benefits arising from the proposal.
- 5.13 Officers accept the applicant’s desire to re-use an existing building. However, there are no demonstrable heritage benefits arising from the proposal, and other public benefits arising from the creation of one new dwelling are limited, particularly given its rural location. With that in mind, and the requirement of NPPF paragraph 193, Officers conclude that the benefits involved do not come close to outweighing the harm that would be caused to the significance of the listed building. As such, there is conflict with policies PSP1, PSP17, PSP40, CS1, CS9 and CS34.
- 5.14 Residential Amenity
The second reason for refusal of application PT18/3956/F related to the intervisibility between the site and Welling Cottage. However, this problem has been overcome by changes to the internal layout/fenestration. As such, this is no longer an overriding objection and furthermore it remains the case that the development would have sufficient amenity space alongside not prejudicing neighbours either.
- 5.15 Transport and Parking
Although Officers found under application PT18/3956/F that the site would be car dependent, it would not generate a significant number of additional vehicular trips, the access is safe and there would be sufficient parking to serve the new dwelling and Welling Cottage. The proposal therefore remains broadly the same as previous and as such no transportation objection is raised.
- 5.16 Drainage
In relation to essential services, there appears to be an issue with the disposal of foul sewerage. In the application form the applicant indicated that disposal would be by way of ‘septic tank’ but it not clear whether there is an existing one (and it would be appropriate) or that there are suitable ground conditions for a new one. Nevertheless, on the information available Officers are satisfied that

verification of an existing septic tank or the implementation of a new PTP, could be resolved by condition.

5.17 Noise

The Environmental Protection team are concerned about noise from the M5 and railway line nearby, and this application is not accompanied by an acoustic report. As such, the Council consider that insufficient information has been submitted to demonstrate that there would be no impact to future occupants of the proposed building with regard to noise. Furthermore, it is not considered this matter could be dealt with by condition because if mitigation measures need to be put in place, these would need to be included within the submitted plans and therefore considered as part of any application assessment. This shall therefore form a new second refusal reason.

5.18 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.

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

5.20 Conclusion

To summarise, although Officers have found that the first second refusal reason of application PT18/3956/F has been overcome, the harm that would be caused to the setting of grade II listed Wellinghouse Farm, together with the scheme's poor design and potential harm to amenity, represent significant and overriding objections which are considered to be conclusive.

5.21 Therefore, for the reasons given above, and having taken account of all other matters raised, Officers conclude that the application should be refused.

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 development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission be REFUSED for the reason listed below.

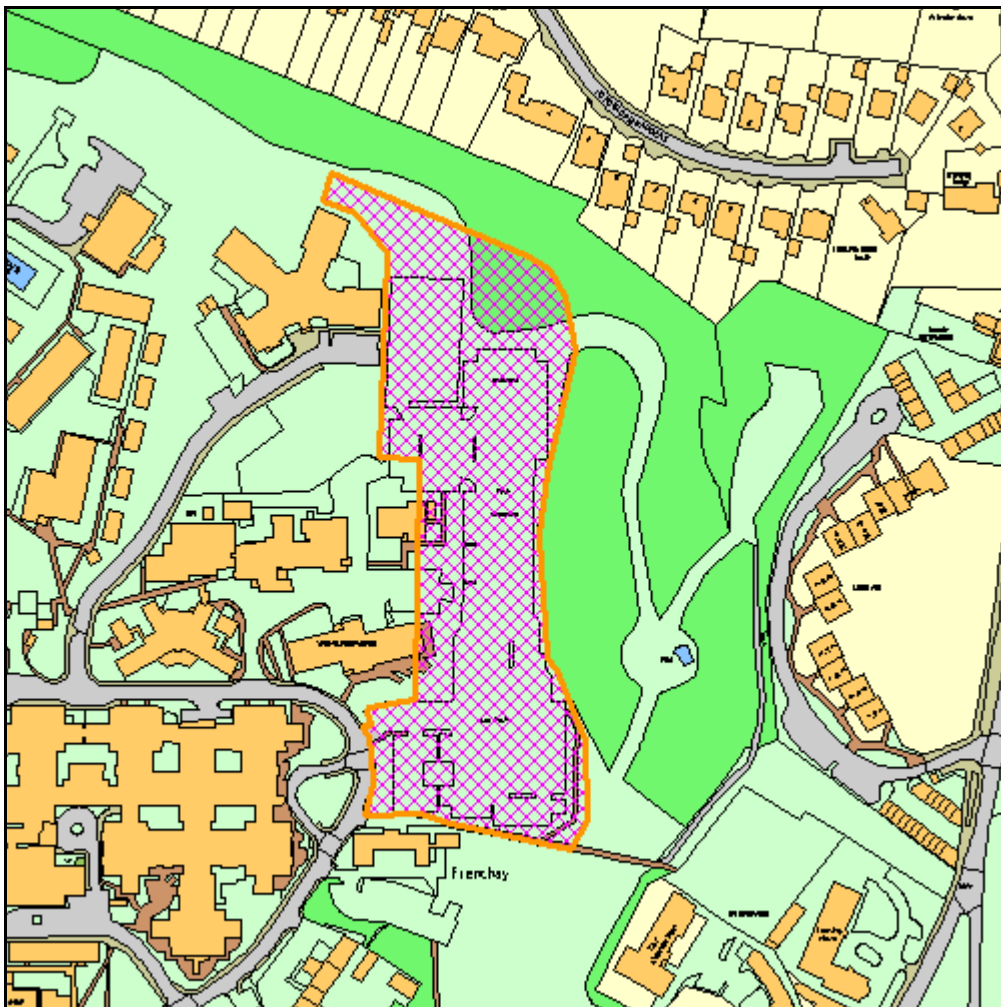
Contact Officer: Helen Braine
Tel. No. 01454 863133

REASONS FOR REFUSAL

1. The proposed development fails to reach the highest possible standards of design, as required by policy CS1, due to the detailing and overall appearance of the proposal. The proposal therefore fails to respect and enhance the character and appearance of the existing building group, or preserve the setting of the adjacent grade II listed farmhouse and thus causing "less than substantial harm" to its significance. However, the public benefits arising from the development would not outweigh that harm, or the conflict with the 2019 National Planning Policy Framework; Policies CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; or Policies PSP1, PSP17 and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.
2. Insufficient information has been submitted with the application to enable the local planning authority to assess whether the proposed conversion would provide acceptable living conditions for future occupiers with regard to noise from the M4 and a nearby rail line. The development is therefore contrary to Policy PSP8 and PSP21 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and the National Planning Policy Framework 2019.

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	P19/3567/F	Applicant:	South Gloucestershire Council
Site:	Land At The Former Frenchay Hospital Frenchay Park Road Frenchay South Gloucestershire BS16 1UU	Date Reg:	4th April 2019
Proposal:	Erection of a 2 form entry primary school and associated works.	Parish:	Winterbourne Parish Council
Map Ref:	363880 177705	Ward:	Frenchay And Downend
Application Category:	Major	Target Date:	4th July 2019



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N.T.S.

P19/3567/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.

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application is on the Circulated Schedule as South Gloucestershire Council is the applicant.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for a two form entry primary school (420 places) on the former Frenchay Hospital Site. The school will accommodate the existing Frenchay C of E Primary School, which will be relocated from its current site and expanded. The site is 1.3 hectares in size, and is currently being used as an overflow car park for the Brain Injury Rehabilitation Centre. It is approximately 700 metres from the existing school.
- 1.2 The building provides 2365 square metres of floor space. It is proposed to be two storey in height and finished in render with natural larch wood cladding, although some areas of the building will be single storey. The roof is proposed to be flat, but with a parapet around the outside.
- 1.3 The classrooms are proposed to be located over two floors on the south and west side of the building, and the building has a curved western elevation, which accommodates a terrace to provide an outdoor learning area for the first floor class rooms. Two further first floor outdoor terraces are proposed, one on the single storey area in the centre of the building and the other in the south east corner. Blue frames are proposed for the doors and windows. Photovoltaic panels are also proposed, to be hidden by the parapet around the roof. Parts of the single storey areas of the building are proposed to have green roofs.
- 1.4 For the outdoor areas tarmac netball and basketball court are proposed, and a grass football pitch. Outdoor play areas are also proposed. A staff car park with 37 car parking spaces is also proposed on the site. Cycle and scooter parking is also proposed.
- 1.5 The proposal involves the demolition of part of the curtilage listed wall of Sisters House, formerly known as Frenchay Park House, which is a Grade II listed building. The part of the wall to be demolished is approximately 15 metres in length and is in a poor state of repair, currently standing at 0.5 m in height. Its demolition is subject of a separate listed building consent which has already been approved. Stone from the demolished part of the wall will be reused around the main entrance to the school.
- 1.6 An area of woodland adjoins the site to the east and this is part of a registered Village Green, as is the land to the north of the site. The site sits outside, but adjacent to Frenchay Conservation Area. It is also close to a number of listed buildings to the south of the site, including Sisters House and its former stable block, which is now converted into dwellings.

- 1.7 There are a number of trees within and on the edge of the site. Some of these trees are covered by a tree preservation order (TPO). Fifty trees are proposed to be felled to make way for the school, but those covered by a TPO are proposed to remain. Hard surfacing is required within the root protection area (RPA) of five trees, and it is proposed to construct this using a cellular confinement system as a “no dig” method of construction. A substantial amount of the car park will need to be constructed using this method. Additional tree planting is also proposed, particularly on the western and northern boundaries of the site.
- 1.8 The site is in Flood Zone 1. Underground crated attenuation is proposed within the site for surface water drainage.
- 1.9 Some minor retaining works are required on the boundaries resulting in retaining walls of 0.6 metres in height on sections of the western and eastern boundaries.
- 1.10 As well as the plans, a design and access statement, transport assessment, travel plan, arboricultural report, ecological survey report, flood risk assessment and drainage strategy, SUDS proof of concept report, heritage statement (including statement of significance), environmental noise assessment report, lighting assessment, preliminary risk assessment (ground conditions), phase 2 ground investigation report and renewable energy study have been provided with this application.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice 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
CS6 Infrastructure and Developer Contributions
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure and Cultural Activity
CS25 Communities of the North Fringe of Bristol Urban Area

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP5 Undesignated Open Spaces within Urban Areas and Settlements
PSP6 Onsite Renewable and Low Carbon Energy

PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP16 Parking Standards (Cycle Parking)
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP24 Mineral Safeguarding Areas

2.3 Supplementary Planning Guidance

Frenchay Conservation Area SPD Adopted March 2007
Design Checklist SPD Adopted August 2007
Renewables SPD Adopted November 2014
Waste Collection SPD Adopted January 2015

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT13/0002/O- Redevelopment of hospital site to facilitate the construction of up to 490 residential units; a new health and social care centre and; a 1 form entry primary school, all with associated works. Outline application with access to be determined: all other matters reserved. Approved 5th December 2014.
- 3.2 PT17/4904/RM- Erection of 41no dwellings (Phase 3a) with the provision of public open space and ancillary supporting infrastructure. (Reserved Matters application to be read in conjunction with Outline Planning Permission PT13/0002/O in regards to scale, appearance and layout) (site to west). Granted 29th May 2018.
- 3.3 P19/3568/LB- Partial demolition of curtilage listed wall. Granted 10th July 2019.
- 3.4 P19/8104/F- Relevant demolition of existing extension and erection of a replacement single storey side extension to facilitate conversion to 3no dwellings, with parking, screening and associated works. (building to south). Pending Consideration.

4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council: The comments of the Parish Council are no objection. The Parish Council note that at previous meetings with South Gloucestershire Council, it was proposed that there would be provision of a drop off facility but this is not shown on the current plans. The Parish Council is keen that this element is not overlooked.
- 4.2 Arts & Development Officer: If the application is approved, a planning condition for a public art programme that is relevant and specific to the school should be applied.
- 4.3 Conservation Officer: No comment.
- 4.4 Drainage Officer: No objection in principle to the application. If the application is to be approved then would recommend a condition for the provision of detailed design for the proposed drainage system.

- 4.5 Ecology Officer: No issues to raise.
- 4.6 Environmental Policy Officer: The Energy Statement should be reviewed and the appropriate detail included in it to demonstrate compliance with Core Strategy policy CS1(8) and PSP6, and address the comments set out above. It is expected that projected energy demand and CO₂ emission reduction calculations are based on actual building specifications at this stage, not 'assumed'. Reference should also be made to the guidance on sustainable energy requirements in new development. It is highly recommended the proposal is re-designed to achieve at least BREEAM 'Very Good' as encouraged by Policy CS1(8). It is strongly encouraged that the strategy is revisited in terms of the choice of heating system. Moving away from traditional gas heating systems is essential to help meet carbon emissions reduction targets as set out in the South Gloucestershire Climate Change Strategy (Adopted 2018), and is the direction of emerging local and national policy. The proposal would be a good candidate for using renewable heat, such as air source heat pumps. This would also 'future proof' the building's heating system by avoiding costly retrofitting of the heating system of the school at a later date.
- 4.7 Environmental Protection Officer (Contamination): No objections in principle. The Preliminary Risk Assessment report provides an acceptable desk study. Any potential risks from contamination are concluded to be low. The report recommends a baseline site investigation to confirm ground conditions. The conclusions and recommendations of the report are accepted. Conditions are recommended for further site investigations, a verification report and to provide further information if unexpected contamination is found.
- 4.8 Environmental Protection Officer (Noise): No objections in principle. Provide standard advice in relation to the construction period.
- 4.9 Highway Structures Officer: No comment.
- 4.10 Landscape Officer: The landscape proposals are considered acceptable and should provide a well treed, pleasant environment for the pupils. A couple of improvements to consider are:
- A feature tree or large shrub should be incorporated into the shrub planting either side of the entrance;
 - The western boundary- would question whether the weldmesh fencing is a duplication of the boundary treatment, as there is already a closeboard fence to this boundary. It would be better to leave this as the closeboard fencing and introduce climbers and shrub planting to help screen the fence;
 - Areas of wildflower meadow should be incorporated where possible around the periphery of the site to increase the sites biodiversity and wildlife areas should be set aside.

Would suggest that these minor amendments could be incorporated into the final planting plan, requires a detailed 1:200 scale planting plan as a condition of planning, together with a landscape & ecological management plan, to specify the ongoing future maintenance and management of the site to generally increase the biodiversity and ensure good plant establishment is achieved throughout the site.

- 4.11 Transport Officer: The proposed primary school is well located to the majority of the residential development that it is proposed to serve, this gives opportunities of walking and cycling for both staff and parents/children reducing the need to travel by car. An outline travel plan has been submitted in support of the application, which is considered acceptable but further detail is required prior to first occupation of the school. Whilst it is acknowledged that pedestrian access from the east of the site with the existing community is limited, a public consultation is due to go out offering three options to improve accessibility from this direction, the results of which will determine which route is brought forward to rectify this. Given the above there is no transportation objection to this proposal subject to the following conditions:
- The submission and approval of a full travel plan prior to the opening of the school;
 - Prior to the first occupation of the school, the submission and approval of details of electric vehicle charging points, together with the identified area for expansion;
 - Prior to first occupation of the school, the completion of the footway link immediately to the south of the site needs to be completed to facilitate use of the secondary pedestrian school access.
- 4.12 Tree Officer: Happy that the revised proposal retains the majority of the important trees on the site, particularly the mature Oaks - T95 and T96. Requests a condition that the development is carried out in accordance with the Silverback Arboricultural Report with specific reference to section 8.6 (Supervision and Monitoring).
- 4.13 Waste Officer: No comments.
- 4.14 Coal Authority: No requirement for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.
- 4.15 Avon and Somerset Police Designing Out Crime Officer: No objection, but has provided some security advice.
- 4.16 Sport England: The proposal does not fall within their remit, so have not provided a detailed response. Provide general advice.
- 4.17 Wales and West Utilities: Provide information on the location of gas mains in the area and advise that safe digging practices must be used in the vicinity of gas mains.

Other Consultees

- 4.18 Two objections have been received from members of the public which are summarised as follows:
- On the basis of the travel surveys carried out, questions the number of additional vehicles arriving at the school;
 - There are likely to be large numbers of cars stopping and parking in a very concentrated time slot on a residential road causing chaos and the road to be clogged, including preventing ambulances accessing the Brain Injury Rehabilitation Centre;
 - Insufficient parking spaces are provided, and added to insufficient space for the Brain Injury Rehabilitation Centre and Local Residents, there will be huge amounts of overspill parking;

- Queries if the traffic implications of the proposed nursery adjacent have been factored into the travel planning;
- The new traffic calming layout recently installed on Beckspool Road has reduced car parking spaces along this road and the traffic flow measures have led to disruption, queuing and driver confrontation even before the increase in vehicle numbers caused by this application;
- The building of the school would result in the part of the existing stone curtilage wall that is to remain entirely separating the north section of the voluntary village green (VVG) from the remainder.

4.19 Two representations expressing support for the proposal have been received from members of the public which are summarised as follows:

- The light and space that this proposal will give will make a lot of difference for pupils and staff;
- The building looks plan looks modern, and in keeping with other new buildings in the area.
- While commenting in support, also comments the access around the school is unclear. It is important that access for the public behind the school is still available after the new school works and reduction of the old wall to retain a well-used walking loop.

4.20 Three representations have also been received from members of the public expressing neither objections nor support for the proposal and are summarised as follows:

- Comment that it is important to retaining the walking loop;
- Access to the nature reserve from Bristol Road should remain as this green area encourages people to walk;
- It is important that residents can access the Village Green without having to walk along the main road;
- If dog walkers have to walk through residential areas instead it may increase the amount of dog waste on residential streets;
- Support the proposal for the school itself;
- The existing car park on which the school will be built is currently being used by a lot of staff and visitors of the Brian Injury Rehabilitation Centre. If there are no alternative parking arrangements, they will increase the overspill parking on the street from the development.

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The Section 106 Agreement attached to the outline planning permission for the redevelopment of the Frenchay Hospital site required the provision of a one form entry primary school in this location to meet the requirement for primary school places arising from the development.
- 5.2 However, the proposal has now evolved to also include the relocation of the existing Frenchay Primary School onto the new site in one new building. The school proposed therefore provides double the places of that required by the outline planning permission to meet the requirement for places within the development site, the places

within the existing Frenchay Primary School (20 place entry) and an expansion of primary school places to meet additional demand from elsewhere within the area.

- 5.3 It is accepted that two smaller primary schools within Frenchay in such close proximity would not be an efficient use of resources and that there would be significant challenges in providing extra capacity on the existing primary school site due to the existing school site having no room to expand, its location and its Grade II listed status.
- 5.4 It is considered the larger two form-entry school building can be accommodated on the site and the issues that have been considered in concluding this are discussed below.
- 5.5 Given the above, the principle of a two form-entry school on this site is considered acceptable.

Design

- 5.6 The design has been developed to have a contemporary look and the designer considers that the larch cladding on the top half of the building, once weathered, will blend in with the surrounding woodland.
- 5.7 The design and materials proposed for the building are fairly simple but the curve of the western elevation, including the first floor terrace, the use of large areas of glazing with the blue frames and the rounded corners at first floor level provide visual interest. The use of stone from the demolished section of the curtilage wall is welcomed as this provides the building with a link to the history of the site. It is considered that the character and appearance of the building is acceptable and appropriate in this location, and has an acceptable impact on the setting of the adjacent conservation area and listed buildings.

Partial Demolition of Curtilage Listed Wall

- 5.8 The partial demolition of the curtilage listed wall has been justified by the applicant by stating that the site only allows for a sports pitch as shown on the proposed site plan, which is already undersized, and there is no further scope to reduce the size nor change the location of the pitch.
- 5.9 It is considered that the benefits of the new school and the associated playing field for the school pupils outweigh what is considered to be the less than substantial harm of the partially removal of the listed wall. This has already been considered as part of the listed building consent application for the partial demolition of the wall (ref. P19/3567/LB) and cannot be considered further as part of this submission.
- 5.10 Neighbours have raised concern about access through the wall to allow them to be able to walk continuously through the village green area. While it does form part of this planning application and is outside the application site, it is understood that works are to be carried out to the wall to create a 3 metre gap to allow this access through the Village Green and into the nature reserve.

Transport

- 5.11 Parking for staff is provided on site and while it is accepted that there is likely to be some overspill parking onto the surrounding roads, this is not considered to be of a level that would cause significant concern. In addition, the travel plan presents an opportunity to encourage staff to travel to and from work by means other than single occupancy car journeys.
- 5.12 Turning to pupil travel, it is considered acceptable for the school to proceed without specific parking provision for parents. It is noted that the Parish Council's comment that a drop off area should be provided and concerns have been raised regarding the impact of on-street parking by parents. However, space and appropriate access is not available in this case to provide that facility. It is also considered that such a facility would encourage parents to drive to the school. Given the school is within a residential area and well placed for pupils to walk, cycle and scoot to school, it is considered this should be encouraged to promote active and sustainable travel and also to prevent congestion at school drop off/pick up times. Again the travel plan provides an opportunity to encourage this.
- 5.13 In respect of cumulative impact with parking for the proposed nursery, it is noted an application has recently been submitted to convert the building originally proposed for the nursery into three houses. It is also noted that under the terms of the Section 106 Agreement attached to the outline planning permission, if certain criteria are fulfilled, an off-site contribution can be made for nursery places as an alternative to onsite provision.
- 5.14 Conditions requested by the Transport Officer in respect of a final travel plan, electric vehicle charging points and surfacing the pathway to the south are recommended below.
- 5.15 In addition, safe routes to school are required to be provided to schools to ensure safe walking and cycling routes are available and encourage these modes of travel. These have not been identified as part of this planning application. However, the Section 106 Agreement attached to the outline planning permission does require these to be identified and provided. Following a contribution to the Council, a consultation is due to be carried out on this matter shortly, in order to start fulfilling this requirement. A condition has been recommended below requiring the provision of such safe routes to school prior to its opening.

Landscape and Trees

- 5.16 In respect of the trees to be felled, one is a category A tree, twelve are category B trees and the remaining 37 are within category C. The loss of a category A tree is unfortunate, but this is required to accommodate the football pitch. There is no other possible location for the pitch that would result in keeping this tree and it is considered the benefits of providing the sports facility outweigh the benefits of keeping the tree in this case. It is noted that efforts have been made to retain as many of the existing trees as possible on the site, including two category B mature oak trees in the south of the site which were considered important to retain due to their size and quality. The Landscape Officer has requested a condition for a planting plan and some minor alterations to the proposed landscaping scheme, and also a condition for a landscape

and ecological management plan, which have been recommended below. The condition requested by the Tree Officer for supervising and monitoring tree works has been recommended as requested.

Renewable Energy

- 5.17 The Renewable Energy Assessment suggests that photovoltaic panels and solar hot water panels are suitable renewable energy technologies for the school. Photovoltaic panels have been proposed to be located on the roof. However it is understood that solar hot water panels were not considered to be a cost effective option, so have not been pursued.
- 5.18 The concerns the Environmental Policy Officer has raised regarding the renewable energy report are acknowledged and the applicant has advised that she has met with the team to discuss revisions to the statement. It is considered that a condition can be required for the provision of a revised statement and mitigation measures prior to the construction of the building, and this has been recommended below.

Neighbour Amenity

- 5.19 The closest residential properties to the buildings are a block of flats currently being constructed on the western boundary of the site as part of Phase 3a. These are approximately 11 metres from the school hall. There are principle (bedroom) windows on the elevation of the flats facing the hall and also windows on the side of the school hall. It is considered that the bedrooms affected and hall are likely to be mostly used at different times of day. Therefore the impact on neighbour privacy is considered acceptable. The development is considered to have an acceptable impact on neighbour amenity in all other respects.

Other Matters

- 5.20 Conditions have been recommended for the provision of public art and detailed drainage design, as requested by the relevant officers.
- 5.21 Contaminated land conditions have been recommended as requested by the Environmental Protection Officer. It has been noted that a Phase 2 Ground Investigation Report has been submitted. However, as no comments have been received on this, a conditions for the approval of these details will have to remain as originally requested.
- 5.22 The comments made by the Police Designing Out Crime Officer very detailed matters that go beyond the scope of the planning application and are for the applicant to address on a separate basis.

Consideration of likely impact on Equalities

- 5.23 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.

- 5.24 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 South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and South Gloucester 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 That planning permission is granted, subject to the conditions set out below.

Contact Officer: Helen Winsall
Tel. No. 01454 865911

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. This decision relates only to the plans below:

010 Site Location Plan as Existing
011 Site Location Plan as Proposed
013B Proposed Site Plan Block Plan
100A General Arrangement Ground Floor Plan
101A General Arrangement First Floor Plan
102A General Arrangement Roof Plan
400 Proposed External Works Ancillary Building Details
FS-SGC-PL-XX-A-EL-A-200 Proposed Elevations
FS-SGC-PL-XX-A-EL-A-201 Proposed Perspectives

FS-SGC-PL-XX-A-EL-A-205 Proposed Perspectives
FS-SGC-P1-XX-A-EL-A-207 Proposed Sections Sheet 1
L100 Curtilage Listed Wall Proposals
LA/224/103 Landscape Layout
LA/224/106 Landscape Layout
LA/224/107 Landscape Layout with Sections
LA/224/109 Levels and Retaining Walls Sheet 1 of 2
LA/224/110 Levels and Retaining Walls Sheet 2 of 2
LA/224/111 Retaining Walls Section

Reason

To clarify the plans forming this consent.

3. 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 to and approved by the Local Planning Authority. This shall include a detailed development layout showing the location of surface water proposals is required along with results of percolation tests and infiltration calculations to demonstrate that the proposal is suitable for this site.

Reason

This is a pre-commencement condition that is required to ensure that provision is made for appropriate drainage to be installed and not jeopardised by construction on the site and that the drainage for the site is appropriate and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP20 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

4. The building shall not be constructed above slab level until a sample of all external materials to be used on the building, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure high quality design and detailing and to accord with policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy adopted December 2013 and policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan adopted November 2017.

5. The retaining walls shall not be constructed until details of facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure high quality design and detailing and to accord with policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy adopted December 2013 and policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan adopted November 2017.

6. No development shall commence until an arboricultural consultant has been appointed to supervise and monitor the erection of protective barriers around trees and the installation of no dig surfacing and provide site inspection reports on these matters in accordance with the details set out in the Arboricultural Report, and the details of the consultant and how they will carry out this work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

This is a pre-commencement condition as the tree barriers need to be erected prior to works being carried out on site. To ensure trees are retained and satisfactory tree coverage is achieved, and in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policies PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

7. Notwithstanding the submitted details, the building shall not be constructed above slab level until a revised Renewable Energy Statement has been submitted to and approved in writing by the Local Planning Authority. Any required measures to increase energy efficiency and reduction in carbon dioxide emissions in the construction of the building shall be implemented prior to the first occupation of the building and the development shall be carried out in accordance with the approved details.

Reason

To ensure the development incorporates measures to minimise the effects of, and can adapt to, a changing climate and in accordance with Policy CS1 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP6 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

8. No development shall take place until site investigations as recommended in the Clarkbond Desk Study dated March 2019 have been carried out. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems. If unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed. The approved remediation scheme shall be carried out before the development is occupied.

Reason

This is a pre-commencement condition so the development does not prejudice the ability to deal with any contamination on site in a satisfactory manner. In the interest of public safety, human health, ground water and plant growth and to accord with policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP21 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

9. Prior to first occupation, where works have been required to mitigate contaminants under condition 8 a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

Reason

In the interest of public safety, human health, ground water and plant growth and to accord with policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP21 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

10. Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, additional remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason

In the interest of public safety, human health, ground water and plant growth and to accord with policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP21 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

11. Prior to the first beneficial occupation of the building, a scheme for the commissioning of an artist and provision of public art on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timeframe for the provision of the public art. The final design of the artwork shall be submitted to and approved in writing by the Local Planning Authority prior to its installation, and shall be installed in accordance with the approved details and within the approved timeframe.

Reason

To ensure the development contributes to the public realm and attractiveness of the Frenchay Park Site and in accordance with Policies CS1 and CS6 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP1 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

12. Notwithstanding the submitted plans, prior to the laying out of external areas, a planting plan shall be submitted to and approved by the Local Planning Authority in writing. The landscaping shall be carried out in accordance with the agreed details in the first available planting season following the completion of the building. In addition to planting details for the landscaping scheme the planting plan shall incorporate the following additional details:
- A feature tree or large shrub incorporated into the shrub planting either side of the entrance;
 - Details of the western boundary treatment, including climbers and shrub planting;

- Areas of wildflower meadow incorporated around the periphery of the site to increase the sites biodiversity;
- Wildlife Areas.

Reason

To protect the character and appearance of the area and enhance landscaping and biodiversity, and to accord with Policies CS1 and CS9 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and Policy PSP2 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

13. If within a period of 5 years from the date of the planting of any tree, that tree, or any tree planted in replacement of it, is removed, uprooted or destroyed and dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as the originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason

To protect the character and appearance of the area to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan adopted November 2017.

14. Prior to the first occupation of the school a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved.

Reason

To protect the character and appearance of the area, enhance landscaping and biodiversity, ensure future appropriate management and to accord with Policies CS1 and CS9 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and Policy PSP2 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

15. Prior to the first occupation of the school hereby approved an updated School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall be implemented in full thereafter.

Reason

To encourage means of transportation other than private car and to reduce the impact on neighbouring occupiers and to accord with policy CS8 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

16. Prior to the first occupation of the school hereby permitted, electric charging points together with the identified spaces and infrastructure for their expansion as demand increases shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason

To encourage more sustainable travel and to accord with policy CS8 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

17. Prior to the first occupation of the school hereby permitted, the footway link to the south of the site shall be completed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason

To encourage walking, cycling and scooting to school and to accord with policy CS8 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

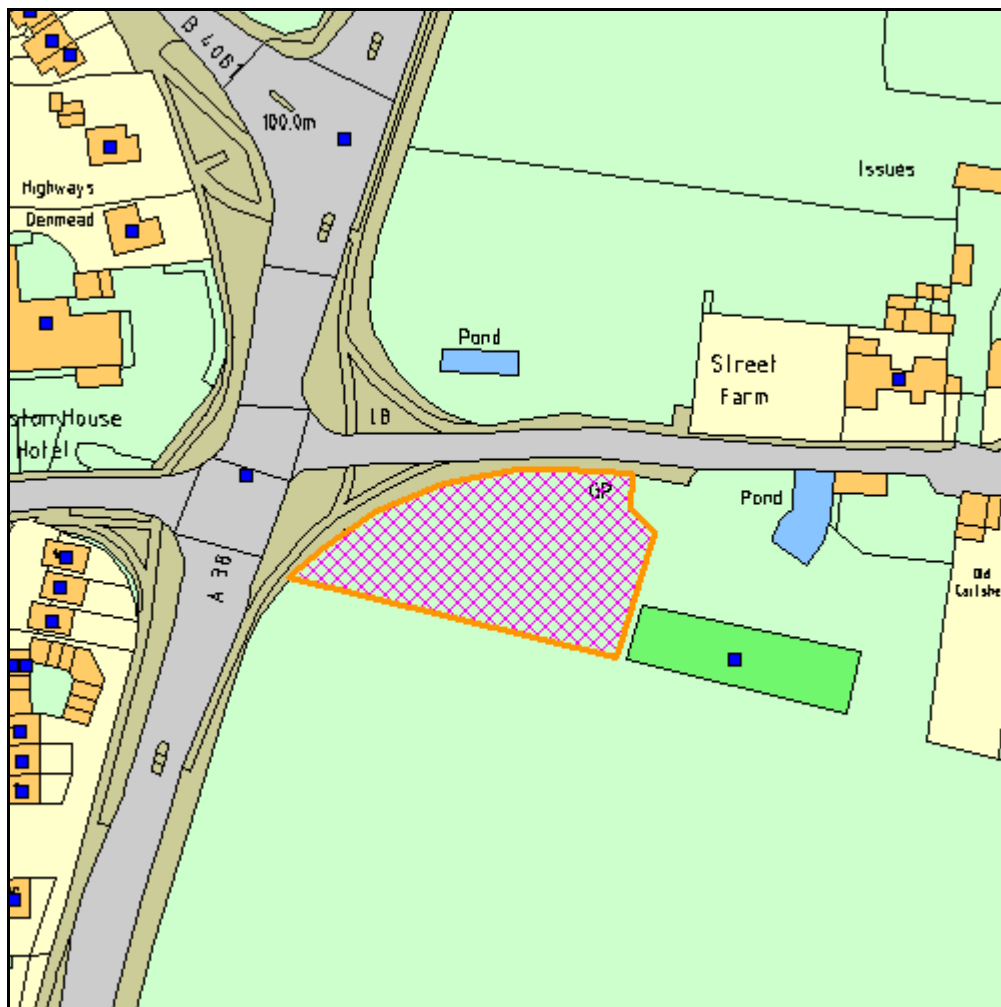
18. The school shall not open until appropriate safe routes to school have been provided and details demonstrating the provision of such routes have been submitted to and approved by the local planning authority in writing.

Reason

To encourage walking, cycling and scooting to school and to accord with policy CS8 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	P19/3784/F	Applicant:	Mr Charlie Leflaive Greenfield Gospel Hall Trust
Site:	Barns At Hayfields The Street Alveston South Gloucestershire BS35 3SX	Date Reg:	17th May 2019
Proposal:	Demolition of 1no. barn. Erection of single storey extension to 1no. barn to facilitate change of use to gospel hall (Class D1), creation of access, parking and associated works.	Parish:	Alveston Parish Council
Map Ref:	363628 188010	Ward:	Severn Vale
Application Category:	Minor	Target Date:	11th July 2019



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100023410, 2008. N.T.S. P19/3784/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.

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following comments received by local residents contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the Demolition of 1no. barn and the erection of a single storey extension to 1no. barn to facilitate the change of use to a gospel hall (Class use D1), the creation of a new access, parking and associated works.
- 1.2 The application site is situated outside the settlement boundary of Alveston and in the Bristol/Bath Green Belt. Further along The Street is the grade II listed Street Farmhouse.
- 1.3 Details included with the application explain that the main gospel hall is located at Hortham Lane for the full South Gloucestershire area but there is also a need for local provision of smaller halls to meet the day to day church needs of the congregation. Details also confirm this would be purely a hall for worship, without any ancillary social use, and there would be around 2 services each week, 1 service fortnightly and 2 services monthly for prayer, bible readings and 'the Lord's supper'.

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
CS6	Infrastructure and Developer Contributions
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity
CS24	Green Infrastructure, Sport and Recreation Standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
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PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP9	Health Impact Assessments
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.

South Gloucestershire Design Checklist (Adopted) 2007)

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

SPD: Development in the Green Belt (Adopted) 2007

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT17/4567/F Conversion of 2no. agricultural buildings to 2no. holiday cottages with associated works.
Approved 20.12.17

- 3.2 PT11/2275/F Erection of 2no. agricultural buildings.
Approved 7.9.11

Adjacent site:

- 3.3 PT13/2353/F Change of use of land from agricultural to land for the keeping of horses. Erection of stable block with associated works.
Approved 2.10.13

Other referenced applications:

- 3.4 PT17/1330/F Erection of a gospel hall including access, parking, the creation of an access driveway and associated works
Approved

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

Objection on the basis that the application defies the rules set out for development within green belt and that the development is not in keeping with the surroundings. Consistency needs to be considered by SGC planners when examining reasons why refusals of previous planning applications for development within The Street occurred which are seen to be of less impact than the proposals set out in P19/3784/F. All Councillors had concerns relating

to the increase of traffic at the already hazardous junction of The Street and David's Lane filtering into the A38 traffic.

Internal Consultees

4.2 Public Rights of Way

Assuming the proposal means the existing roadside kissing gate will remain in situ and the new gates erected to the west, separated by hedge there are no objections in terms of public right of way subject to informatives that applicant must not interfere with the public right of way.

4.3 Conservation

No objection in principle to the change of use. Robust landscape would be required and details of external lighting. The proposed access would create wide area of hardstanding which could benefit from rationalisation and signage is not covered by this application but could potentially detract from the setting of the listed building. Details to be secured prior to determination or secured by condition.

4.4 Ecology

No objection subject to condition.

4.5 Economic Development

No objection

4.6 Highway Structures

No objection subject to an informative

Statutory / External Consultees

4.7 Drainage

No objection

4.8 Transport

Details within the Transport Statement have been assessed and accepted and subject to a number of conditions there are no transport objections. Conditions relate to:

- Relocation of the advance transport sign
- Traffic regulation order
- Details of the pedestrian link
- Visibility splays
- Travel plan
- Restrict site to religious use only
- Restrict use of site to non-peak times

Other Representations

4.9 Residents of Courville Close, Alveston

A letter has been received by the Manager of Courville Close writing on behalf of 46 properties to register objection related to potential vehicular accidents due to unclear road markings and inconsiderate parking around David's Lane and

junction with A38, the potential increase in traffic and insufficient parking facilities associated with the proposed site.

4.10 Local Residents

Objection:

34 representations **objecting** to the proposal have been submitted to the LPA. The points raised are summarised as:

Parking:

- Design and Access Statement includes parking for 12 cars but the site plan appears to indicate more. Likely that 60 persons using facility will probably need more than 12 cars.

Traffic:

- Will create a lot more traffic and congestion. Joining A38 from The Street is already difficult
- Changes to the road layout required
- Frequency of use does not align with that listed on Plymouth Brethren's Christian Church's own website which allows a far greater use
- Assumed car occupancy rate needs to be investigated
- The proposed 28 parking spaces are likely to be insufficient and there is no opportunity to increase the number of spaces given the size of the plot
- Likely to be queuing in The Street and potentially on the A38 - the Street narrows to the east where there is insufficient room for cars to pass
- Potentially 28 cars entering or leaving before and after meetings would be far more disruptive than the random comings and goings throughout the week from two holiday lets
- Road and pavement are narrow adjacent to the site
- Speeds in excess of those shown in the submission are common place
- Higher increase in number of parking spaces than implied in the information (currently 3 rising to 28)
- Lane used by riders, cyclists and pedestrians
- No street lighting

Existing planning permission:

- At no time since the agricultural consent have the buildings or land been used for cattle. The buildings have been used for storage but only for a short term. It is in breach of conditions of that permission
- The buildings were built knowing they would be redundant

Planning Statement and policy matters:

- Comment that no deliverable sites have been available is irrelevant
- PSP7 is not relevant as the building is not for sport and recreation
- The site is neither urban nor derelict
- Contradictions in information – one reference states small meetings for 60 people another up to 125 for larger services

Design:

- Flat roofing inappropriate in location next to listed buildings

- The Street is primarily residential with small equestrian use and an agricultural outlook – building of a house of worship will be alien to the surrounding area

Excluded from direct notification:

- As a direct neighbour I should have been consulted

Landscape:

- Removal of two sections of old Elm hedgerow to facilitate new access points to include gates that are out of keeping with the normal agricultural gateways
- Loss of visual amenity

Public Right of Way:

- Incorrect on plans
- Locked gates – trying to remove PROW

Not consistent with the NPPF:

- Site will not be shared space with the whole of the community therefore NPPF cannot apply to this application

Other matters:

- This will be the thin end of the wedge with further applications being made to extend parking on the site.
- Within the curtilage of a listed building
- Occupants of The Street will have constant disturbance
- Road is unsuitable for construction vehicles
- Reservations about the LPA effectively encouraging and or facilitating groups which seek to segregate themselves
- Breach of the Human Rights
- Hard landscaping will cause water run-off

Green Belt:

- Harm to openness
- Visual harm to Green Belt
- Inappropriate in Green Belt terms
- No very special circumstances

Support:

12 representations in **support** have been submitted to the LPA. The points raised are summarised as:

- Excellent idea would tidy up these barns to blend in with the surroundings
- Having previously lived on the same road as a Gospel Hall I did not experience any negative impact – most events are held outside peak traffic times and attendees respectful
- Single storey will not affect landscape or surrounding area
- Good use of land and not for housing
- My family and I live in Alveston and have attended Plymouth Brethren Christian Church for 10 years – currently we have a fifteen mile round trip

to attend a Gospel Hall in Winterbourne (the closest with space). We would be able to walk to the church.

- There is an urgent need for such a facility in the area as others are already at capacity
- We have looked for opportunities in the area for a number of years without success
- Our meetings are very low key with around 50 members who would arrive and depart quietly.
- Plans show a consideration for the Green Belt
- Note a number of concerns from neighbours but am sure these are mostly misunderstandings and can be overcome so that no harm is caused to the neighbourhood
- The proposed site is near to a bus stop and within walking and cycling distance of Alveston which has a community of around 40 Plymouth Brethren.
- There are 8 other Gospel Halls of similar size in South Gloucestershire and several located in similar type of locations where there is no issue with travel or disruption to neighbours.
- There will be a reduction in carbon footprint resulting from this application
- The site will be tidied up and hedgerows and grounds will be maintained to a high standard
- As a group we seek to be friendly, helpful and considerate to our neighbours and would be a force for good in the local community
- Other sites owned by the Plymouth Brethren are well run and maintained. In business dealings I have found them to be honest and honourable people
- As a community we are aware of the need to be considerate on noise levels at sensitive time i.e. early morning

5. ANALYSIS OF PROPOSAL

5.1 The proposal is for the demolition of 1no. barn and the erection of a single storey extension to 1no. barn to facilitate the change of use to a gospel hall (Class use D1), the creation of a new access, parking and associated works.

5.2 Principle of Development

The application stands to be assessed against the above listed policies and all other material considerations. It is noted that the permission to convert the two barns into residential accommodation remains extant and this is the fall-back position for the site. The site is outside the settlement boundary and within the Green Belt.

5.3 Policy CS23 of the South Gloucestershire Core Strategy (Adopted) December 2013 broadly supports the provision of new community infrastructure such as places of worship. It has been suggested that the proposal is not a *community facility* as the proposal would be only for members of the Brethren. This view is not accepted for the following reasons - Places of worship are specifically referred to in the examples of community facilities included in the reasoned justification of Policy CS23. However, the policy does not distinguish between the uses for any types of faith nor does it say that places of worship should be a 'public' facility. It is accepted that the hall would not be available to the

general public other than for worship purposes, but it would be a facility for those in the local community as well as those from further afield who respect the relevant faith. That is the case for many buildings used for religious purposes. Moreover, the gospel hall would be a class D1 use. This class of use relates mainly to what are widely known as community facilities and it is considered that it would be unreasonable to treat this proposed place of worship as an exception to this categorisation.

- 5.4 Full support is only given to such proposals provided all relevant policy criteria are satisfied. Of particular relevance is the location of the site within the Green Belt, the overall resulting appearance and the impacts on the character of the area including that of nearby listed assets, the impact on the residential amenity, highway safety and parking, landscape, ecology, and the environment.
- 5.5 *Green Belt*
Inappropriate development in the Green Belt is considered harmful and should not be approved except in very special circumstances. Development must therefore fall within the criteria set out in the NPPF. The proposal could fall into a number of the listed categories but the most relevant are discussed below.
- 5.6 This proposal has different elements to it: the demolition of one barn, the extension of another, the change of use of the building and the associated area of land around it. It is useful to examine each in turn. There would be no objection to the demolition of one of the existing barns in Green Belt terms.
- 5.7 Paragraph 145 (c) allows for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. In this case, details indicate that the extension to the north barn would comprise: a structure similar in style, height and design to the existing barns but shorter in length and linked to it by means of a flat roof connection. Given that the barn to the south is to be demolished it is reasonable to view the development as a whole and to acknowledge that overall there would be around a 15% reduction in built form. The increase in volume to the one barn can therefore be offset by the loss of the larger barn and in this way the proposal is considered to accord with Green Belt policy and aims and to not be a disproportionate addition.
- 5.8 Moving on, paragraph 146 allows for certain other development in the Green Belt provided it would not have a greater impact on the openness than the existing development. With regards to the change of use of the building, paragraph 146 (d) allows for the re-use of buildings provided that the buildings are of permanent and substantial construction. It is accepted that the barns are timber clad but they appear in very good order and of substantial construction rather than being flimsy and in disrepair. This was recognised in the recently approved scheme for their conversion to holiday lets. It is recognised that internal works would be needed to facilitate the change of use but on balance it is reasonable to conclude that in this particular case the barn is capable of being re-used for this proposed new purpose. The change of use would not impact on openness.

- 5.9 Moving on to the change of use of the land, this requires further assessment due to the proposed changes which would include the associated parking area. It is noted that planning permission for the conversion of the buildings into residential included the two barns, the area of land in between them, the access and parking areas and this remains extant. The rest of the site, however, has an agricultural land classification. If the granted permission is not implemented then the entire site would retain its agricultural use. To be clear agricultural use takes many guises and does not mean the land must be a green field. The two wooden open fronted barns are positioned close to one another quite centrally within the plot, but these structures are surrounded by a large area of hardstanding. Although comments have been made that the site has not been used for agriculture, historic aerial photographs seem to show, amongst other things, a large amount of equipment and machinery of a type used for farming purposes, other vehicles and trailers, temporary storage-like buildings, piles of soil, and other paraphernalia clearly used by the farmer. Therefore on the balance of probability it is likely that the site has been used for agricultural purposes.
- 5.10 This brings us on to whether the proposed change of use would have an adverse impact on the openness of the Green Belt and a comparison of the existing and proposed impact on the openness is therefore useful. The photographs show all the above listed items (and probably more) as being outside the buildings and indicate a rather untidy and unkempt site. Support comments have indeed stated that the change of use would tidy up the site and on that basis is welcome. It was, however, noted at the time of the officer site visit that the site has been cleared of its agricultural equipment, but clearly it could be returned to its former state at any time.
- 5.11 This proposal would utilise the existing hardstanding areas for parking and manoeuvring. Twelve vehicular spaces are indicated on the hardstanding along with cycle storage provision. Another 10no. spaces are shown along the southern boundary and a further 6no. to the western side of the site. These 16no. spaces have been termed overspill spaces and would be positioned on reinforced grass areas. Details in the Transport Statement confirm that for weekly services around 9 car parking spaces would be required and on a less frequent basis the number rises to around 28no. A total of 26no. spaces could be accommodated on site on those few occasions when special services are planned.
- 5.12 The timing and frequency of the use of the site has been set out within the Transport Statement. This approach was accepted in a recent planning application PT17/1330/F for a Brethren Hall in Rangeworthy. It is therefore, reasonable to accept the findings and forecasts within the details submitted as part of this planning application. When comparing the existing class use and using the aerial photographs of what could be stored on the site as agricultural, then the proposed use whether it be for the weekly use or the less frequent higher volume events, there would be no adverse impact on the openness of the Green Belt.

- 5.13 Given the above, there is no in principle objection in Green Belt terms. The assessment continues below with regards to other material areas of consideration.
- 5.14 Listed Building and Character of the Area
It is noted that the structures are modern agricultural sheds that benefit from permission for conversion into holiday lets. There is therefore no in principle objection to their further adaptation to a 'gospel hall' on the grounds that the impact on the physical works on the setting of the listed building will be neutral.
- 5.15 The proposed extensive parking area is noted which could be visible in the longer distance views along the A38 and which could detract from the agrarian setting and context of the buildings and the listed Street Farm to the northeast. As such a strong landscaping scheme is needed along the southern boundary to reduce the visual impact of multiple parked cars. Furthermore, it would be necessary to control the amount and form of lighting both on the building itself and within the site. These matters could be addressed by means of appropriate conditions.
- 5.16 As part of the proposal a different entrance is proposed adjacent to the existing site entrance which incorporates a public right of way. This would create a very wide area of hardstanding off the road with multiple gateways. Sensitive treatment is therefore necessary and these details would be required within any subsequent submitted landscape scheme. Matters of future signage have not been covered by this application and there is concern that these could potentially detract from the setting of the listed building. For this reason these details should also be secured by condition.
- 5.17 Paragraph 189 of the NPPF requires LPAs to identify and assess the particular significance of any heritage asset, including the setting of the heritage asset that may be affected by a proposal. Where the proposal would lead to less than substantial harm to the significance of a designate heritage asset this harm should be weighed against the public benefits.
- 5.18 In this instance the proposal would not harm the setting of the nearby listed Street Farm and furthermore, there would be benefit to the public in the form of the creation of a new gospel hall.
- 5.19 The proposal is therefore considered to accord with the NPPF and local policies relating to heritage assets and their setting.
- 5.20 Design and Visual Amenity
The proposed development would comprise the demolition of one barn and the extension of the remaining barn to form an assembly area and meeting hall. Details included indicate that materials from the demolished barn would be used, where possible, in the construction of the extension to the barn to the north. Plans show that the overall ridge and eaves heights would match that of the remaining barn and materials would be of timber to also match.

- 5.21 The second element is the treatment of the parking area which would be part hardstanding and part reinforced grass. Details of the materials to be used here are to be conditioned.
- 5.22 Overall in terms of design, scale, massing and materials the proposed development is considered to accord with good design and can be recommended for approval.
- 5.23 Transport
In reviewing this application Officers are aware of the objections and support comments relating to this proposal.
- 5.24 It is noted that a large number of concerns from locals refer to the impact of the junction with the A38 and The Street. At this point the A38 has right turning lanes for both St David's Lane and The Street. From investigation of the Council's accident records it is clear that there is not a highway safety issue at this location or at the adjacent signalised junction. This is not to say that there are not a lot of varied movements going on in the locality; but the adjacent traffic signals provide breaks in the flow of the traffic and also slows traffic down.
- 5.25 Adjacent to the site are Public Transport stops which would facilitate a viable alternative to the motorcar, however, of greater importance at this locality is the crossing facilities over the A38 that links the bus stops which will also provide a safe route for walking (and cycling) to the site and present a viable option for the residents of Alveston.
- 5.26 From a transportation perspective the existing ADS (Advance Direction Sign) obscures the proposed access point. As mentioned within the submitted Transport Statement the adjacent speed limit is the National speed limit (60mph) and this would normally require the ADS to be 90m from the junction with the A38, that said, the existing ADS is not in compliance with standards being only 70m from the A38. Whilst the applicant proposes moving this sign to within 45m of the A38 on the basis of the limited speed survey that was undertaken that indicates that 85%ile speeds are in excess of 31mph, Officers are of the opinion that to move the sign closer to the junction a TRO (Traffic Regulation Order) will be required to reduce the speed limit on The Street to 30mph. The applicant will need to be responsible for both the TRO, the replacement of the ADS and the new 30mph signage in the event of a Planning Approval.
- 5.27 The applicant has provided limited traffic data from existing sites that the applicant runs, which although old and accepted on previous applications, will need updating for any future applications, particularly given the recent approvals for other Gospel Halls within South Gloucestershire Council's administrative area which are now operational. However, in this instance the data submitted is considered acceptable.
- 5.28 In terms of traffic generation the applicant has provided details of when meetings will take place. Given the adjacent traffic conditions on the A38 it is fair to say that the majority of the meetings will not adversely conflict with peak

hour movements on the A38. However, without control of timing of the meetings this could potentially change which could without further analysis impact upon the operation of the junctions. As such a condition is required prohibiting the use of the site between the hours of 7:30-8:30 Monday to Friday and 16:30-18:00 Monday to Friday thus avoiding peak hours and to allow further analysis of the impact.

- 5.29 In a similar vein, although it would be unreasonable to restrict the site to an entirely personal consent, the consent will be restricted to it remaining for religious uses only within the D1 class use. This would be so that it cannot change to an alternative use within the D1 use class without further analysis of the impact that a change, for example to a day nursery, would have on the local highway network.
- 5.30 Experience of similar sites from the applicant have to date not caused any parking concerns and seem to suggest that their occupancy levels are fairly accurate, especially when acknowledging that the majority are family units, which by definition often ensures higher car sharing. However, due to the proximity to the A38 and the lack of on-street car parking available in the vicinity the applicant is required to submit a Travel Plan that identifies how the high car sharing values can be achieved.
- 5.31 In conclusion, although the surveys are getting 'long in the tooth' Officers are satisfied that the occupancy levels are achievable, and as such the number of car parking spaces proposed are also acceptable for this specific use. The majority of vehicle movements to / from the site will occur off-peak when the adjacent A38 is quieter. As mentioned above this is acceptable; but any variance from this will require further analysis. The use of the site should be restricted to remaining a church within Class use D1. Whilst this has not been done on similar sites elsewhere in the district, this site is in close proximity to a principle classified highway with limited on-street car parking available where changes in vehicle movements could have a detrimental impact. Prior to commencement on site (due to the location of the ADS) a TRO reducing the speed limit to 30mph and the moving of the ADS will be required (with details of the new location to be submitted for approval and the development proceeding in accordance with the approved details).
- 5.32 Residential Amenity
The proposal would not impact the amenity of closest residential properties situated on the other side of The Street.
- 5.33 Ecology
Internal and external inspections of the barns found no evidence of current or historical use by roosting bats. Externally a gap on the eastern elevation of both barns had some potential as a temporary roost, however no bats were seen during the survey. The report concluded that it is extremely unlikely that the barns are used by roosting bats. With regards to birds: A single unoccupied bird's nest was present on the western elevation of barn one, no other evidence of nesting birds was found and the barns were unsuitable for use by barn owl.

- 5.34 The report makes recommendations to address the proposed impacts to roosting bats and nesting birds.
- 5.35 It is, however, recommended that during works, caution should be taken and if a bat is found, work is to stop immediately. The wooden fascias on the eastern elevations are to be retained, if removed this will need to be checked by an experienced ecologist. In addition, old bird nests are to be removed and entrances blocked; if birds begin to nest work is to stop immediately until young have fledged.
- 5.36 Overall there are no objections to the proposal subject to a condition stating the development should be in accordance with the submitted Ecological method statement.
- 5.37 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.
- 5.38 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.
- 5.39 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.
- 5.40 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.
- 5.41 Non consultation:
Communication and comment has been received from the owner of the field directly behind the application site. The Council's Statement of Community Involvement (2015) states that South Gloucestershire Council does more than the minimum required when consulting on planning applications. In this instance, letters were sent out to neighbours where the Council has records of properties and addresses, but the LPA does not hold ownership records of fields. As such and following standard practices, a site notice was put up.
- 5.42 Breach of Human Rights:
The Human Rights Act incorporated provisions of the European Convention on Human Rights (ECHR) into UK law. The general purpose of the ECHR is to protect human rights and fundamental freedoms and to maintain and promote the ideals and values of a democratic society. It sets out the basic rights of every person together with the limitations placed on these rights in order to protect the rights of others and of the wider community.

The specific Articles of the ECHR relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

The Department is satisfied that its processes and practices are compatible with the ECHR. The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the Department to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether development should be allowed to proceed. In carrying out this balancing exercise the Department will of course wish to be satisfied that it has acted proportionately.

In addition to the above, and to be clear it is the Equality Act 2010 that states that someone must not be discriminated against because of their religion.

5.43 Noise and disturbance:

A condition is to be added to the decision notice to limit hours during construction. Outside this time, if the operation of the site or behaviour of the users results in unacceptable disturbance to neighbours then these neighbours are advised to contact the appropriate authority which would be the Police Authority.

5.44: Pre-commencement conditions

The agent has agreed to the following conditions being prior to commencement:

- landscape details
- relocation of the advance direction sign

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. PERMISSION START DATE:

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. PLANS:

The proposal shall proceed in accordance with the following plans submitted on 5.4.19:

Site plan existing - 1155-18/1000
Floor plans existing - 1155-18/1100
Barn A existing elevations - 1155-18/1200
Barn B existing elevations - 1155-18/1202
Site plan proposed - 1155-18/3000 B
Floor plan proposed - 1155-18/3100 B
South and north elevations proposed - 1155-18/3200 A
East and west elevations proposed - 1155-18/3201 A
Block plan existing and proposed - 1155-18/BP A
Site location plan - 1155-18/ SLP
Gate elevations proposed - 1155-18/ 3202

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1 and PSP7 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

3. RELIGIOUS USE ONLY:

The site shall be limited to religious uses only within Class Use D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

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.

4. ECOLOGY:

The development shall proceed in strict accordance with the Mitigation Measures provided in the Constraints and Recommendations section of the Preliminary Inspection for Bats and Nesting birds (Burrows Ecological, August 2017).

Reason

To ensure the works are carried out in an appropriate manner and in the interests of local biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

5. LANDSCAPE:

Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments, including all gates and areas of hardsurfacing including the proposed reinforced grass areas, shall be submitted to the Local Planning Authority for approval. Details of external lighting and the times of operation shall be included in these details. 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; PSP7 of the Policies Sites and Place Plan (Adopted) 2017 and the National Planning Policy Framework.

6. LANDSCAPE MAINTENANCE SCHEDULE:

Prior to the commencement of development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to the Local Planning Authority for approval. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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; PSP7 of the Policies Sites and Place Plan (Adopted) 2017 and the National Planning Policy Framework

7. CONSTRUCTION HOURS:

The hours of working on site during the period of construction shall be restricted to Monday - Friday 7.30 - 18.00 and Saturday 8.00 - 13.00 and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) January 2006 and the provisions of the National Planning Policy Framework.

8. **OFF PEAK USE:**
The site shall not be used for meetings between following times 7:30-8:30 Monday to Friday and 16:30- 18:00 Monday to Friday.
- Reason
In the interest of highway safety and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the NPPF.
9. **WORK TO ADS:**
Prior to commencement on site details of the proposed relocation of the ADS (Advance Direction Sign) shall be submitted for approval with the development proceeding in accordance with the approved details.
- Reason
In the interest of highway safety and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the NPPF.
10. **TRO:**
Prior to the first use of the site a TRO (Traffic Regulation Order) is required to reduce the speed limit to 30mph along The Street. In the interests of highway safety and to facilitate the moving of the ADS (Advance Direction Sign) obstructing the proposed vehicle entrance.
- Reason
In the interest of highway safety and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the NPPF.
11. **PEDESTRIAN GATE:**
The proposed pedestrian gate and link to the adjacent footway shall be completed prior to first occupation, details of the link to the footway shall be submitted for written approval with the development proceeding in accordance with the approved details.
- Reason
In the interest of highway safety and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the NPPF.
12. **VISIBILITY SPLAYS:**
Prior to the first use of the proposed vehicle access, visibility splays of 2.4 x 46m in each direction, with no obstruction greater than 0.9m permitted shall be use established and shall be maintained thereafter.
- 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.
13. **TRAVEL PLAN:**
Prior to the first use of the site a Travel Plan shall be submitted to the LPA for written approval, with the development proceeding in accordance with the approved details.

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.

14. SIGNAGE:

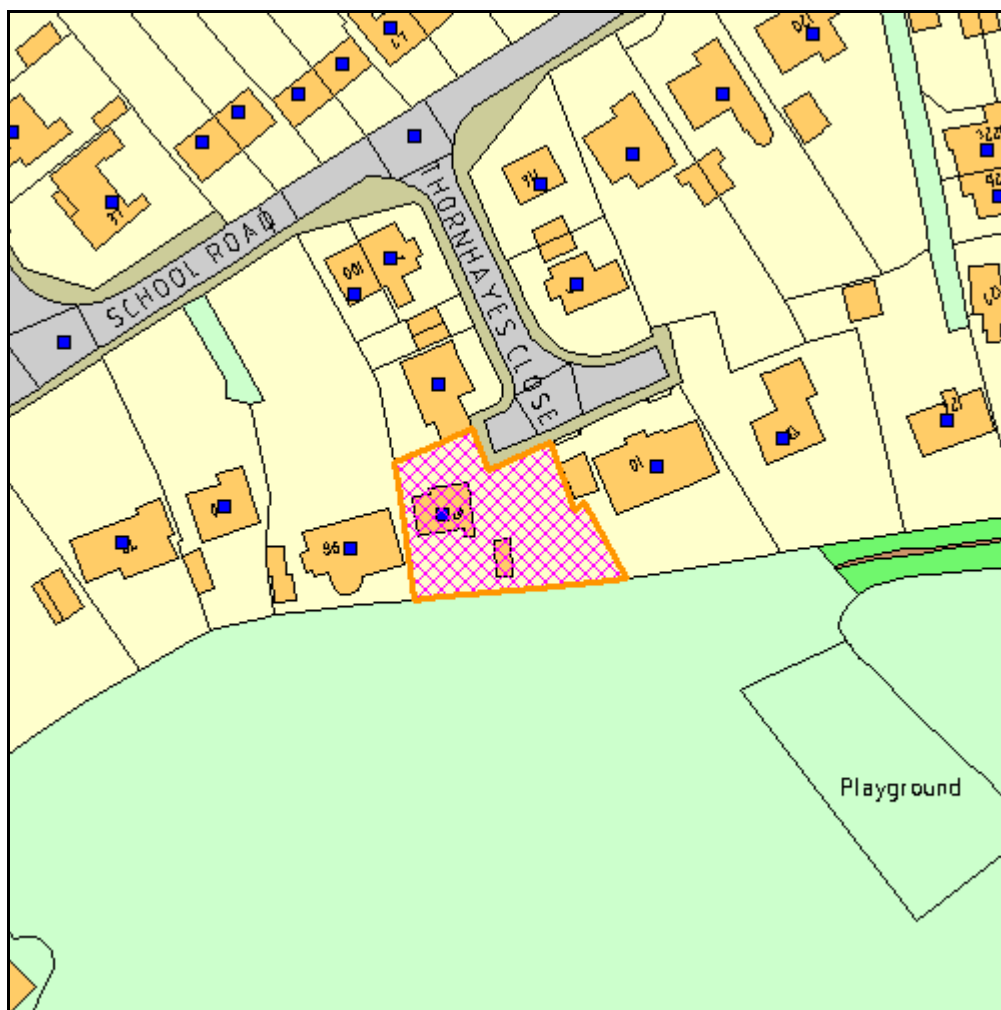
No signage is to be erected on site without the express permission of the Local Planning Authority. Details to be submitted for written approval and development to proceed in accordance.

Reason

To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990; Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; Policy PSP1, PSP7 and PSP17 of the Policies Sites and Places Plan (Adopted) 2017 and the NPPF.

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	P19/3926/F	Applicant:	Mr & Mrs Baker
Site:	6 Thornhayes Close Frampton Cotterell Bristol South Gloucestershire BS36 2BG	Date Reg:	12th April 2019
Proposal:	Erection of a two storey side and rear extension to form additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366163 181869	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	4th June 2019



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P19/3926/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.

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to concerns received from the Parish Council which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two storey side and rear extension to form additional living accommodation at 6 Thornhayes Close, Frampton Cotterell.
- 1.2 The application site relates to a two storey, detached property which is located within a cul-de-sac in the defined settlement boundary of Frampton Cotterell. It sits adjacent to, but not within the Bristol and Bath Green Belt.
- 1.3 During the course of the application amendments were sought to reduce the size of the proposal. Revised plans were submitted addressing the issues raised.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy 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

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P90/2989
Erection of detached dwelling and garage. Construction of vehicular and pedestrian access. (To be read in conjunction with P90/1459).
Refusal of Reserved Matters: 15/07/1991
- 3.2 P90/1459
Erection of detached dwelling (outline)
Approved: 25/04/1990

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
The Parish Council have concerns this could be split into two properties and query the amount of parking provided.
- 4.2 Sustainable Transport
Revised plans show that the required level of parking can be provided within the site boundary. On that basis, there is no transportation objection raised.

Other Representations

- 4.3 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.
- 5.2 Design and Visual Amenity
The proposed development consists of the erection of a two storey side and rear extension to enable the applicants to be live-in carers for their parents; the proposal would be providing a kitchen/living area and utility room at ground floor level and two bedrooms and en-suite at first floor level.
- 5.3 The proposal would sit on the east elevation of the host dwelling, it would project approximately 4.2m from the side of the existing property and would be set back from the principal elevation by approximately 4m. It would extend beyond the rear elevation by approximately 1.8m. This is considered to result in a relatively large addition, however the proposed roof ridge and eaves of the extension would be set down from the host property and it is therefore

considered that the proposal would identify as subservient to the host dwelling. Furthermore, the dwelling is set within a relatively large application site. It is therefore considered that the proposal is of an acceptable size and scale within the context of the site.

- 5.4 Concerns have been raised by the Parish Council that following the proposed development the property could be split into two separate dwelling. Concerns were initially raised by the case officer that the proposal did visually identify as a separate dwelling due to its excessive size and the inclusion of a door on the principal elevation. Subsequently the proposal was reduced in width and the door replaced with a window. It is considered that the amendments are sufficient to bring the proposal to an acceptable standard of design to comply with Policy CS1 of the Core Strategy. A condition will be included on the decision notice to ensure the property remains a single residential unit and could not be separated into two separate dwellings.
- 5.5 The materials to be used in the external finish of the proposal would all match those of the existing building and are therefore deemed to be acceptable in terms of design.
- 5.6 Overall, it is considered that the proposed extension would not be detrimental to the character of the host dwelling or surrounding area and is of an acceptable standard of design. As such, the proposal is deemed to comply with Policy CS1 of the Core Strategy.
- 5.7 Residential Amenity
Policy PSP8 of the PSP Plan (November 2017) sets out that development should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.8 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. The application site is located in the far corner of a cul-de-sac; the proposal would sit on the east elevation of the existing dwelling, adjacent to no.10 Thornhayes Close. The neighbouring property is located over 15m from the proposal and is separated by a detached garage. Given the siting and separation distances involved, combined with the positioning of the proposed windows, the proposal would not appear to result in a material overbearing or overlooking impact. The proposed development is also not considered to substantially impact the existing levels of light afforded to the neighbouring occupiers.
- 5.9 The proposal will occupy additional floor space, however the property is situated within a relatively large plot and it is therefore considered that sufficient private residential amenity space would remain for the occupiers of the host dwelling following development.
- 5.10 Overall, the proposal is not considered to have a detrimental impact on the residential amenity of surrounding properties or the host dwelling and is therefore deemed to comply with Policy PSP8 of the PSP Plan.

5.11 Sustainable Transport and Parking Provision

The application would increase the bedroom numbers from two to four; South Gloucestershire Council's residential parking standards require a four bedroom property to provide two off-street parking spaces. A revised block plan has been provided to indicate that two off-street parking space will be accommodated within the residential curtilage and will utilise an existing access. As such, no objections are raised in terms of transport.

5.12 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 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 conditions included on the decision notice.

Contact Officer: James Reynolds
Tel. No. 01454 864712

CONDITIONS

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

Reason

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

2. The off-street parking facilities shown on the plan hereby approved (drawing no. 1606/04B) shall be provided within 1 month of the extension being substantially complete, 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.

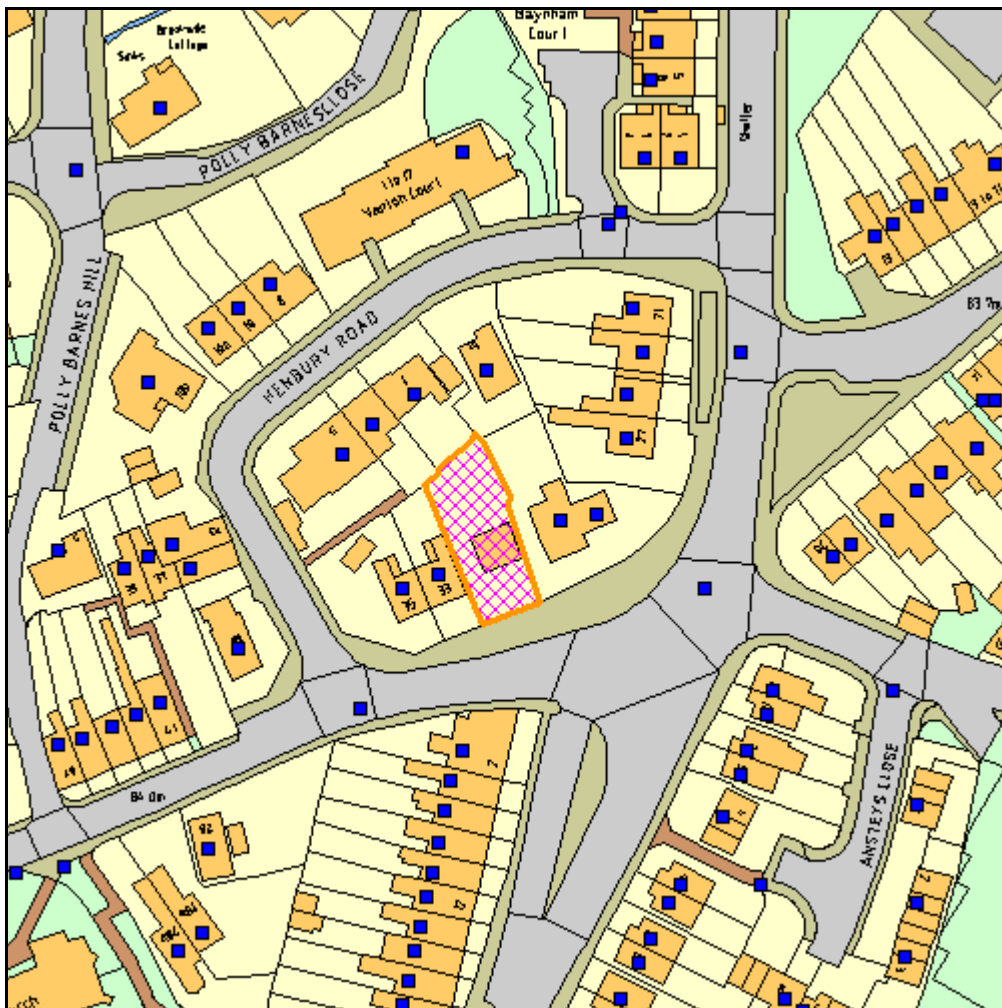
3. The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 6 Thornhayes Close.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	P19/4171/F	Applicant:	Mr Simon Hucker
Site:	Adjacent to 33 Church Road Hanham Bristol South Gloucestershire BS15 3AE	Date Reg:	18th April 2019
Proposal:	Erection of 2 No. semi-detached dwellings with associated works.	Parish:	Hanham Parish Council
Map Ref:	363875 172377	Ward:	Hanham
Application Category:	Minor	Target Date:	11th June 2019



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P19/4171/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.

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of representations contrary to the officers' recommendation.

1. THE PROPOSAL

1.1 This application seeks planning permission for the erection of 2no. dwellings with access and associated works to the side of 33 Church Road, Hanham. Planning permission PK17/4789/F was granted for the erection of 2 no. dwelling. The main differences of the current scheme are:

- The proposed dwellings would have a gable roof instead of hipped roof
- Detailed design including the fenestration of the new dwellings would be different
- The proposed new dwellings would be larger than the approved scheme and set back from the frontage of No.33 Church Road.

During the course of the application, a revised scheme was submitted to remove the rooflights and dormers from the proposal. Hence, the proposed dwellings would have 2 bedrooms instead of 3 bedrooms, which was originally proposed.

1.2 The proposal site was part of residential garden of No. 33 Church Road and the original double detached garage has been removed from the site. Whilst No. 33 Church is a semi-detached dwelling with a hipped roof, and the site is surrounded by a group of residential properties with different ages, forms and scale. The existing access is via Church Road with a dropped kerb.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity

CS18 Affordable Housing
CS23 Community Infrastructure
CS24 Open Space Standards

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP39 Residential Conversions and Sub-Divisions
PSP42 Custom Build Dwellings
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (adopted) August 2006
Residential Parking Standards SPD (adopted) December 2013

3. RELEVANT PLANNING HISTORY

The site has been subject to a number of planning applications in the past. The most relevant to the determination of this application would be PK17/4789/F – Demolition of existing double garage. Erection of 2 no. semi-detached dwellings with access and associated work. Approved 19th January 2018.

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council

The plot of land is relatively small for two semi-detached, three bedrooms houses. It is noted there is parking for three vehicles in total in front of the two proposed new houses. The development is close to the busy junction of Church Road and Memorial Road which does not facilitate convenient on street parking. The car parking arrangements seem to be inadequate - there is also insufficient space to turn vehicles on site leading to the necessity of reversing onto a busy road on exiting either property. This proposal is considered to be over development

4.2 Other Consultees

Highway Structures

Advised of the criteria for the Technical Approval and the responsibility for maintenance on structure along the public highway or open space land.

The Coal Authority

No objection subject to condition securing the stabilisation measures.

The Highway Officer

No objection to revised plan subject to conditions.

Other Representations

4.3 Local Residents

One comment received objecting to the proposal:

The original plans were more suitable for the site. There is not going to be enough parking and amenity space for 2x 3 bed houses. The gable end wall, joining my property, is going to be a lot higher. The Original hip roof is a more suitable height to suit house number 29 and 33. I think this site is being over developed.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. Policy PSP38 of the South Gloucestershire Policies Sites and Places DPD (adopted November 2017) is supportive in principle of development within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation.

- 5.2 Given the principle for residential proposal for a pair of semi-detached dwellings has been established by the existing planning permission PK17/4789/F, therefore the current proposal would be acceptable in principle. The main issues to be considered are the design and appearance of the dwelling and the impact on the character of the area; the impact development may have on the amenities of neighbouring occupiers and the proposals impact on transport and parking provision.

5.3 Design and Visual Amenity

The proposal consists of the erection of 2no semi-detached dwellings with associated works and access. The site is characterised by a group of two-storey residential properties with different ages, form and scale. The adjacent dwelling, No. 33, is a two-storey semi-detached building with a hipped roof and No. 29 is a two-storey dwelling with a gable frontage.

- 5.4 The proposed dwellings would be two-storey in height and finished with brick with cladding under concrete tiles. Whilst the proposed new dwellings would be different from the surrounding properties, in terms of fenestration and external materials, officers consider that the general design and scale of the scheme are appropriate. It is also considered that its modern appearance would make a modest positive contribution to the street scene.

5.5 Overall, it is considered that the proposed development would not harm the character or appearance of the area and as such is considered acceptable in terms of visual amenity. Therefore, the proposal has achieved acceptable standard of design and is considered to accord with policies CS1, PSP1 and PSP38 of the adopted local plan.

5.6 Residential Amenity

(i) *Provision of amenity space*

The recently adopted PSP document indicates the minimum amenity space standards required as a result of new development. Two bed should have at a minimum 50 square metres of private amenity space respectively. Based on the officers' measurement, the private garden area for the proposed dwellings would be approximately 44 square metres and 63 square metres respectively. Although the provision for one of the new dwellings would be slightly lower than the suggested guidance, it is not considered that the provision would cause significant harm to be detrimental to the living conditions of the future residents to substantiate a refusal reason, given its proximity (approximately 4 mins walking distance) to the designated local green space Magpie Bottom.

5.7 (ii) *Amenity issues upon the neighbouring properties*

The site is situated within an established residential area. Whilst the majority of the surrounding properties are 2 storey in height, it is noted that a single storey dwelling is located to the rear of the application site. The nearest neighbouring properties to the proposed new dwelling would be No. 33 and No. 29, which lies to either side of the site. The proposed dwellings would be 2 storey in height with a single storey addition at the rear. The proposed dwellings would project beyond the rear elevation of No. 33 by approximately 2 metres and they would be adjacent to the garage of No. 29 Church Road. Whilst the proposal would cause a degree of overbearing impact upon these neighbouring properties, it is considered that such overbearing impact would not be so significant to be detrimental to the living conditions of the nearby residents.

5.8 The site is situated in an urban location, therefore a small degree of overlooking would be expected. Although these dwellings would cause a degree of overlooking upon the neighbouring properties, particularly the properties along Henbury Road, a reasonable separation of approximately 19-21 metres from these neighbouring would be retained. The new openings on either side elevation would be high-level glazing, which would not cause an unreasonable overlooking impact upon the neighbouring properties.

5.9 The application site is located within a built up residential area and given the scale and location of the proposed development would not result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with Policy PSP38 of the adopted PSPP.

5.10 Sustainable Transport and Parking Provision

Officers noted the concerns regarding parking and highway safety. The proposal is to replace the existing garage with a pair of semi-detached dwellings. Given that the revised proposal would only have 2 bedrooms, officers consider that the proposed parking provision and arrangement would be acceptable. Subject to planning conditions securing the highway works and parking provision, there is no highway objection to the proposal.

5.11 Coal Mining and Land Stability

The proposal site is located in an area at risk of land instability as a result of historic coal mining. The applicant submitted a coal mining risk assessment report and a drilling and grouting report. The Coal Authority is satisfied with the submitted details. Subject to a condition seeking the submission of a grid plan and the submission of a written statement from the applicant's technical consultants that the extent of the grouting grid has been implemented is adequate, there is no objection from this perspective.

5.12 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/refuse 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 planning permission be granted subject to the following conditions:

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 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 PSP38 of the South Gloucestershire Local Plan Policies Sites and Places DPD (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

3. Prior to the commencement of development drainage detail proposals incorporating suitable provisions for surface water runoff within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017); and the National Planning Policy Framework. This information is required prior to commencement as it relates to the suitability of the site for adequate drainage provision and the resistance of the site from flooding.

4. Prior to the commencement of development:

- a) The submission of a grid plan (to scale) which illustrates the 6m x 6m grid stabilisation works identified within the Drilling and Grouting Report (M607, dated 23/08/2018) prepared by Dunelm Technical & Environmental and how this relates to the current proposal / layout; and
- b) The submission of a written statement from the applicant's technical consultants that the extent of the grouting grid which has been implemented is adequate for the current proposal.

Reason

To ensure that adequate measures have been taken to mitigate against unstable land to accord with Policies CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP22 of South Gloucestershire Local Plan: Policies, Sites and Places (Adopted) November 2017; and the National Planning Policy Framework. This is required prior to commencement as it relates to the suitability of the site for development.

5. The dwellings shall not be occupied until the parking arrangements shown on the proposed block plan, Drawing No. 03 (received 8th July 2019) have been provided for the existing house (namely no. 33 Church Road) as well as parking for the proposed dwellings. Thereafter the parking arrangements shall be retained.

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; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

6. All highway works associated with new vehicular access shall be completed in accordance with the Council's standards of construction details.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP11 of the South Gloucestershire Local Planning Authority (Adopted) November 2017 and the National Planning Policy Framework.

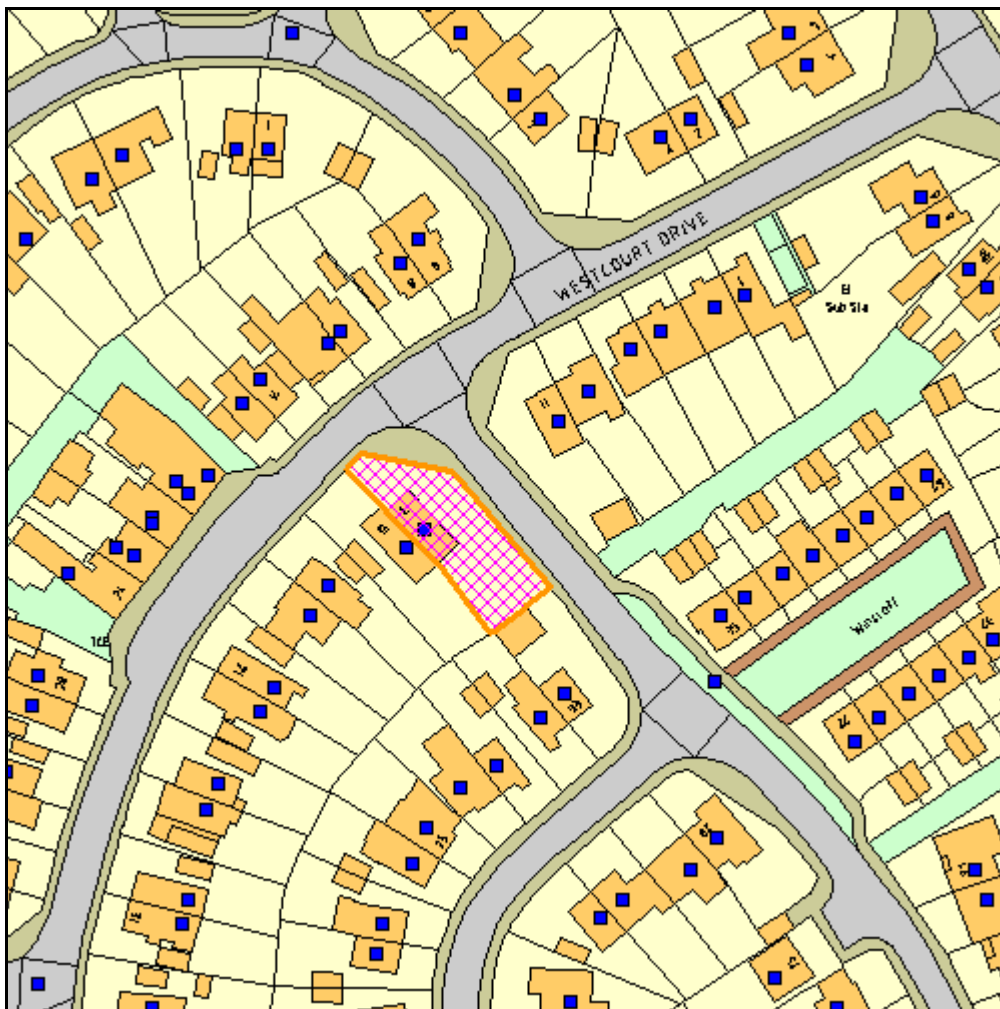
7. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights shall be constructed.

Reason

To ensure the satisfactory provision of parking facilities for the proposed dwellings hereby approved 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; Policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017); and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	P19/5289/F	Applicant:	Mr B Dowding
Site:	13 Westcourt Drive Oldland Common Bristol South Gloucestershire BS30 9RU	Date Reg:	17th May 2019
Proposal:	Erection of 1no. semi detached dwelling and associated works. (Re submission of P19/2131/F).	Parish:	Bitton Parish Council
Map Ref:	367017 171720	Ward:	Bitton And Oldland Common
Application Category:	Minor	Target Date:	10th July 2019



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P19/5289/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.

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following objections received from the Parish Council and local residents to the contrary of the officer recommendation detailed within this report.

1. THE PROPOSAL

- 1.1 This application is a resubmission and seeks planning permission for the erection of 1no. attached dwelling and associated works (re-submission of P19/2131/F).
- 1.2 The application site comprises a two-storey semi-detached dwelling located within the existing urban area of east Bristol. No other statutory or non-statutory land use designations cover the site.
- 1.3 Application reference P19/2131/F proposed a larger detached dwelling, with part of the dwelling providing a new entrance for the host dwelling, whilst the main entrance for the proposed dwelling was on the side. Officers considered this relationship to be cramped and awkward and the development was refused for the following reason:

The proposal to introduce an additional dwelling onto the site would result in a cramped form of development. By virtue of the design, siting and layout of the proposed dwelling, it would appear as an incongruous and cramped addition to the site. The proposed amendments to the existing dwelling would further emphasise the contrived nature of the proposal. The proposed development, therefore, fails to secure a high quality standard of design contrary to Policies CS1 and CS16 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places (Adopted) November 2017; and the NPPF (2018)

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (2019)

National Planning Practice Guidance (2018)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing

CS16	Housing Density
CS17	Housing Diversity
CS29	Communities of the East Fringe of Bristol

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

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

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
CIL and S106 SPD (Adopted) 2015
Waste Collection SPD (Adopted) 2015 (updated 2017)

3. RELEVANT PLANNING HISTORY

- 3.1 P19/2131/F Erection of 1no semi detached dwelling and associated works. (Re submission of PK18/5748/F)
Refused 18th April 2019
- 3.2 PK18/5748/F Erection of 1no. detached dwelling and associated works
Refused 19th February 2019

Reason for refusal:

The proposal to introduce an additional dwelling onto the site would result in a cramped form of development. By virtue of the design, form and siting of the proposed dwelling, it would appear as an incongruous and cramped addition to the site. The proposed amendments to the existing dwelling would further emphasise the contrived nature of the proposal. The proposed development, therefore, fails to secure a high quality standard of design contrary to Policies CS1 and CS16 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places (Adopted) November 2017; and the NPPF (2018).

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Objection. Complete overdevelopment of site with a loss of the front garden, loss of green space and is detrimental to the street scene and area.

- 4.2 Highway Structures
No comment.
- 4.3 Lead Local Flood Authority
Informatives recommended.
- 4.4 Sustainable Transport
Conditions recommended.

Other Representations

- 4.5 Local Residents
Five local residents have objected to the proposal:
- Would like confirmation there will be no upper side window in the proposed new property as this will overlook number 11
 - Unfair on no. 15 as would make their property a terrace instead of a semi-detached house, devaluing it
 - Parking in the area is awful already with shops nearby
 - Will increase risk to children who use the path to walk to St Anne's primary school
 - Can the drainage system cope with another property?
 - Will restrict access to no.12 and no. 14
 - Will cause loss of privacy to no. 12 and reduce light in winter months
 - Dwelling proposed is unsightly and won't match the current neighbourhood
 - Proposed drive next to front window of no. 15, and present owners own a large motorhome which will block out light
 - Estate used to be known as Greenacres Gardens, now it is a concrete jungle

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application is located in the existing urban area of the east fringe of Bristol. Under policy CS5 – which sets the locational strategy for development in the district – new development is directed towards the existing urban areas and defined rural settlements. Therefore, development in this location would comply with the strategic development locational strategy.
- 5.2 The application stands to be assessed under the above listed policies and all material considerations. Both local and national planning policy is supportive of development in urban areas. This is however, dependent on the scheme being of high quality design, not having an adverse impact on the residential amenity of existing neighbours or future occupants, providing sufficient amenity space and on-site parking and not having a negative effect on highway safety.
- 5.3 Design and Visual Amenity
Policy CS1 of the adopted Core Strategy states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Development proposals will be required to demonstrate that siting, form, scale, height, massing, detailing, colour and materials are

informed by, respect and enhance the character, distinctiveness and amenity of the site and context.

5.4 *Design*

The proposal relates to a semi-detached, two storey dwelling, located in a residential area of Oldland Common which benefits from a generous, wide corner plot. The open character of the plot enhances the character of the area. Westcourt Drive is generally characterised by semi-detached, two storey dwellings, however a number of them have been extended at two-storey level to the side of the properties, including no. 12 directly opposite the site, and no. 27 on the same side. The host dwelling has their main entrance on the side elevation. Dwellings are set back from the highway with parking to the side of the property.

- 5.5 The proposal consists of an attached two bedroom, two storey dwelling, with the main access door on the side elevation and parking at the rear of the property, whilst the host dwelling would be accessed through a new front door and parking is provided on the front driveway. The proposed dwelling would have a modern single storey rear extension with a parapet roof. The main change from the previously refused development is a reduction in the scale of the proposed dwelling; the two-storey hipped rear extension has been removed, the width of the proposed dwelling has been reduced to slightly less than the width of the host dwelling, and this brings the northern corner of the proposed dwelling away from the boundary of the site, allowing more space for landscaping. Officers consider the development no longer appears cramped because of this. The design of the proposed dwelling is identical to the host dwelling except for the slightly reduced width, and subject to a condition requiring the materials to match those used on the host dwelling, there is no objection to the revised design.

Layout

- 5.6 The layout of the existing and proposed dwelling have previously raised a number of concerns for officers, in particular a third bedroom being shoe-horned in to the proposed property and the pedestrian access, front door and internal corridor to the host dwelling encroaching onto the footprint of proposed dwelling. Furthermore, as previously mentioned, the northern corner of the proposed dwelling is no longer against the boundary of the site. A reduction in the size of the dwelling both in massing and number of bedrooms has addressed these issues, save for the pedestrian access for the host dwelling being through the parking spaces proposed. Whilst this isn't ideal, the parking spaces are in excess of the minimum width required by policy PSP16 which allows space for pedestrians to walk through, and this issue is not significant enough to result in a refusal reason on its own.
- 5.7 Another improvement from the previous scheme with regards to layout is the removal of the conservatory from the existing dwelling to provide adequate garden space, and its removal will form a condition of any approval granted. Furthermore, due to the limited space available, permitted development rights will be removed from the site meaning that all future extensions require full planning permission.

- 5.8 Officers consider the revised proposal now adequately integrates with the existing pattern of development and the street scene, following a reduction in scale. The development no longer feels cramped and contrived, and although it is acknowledged that the character of the area is semi-detached, a number of dwellings in the vicinity have benefitted from significant extensions that are a similar size to the dwelling proposed. Furthermore, the site benefits from a larger, corner plot which exceeds the size of the surrounding plots, including no. 11 which is also within a corner plot. On this basis, it is considered that the proposed development now accords with the high quality design standards required by policies CS1 of the adopted Core Strategy and PSP1 of the adopted Local Plan.
- 5.9 Residential Amenity
Development proposals should protect residential amenity and provide a good standard of amenity to future occupiers. The proposal would not cause any unacceptable impacts from the loss of privacy and overlooking, or an overbearing impact.
- 5.10 Following the proposed removal of the existing conservatory attached to the host dwelling, it now meets the minimum standards within policy PSP43 for a three-bedroom property. The proposed dwelling, which has been reduced to a two-bedroom property, exceeds the standards by approximately 20sqm.
- 5.11 The proposed site layout would result in a parking area for the existing dwelling to the front of the property and parking for the proposed dwelling to the rear. The proposed dwellings off-street parking would encroach on the size of the rear garden for the existing dwelling and the proposed dwelling, however the calculations regarding amenity space have taken this into account. There may be some disturbance as a result of the parking for the proposed dwelling being located to the rear of the garden for the existing dwelling, however this is an extant situation with the host dwelling parking to the rear currently, as well as the existing garden being bordered by a parking area and garage serving no. 33 Wincroft.
- 5.12 On the basis of this assessment set out above, it is considered that a new dwellinghouse could be provided at the site without having any unacceptable impacts on residential amenity.
- 5.13 Sustainable Transport
The proposal includes two off-street parking spaces for each dwelling, as per the Council's adopted Residential Parking Standards SPD. The existing dwelling would use the front garden for two parking spaces and the proposed dwelling would have two tandem formation parking spaces to the rear of the site.
- 5.14 For development of this nature, the most relevant transport consideration is the provision of adequate parking. Parking should be provide to accord with policy PSP16. The proposed development would provide sufficient parking to meet the standards and therefore no objection is raised with regard to transport and parking with regard to the number of spaces. Furthermore, it is noted that the tandem parking spaces are extra wide at 3.77m at the narrowest point to allow

easy access to the vehicles even though the spaces are surrounded by boundary treatments. The parking spaces for the host dwelling are also slightly larger than the minimum at 2.45 metres in width, although they are not enclosed by a boundary treatment. As has been previously discussed in the layout section of this report, pedestrian access is along the side of the vehicles or between the two parking spaces, and whilst this is not ideal, it does not result in a refusal reason on its own.

5.15 There is no transportation objection to the development. Objections have been received regarding the current owners parking a motorhome on the driveway, and if it were to be moved to the proposed parking area this would block out light. This is a civil issue as the Local Planning Authority cannot control the type of vehicle residents own, and the parking spaces are more than adequate for two average vehicles per dwelling.

5.16 Other Matters

There were a number of issues raised by concerned local residents, which I have not yet addressed in my report:

5.17 Concern has been raised about the impact an additional dwelling and driveway and removal of most of the existing garden would have on drainage locally. The Lead Local Flood Authority have no objection in principle to this application. The application site is located in an established residential area with access to public foul sewers. The addition of one dwelling is unlikely to materially impact on the local public foul water sewer and a permeable surface could be used for the parking areas.

5.18 Comments regarding the loss in value of no. 15 Westcourt Drive have been received, as a result of changing from semi-detached to end terrace. Property value is not a planning consideration and therefore has been given very limited weight.

5.19 Consideration of likely impact on Equalities

This development would have a neutral impact on equalities.

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 The application is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 864735

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 dwelling hereby approved shall match the appearance of those used in the existing dwelling.

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 existing conservatory serving the existing dwelling proposed for removal on the Proposed Block Plan PLN-1 (received 15th May 2019) must be removed prior to first occupation of the approved dwelling.

Reason

To protect the residential amenity of future occupiers of the development and to accord with policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policies PSP8, PSP38 and PSP43 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the National Planning Policy Framework.

4. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F) 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

To prevent overdevelopment of the site and to protect the residential amenity of future occupiers of the development and to accord with policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policies PSP8, PSP38 and PSP43 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the National Planning Policy Framework.

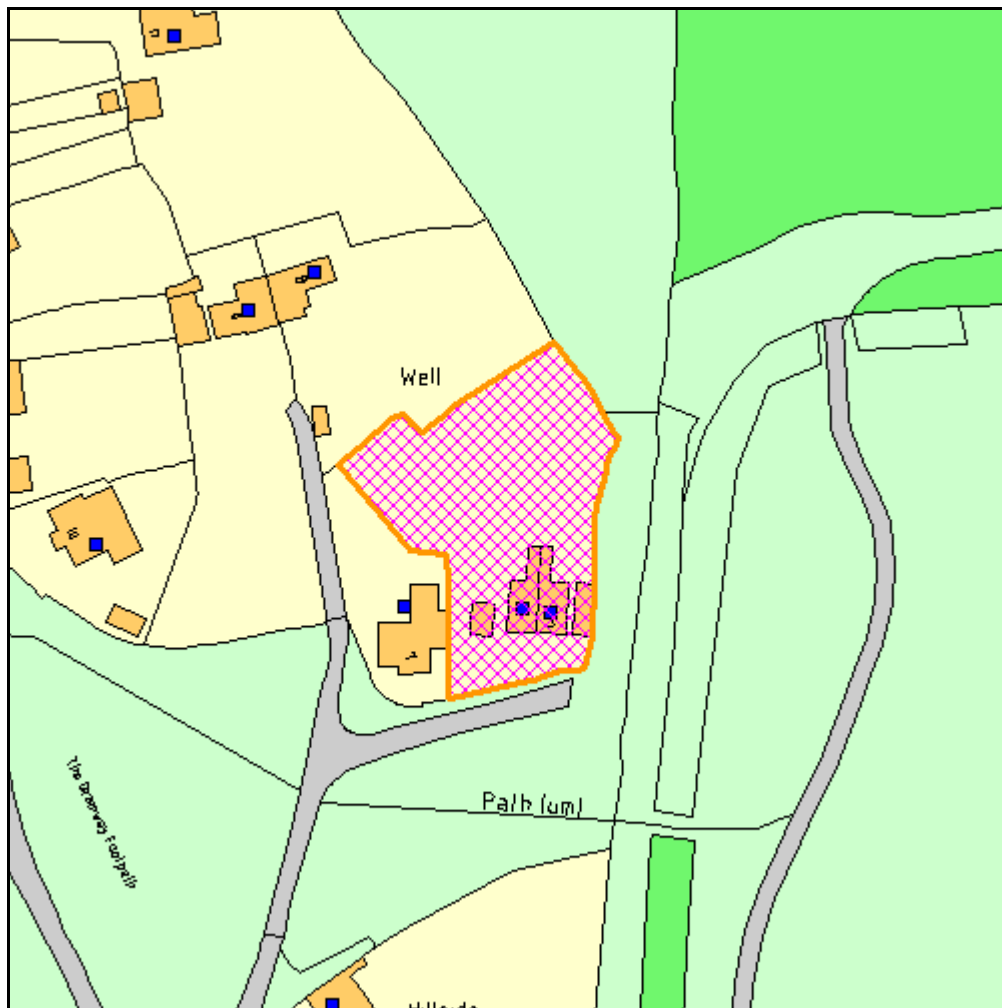
5. Prior to first occupation of the dwelling hereby permitted, the parking spaces shown on the Proposed Plan PLN-1 (Received 15th May 2019) for the existing and proposed dwelling shall be implemented in a bound permeable surface, and thereafter maintained for parking purposes.

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; policy PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	P19/5473/F	Applicant:	Mrs S Carter
Site:	6 Norman Road Warmley Bristol South Gloucestershire BS30 5JA	Date Reg:	23rd May 2019
Proposal:	Erection of detached garage	Parish:	Siston Parish Council
Map Ref:	367038 173903	Ward:	Parkwall And Warmley
Application Category:	Householder	Target Date:	16th July 2019



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P19/5473/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.

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from the Parish Council which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a detached garage at 6 Norman Road, Warmley.
- 1.2 The application site relates to a two storey, detached property which is located outside of any defined settlement boundary and is washed over by the Bristol and Bath Green Belt. The application site originally consisted of a pair of semi-detached cottages which were combined in 2017 to create one residential unit.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy 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
 - CS34 Rural Areas

- South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017

- PSP1 Local Distinctiveness
 - PSP7 Development in the Green Belt
 - PSP8 Residential Amenity
 - PSP11 Transport Impact Management
 - PSP16 Parking Standards
 - PSP38 Development within Existing Residential Curtilages
 - PSP43 Private Amenity Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Development in the Green Belt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

3.1 PK16/6092/F

The erection of a single storey front extension to facilitate the conversion of 2no dwellings into 1no dwelling.

Approved: 16/01/2017

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Objection- overdevelopment in a Green Belt location.

4.2 Sustainable Transport

The internal dimensions of the proposed garage do not meet the minimum requirements of 6m by 3m to be included in any vehicular parking requirements for the dwelling. However, adequate parking is present at the site. On that basis, no objection is raised.

4.3 Archaeology

No comments received.

4.4 Commons Stewardship Officer

Developers should note that no storage of any associated building materials, skips, waste, etc. are to be stored on the common. The common includes the track serving the property.

It is noted that the wall of the proposed structure forms a boundary with the Council owned common. I object until clarification is received on exactly what access if any is required via the common during any stage of development.

Other Representations

4.5 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP7 of the Policies, Sites and Places Plan (Adopted) November 2017 states that inappropriate development is harmful to the Green Belt and will not be acceptable unless very special circumstances can be demonstrated that clearly outweigh the harm to the Green Belt; and any other harm. Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

The proposal accords with the principle of development subject to the consideration below

5.2 Green Belt

National Green Belt policy under the NPPF has five aims which help to prevent urban sprawl as set out in paragraph 134:

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

5.3 Development in the Green Belt is generally considered to be inappropriate, however there are limited categories of development which are exceptions and not considered to be inappropriate. One of these exceptions is *'the extension or alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building'*, as set out in paragraph 145 of the NPPF. Despite not constituting the extension of a building, as the proposed garage is located within the same residential curtilage as the main dwelling, the proposal is deemed to fall within this category.

5.4 Extensions to dwellings that would result in the overall volume increase exceeding 30% are carefully assessed. Policy PSP7 of the PSP Plan (Adopted) November 2017 states *'the larger a building becomes in excess of 30% over and above its original size, the less likely it is that the new extension(s) will be considered proportionate'*. Furthermore, it goes on to state *'additions resulting in a volume increase of 50% or more of the original building would most likely be considered a disproportionate addition and be refused as inappropriate development'*.

5.5 The volume calculations provided by the agent state that the original property has a volume of 724 square metres. The existing garage has a volume of 80 square metres and the proposed garage would have a volume of 145 square metres. The Case Officer has no reason to dispute these calculations. Therefore, there would be an increase of approximately 20% of the original building. Furthermore, considering the proposal would be part replacing an existing garage within a very similar footprint and would be mostly screened from the highway by the main dwelling, it is not considered to significantly increase the prominence of the building within the landscape. As such, the proposed development is not considered to be a disproportionate addition and the impact on the openness of the Green Belt is not deemed to be unacceptable.

5.6 Design and Visual Amenity

The proposed garage would sit adjacent to the east elevation of the main dwelling. It would be approximately 4.1 metres in width and would span the entire depth of the main dwelling. It would consist of a dual pitched roof with an overall height to match eaves of the main property. Although, it is acknowledged that the proposal is relatively large in size, the footprint is only marginally larger than the existing garage which it is to replace. Furthermore, the height of the proposal has been reduced, which in the opinion of the officer,

has resulted in a more proportionate appearance appropriate within the context of the site.

- 5.7 The proposal would include a garage door on the principal elevation with a large feature window above. Given the siting of the proposal, this is considered to be unobtrusive within the landscape. The materials to be used in the external finish of the development include natural stone to the principal elevation to match the existing cottage; rendered finish to the side and rear elevations; and windows, doors and roof tiles all to match the host dwelling. As such, the proposed materials are considered appropriate within a rural setting such as this and are therefore deemed acceptable in terms of design.
- 5.8 Overall, it is considered that the proposed garage would not be detrimental to the character of the host dwelling or surrounding area and is of an acceptable standard of design. As such, the proposal is deemed to comply with Policy CS1 of the Core Strategy.
- 5.9 Residential Amenity
Policy PSP8 of the PSP Plan (November 2017) sets out that development should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.10 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. The proposal is mostly screened from neighbouring properties by the main property, therefore given its siting the garage is not thought to result in a material overlooking or overbearing impact, nor is it considered to have any impact on the existing levels of light afforded to the neighbouring occupiers.
- 5.11 The proposal will occupy a small area of additional floor space, however it is considered that sufficient private amenity space will remain for the occupiers of the host dwelling following development.
- 5.12 Overall, the proposal is not considered to have an adverse impact on the residential amenity of any surrounding properties or the host dwelling and is therefore deemed to comply with Policy PSP8 of the PSP Plan.
- 5.13 Sustainable Transport and Parking Provision
The application is not proposing any additional bedrooms, therefore the property would remain a four bedroom dwelling. South Gloucestershire Council's residential parking standards require a four bedroom dwelling to provide two off-street parking spaces. The property benefits from a large driveway which is able to accommodate a minimum of two-off street parking spaces, this would be unaffected by the proposal and therefore no objections are raised in terms of transport.
- 5.14 Other Matters
The site sits adjacent to Siston Common. The Commons Stewardship Officer has objected to the proposal as no indication of the applicant's requirement for access to the common during construction was included. This is not a material planning consideration and therefore does not form part of the

Officer's assessment, however the applicant must obtain the prior written consent of the owner and occupier of the land, South Gloucestershire Council, if it is necessary to enter in order to construct, externally finish, decorate, store materials or in any other way carry out any works in connection to the development.

5.15 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 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 conditions included on the decision notice.

Contact Officer: James Reynolds
Tel. No. 01454 864712

CONDITIONS

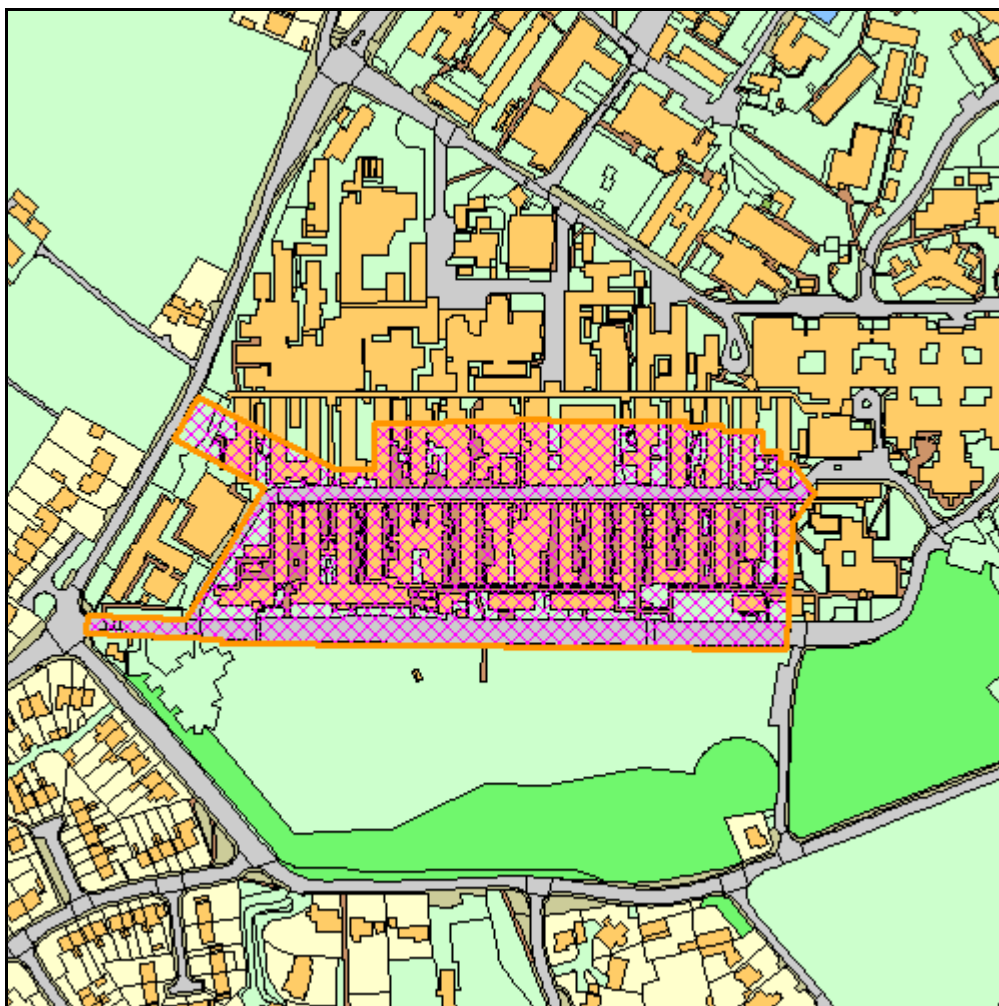
- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	PT17/5363/RM	Applicant:	Redrow Homes (South West)
Site:	Frenchay Hospital Beckspool Road Frenchay South Gloucestershire BS16 1JE	Date Reg:	24th November 2017
Proposal:	Erection of 162no. dwellings with the provision of public open space and ancillary supporting infrastructure. (Reserved Matters application to be read in conjunction with Outline Planning Permission PT13/0002/O in regards to scale, appearance, landscaping and layout)	Parish:	Winterbourne Parish Council
Map Ref:	363890 177610	Ward:	Frenchay And Downend
Application Category:	Major	Target Date:	19th February 2018



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100023410, 2008.

N.T.S.

PT17/5363/RM

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 Committee for determination.

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application is reported to the Circulated Schedule due to the objection from Winterbourne Parish Council and the objections from members of the public.

1. THE PROPOSAL

- 1.1 This is a reserved matters application for the erection of 162 dwellings. Outline planning permission was granted under reference PT13/0002/O for the redevelopment of the hospital site for the residential development of up to 490 dwellings, a new health and social care centre, a 1 form entry primary school and associated works. The reserved matters for which approval is sought are appearance, layout, scale and landscaping. Access was approved at outline stage.
- 1.2 The site is to the north of the north of the Frenchay Conservation Area. It also forms part of the wider setting to the Grade II listed Frenchay Park House and is part of the locally registered Frenchay Park and Garden.
- 1.3 The site forms Phase 4 of the residential development and is within the formal residential area. It is located to the south of the site and would be behind the Lime Tree Avenue and the strategic open space that is adjacent to Beckspool Road.
- 1.4 The application was originally submitted in 2017 and has undergone extensive revisions following discussions with Officers. The proposed development is a mix of 1 and 2 bed flats, and 1, 2, 3 and 4 bed houses. The proposed dwellings along the lime tree avenue would be three storey with the remaining properties being a mix of 2 and 2.5 storey in height.

2. POLICY CONTEXT

- 2.1 National Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Policy Framework February 2019
Planning Practice 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
- CS16 Housing Density

CS17 Housing Diversity
CS18 Affordable Housing
CS29 Communities of the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP37	Internal Space and Accessibility Standards for Affordable Dwellings
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Landscape Character Assessment SPD (Adopted August 2005)

Design Checklist SPD (Adopted 2007)

Residential Parking Standards SPD (Adopted May 2013)

Extra Care and Affordable Housing SPD (Adopted May 2014)

Waste Collection: Guidance for New Developers SPD (Adopted January 2015)

Frenchay Conservation Area SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/0002/O - Redevelopment of hospital site to facilitate the construction of up to 490 residential units; a new health and social care centre and; a 1 form entry primary school, all with associated works. Outline application with access to be determined: all other matters reserved – Permitted 5th December 2014
- 3.2 PT15/5412/RM - Erection of 88no. dwellings with the provision of public open Space and ancillary supporting infrastructure. (Reserved Matters application to be read in conjunction with outline planning permission PT13/0002/O in regards to scale, appearance and layout) – Approved 17th August 2016
- 3.3 PT16/5062/RM – Approval of Landscaping for both plot and public areas pursuant to first phase of 88 dwellings (Reserved Matters application to be read in conjunction with outline planning permission PT13/0002/O in regards to scale, appearance and layout) – Approved 15th February 2017
- 3.4 PT17/0973/RM - Erection of 127no. dwellings with public open space and ancillary supporting infrastructure. (Approval of Reserved Matters to be read in conjunction with outline planning permission PT13/0002/O). – Approved 24th October 2017

- 3.5 PT17/4904/RM - Erection of 41no dwellings (Phase 3a) with the provision of public open space and ancillary supporting infrastructure. (Reserved Matters application to be read in conjunction with Outline Planning Permission PT13/0002/O in regards to scale, appearance and layout) – Approved 23rd May 2018
- 3.7 PT17/0803/RM - Approval of landscaping for site wide strategic landscaping and green infrastructure (Approval of Reserved Matters to be read in conjunction with outline planning permission PT13/0002/O). – Approved 19th June 2018
- 3.8 PT17/5622/RM – Erection of 23no dwellings and ancillary supporting infrastructure with details of appearance, landscaping, layout and scale. (Approval of Reserved Matters to be read in conjunction with outline planning permission PT13/0002/O). – Pending consideration
- 3.9 P19/1108/F – Creation of new road and associated highway works – Pending consideration

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Object to the revised scheme, raising the following points;

- Strong objection from the Parish Council
- Always been recognised that this area is the most sensitive
- Plans have been done so that, when looking through the trees from the lime tree avenue, the view will be of cars and garages
- Any proposed development should be set back from the avenue and enhance the setting
- More acceptable for the housing here to be less dense on the edge of this historic land
- Plans represent bland, off the peg housing which bears no relation to the sensitivity of the site
- Local residents are very disappointed with the design of the houses
- Historically understood that the garages would not be in front of the houses
- Avenue will be narrowed for pedestrian and cyclist use
- Buildings are brick face design, which is not seen anywhere in Frenchay Conservation Area, which alienates it from local surroundings
- These plans do not protect the setting of Frenchay Park listed building and parkland
- The site borders and overlooks the conservation area but the view through the lime tree avenue to these proposed dwellings will not reflect this
- The Frenchay Conservation Area SPD states new development needs to be in scale and sympathetic to the character of the conservation area and not harm the setting of existing historic features, views or archaeology. These plans do not adhere to this
- It also says to retain and enhance the integrity of the lime tree avenue, which helps screen the modern buildings beyond
- No new buildings, structures or parking should encroach on this area
- SPD states that development should not harm features or important views and the setting of the conservation area

- Where current development detracts from character, future development should include enhancements to mitigate against adverse impacts.
- Again the plans do not adhere to this.

4.2 Other Consultees

Frenchay Preservation Society – Object to the proposed development, raising the following points;

- Proposed buildings fronting the lime tree avenue present a particular problem
- 3 storey town houses, whilst providing good internal floor space and occupying minimal footprint, do not fit the aesthetic required and the nature of the location
- Acknowledged that the avenue is the most sensitive part of the site.
- This is not shown with any relevance on the proposed street scene
- Brick faced buildings are not prevalent anywhere within the Frenchay Conservation Area
- Proposal owes nothing to the local vernacular
- The application does not protect the setting of Frenchay Park listed buildings and parkland
- It borders the conservation area and will overlook it with views both in and out of the conservation area. The view from say the parkland or The Common through the lime trees will do nothing something for such protection
- Frenchay Conservation Area SPD states that new development needs to be in scale and sympathetic to the character of the conservation area and not harm the setting of existing historic features, views or archaeology. These plans do not adhere to this
- It also says to retain and enhance the integrity of the lime tree avenue, which helps screen the modern buildings beyond
- No new buildings, structures or parking should encroach on this area
- SPD states that development should not harm features or important views and the setting of the conservation area
- Where current development detracts from character, future development should include enhancements to mitigate against adverse impacts.
- **Historic England** - Historic England has no objection to the application on heritage grounds, although we consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 137 of the NPPF.

Conservation Officer – Overall subject to applying the same conditions that have been applied to the previous phases to cover matters of detail for doors, windows, eaves and verges; conditions to pick up details of materials which in this case the specification of brick is essential; and the conditions for the design of the new access road to the north of Lime Tree Avenue, I would consider that the only issue now two omissions relating to the treatment of the road to the north of Lime Tree Avenue and the fact that 3 storey buildings are only permissible to the Lime Tree Avenue frontage, the design and layout of Phase 4 can be considered to comply with the design principles set out within the DAS.

Sustainable Transport – No objection, subject to conditions

Lead Local Flood Authority – No objection

Highway Structures – Offer the following comments;

- 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 Highways 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.

Housing Enabling – No objection

Public Open Space - Amendments are required to make the proposal acceptable

Landscape- Amendments are required to make the proposal acceptable

Environmental Protection – No objection

Other Representations

4.3 Local Residents

Following the original submission of the application, 12 letters of objection, from 11 individuals, were received, raising the following points;

- Earlier plans for the houses adjacent to the lime tree avenue had cars and garages at the back
- These plans have garages and a paved area to the front
- This means that when walking down the lime tree avenue, the most sensitive part of the site, all you will see of the houses are garage doors
- Likely to be parked cars outside all the houses
- Not aesthetically please
- Appears to have been done so Redrow do not have to provide back access to the houses
- Please consider the view from the lime tree avenue when looking at these plans
- Housing/parking configuration will not enhance or preserve the open space to be protected
- Parking bays shown in the road which runs alongside the lime tree avenue
- Garages serving the adjacent homes would open onto the new road
- Positioning might lead to indiscriminate parking on both the road and the verges
- Does management plan give sufficient protection and what would happen if the management company had insufficient funds to honour its obligations?
- High concentration of apartments and social housing to the west of the plan
- Some apartments appear to have access from the mini roundabout in Frenchay Park Road
- Understood from the outline that no residential access would be provided here
- What would the impact at the busy roundabout of additional residential use with its associated parking?
- These dwellings would be the most prominent in terms of the impact on the Village Green

- Future residents will have a wonderful view when looking towards the Green and that should also be afforded to users of the Green
- Design of the houses on the lime tree avenue must be particularly sensitively dealt with
- Need to ensure the lime tree avenue does not turn into a car park for residents
- All parking for houses fronting the green should be at the rear and out of sight from users of the green
- Houses planned are out of character with the existing buildings in the area
- Garage doors will be obtrusive
- Adequate car parking should be provide at the rear of the properties
- Lime trees are a jewel in the crown of this area
- Development should be sensitive to the wonderful environmental impact they have
- Thought should be given to the sap which falls from the lime trees which causes problems when it falls on vehicles
- Drawings show a street scene that consists of virtually uninterrupted parade of garages
- This area has been identified by English Heritage as the main historic driveway leading to the main heritage asset at the eastern end of the drive
- Plans are contrary to the original understanding of Winterbourne Parish Council
- Site layout appears to be more about packing in houses than aesthetics
- Object to the style of housing
- Not a good representation of the type of houses that should be built
- Houses would be highly visible, extending above the tree line
- In conflict with the views of English Heritage who expressed their concerns that the properties facing the lime tree avenue could detract from the dominant presence of Frenchay Park House

Following the submission of revised plans, interested parties and adjoining occupiers were reconsulted on the proposed development. 10 additional letters of objection, from 9 individuals, were received, raising the following points;

- Lime tree avenue is the most sensitive part of the site
- Houses here would be seen between the trees and design shows garages and front doors from the most prominent part
- Cars would be parked in front of the houses
- Garage doors and cars detract from the historic beauty of the lime tree avenue
- Houses alongside the trees should be of the highest standard and this design is not
- Reconsider this part of the development and use a more suitable design
- Design has not changed since 2017
- Vista from the open space is of great importance
- Whilst house design is disappointing, it will further ruin the aesthetics by having the garages and cars facing out onto the open green spaces
- This is a big design flaw and needs reversing
- Unacceptable close to the conservation area and looking onto the historic lime tree avenue
- Points have been previously discussed with SGC

- No red brick buildings on Frenchay Common or the Voluntary Village Green (VVG)
- Scheme has no resemblance to the Georgian avenue detailed by the design consultant
- Will be an eye sore and buildings should be in the same presentation as the other ones on the common
- Who wants buildings to reflect old WW" buildings that don't exist?
- A 3 storey building is imposing and will be detrimental to the views from the conservation area
- It will look like a continuous wall of buildings
- This is a unique landscape that will be ruined by this plan
- These should be two storey maximum
- The houses are the wrong way round and cars should not be parked facing the lime trees
- Cars will be damaged by same and will give future reasons to remove them
- Area under the lime trees must be garden and not have road access to allow cars to pull up on the grass
- The access road should be behind the front row of houses as previously discussed
- More attention needs to be paid to s66(1) and s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990
- Detailed comments of the Conservation Officer needs to be addressed by Redrow
- 3 storey properties are too obtrusive
- Especially concerned about the parking in front of and in the drives of plots 4060-4070
- These are nearest to the listed building in the conservation area
- Seems inappropriate that additional cars should be allowed to park so near this building and protected green space
- Distinct possible any green area being used as a general commuter parking space
- Potential for alteration/sub-letting which could result in additional vehicles
- Previous discussions were to avoid a reversion to the previous hospital parking situation, which detracted from the setting of the avenue
- Current proposal seems to contradict council policy along Beckspool Road where build outs have been used to remove car parking along the road to enhance the conservation area
- Plans show ordinary, dull cheap looking designs
- Imaginative contemporary design, featuring glazed gables, might more nearly meet condition 6 of the outline
- Proposed development along the lime tree avenue is totally unacceptable and opinions of the longstanding residents of Frenchay and surrounding areas must be taken into consideration
- Parking under the lime tree avenue may induce stress in the root systems of the lime trees

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application seeks consent only for those matters that were reserved by reason of conditions 1 and 2 of outline planning permission PT13/0002/O; specifically matters relating to appearance landscaping, layout and scale. The principle of the development is acceptable by virtue of outline application PT13/0002/O previously approved.

5.2 Design, appearance and layout and Impact of Historic Environment

It is noted that a number of objections have been received from members of the public and the parish Council. It should be noted that the application submitted is for reserved matters; therefore, the scope of consideration with this application is far more limited compared to a full planning application. When considering design matters, which are restricted to those relating to scale, appearance and layout, the main consideration is whether they are in accordance with the principles and parameters that have already been approved under the outline planning application. Principles such as three storey development facing onto Lime Tree Avenue, the proximity of the built form in relation to Lime Tree Avenue, Frenchay Conservation Area and other heritage assets, the facing materials including the use of red brick, density and scale have already been carefully considered and accepted in principle under the outline application. Following much negotiation and revisions to the scheme, the proposal is now in accordance with the previously approved principles and parameters.

5.3 As submitted, the proposed design and layout of this phase was poorly conceived and failed to comply with the requirements of the approved DAS. Therefore, since submission, there has been a significant amount of discussions with the applicant and resulting iterations of designs and layouts submitted to ensure compliance with the design principles is achieved. The changes that have been secured represent a comprehensive redesign of the residential parcel. Along with improving the quality of individual unit design and appearance, the need to deliver a collective “character area” rather than just focusing on an interesting Lime Tree Avenue frontage with standardised Redrow typologies behind has been achieved. This will ensure that although limited in scale, the “Formal” character area will be distinguishable from the larger “Suburban” character area to the north. The removal of the large monolithic care home proposed at the eastern end of Lime Tree Avenue has also been a significant improvement and will help the transition into the “Village” character area to the east. Securing a layout that delivers the key views out of the phase out into the strategic open space can also be noted as an improvement.

5.4 Therefore, following an extensive amount of negotiations to achieve a character area that reflects the key design principles laid out within the DAS Addendum, it is considered that the proposal is acceptable in terms of design with the design principles set out within the DAS for the “Formal Character Area” complied with. A condition is attached to address matters relating to materials and window detailing.

5.5 The Council's Conservation Officer has raised no objections to the proposal following the receipt of revised details subject to the conditions that have been previously attached to earlier phases being applied to the new consent to address matters relating to appearance of the dwellings. A condition is attached accordingly. The Conservation Officer still remains concerned regarding the treatment of the road to the north of Lime Tree Avenue to reduce the prominence of the hard surface and prevent parking encroaching onto the POS for parking in this very sensitive location. The lowering of the surface of the road cannot be achieved due to the fact that this would unacceptably harm the roots of the lime trees. The landscape plans demonstrate timber bollards along the edge of the POS which would prevent cars encroaching onto the POS; this treatment is not however considered to be sympathetic to the character of the POS and a hedge is required to provide a more naturalistic treatment and to better screen views of vehicles and the hard surface from Lime Avenue. Subject to a suitably worded condition there are no objections on this basis. The Conservation Officer has stated that 3 storeys is only permitted to the Lime Tree Avenue frontage; the revised plans submitted have resolved this issue and only propose 3 storey buildings to this southern frontage. All issues are now considered to have been addressed and there are no objections relating to design or heritage.

5.6 Residential amenity

The proposal design is such that future occupiers of dwellings will enjoy an adequate level of residential amenity having regard to privacy, private amenity space and levels of natural light. It is not considered that the residential amenity of any existing residential occupiers will be adversely harmed by the proposal. Most of the apartment blocks will benefit from either private balconies or communal amenity space, which will ensure an adequate level of amenity for occupiers.

5.7 Landscape, Trees and public open space

The main landscaping issue has been the treatment of the southern end of the parcel adjacent to Lime Avenue. The layout shown on the revised plan has significantly improved the road layout with visitor spaces accommodated on the northern side of the estate road rather than encroaching into Lime Avenue. A condition is also proposed for a hedge to be planted to the northern edge of the Lime Avenue POS to prevent any vehicular encroachment to this area and to better screen views of cars and hard surfacing from Lime Avenue. Accordingly, all vehicular movements and vehicular parking will be outside the root protection area of trees in, and will be screened from views from, this sensitive area. A footpath extends through Lime Avenue as required on the masterplan. The footpath extends through the root protection area of lime trees; therefore, a method statement for the construction of the footpath and any excavation using appropriate no-dig methods is required and a condition is attached on this basis. Works have already been agreed to replace trees needing removal in Lime Avenue and to fill gaps to the avenue of trees under application PT18/1981/TRE as part of the ongoing management of Lime Avenue. As the tree planting agreed will be within the RPA of existing trees a specific tree pit detail and method statement is required to ensure that existing tree roots are not adversely harmed. A condition is attached on this basis.

The trees will need to be protected through the construction period; therefore, a condition is attached to agree the location of tree protection fencing prior to any works taking place at the site. A condition will also be required to agree a scheme to ensure that unauthorised vehicles cannot access Lime Avenue thereafter and to ensure that the scheme is in place prior to the first occupation of any dwelling within phase 4.

The Landscape Officer raised concerns regarding a lack of planting to rear parking courts making them overly hard in appearance. Tree planting as well as shrub and herbaceous bulb planting has been incorporated into rear parking courts where possible; and a lack of space prevents any further tree planting to these areas. Notwithstanding this, a condition is attached for a revised landscape plan to be agreed to provide more climbing plants within the parking courts. Subject to this condition it is considered that the parking courts would provide an acceptable environment for future occupiers.

5.8 Highway safety

The transportation officer originally highlighted inconsistencies between the S38 plan and the adoption plan that required clarification. This comment primarily related to the footpath along the southern boundary of the site between Lime Avenue. The latest highway adoption plan submitted clarifies that this is intended to be adopted by the Local Planning Authority. There is no objection with regards to this in principle provided that the construction meets the Councils adoption standards to ensure adequate access for all, and this will be considered in greater detail through the S38 highway adoption process. It is recognised that this is a sensitive area of the site; therefore, conditions are attached in respect to the protection of trees and a scheme of lighting to safeguard the amenities of the area. The proposal is considered to be acceptable in respect of vehicle tracking and refuse accessibility. The level of parking for future occupiers and visitors is also considered to be adequate. Accordingly, there are no transportation objections.

5.9 Affordable housing

The Council's Affordable Housing Officer originally raised a number of objections/concerns around clustering, layout, some housetypes and tenure split. The latest site layout plan submitted and revised housetype drawings have addressed the concerns raised and the Council's Affordable Housing Officer now has no objections to the proposed scheme. Accordingly, the proposal is acceptable with regards to affordable housing.

5.10 Drainage

The Councils Drainage Officer has confirmed that the surface water drainage design complies with the overall drainage strategy for the Frenchay Hospital site. Accordingly, the proposal is acceptable in terms of drainage.

5.11 Further Matters

Matters relating to who will be responsible for the maintenance of public open space and the appropriate measures that will be taken if the associated management agent cannot fulfil their obligation are outside the scope of this reserved matters application. There is a S106 legal agreement which was approved as part of the outline application which covers these matters.

5.12 Consideration of likely 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 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. 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. 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 a neutral impact as equality matters have duly been considered in planning policy.

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 consent 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 Reserved Matters Consent is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. Prior to construction above Damp Proof Course level details and/or samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

2. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved to serve each residential unit shall be provided before each respective 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.

3. The bin storage shown on the drawings hereby approved shall be provided before the corresponding dwellings are first occupied, and thereafter retained for that purpose.

Reason

In the interests of the amenities of the area and to accord with policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. Prior to construction above Damp Proof Course level, details confirming window colour and depth of reveal for the openings shall be submitted to the local planning authority for writing approval and then the development shall proceed exactly in accordance with the approved details. For the avoidance of doubt, the windows should be grey in colour and the reveals should be no less than 100mm in depth.

Reason

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

5. Prior to the erection or installation of any external lighting on Phase 4, details of a scheme of lighting shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.

Reason

In the interests of the character and appearance of the area and to comply with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

6. All hard and soft landscaping works approved under condition 9 shall be carried out in accordance with the details hereby approved. The planting shall be carried out by or within the first planting season following the occupation of the last unit as part of the Phase 4 housing development hereby approved, or in accordance with the programme agreed with the Local Planning Authority.

Reason

In the interests of the visual amenity of the scheme and to provide timely pedestrian facilities and in accordance with policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

7. No development (including any site clearance or demolition works) shall commence until a Tree Protection Plan is submitted and the location of the tree protection fencing agreed in writing by the Local Planning Authority. For the avoidance of doubt, the Tree Protection Plan shall accord with BS5837 (2012). Thereafter the development shall be implemented in accordance with the agreed details, with all tree protection fencing erected PRIOR to any site clearance works. The Council must be notified when all the tree protection and cellular confinement is in place, to allow this to be checked on

site and ensure that it is in accordance with the tree protection plan and 'no dig' construction method statements. The applicant's arboricultural consultant should oversee these works. All tree protection must be left in place for the duration of the development and should not be moved without written authorisation by the Local Planning Authority Arboricultural Officer.

Reason

To protect the health and visual amenity of trees and the character of the area and to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

This is required to be a pre-commencement condition to ensure that trees are adequately protected.

8. Notwithstanding the details submitted, prior to the construction above Damp Proof Course level a revised Landscape and Ecological Management Plan (LEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved LEMP.

Reason

To protect the health and visual amenity of trees and the character of the area and the ecological interests of the site to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

9. Notwithstanding the details submitted, prior to the laying of any drainage infrastructure at the site, a revised landscape plan for the POS area and residential layout shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details. For the avoidance of doubt the revised details shall demonstrate that the drainage easements required fit with the location of tree root barriers and that the root barriers will provide sufficient soil volume around trees; climbers to parking courts; the planting of more tree species of greater stature; a hedge rather than a knee rail fence to the northern edge of the southern POS area.

Reason

In the interests of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

10. Notwithstanding the details submitted, no development (including any site clearance or demolition works or new tree planting) shall take place within the Root Protection Area (RPA) of any tree at the site until a revised Arboricultural Method Statement (AMS) has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the agreed Arboricultural Method Statement. For the avoidance of doubt the AMS shall include the construction of any hard surface or excavation, the planting of trees and bulbs, and the installation of any lighting, all to accord with no dig principles/construction, within the Root Protection Area of trees.

Reason

To protect the health and visual amenity of trees and the character of the area and to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

11. Notwithstanding the details submitted prior to the first occupation in Phase 4 a revised highway and public open space adoption plan shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details. For the avoidance of doubt, the revised plan should clarify whether the planter will form part of Public Open Space (POS) or adopted highway in terms of the maintenance provision.

Reason

In the interests of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013).

12. Notwithstanding the details submitted, prior to the planting of any tree at the development, revised tree pit details for all trees proposed at the site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

In the interests of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013).

13. Notwithstanding the details submitted, prior to the first occupation of any dwelling in Phase 4, details of the design and appearance of all boundary treatments proposed shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

In the interests of the character and appearance of the area and to accord with policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

14. All works (including any site clearance or demolition works) within the Root Protection Area (RPA) of any tree on the site shall be undertaken under the watching brief of an Arboricultural Clerk of Works.

Reason

In the interests of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013).

15. Prior to the construction above Damp Proof Course level, details are to be submitted to the local authority for written approval to demonstrate how the scheme hereby approved will seek to incorporate the potential noise mitigation measures set out within the Noise Report submitted. The development shall proceed in accordance with the approved details.

Reason

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

16. Prior to first residential occupation of the proposed development details of appropriate markings on the hard standing adjacent to Plot 4106 to highlight the need to keep clear for the reversing / turning area needed for the waste vehicles shall be submitted to and agreed in writing by the Local Planning Authority. The details shall be implemented as approved prior to the first occupation of any dwelling in Phase 4.

Reason

In the interests of highway safety and to accord with policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

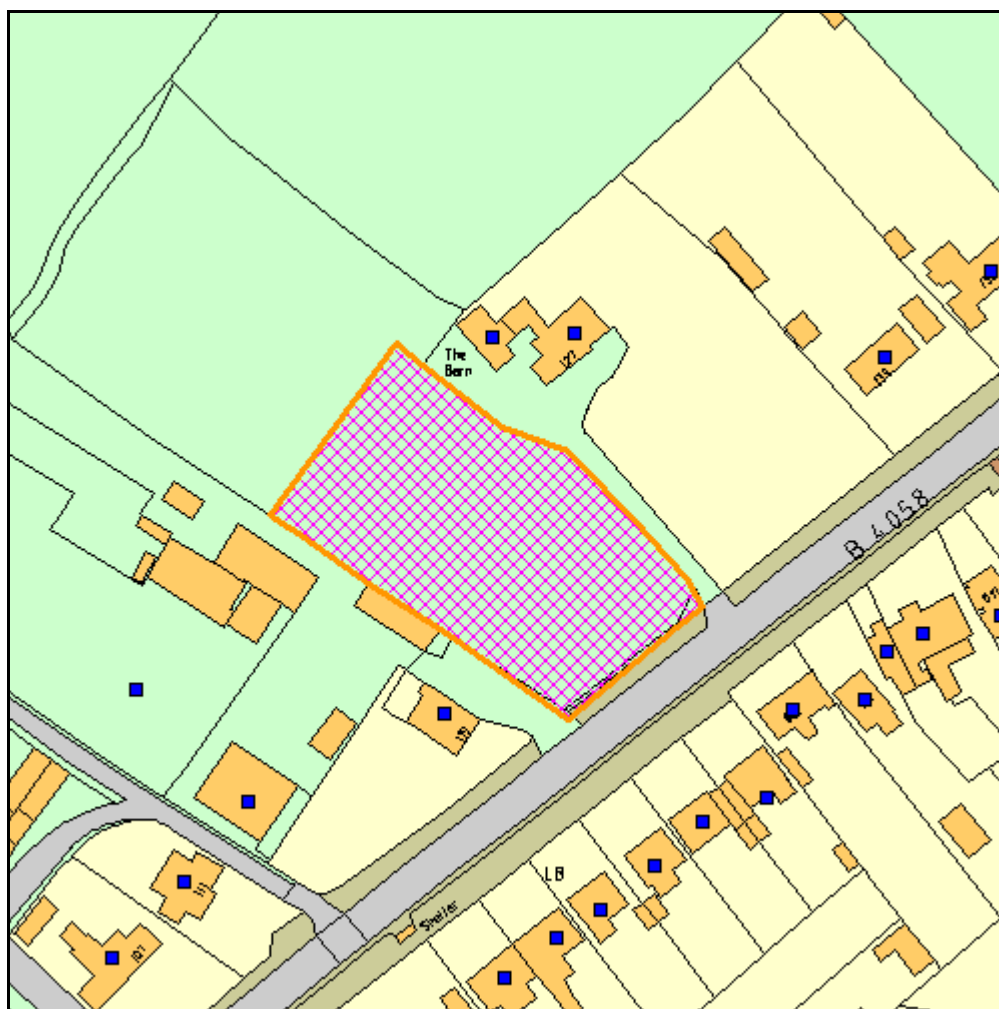
17. Prior to the construction above Damp Proof Course level a scheme to prevent unauthorised vehicular access to the footpath along Lime Tree Avenue shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to the first residential occupation in Phase 4.

Reason

In the interests of pedestrian safety and the amenity of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	PT18/4944/F	Applicant:	Mr David Cahill
Site:	119 Bristol Road Frampton Cotterell Bristol South Gloucestershire BS36 2AU	Date Reg:	2nd November 2018
Proposal:	Erection of 5no. detached dormer bungalows, relocated access and associated works. (Amendment to previously approved scheme PT18/1280/F for 3 dwellings).	Parish:	Frampton Cotterell Parish Council
Map Ref:	365741 181970	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	25th December 2018



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N.T.S.

PT18/4944/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.

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is submitted to Circulated Schedule as a result of objection from the Parish Council and because an appeal has been lodged against failure to determine the application within the prescribed time frame. Notwithstanding this appeal, officers, on reflection of current policy and the particular attributes of the site, consider that planning permission should be granted and as such the appeal could be withdrawn.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission to erect five dwellinghouses on this 0.33Ha site. Three of these bungalows have already had planning permission and are already fully constructed. The application makes some modest alterations to the layout of those dwellings within the site in respect of garden size and garaging. The additional properties would have similar appearance to the approved properties; that of large bungalows with gable ends and garaging is provided. This scheme adds two additional large bungalow style houses at the rear of the original three and proposes an alternative access to the Bristol road from the site.
- 1.2 The whole site is located in the Bristol/Bath Green Belt and is outside the settlement boundary of Frampton Cotterell. The site is in Flood Zone 1. The site is not considered to be a previously developed site.
- 1.3 The agent submits that the site would be drained of surface water by SUDS and whilst the drainage for the initial three is known the full drainage scheme is not submitted. The agent has agreed that this can follow by a condition. There is a relevant phase one ecological report for the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in favour of sustainable development
CS5	Location of Development
CS8	Improving accessibility
CS9	Managing the Environment and heritage
CS15	Housing distribution
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable housing
CS34	Rural Areas.

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

PSP1	Local distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential amenity
PSP11	Transport impact management
PSP16	Parking standards
PSP19	Wider Biodiversity
PSP20	Drainage
PSP37	Internal space and accessibility standards for dwellings
PSP40	Residential development in the countryside
PSP43	Private amenity space standards

2.3 Supplementary Planning Guidance

South Gloucestershire Development in the Green Belt (Supplementary Planning Document) Adopted May 2007

South Gloucestershire Design Checklist (Supplementary Planning Document) Adopted 2007

South Gloucestershire Council Affordable Housing Supplementary Planning Document (Adopted) September 2008

Residential Parking Standards Supplementary Planning adopted December 2014

South Gloucestershire Landscape Character Assessment as amended and adopted Nov 2014:-

3. RELEVANT PLANNING HISTORY

- 3.1 P19/0647/F Erection of 3no dwellings (Use Class C3) with detached garages, new access and associated works. (Amendment to previously approved scheme PT18/1280/F).

- 3.2 DOC18/0360 Discharge of condition 3 (Drainage and SUDs) attached to planning permission PT18/1280/F. Erection of 3 dwelling houses (Use Class C3) together with associated new vehicular access, hard/soft landscape works, and drain. Discharged 22/11/2019

DOC18/0333 Discharge of conditions 6 (Brick sample), 8 (Sparrow boxes) and 10 (Written scheme of investigation) attached to planning permission PT18/1280/F. Erection of 3 dwelling houses (Use Class C3) together with associated new vehicular access, hard/soft landscape works, and drainage. All discharged by 29/10/2018

DOC18/0272 Discharge of conditions 3 (Suds amend) and 6 (Unit two and detail bricks) attached to planning permission PT18/1280/F. Erection of 3 dwelling houses (Use Class C3) together with associated new vehicular access, hard/soft landscape works, and drainage. Materials discharged 18.09.2018. SUDS resubmitted and discharged separately

- 3.3 PT18/3093/RVC Variation of condition 11 to substitute drawings 2904/103 rev D and 2904/104 rev D of planning permission reference PT18/1280/F. Approved 05.09.2018
- 3.4 PT18/1280/F Erection of 3 dwelling houses (Use Class C3) together with associated new vehicular access, hard/soft landscape works, and drainage. Approved 22.06.2018
- 3.5 PT17/2904/O Erection of 3no. dwellings (Outline) with access, siting and scale to be determined. (All other matters reserved) Approved 26.01.2018
- 3.6 PT18/0721/RM Erection of 3no. dwellings with garages, parking and associated works. (Approval of Reserved Matters - appearance and landscaping; to be read in conjunction with Outline Planning Permission PT17/2904/O)
This application was made in error as it involved dwellings of a larger scale than the outline agreement. As such the application no longer valid and the current full application is now to be determined.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

Comment: The Council objects on the following grounds:

This will have a greater impact on the greenbelt than the approved scheme as it takes in more land. None of the houses are affordable housing. Request that the already approved scheme has landscaping to obscure it from the Bristol Road Lights will shine into the houses opposite when cars exit the site. The increased amount of traffic exiting onto Bristol road is dangerous. This is a busy stretch of road. There is an extended access drive which wasn't on the original plans between plot 1 & 2.

4.2 Other Consultees

Landscape officer

Extending the previously consented development northwards by an additional 2 no. dwelling should not have a significant additional impact on the landscape and therefore there is no landscape objection. 3 no. bungalows previously consented (PT18/1280/F) included a comprehensive landscape scheme that this application lacks. 4 no. roadside trees were previously proposed, which are missing off this scheme, should be included. It is expected that the field boundary hedge would be a mixed or single species native hedge to include medium sized native trees. Back gardens to include orchard trees similar to the previously approved landscape scheme for PT18/1280/F.

Lead Local Flood Authority

Further detail is required –the 'Proposed Site Plan' this indicates that soakaway's will be used throughout the site but more detail is required by condition of any consent.

Therefore we query the proposed method of surface water disposal and require clarity and confirmation on this matter before we may comment further.

Sustainable transport

Sought access to line up with access drive for agricultural access to the rear, removal of gates for a five dwelling cul-de-sac and more bin storage.

Otherwise the application is essentially the same as the previously approved applications and as such the same considerations apply. The site is isolated from Frampton Cotterell by virtue of Bristol Road, with no controlled crossing in the vicinity of the site or footways linking to wider services such as bus stops. This would lead to pedestrians having to potentially cross the B4058 Bristol Road twice to gain access to the northbound bus services.

The lack of a safe crossing over the Bristol Road coupled with a lack of pedestrian infrastructure would therefore introduce a risk to pedestrians crossing the highway and provision of linkages to the wider services to the detriment of highway safety. The provision of a new footway that provides a safe route for residents to public transport and hence improving the sustainability credentials of the proposal to an acceptable level is shown on the drawings and shall be secured by condition. As such the application is acceptable from a transportation perspective.

Highway structures

No comment

Archaeology

Watching brief was received and was acceptable for the smaller site – site not considered to require further work.

Community Infrastructure Officer

Falls below threshold of ten houses

Other Representations

4.3 Local Residents

Two households object for the following reasons

Concerns that this site is in greenbelt

Concern that Bristol road is busy enough

Concern about accidents

Concern about developers futures plans given field access is shown

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the development of three dwellings at this site and roughly in the manner set out on the proposed block plan, as infil development in the Green Belt, was established under outline planning consent PT17/2904/O initially at a time when the council could not demonstrate a five year housing land supply and final details have been agreed since. The three front houses on this plot have now been erected and together with the access road are in accordance with planning application P19/0647/F. Those houses remain authorised development, regardless of the decision making in this application.

- 5.2 This application has to be considered as one site and will have to be considered under current policy. A substantive change to housing delivery policy took place in July 2018 with the arrival of the revised NPPF. As a result of that document the Councils AMR was reviewed in accordance with the new policy set out in paragraph 5. As a result of this the Council can now demonstrate a Housing Land supply figure of over 5 years and as such all housing land supply related policies are considered up to date. Policies that restrict the supply of housing should no longer be considered out of date and should be afforded full weight in decision taking. The tilted balance – on the basis of housing supply policies – should no longer be applied.
- 5.3 Under the spatial strategy set out above, development of this nature should therefore be permitted only in the urban areas or defined settlements. The site is not within a defined settlement but given that the site is located directly between an existing house and Ben's reclamation commercial centre buildings it has the appearance of being within the natural settlement boundary of Frampton Cotterell.
- 5.4 The thrust of paragraph 14 is that sustainable development should only be resisted if specific and demonstrable harm can be shown as a result of the development when weighted against the benefit of providing the dwellings.
- 5.5 Notwithstanding this, and whilst the majority of applications for new residential development outside of settlement boundaries should be resisted in accordance with the Council's spatial strategy, the Local Planning Authority do consider that it may be suitable, in a few circumstances, to recommend approval of dwellings outside of the settlement boundary.
- 5.6 This will only apply when the site lies close to the edge of the defined settlement boundary and has a direct relationship with it (for example, may be linked to the settlement boundary by other buildings, or have good footpath links to the settlement boundary). Essentially, it should read as a natural extension to the settlement boundary. However in the interests of the Council's overall spatial strategy for new housing, this should only apply to very small development proposals of 1-2 dwellings. It is further considered that the particular case considered here is on balance acceptable for the development of two additional houses.
- 5.7 Location of Development – Relationship with Nearest Defined Settlement/
The site is well related to the defined settlement boundary, and as such the proposal does form one of the few cases where development could be allowed given that the scheme is for two additional dwellings (three having been constructed already and these are only included to facilitate alterations to the parking and access arrangements). The development should not therefore be resisted in principle, however the other impacts of the proposal should still be considered; this analysis is set out in the sections below.
- 5.8 Sustainability
The site immediately adjoins the designated settlement boundary of Frampton Cotterell and is therefore in a reasonably sustainable location. There are also houses and businesses on either side of the site. The highways officer

however raised concern about sustainable use of the site as there is no safe route to the nearby public bus stop. Concern is not specifically about crossing the road at this point as the road is straight with good visibility but walking in the road between the bus stop and the site or traversing the grass verge which is not suitable or safe for pedestrians, prams, wheelchairs. The site is 150m from the nearest bus stop and a footway has been negotiated outside of the site to mitigate this concern. As such the risk to pedestrians is overcome and the sustainability of the site is increased to an acceptable level.

This application for five houses as opposed to the three houses already approved would not materially increase the number of journeys into properties on the west of the Bristol Road. As such given the close proximity to the settlement boundary and the immediate sandwiching between other houses and business premises on that side of Bristol Road, the site is not found to be unsustainable nor to pose a severe traffic hazard.

It would be more convenient, and safer for pedestrians by being closer to the pedestrian crossing but it is nevertheless concluded that the site remains a reasonably sustainable location. The distance to a safe crossing point weighs against the proposal but it is not considered that this makes the site unsustainable (highway safety is considered as a separate matter later in the report). This is a qualitative measure in terms of the nature of the route as opposed to the quantitative measure of proximity alone. Further the benefit of the provision of the footway is considered to give modest benefit to the application as it did in the outline scheme and again this is recommended to be secured by condition.

5.9 Green Belt

Frampton Cottrell as defined by the settlement boundary is excluded from the Green belt, as such this site lies within the Green Belt. Notwithstanding this paragraph 14 makes it clear that inappropriate development in the green belt should be resisted, and effectively the development would not be considered to be sustainable if found to be inappropriate.

- 5.10 The NPPF states that development in the green belt should be considered as inappropriate with the exception of certain types of development. “Limited infilling in villages” is one such exception to this restrictive policy. Given that the site is between buildings which appear as part of the village consideration must be given to whether this site could therefore be considered limited infilling in the village and therefore appropriate development. Policy CS5 states that ‘small scale infill development may be permitted within the settlement boundaries of villages’; but the NPPF, more recent at 2019, makes no such reference to this exception only applying to villages with defined settlement boundaries. The Green Belt SPD identifies 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 linear formation’ (page 5).

The question therefore is whether this site could accurately be described to be within Frampton Cotterell notwithstanding the settlement boundary as defined in the development plan. The two additional dwellings proposed are located in a line between another dwelling and a commercial building in Ben's reclamation immediately next to the site and infilling a gap in the perceived settlement boundary which is now also swaddled by the rest of the sites other three (previously approved) dwellings fronting onto Bristol Road. It is further considered that most people would consider themselves to be "within" Frampton Cotterell at this location. It is therefore concluded that the proposal is considered to be limited infill within a village within the NPPF definition and therefore is appropriate development in this particular instance.

- 5.11 As such taking the wider view of the development plan whilst the designated settlement boundary is tightly drawn around the settlement and excludes the existing houses and commercial properties on respective sides of the site, it is also reasonable to view the development on the west side of Bristol road as being part of the village. As such it is considered that the limited infilling by five dwellings, in the manner shown on the submitted plan, between existing dwellings and commercial buildings is, compliant with the NPPF.
- 5.12 As to openness of the greenbelt the scale of the proposed dwellings rise at their ridgeline to 5.9m high, the same height as the three approved dwellings. The properties still take the form of bungalows with use of their roofspaces akin to the already approved and built houses and other properties on the opposite side of the road. The two additional properties are also set well back off the site frontage and form a small cu-de-sac. Space is maintained around the bungalows such that views are maintained through to the open fields behind the site. As such this appropriate development is not considered to have a materially harmful impact on the openness of the greenbelt.
- 5.13 Design and impact on countryside
The detailed design of the bungalows are considered to be acceptable, being as there is a mix of houses and bungalows in the immediate vicinity of the site. The gables of the initial three houses along Bristol Road create a lot of openness between the plots and the variation of the two rear dwellings maintain an open layout which creates a feeling of space between the properties. Brick is proposed to walls of plots four and five with Redland Stonewold Breckland black which is acceptable and used on the other dwellings. As such a condition to reflect the other dwellings on site is appropriate.
- 5.14 In terms of landscaping this field has negligible soft edges and is enclosed by walling to three sides. The proposed site plan indicates that hedges can be used to form the rear boundary to the site and rear boundaries of the front three houses but more detail to include trees as previously sought and agreed at this site are still necessary. The installation of landscaping is beneficial but would need additional information and trees being secured by condition.

It is noted that a field access is maintained through the site to a field at the rear. The agent has advised that 'the access adjacent to the houses is the only access to that field and that is the only land within my clients ownership.

We can make this clearer on the plans if it helps. There is no intention to further develop the land and it may well be sold off with one of the adjacent houses’.

5.15 Highway safety

The sustainability of the site is already considered above at paragraph 5.6. The site is shown to have two parking spaces and a garage per dwelling which meets the Councils current parking standards. There is adequate turning facilities within the site to facilitate this and such details can be secured by condition. Whilst it is acknowledged that the road is busy at certain times of day it is only two lanes of traffic (one in each direction) and there is good visibility on this straight stretch of road. A safe crossing point is available at the junction 300m to the north should the road prove impassable on occasions. The agent has agreed to provide, as shown a tarmacked route to the nearby bus stop on highway land to an adoptable standard. This is outside of the site and will be secured by a Grampian condition. This is necessary and related to the site as it will increase the likelihood of residents taking a sustainable form of transport. It will also encourage other visitors to the west side of the road to consider using the bus. Overall subject to conditions relating to provision of the path and retention of the access and sufficient parking no highway objection is sustained and the benefit of a footway being provided weighs modestly in favour of the development.

5.16 Mix and level of housing of housing

The bungalows shown are all similarly sized but vary in form. The site size is not sufficiently large as to require more variation of the type of houses within the site. Similarly affordable housing is not required. The properties are spacious and offer a choice of market housing different to other bungalows and houses in the wider area. As such the proposal complies with policy CS17 and CS16.

5.17 Residential Amenity

The proposal would not affect the residential amenity of the neighbouring properties or those potentially already living in the previously approved three dwellings. First floor windows are positioned front and rear at over twenty metres distance between properties, as such no overlooking or overbearing impact is caused. An acceptable level of privacy to all neighbours is retained.

5.18 Environmental Issues

The site is in flood zone 1 where flooding is not likely to occur.

A phase one habitat survey was carried out and agreed under applications for the front three dwellings which found that the majority of the habitats on site were botanically poor which limited their ecological value. These poor habitats however are to be lost and the introduction of the new hedgerows as part the scheme would enhance the site’s ecological value.

There was found to be negligible potential for the majority of protected species and low potential for nesting birds but this could be improved as part of the scheme.

Recommendations put forward in section 10 of the Habitat survey would protect what little wildlife exists and enhance the ecology of the site. Aside from clearing the site at appropriate times of the year this would include planting native species, grassing the site with a particular slow growing grass (Emorsgate EL1) seed to enhance wild flower species which in turn has value for pollinators, and that house sparrow terraces nesting boxes are provided. It is proposed that these measures are secured again on the site, and as such the same conditions are added to this broader scheme for five houses. No further information is required – the developer simply needs to carry out the previous condition on this application. 11

5.19 Foul drainage

The Lead Local Flood Authority would like to know what drainage is proposed. The agent has confirmed the houses that have been built are provided with SUDS (attenuated and into soakways) and that percolation tests were fine. The agent has accepted that a further drainage scheme will need to be submitted in respect of this alteration to the scheme and as such a condition is necessary.

5.20 Archaeology

A watching brief has been submitted for the approved scheme of three dwellings and agreed by the Council's Archaeologist. Conditions are required to secure the works.

5.21 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 is considered to have a neutral impact on equality.

5.22 Planning Balance

Paragraph 11 NPPF sets a presumption in favour of sustainable development. For the purposes of this planning application policy CS5 and CS34 are not as up to date as the NPPF Feb 2019 and taking NPPF as a whole leads officers to conclude that in these circumstances planning permission must be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

5.23 The above report finds that the site is sustainable and that the development is appropriate development in the green belt without detriment to openness in the form presented as a result of it juxtaposition within the perceived settlement.

Substantial weight must be given to the sustainable location of the site. Limited weight is given in favour of the site to provide two additional new dwellings (given that three already have planning permission) and further modest positive weight is attributed because of the provision of a footpath to the nearby bus stop. Further limited weight can be attributed because the site is likely to provide a reasonable scheme of landscaping to the site.

Weighing against the proposal is the limited harm to the development as a result of lack of direct access to a crossing point across the road for pedestrians at busy times of day.

- 5.24 Overall the benefits of the scheme are not significantly and demonstrably outweighed by any adverse impact of the development and as such planning permission is recommended to be granted. This is also consistent with the recent outline application at the site which this application repeats in part.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the conditions set out below which do not include a time condition because part of the scheme is already commenced under a previous approval.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

1. The development shall not be occupied until such time as a footway, within the highway verge, as shown on submitted plan 3054//101 revision A received 9/11/2018 is provided between the site and the nearby bus stop.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, PSP11 of the South Gloucestershire Local Plan- Policies Sites and Place Plan Adopted November 2017 and the National Planning Policy Framework.

2. No development shall commence on plot 4 or 5 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. All works shall then take place in accordance with the approved details.

Reason

No public surface water sewer is available and to comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2012.

For the avoidance of doubt we would expect to see the following details when discharging the above conditions:

- o A clearly labelled drainage layout plan showing the exact location of any soakaways.
 - o Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal
 - o Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
3. Prior to the first occupation of the dwellings a scheme of landscaping shall be submitted to, be approved in writing by the Local Planning Authority and be carried out within or before the first planting season after the erection of the dwellings, or in such phasing as might be agreed as part of the scheme. The scheme shall then be maintained thereafter for a period of at least five years, with any dead or dying elements being replaced and thereafter cared for as prescribed in the scheme.

Reason

To protect the character and appearance of the area, to increase biodiversity and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017 and the National Planning Policy Framework.

4. The bricks to be used externally in the development hereby permitted shall match those used on the existing three dwellings forming part of this plot.

Reason

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

5. Prior to the first occupation of a dwelling the amendments to the front boundary walling, including the closure of the existing access shall be finished to match the existing front boundary walling.

Reason

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

6. Prior to the first occupation of the site the parking scheme showing the provision of three parking spaces, for each dwelling (including within garages with the specified internal dimensions of 6m by 3m) together with the manoeuvring space, cycle and bin storage facilities for all dwellings and a bin drop off point shown on the plan 3054/101 Rev A shall be provided 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 and the South Gloucestershire Waste SPD (Adopted) February 2015

7. The development shall proceed in accordance with the recommendations made in the Phase 1 Survey by Ethos Environmental Planning (April, 2017) submitted under reference and these details shall be incorporated into the landscape scheme to be agreed under condition four above. This includes avoiding disturbance and harm to nesting birds, sowing Emorsgate seed EL1 on amenity grassland areas, planting locally native species and installing bird nesting boxes.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the local wildlife and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017 and the National Planning Policy Framework.

8. Prior to first occupation of a dwelling the erection of three house sparrow terrace boxes shall be carried out in accordance with the details agreed under DOC18/0333 (condition 8 of PT18/1280/F). They shall thereafter be maintained as such.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the local wildlife and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017 and the National Planning Policy Framework.

9. The application shall be built out in accordance with the following plans:

Location Plan 3054/106 received 30/10/2019

Existing site plan (out of date as a result of previous consents) 3054/100 rec 30/10/2019

Garage plan and elevation 3054/105 rec 30/10/2019

Plans and elevations of plots 1- 3 3054/102 rec 30/10/2019

Plans of plot 4 and 5 handed 3054/103 received 30/10/2019

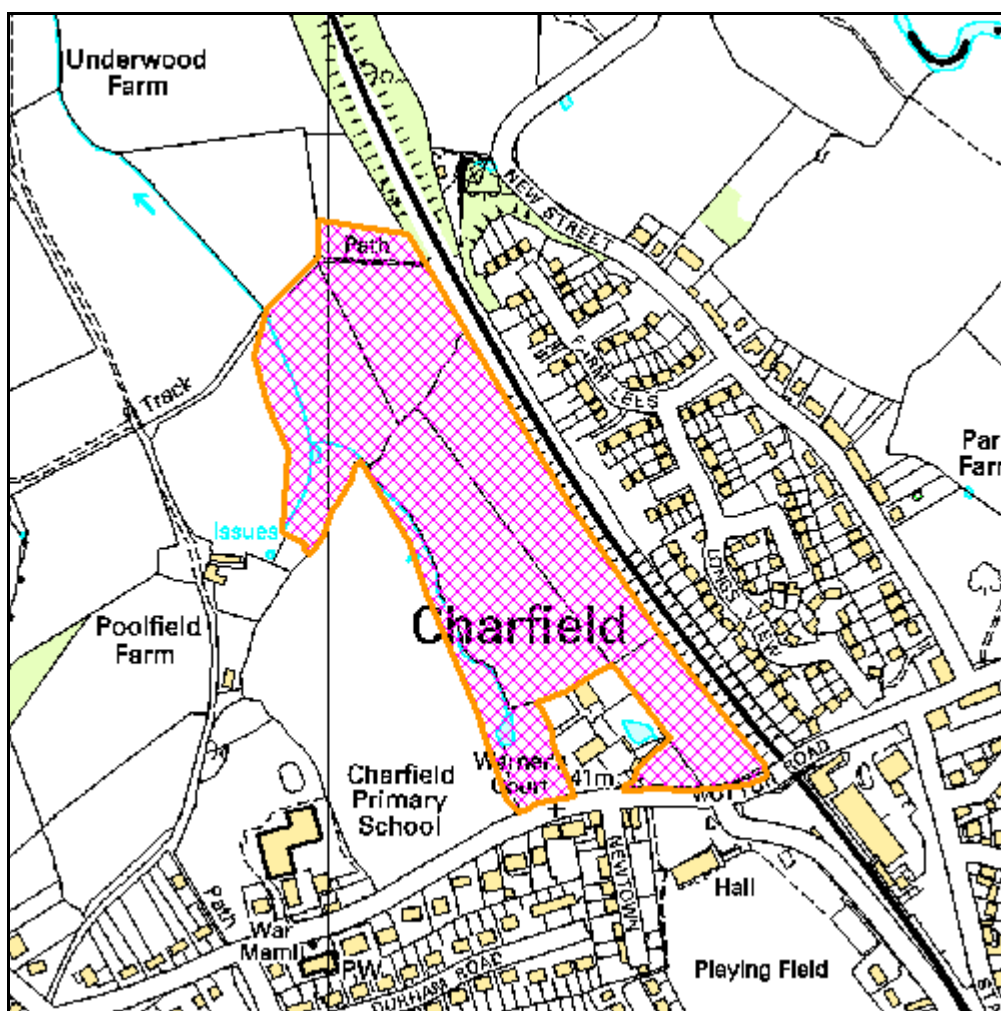
Proposed elevations plot 4 and 5 handed 3054/104 rec 30/10/2019
Proposed site plan 3054/101 rev A received 9/11/2018

Reason

For clarity and to prevent the need for remedial action.

CIRCULATED SCHEDULE NO. 28/19 – 12 JULY 2019

App No.:	PT18/5810/RVC	Applicant:	BRS.6411 Barratt Homes (Bristol Division) Ltd
Site:	Land North Of Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8TG	Date Reg:	5th December 2018
Proposal:	Variation of condition 1, 2, 12, 14 and 19 attached to PT16/6924/O to allow for each of the self/custom build dwellings and retail unit to come forward as separate phases.	Parish:	Charfield Parish Council
Map Ref:	372044 192165	Ward:	Charfield
Application Category:	Major	Target Date:	5th March 2019



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100023410, 2008.

N.T.S.

PT18/5810/RVC

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 REFERRAL TO CIRCULATED SCHEDULE

This application appears on the circulated schedule in accordance with the Councils Constitution given that more than three letters have been received that are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks permission for the variation of a conditions 1, 2, 12, 14 and 19 attached to application PT16/6924/O which granted permission for the erection of up to 121 dwellings with a retail unit (A1), open space, ecological mitigation and access. The conditions attached by the Inspector at appeal sought to ensure that the reserved matters for the whole site should be made within one year. This S73 application now seeks to vary the condition to allow the self/custom build housing and the retail unit to come forward independently.

Condition 1

- 1.2 Condition 1 attached to the original permission read as follows:
Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 1.3 The applicant has applied to update the wording of this condition so it would read as follows:
Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") *for a phase* shall be submitted to and approved in writing by the local planning authority before any development *in that phase* takes place and the development *in the phase* shall be carried out as approved

Condition 2

- 1.4 Condition 2 attached to the original permission read as follows:
Application for approval of the reserved matters shall be made to the local planning authority not later than one year from the date of this permission. The development hereby permitted shall take place not later than one year from the date of approval of the last of the reserved matters.
- 1.5 The applicant has applied to update the wording of this condition so it would read as follows:
Application for approval of the reserved matters shall be made to the local planning authority *on a phased basis in accordance with phasing plan 0609-116revB* not later than one year from the date of the original outline permission (by 23rd July 2018). The development hereby permitted shall take place not later than one year from the date of approval of the last of the reserved matters.

Condition 12

- 1.6 Condition 12 attached to the original permission read as follows:

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the local planning authority. The CEMP shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during construction;
- vii) delivery and construction working hours.

The approved CEMP shall be adhered to throughout the construction period for the development.

- 1.7 The applicant has applied to update the wording of this condition so it would read as follows:

No development *in a phase* shall take place until a Construction Environmental Management Plan (CEMP) *for that phase* has been submitted to, and approved in writing by the local planning authority. The CEMP shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during construction;
- vii) delivery and construction working hours.

The approved CEMP shall be adhered to throughout the construction period for *the phase of development to which it relates*.

Condition 14

- 1.8 Condition 14 attached to the original permission read as follows:

No development shall take place until details of existing and proposed site levels and ground floor slab levels for all new buildings have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- 1.9 The applicant has applied to update the wording of this condition so it would read as follows:

No development *in a phase* shall take place until details of existing and proposed site levels and ground floor slab levels for all new buildings *in that phase* have been submitted to and approved in writing by the local planning authority. Development of the *phase* shall be carried out in accordance with the approved details

Condition 19

- 1.10 Condition 19 attached to the original permission read as follows:

No above ground development shall take place until details of how the development will reduce total residual energy consumption by at least 20% have been submitted to and approved in writing by the local planning authority.

No building shall be first occupied until the approved energy saving measures have been carried out.

- 1.11 The applicant has applied to update the wording of this condition so it would read as follows:

No above ground development *in a phase* shall take place until details of how the development *in the phase* will reduce total residual energy consumption by at least 20% have been submitted to and approved in writing by the local planning authority. No building *in the phase* shall be first occupied until the approved energy saving measures *in the phase* have been carried out.

- 1.12 In considering this application, it is essential to focus only on this condition and not to put attention in other matters not relevant to this RVC application. It is also necessary to focus attention on the reasons for attaching the condition in the first place. As an RVC decision has the effect of issuing a new planning permission, it is also necessary to check all conditions attached to the original application are still relevant and necessary and need following through to this new application.

2. POLICY CONTEXT

2.1 National Planning Guidance

National Planning Policy Framework 2017

National Planning Practice Guidance

The Community Infrastructure Levy Regulation 2010

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

CS6 Infrastructure and Developer Contributions

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS15 Distribution of Housing

CS16 Housing Density

CS17 Housing Diversity

CS18 Affordable Housing

CS23 Community infrastructure and cultural activity

CS24 Green Infrastructure, Sport and Recreation Standards

CS32 Thornbury

CS33 Housing Opportunity

CS34 Rural areas

Policies, Sites & Places DPD Adopted November 2017

PSP1 Local Distinctiveness

PSP2 Landscape

PSP3 Trees and Woodland

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Diversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP42 Self-Build and Custom Housebuilding
PSP43 Private Amenity Space Standards
PSP44 Open Space, Sports and Recreation

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Waste SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/6924/O Erection of up to 121no. dwellings, retail unit (Class A1), open space, ecological mitigation land and associated works with access from Wotton Road. Outline application with access to be considered (all other matters reserved).
Approved with Conditions July 2018
- 3.2 PT16/051/SCR Outline residential development of up to 126 dwellings.
EIA Not Required December 2016

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
No response received
- 4.2 Transportation Development Control
No response received
- 4.3 Lead Local Flood Authority
No Objection
- 4.4 Housing Enabling
No Objection
- 4.5 Conservation Officer
No Objection
- 4.6 Public art Officer
No Objection
- 4.7 Environmental Protection
No Objection
- 4.8 Waste Officer
No Objection

4.9 Lead Local Flood Authority

No Objection

4.10 Public Rights of Way

Any development should make a contribution towards resolving the safety issues at the railway crossing.

4.11 Archaeology Officer

No Objection

4.12 Highways England

No Objection

Other Representations

4.13 Local Residents

Seven letters of objection have been received from local residents concerned about the extra traffic the development will generate. Also commenting that the housing is unnecessary and not wanted and the detrimental impact it will have on the village.

5. ANALYSIS OF PROPOSAL

5.1 The scope of a variation of condition application (section 73 application) is more limited than a full planning application. The Local Planning Authority may only consider the question of the conditions, and cannot revisit or fundamentally change the original permission. It may be decided that the permission should be subject to the same conditions as were on the original permission; or that it should be subject to different conditions; or that permission may be granted unconditionally. There is a right of appeal in the usual way against any conditions imposed.

5.2 In assessing this application it is necessary to assess whether the relevant condition, or any variations satisfy the requirements of planning conditions as set out in the National Planning Policy Framework (NPPF). The NPPF requires all planning conditions to pass three tests – that conditions should be:

- i. Necessary to make the development acceptable
- ii. Directly related to the development
- iii. Fairly and reasonably related in scale and kind

5.3 Analysis of Proposal

Planning permission has been granted on the site for the erection of up to 121 dwellings and a retail unit. The principle of development is therefore established and cannot be revoked or re-considered through this variation of condition application.

5.4 This S73 application seeks to allow the development to come forward in phases – the market housing as one phase and the retail and self/custom build as their own phases.

5.5 Retail Units

The concerns of the residents (that this application is an attempt to allow the housing development to come forward without the retail unit) have been noted. It is important to stress however that the mechanism for securing the retail unit is secured through the S106 agreement attached to the outline permission and not via the planning conditions. The S106 agreement sets out the process for agreeing a marketing strategy, the timescale for the marketing strategy and what steps may be taken to find alternative uses for the site if the agreed marketing strategy is unsuccessful. A separate Deed of Variation application would be needed to change the S106 agreement and no such application has been made. This S73 application does not therefore change any of the original obligations put on the developers in respect of the retail part of the site.

- 5.6 The S106 agreement explicitly states that not more than 30% of the dwellings shall be commenced until the owner has submitted to and obtained the approval of the Council a marketing strategy. Clause 1.3 of the S106 requires the retail site to be marketed for a period of 12 months – with marketing to start upon commencement of 30% of the dwellings. Given the 12 month marketing period, it is not practicably possible to submit a reserved matters application within one year of the granting of the outline consent. It is therefore reasonable to vary the conditions to allow the phasing of the development.

5.7 Self/Custom Build Housing

There are two reasons for allowing the reserved matters applications for self/custom build housing to come forward in separate phases and not within one year of the grant of outline permission. Firstly, if developed as its own phase, self/custom build housing is Community Infrastructure Levy (CIL) exempt. By allowing the submission of a phasing plan with the first reserved matters application, the potential future owners/builders of the self/custom build housing qualify for relief from the CIL. Secondly, the extended timeframe allows sufficient time for the individual self-builders to prepare reserved matters applications – the plots will be marketed for a period of 12 months once the plots are available as serviced plots.

5.8 Objections

It is noted by your officer that letters of objection have been received to the application from local residents as summarised in section 4.13 above. It is important to stress that the principle of development has already been established – this application looks solely at the phasing of the reserved matters applications.

5.9 Other Relevant Conditions

At the time of the preparation of this report, no other conditions have yet been discharged. All conditions attached to the outline consent will therefore be carried forward to this RVC application.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") for a phase shall be submitted to and approved in writing by the local planning authority before any development in that phase takes place and the development 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.

2. Application for approval of the reserved matters shall be made to the local planning authority on a phased basis in accordance with phasing plan 0609-116revB not later than one year from the date of the original outline permission (by 23rd July 2018). The development hereby permitted shall take place not later than one year from the date of approval of the last of the reserved matters.

Reason

To ensure the housing is delivered in a timely manner and to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

3. The development hereby permitted shall be carried out in accordance with drawing no: 10115-500 Rev A.

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.

4. The development hereby permitted shall be carried out in accordance with the principles shown on the following drawings: 0609-1002 Rev C; 0609-1004 Rev C; 0609-1005 Rev A; 0609-1006 Rev D; 0609-1007 Rev C; 0609-1009.

Reason

To ensure a satisfactory standard of development and to accord with Policies CS1, CS2, CS4a, CS5, CS6, CS8, CS9, CS15, CS16, CS17, CS18, CS23, CS24, CS33 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP 3, PSP8, PSP11, PSP16, PSP17, PSP19, PSP20, PSP21, PSP42, PSP43 and PSP44 of the Policies, Sites and Places Development Plan Document (Adopted) November 2017; and the National Planning Policy Framework.

5. The development hereby permitted shall not exceed 121 dwellings.

Reason

In order to define the development.

6. Development shall be carried out in accordance with the submitted Ecological Mitigation and Enhancement Plan (EMEP) dated 5 July 2017 in relation to application PT16/6924/O (ref: 8866.01_EMEP_APPR_050717, dated 5 July 2017). In addition, details of how and when the existing orchard trees will be translocated shall be submitted to and approved in writing by the local planning authority. The translocation shall take place before any building is first occupied in accordance with the approved details. Any fruit trees that fail to translocate successfully within 5 years of planting shall be replaced with fruit trees of similar size and species.

Reason

To protect and enhance the ecological value of the site and also to ensure that the works are carried out in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP19 of the Policies, Sites and Places DPD (Adopted); and the National Planning Policy Framework.

7. Notwithstanding the provisions of the EMEP, details of the buffer to be provided along the eastern boundary of the site, including a timetable for its provision and how it will be managed in perpetuity, shall be submitted to and approved in writing by the local planning authority. This shall be a minimum of 5 metres in width and shall include a mixed native species hedgerow to be kept at a width of no less than 1.5 metres and a height of no less than 3 metres and tussocky grassland no less than 1.5 metres in width. The future management regime shall include a rotation of 3-4 years; cutting the tussocky grassland in Autumn in advance of winter management of the hedgerow in January or February; and the use of hand tools to manage the hedge. Development shall be carried out in accordance with the approved details and management regime.

Reason

To protect and enhance the ecological value of the site, and to accord with Policy PSP19 of the Policies, Sites and Places DPD (Adopted); and the National Planning Policy Framework.

8. The development hereby permitted shall be carried out in accordance with the Tree Protection Plan (drawing no: BDWB597-03 Rev B) and the Arboricultural Method Statement (section 4 of the Arboricultural Impact Assessment and Method Statement revision B, dated 17 March 2017). All tree protection works shall be in accordance with BS5837:2012.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

9. There shall be a minimum one metre buffer between the edge of the root protection area of any retained tree along the western site boundary and the road edge. This area shall be kept free from any structures for the lifetime of the development.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

10. The White Willow (tree T18) shall not be removed until pre-felling precautionary checks for bats have been undertaken in accordance with a scheme that has been submitted to and approved in writing by the local planning authority.

Reason

To protect and enhance the ecological value of the site, and to accord with Policy PSP19 of the Policies, Sites and Places DPD (Adopted); and the National Planning Policy Framework.

11. No above ground development shall take place until details of the proposed attenuation feature in the north-western part of the site has been submitted to and approved in writing by the local planning authority. This shall include the measures to be taken to minimise impact on the Grade II listed building, Poolfield Farm. Development shall be in accordance with the approved details.

Reason

To ensure adequate drainage on site whilst maintaining and enhancing the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

12. No development in a phase shall take place until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to, and approved in writing by the local planning authority. The CEMP shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;

- vi) measures to control the emission of dust and dirt during construction;
- vii) delivery and construction working hours.

The approved CEMP shall be adhered to throughout the construction period for the phase of development to which it relates.

Reason

In the interests of residential amenity and highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP8B of the Policies, Sites and Places DPD (Adopted), and the National Planning Policy Framework.

13. No development shall take place until an archaeological investigation and mitigation strategy has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved strategy.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

14. No development in a phase shall take place until details of existing and proposed site levels and ground floor slab levels for all new buildings in that phase have been submitted to and approved in writing by the local planning authority. Development of the phase shall be carried out in accordance with the approved details

Reason

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

15. No development shall take place until a surface water drainage scheme in accordance with sustainable drainage principles has been submitted to and approved in writing by the local planning authority. This shall include details of the position of the pipe networks relative to the trees and their root protection areas. The approved scheme shall be carried out before any building is first occupied.

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.

16. No development shall take place until details of the maintenance and management of the sustainable drainage scheme approved by condition 15 has been submitted to and approved in writing by the local planning authority. Those details shall include:
- i) a timetable for its implementation; and,
 - ii) a management and maintenance plan, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

The sustainable drainage system shall be managed and maintained in accordance with the approved details for the lifetime of the development.

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.

17. No development shall take place until a scheme for the disposal of foul drainage had been submitted to and approved in writing by the local planning authority. This shall include a timetable for implementation and shall be carried out in accordance with the approved scheme.

Reason

To ensure that a satisfactory means of foul 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.

18. No dwelling shall be first occupied until noise mitigation has been carried out in accordance with a scheme that has first been submitted to and approved in writing by the local planning authority. This shall be in accordance with the principles established in section 5 of the Noise and Vibration Assessment report dated June 2016. The scheme shall include the timetable for constructing the acoustic fence and how it will be maintained for the lifetime of the development. The scheme shall be carried out as approved.

Reason

To protect the residential amenity of future occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

19. No above ground development in a phase shall take place until details of how the development in the phase will reduce total residual energy consumption by at least 20% have been submitted to and approved in writing by the local planning authority. No building in the phase shall be first occupied until the approved energy saving measures in the phase have been carried out.

Reason

To reduce the energy demand arising from the development and to comply with the requirements of Policy PSP6 of the Policies, sites and Places DPD (Adopted).

20. The access and associated visibility splays shown on drawing no: 10115-500 Rev A shall be constructed before any further built development takes place. This shall include the relocation of the front wall to Warners Court behind the pedestrian visibility splay in accordance with drawing BH/MB/A in Volume 2 to Mr Baker's proof of evidence. The pedestrian access shown on drawing no: 10115-500 Rev A shall be constructed before any building is first occupied.

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.