

# 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. 24/19

**Date to Members: 14/06/2019**

**Member's Deadline: 20/06/2019 (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](mailto: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](mailto: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](mailto:MemberReferral@southglos.gov.uk)

# CIRCULATED SCHEDULE - 14 June 2019

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>P18/6458/F</b>	Approve with Conditions	Bristol And Bath Science Park Dirac Crescent Emersons Green South Gloucestershire BS16 7FR	Emersons Green	Emersons Green Town Council
2	<b>P19/2012/F</b>	Approve with Conditions	Land Adjacent To St Michaels House Severn Road Hallen	Pilning And Severn Beach	Almondsbury Parish Council
3	<b>P19/2199/R3F</b>	Deemed Consent	Warmley Park School Tower Road North Warmley South Gloucestershire BS30 8XL	Parkwall And Warmley	Siston Parish Council
4	<b>P19/3159/RVC</b>	Approve with Conditions	98 Bath Road Willsbridge South Gloucestershire BS30 6EF	Bitton And Oldland	Bitton Parish Council
5	<b>P19/3973/F</b>	Approve with Conditions	Lower Barn The Street Alveston South Gloucestershire BS35 3SX	Severn Vale	Alveston Parish Council
6	<b>PK18/4795/F</b>	Approve with Conditions	Land At West Chapel Lane Old Sodbury South Gloucestershire BS37 6NG	Chipping Sodbury And Cotswold Edge	Sodbury Town Council
7	<b>PT18/2930/F</b>	Approve with Conditions	Former Council Offices Castle Street Thornbury South Gloucestershire BS35 1HF	Thornbury North	Thornbury Town Council
8	<b>PT18/5779/F</b>	Approve with Conditions	Land Off Goldcrest Way Severn Beach South Gloucestershire BS35 4GG	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
9	<b>PT18/6313/RM</b>	Approve with Conditions	Land To The East Of Park Lane Coalpit Heath South Gloucestershire BS36 1AT	Frampton Cotterell	Westerleigh Parish Council

**CIRCULATED SCHEDULE NO. 24/19 – 14 JUNE 2019**

<b>App No.:</b>	P18/6458/F	<b>Applicant:</b>	South Glos. Council
<b>Site:</b>	Bristol And Bath Science Park Dirac Crescent Emersons Green South Gloucestershire BS16 7FR	<b>Date Reg:</b>	2nd January 2019
<b>Proposal:</b>	Erection of new office development (Class B1(a) and B1(b) ) to provide multi-tenant office space for new and existing BBSP1 tenants with external compound, parking, cycle parking, and associated works. Approval of reserved matters access, appearance, landscaping, layout and scale to be read in conjunction with Outline Planning Permission PK13/2502/O.	<b>Parish:</b>	Emersons Green Town Council
<b>Map Ref:</b>	366947 178101	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Major	<b>Target Date:</b>	21st March 2019



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

### **REASON FOR REFERRAL TO CIRCULATED SCHEDULE**

This application appears on the circulated schedule as South Gloucestershire Council is the applicant.

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of new three storey building on the Bristol and Bath Science Park. The proposed building would be located to the front of The Forum building and would be provided with its own parking area. The purpose of the building is to bring forward a grow-on centre to meet both existing tenants need and new demand and the lifespan of the building is expected to be 25 years.
- 1.2 The proposed c.388sqm (net lettable) B1a, b and c scheme will provide additional Grow-On space and addresses the requirements for immediate and future space requirements from existing and new tenants. The Science Park is currently operating at capacity, with a (growing) waiting list and as a result, a handful of businesses have outgrown and left the park due to lack of availability. This scheme will deliver space for existing businesses that need immediate grow-on space and to a handful of new businesses with high growth potential that have expressed an interest in the Science Park. The proposal will provide a pipeline of opportunity for the new permanent Grow-On center on the adjacent site, to be developed in c.2-3 years. The development of this proposal will encourage new start-ups to locate to the region and will create opportunities for new tenants at the existing Science Park building. The proposal will create up to 80 new FTEs.
- 1.3 During the course of determination, the application was converted from a Reserved Matters application pursuant to the outline, to a full application. As this change did not result in the submission of any additional plans or reports, no further re-consultation was carried out. This will be discussed further in the body of the report.

## **2. POLICY CONTEXT**

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

### **South Gloucestershire Policies Sites and Places (Adopted) Nov 2017**

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP10	Active Travel Routes
PSP11	Transport Impact Management

PSP17	Historic Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
PSP26	Enterprise Areas

#### South Gloucestershire Core Strategy (Adopted)

CS1	High Quality Design
CS2	Green Infrastructure
CS3	Renewable and Low Carbon Energy Production
CS5	Location of Development
CS7	Strategic Transport Infrastructure
CS9	Managing the Environment and Heritage
CS12	Safeguarded Areas for Economic Development
CS29	Communities of the East Fringe of Bristol Urban Area

### 2.3 Supplementary Planning Guidance Design Checklist SPD

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PK18/2397/F Erection of rear extension to form Research and Development workshop (use class B1b) to National Composites Centre, creation of car parking area and associated works.  
Approved with conditions Jan 2019
- 3.2 PK08/0747/RM Details relating to design, siting, external appearance landscaping and access for all Phase 1 strategic infrastructure including roads, service and utilities (Approval of reserved matters to be read in conjunction with planning permission P95/4605).  
Approved with conditions June 2008
- 3.3 PK08/0737/RM Erection of Science Research Park buildings and associated works, including erection of 2 wind turbines (Approval of reserved matters to be read in conjunction with planning permission P95/4605).  
Approved with conditions June 2008.
- 3.4 PK07/2755/VAR Modification of Section 106 agreement dated 22 March 2000 attached to planning permission P95/4605 (K7284/2) to enable development of the site to take place in the context of a revised masterplan, which is supported by an Environmental Statement. Approved May 2008
- 3.5 P95/4605 Science Research Park and associated works (outline). Approved with conditions December 1999.

## **4. CONSULTATION RESPONSES**

- 4.1 Emersons Green Town Council  
No objections



#### 4.2 Other Consultees [including internal consultees of the Council]

##### 4.2.1 Coal Authority No Objection

##### 4.2.2 Transportation Development Control The 20 standard car parking spaces plus 1 disabled space is consistent with the Council's old Local Plan standard for an office development. The 13 covered and secure cycle parking spaces are consistent with the Council's standards. The single shower cubicle and disabled access WC and shower don't appear to be sufficient for the 92 members of staff.

##### 4.2.3 Economic Development Officer Supports the application

##### 4.2.4 Lead Local Flood Authority No objection

##### 4.2.5 Highway Structures If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected.

##### 4.2.6 Environmental Policy Officer No objection but make some suggestion to further improve the building and reduce over heating

##### 4.2.7 Urban Design Officer Comments that the design of the building is somewhat different to the surrounding built for on the Science Park.

##### 4.2.8 Crime Prevention Officer No objection

##### 4.2.9 Environmental Protection No objection

##### 4.2.10 Conservation Officer No comment

#### **Other Representations**

##### 4.3 Local Residents Two letters have been received from science park staff raising the following points:

- The building will spoil the look and feel of the science park
- The building is ugly and out of place
- One tenant will re-evaluate the commitment to the Science Park

- The building has no changing room – doesn't help promote cycling to work which isn't in keep with the science parks sustainable ethos.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The site lies entirely within the area of the approved Bristol and Bath Science Park (SPark) that forms part of the wider Emersons Green East development, which was approved in outline in 1999 and was originally allocated under Policy E1 of the adopted Local Plan. The original permission and its associated S106 was then amended through application PK07/2755/VAR. It was this masterplan that formed the basis for the first phases of development at the Science Park and is referred to as 'the Original Masterplan'.

5.2 This application is not being brought forward as a Reserved matters application pursuant to the original outline because the proposed building is not in full compliance with the approved masterplan.

5.3 The site also lies within the Emersons Green Enterprise Area. The Science Park is the central focus of the Enterprise Area (which also includes the Harlequin and Emerald Business Parks). PSP26 identifies Emersons Green Enterprise area as 'an area focused on science and technology to promote science based research and technology; technology innovation; robotics and autonomous systems; composite materials development and application; digital media; micro electronics and silicon design.' PSP26 sets out six criteria against which development proposals in the enterprise area should be assessed. The proposal must satisfy all six criteria to be in full compliance with the policy.

Subject to the detailed assessment below, the principle of development is considered to be acceptable.

### **5.4 Conformity with the Master Plan**

As explained in section 5.2 above, this application is being considered as a full planning application as it is not in complete conformity with the master plan. The master plan shows the application site to remain free from built form but shows development parcels to the immediate west. As was the case with the NCC applications, due to the lack of conformity, a full planning application is necessary.

5.5 Officers acknowledge that the development of this site will temporarily limit the development potential of plot K1 (immediately to the west of the development site). That said, the proposed building is not to be in existence forever – it is expected that work on the permanent grown on building will commence within the next 3 years. In accordance with the application, a condition requiring removal of the building within 25 years of the date of its first occupation will be attached.

5.6 Other than the issue of the siting of the building, the building is generally in conformance with the master plan and design and access statement in other respects. The objectives and principles of the Science Park as set out at para 3.1.4 of the Design and Access Statement are to create a sense of place, be fit for purpose, be permeable and increase connectivity, be sustainable, be flexible and adaptable, be accessible and encouraging innovation, attraction, incubation and mentoring. The proposed building is in conformity with all of these guiding principles.

5.7 **Design of the building**

The proposed building is unique in its appearance having an almost modular appearance. The building will have grey ground and second floor elements with a projecting ground floor finished in white. The building will contain plenty of glass and will include terraces and balconies. In accordance with the original Design and Access Statement, the building will have its pedestrian access to the front encouraging a strong sense of place.

5.8 Your case officer completely accepts that the design of the building is somewhat unique and its setting will exacerbate this fact. However, the general modernity and clean lines of the building are not considered to be out of keeping with the general feel and character of the area. The building will integrate generally with the scale and character of the science park. The proposed building does demonstrate an understanding of and responds constructively to the distinctiveness of the Science Park. No objection is therefore put forward to the design of the building.

5.9 **Landscape implications of the proposal**

The extension will be constructed on existing hard standing and no vegetation will be affected by the extension as proposed.

5.10 **Transport**

The Council's transportation officer confirms that generally, the application provides an adequate level of parking. It is noted by the highway officer and in a letter of objection that the changing facilities within the proposed building are lacking. As confirmed by the economic development officer, the users of the proposed building would have access to the facilities within the adjacent Forum building. The insufficient facilities within the proposed building are not therefore a reason to refuse the application as alternative satisfactory facilities are easily available.

5.11 **Economic Benefits**

Following acquisition in September 2018 management of the Science Park has been very resource intensive. There have been significant operational and staffing issues. Space is running at capacity and the revenue generated from September to March 2018/19 was much greater than anticipated. Many of the longer-term tenants have been aware of plans to expand and provide additional space at the Science Park for several years. Some who have had an urgent requirement for expansion space have been awaiting a solution since the Homes England took control from Quantum in 2015. Currently, it is anticipated that the GO2 temporary solution will be fully let before it is completed, and the owners may find they are not able to meet all of the immediate existing tenant demand. There is a strong pipeline of enquiries for Innovation Centre and Grow-on Space at the Science Park which will not be met by the GO2 temporary solution. Insufficient grow-on and scale-up space is also recognised as an issue in the West of England (emerging as a priority in the Local Industrial Strategy).

5.12 **Planning Balance**

Whilst it is accepted that the proposed development is not in complete conformity with the approved master plan for the science park, it does follow the guiding principles. The siting is not ideal, but the economic benefits the building brings to the Science Park, outweigh the minimal harm. Until such time as a permanent solution is realised,

this interim proposal does not present any significant concerns sufficient to warrant the refusal.

## **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 on the decision notice

**Contact Officer: Marie Bath**  
**Tel. No. 01454 864769**

## **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 must take place exactly in accordance with the following plans and reports:

Received by the Council on 20th December 2018:

Design and Access Statement

Land Contamination Assessment

Lighting Assessment

Surface and Foul Water Drainage Strategy

Transport Assessment

Tree Protection Plan

1201 - Floor Level 01 plan

1202 - Floor Level 02 plan

1203 - Proposed Roof plan

1000 - Existing Block Plan

1150 - Proposed Site Plan

1100 - Location Plan

Received by the Council on 4th June 2019:

1200 - Floor Level 00 plan

1250 - Proposed Elevations

1270 - Proposed Approach View  
1271 - Aerial View  
1272 - View from Car Park  
1150 - Proposed Site Plan

Reason

To ensure that the development takes place exactly in accordance with the approved plans.

3. The building and all associated infrastructure hereby permitted shall be removed from the site and the site restored to a level hard surface within 25 years of the date of the first occupation of the building. Written notice of the first occupation must be given to the Local Planning Authority within one week of that occupation taking place.

Reason

The building has been allowed given the specific need for the building at the time of determination. The building should be removed in the fullness of time to allow the original master plan to be implemented in full.

4. The development hereby permitted shall not be occupied until the car and bicycle parking arrangements have been completed in accordance with the submitted drawings.

Reason

In the interests of highways and to promote sustainable transport choices in accordance with the requirements of PSP11 and PSP16.

## CIRCULATED SCHEDULE NO. 24/19 – 14 JUNE 2019

<b>App No.:</b>	P19/2012/F	<b>Applicant:</b>	Freemantle Capital Partners (Hallen) Ltd
<b>Site:</b>	Land Adjacent To St Michaels House Severn Road Hallen	<b>Date Reg:</b>	27th February 2019
<b>Proposal:</b>	Demolition of existing structures. Erection of 4no. semi-detached dwellings, creation of access and associated works.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	355042 180105	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	24th April 2019



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100023410, 2008.

N.T.S.

P19/2012/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 has been referred to the circulated schedule for determination as a comment of objection has been received from the parish council; this is contrary to the officer recommendation for approval.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of 4 dwelling contained in two semi-detached pairs. The site is located within the settlement boundary of Hallen. The village is washed over by the green belt and falls, primarily, in flood zone 2 with a small section in the southwest within flood zone 3.
- 1.2 The conversion of St Michael's House to residential was permitted under PT16/6775/PNOR. This application includes land that formed part of the application for prior approval. It is not clear that the prior approval has been implemented; both applications could not be lawfully undertaken.

### **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
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
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
PSP3	Trees and Woodland
PSP5	Undesignated Open Spaces
PSP7	Development in the Green Belt
PSP8	Residential Amenity

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP43	Private Amenity Space Standards

### 2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Landscape Character Assessment SPD (Adopted) November 2014

CIL and S106 SPD (Adopted) March 2015

Waste Collection SPD (Adopted) January 2015 (updated March 2017)

## 3. RELEVANT PLANNING HISTORY

- 3.1 PT16/6775/PNOR Approved 08/02/2017  
Prior Notification under Part 3 Class O for a change of use from an office use (Class B1(a)) to a dwellinghouse (Class C3) as defined in the Town and Country Planning (General Permitted Development)(England) Order 2015.
- 3.2 PT10/2939/EXT Approved 25/11/2010  
Erection of 4 no. dwellings and 4 no. garages. Alterations to existing vehicular access. (Consent to extend time limit implementation for PT07/3047/F).
- 3.3 PT07/3047/F Approved 10/12/2007  
Erection of 4 no. dwellings and 4 no. garages. Alterations to existing vehicular access.

## 4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council  
Objection: site within the green belt; site is within an area at risk of flooding; impact on biodiversity; impact on neighbouring properties.

### **Internal Consultees**

- 4.2 Ecology  
No objection subject to the imposition of conditions
- 4.3 Environmental Protection  
Land may be subject to contamination; no objection subject to the imposition of conditions
- 4.4 Highway Structures  
Technical advice provided
- 4.5 Landscape  
Concern over treatment of front boundary; a softer approach should be sought



4.6 Lead Local Flood Authority

No objection

4.7 Sustainable Transport

No objection subject to imposition of conditions

**Statutory / External Consultees**

4.8 Environment Agency

No comment; proposal falls outside scope of Environment Agency consultations

**Other Representations**

4.9 Local Residents: Objections

7 comments of objection have been received which raise the following matters:

- Application includes land not within the applicant's title
- Application includes land/structures part of previous prior approval
- Archaeological survey should have been undertaken
- Blight development potential of other land
- Concern over any additional water in the rhine
- Council liable for flooding events should planning permission be granted
- Decision should be deferred until land ownership issues resolved
- Drainage report queried
- Highway safety – traffic fast moving
- Impact on privacy
- Inadequate parking provision
- Increase likelihood of on-street parking which leads to decreased visibility
- Proposal different from previous approvals
- Site drainage, surrounding land is waterlogged
- Site susceptible to flooding

4.10 Local Residents: Support

1 comment of support have been received which raise the following matters:

- Additional housing needed
- Flooding not an issue
- Rhine does not exceed 60% of capacity

**5. ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for the erection of 4 house along Severn Road in Hallen.

**Principle of Development**

5.2 A number of matters affect the principle of development for this proposal. In terms of locational strategy, development of this nature is directed to the existing urban areas and defined rural villages. The application site is within the defined settlement boundary for Hallen and therefore accords with the locational strategy and in this regard is acceptable in principle.

- 5.3 However, being located in the green belt and an area at risk of flooding, the proposal would need to comply with relevant policy in regard to these constraints to be acceptable overall. Each should be considered before an analysis of the details of the proposal is undertaken.

#### Green Belt

- 5.4 The government attaches great importance to green belts. Development in the green belt is strictly controlled in order to retain the openness of the green belt. As a consequence there is a presumption against development in the green belt unless it falls into one of the defined exception categories.
- 5.5 One exception category to the presumption against development is limited infilling within villages. Limited infill normally relates to a small, linear, gap in the existing built form. The site is a gap in the existing built form but due to the demolition of part of the existing structures it should not be assumed that all four proposed dwellings would sit on land currently unoccupied by built form.
- 5.6 Previous decisions have concluded that similar proposals would amount to limited infilling and the plans presented with this application provide no cause to disagree with that conclusion. The proposal is linear in nature and would infill a gap within the built form within a defined settlement. The proposal is not an inappropriate development in the green belt and permission should not be withheld on green belt grounds.

#### Flood Risk

- 5.7 The site is within an area at risk of flooding. The planning history for the site is important in reviewing this proposal. The officer's report from 2007 identifies the site falling within flood zone 3. When renewed in 2010, the report refers to flood zone 1 although this is considered to be erroneous. The key fact from this is that it is probable that the site has previously been subject to a greater risk of flooding and that residential development was permitted at that time, albeit it under a different policy regime.
- 5.8 National policy on flooding directs development to the areas with the lowest probability of flooding i.e. flood zone 1. The authority would normally apply the sequential test across the district as a whole and resist development in flood zones 2 and 3. Should that approach have been taken for this application, it would have failed and the development resisted.
- 5.9 However, the site's planning history is highly material. It has previously been found – although under a different national planning policy document – that the proposal was not inappropriate in an area of flood risk. While the previous permissions have now expired they would have led to an increase in the population within the flood zone. What is key is that in 2007 the flood risk may have been higher than it is considered now. If at that time it was found to be acceptable to permit housing and the risk has decreased since, the argument that the flood risk is unacceptable is diminished.

- 5.10 Therefore on the very specific nature of this application and the site's planning history, it is concluded that the sequential test has been passed as the proposed development would, in effect, renew a lapsed planning permission.
- 5.11 A site specific flood risk assessment has been submitted. This document demonstrates that the development is safe from the risk of flooding. Although it is a matter of local disagreement, no objection has been raised by the Lead Local Flood Authority on the grounds that the development would increase flood risk elsewhere. Accepting the professional opinion of the council's drainage officers, the proposal is acceptable.

### Summary

- 5.12 The development has been found to comply with the locational strategy, to benefit from an exception to the presumption against development in the green belt, and to have passed the sequential test in relation to flood risk. The proposal is therefore acceptable in principle and the application should be determined on a detailed analysis of the proposal itself.

### **Design and Layout**

- 5.13 A simple layout is proposed with two pairs of semi-detached houses parallel to the road. The proposals sit relatively close to the site boundaries and this would be more noticeable than elsewhere in the village. That said, the development density is not so great that it is unacceptable in this location.
- 5.14 In terms of appearance, the proposal is simple if unadventurous. Each building would be raised from the ground and be two storeys in height with a gabled roof and pitched canopy porch on the front elevation. The building would be finished in a rough cast render with a double roman tiled roof.
- 5.15 The buildings would not look out of place in their context and would not therefore be harmful to the character and appearance of the area.
- 5.16 Landscaping opportunities appear limited although the introduction of planting in the front parking courtyard is welcomed. No planting schedule appears to have been included and this should be covered by condition. The concern of the landscape officer that the boundary has the potential to be harsh is noted and accepted. While there are rendered blockwork walls nearby, they do not promote local distinctiveness or a sense of place. Within the vicinity there are stone boundary walls and picket fences; either would be preferable to that proposed and a condition should also be applied to seek to agree boundary treatments.

### **Amenity and Living Conditions**

- 5.17 Development should not be permitted which has a prejudicial impact on the amenities of nearby occupiers or which fails to provide adequate living conditions for future occupiers.
- 5.18 All of the proposed properties have rear gardens that exceed the private amenity space minimums contained in policy PSP43. Internally, each property would provide 84 square metres of floor space. This would, just, comply with

the *Technical Housing Standards* and is accepted as providing acceptable living conditions for future occupiers.

- 5.19 The separation distances and alignment between the proposed dwellings and existing dwellings is considered sufficient to prevent any adverse impact on the amenities of nearby occupiers.
- 5.20 It would not be possible to implement the prior notification and any planning permission given under this application (as there is an overlap of the site and prior approval could not be completed in accordance with the details contained in the notification); this is therefore considered a neutral factor.

### **Access and Transport**

- 5.21 Sufficient parking is provided on the site to comply with policy PSP16. Cycle parking can also be provided. An access is proposed onto Severn Road; this is suitable. No objection is raised to the proposal but the parking should be provided before the dwellings are occupied.
- 5.22 Although there is local concern regarding on-street parking, speeding traffic, and decreased visibility through on-street parking, this development would not contribute to these factors and it is beyond the scope of this application to manage traffic speeds of lawful parking within the highway.

### **Drainage**

- 5.23 As alluded to in the section on flood risk, the drainage proposals have been considered. The use of the main sewer and soakaways is considered appropriate to deal with surface water from the site. Foul sewage would be disposed of through the main sewer on Severn Road.

### **Land Contamination**

- 5.24 Previous uses of the site may have resulted in land contamination. This matter should be resolved through an appropriate planning condition.

### **Impact on Equalities**

- 5.25 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.
- 5.26 With regards to the above this planning application is considered to have a neutral impact on equality.

## **Other Matters**

- 5.27 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.
- 5.28 It has been stated that the site boundary incorporates land not within the applicant's control. This matter has been raised with the agent who has confirmed that notice has been served on the owners of the land within the site boundary. Officers therefore have no evidence before them that an improper application has been made and any dispute would be a civil matter between parties.
- 5.29 The council's records do not indicate that the site is of archaeological interest although the land to the east is of interest due to earthworks.
- 5.30 The impact of granting planning permission on private property interests, such as future development prospects, is given minimal weight in reaching a recommendation. Equally, flood risk is considered under the planning process and would not enable claims for compensation.

## **Planning Balance**

- 5.31 The proposal would bring forward 4 new dwellings within a defined village. The development is sustainable as it accords with the spatial strategy, would not be inappropriate in the green belt, and has passed the sequential flood risk tests. Some improvements to the development could be secured by condition. It therefore falls that planning permission should be granted.

## **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 planning permission is GRANTED subject to the conditions listed below.

**Contact Officer: Griff Bunce**  
**Tel. No. 01454 863438**

## **CONDITIONS**

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

### Reason

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

2. Prior to the first occupation of the 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; and areas of hardsurfacing, shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details with all planted completed in the first planting season following the first occupation of any dwelling hereby permitted.

### 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. Prior to the commencement of development, a desk-top assessment of the risks posed by any contamination of the site shall be carried out and the results submitted to and approved in writing by the local planning authority. The assessment shall be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS10175 Investigation of Potentially Contaminated Sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

Where the desk-top risk assessment identifies land that may be affected by contamination and which could pose unacceptable risks, a detailed site investigation of the affected areas shall be carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report of the investigation shall be submitted to and approved by the local planning authority in writing prior to the commencement of development and the development shall proceed in accordance with the approved details. The report shall 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. Where 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 the works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed.

Reason

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

4. Prior to the first occupation of any dwelling hereby approved, where works have been required to mitigate contaminants 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

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

5. 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

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

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

Reason

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

7. The development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 8 of the Ecological Appraisal prepared by Ethos Environmental Planning, dated January 2019.

Reason

In the interests of protected species and biodiversity and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

8. Prior to first occupation of any dwelling hereby approved, evidence of the installation of the ecological enhancement features recommended in the Ecological Appraisal, prepared by Ethos Environmental Planning and dated January 2019, shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes and permeable fencing.

Reason

In the interests of protected species and biodiversity and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

9. The development hereby approved shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy (v2) prepared by Clive Onions Consulting Civil Engineers and dated January 2019.

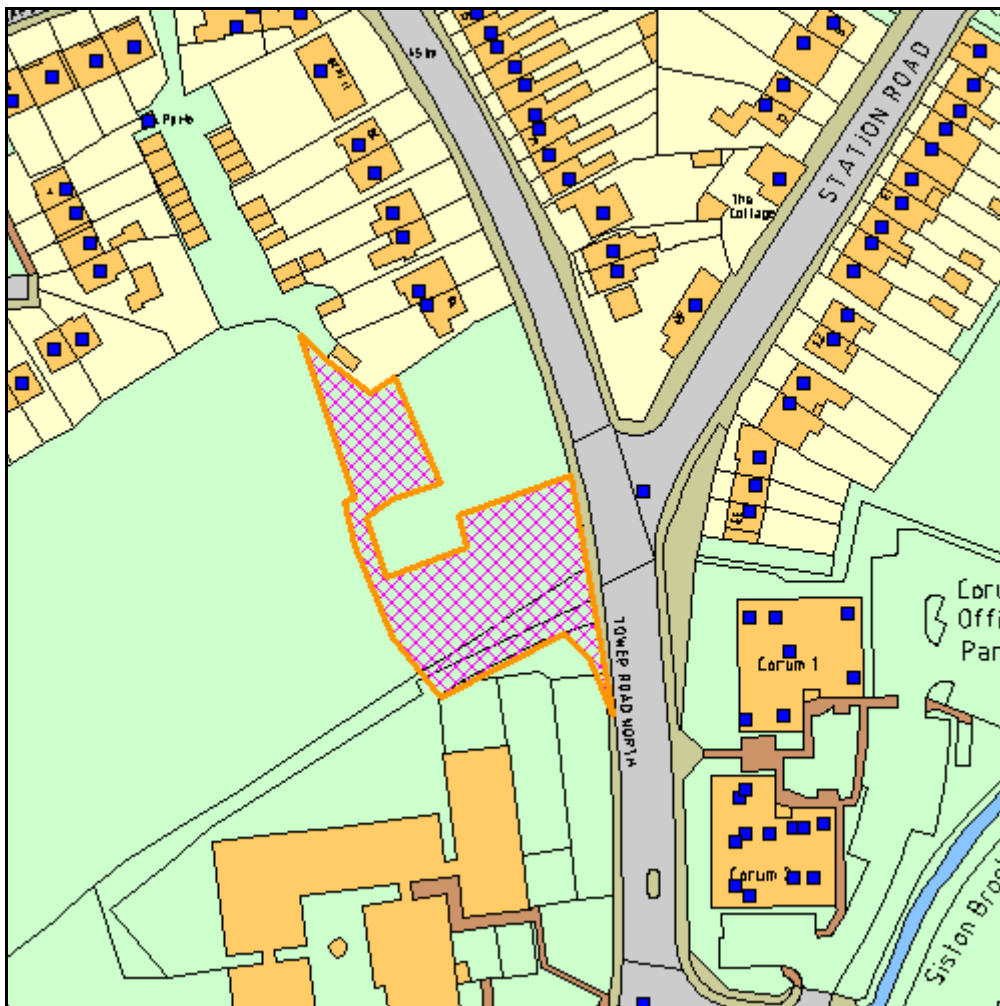
Reason

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



**CIRCULATED SCHEDULE NO. 24/19 – 14 JUNE 2019**

<b>App No.:</b>	P19/2199/R3F	<b>Applicant:</b>	Mrs Gwendoline Blain South Gloucestershire Council
<b>Site:</b>	Warmley Park School Tower Road North Warmley South Gloucestershire BS30 8XL	<b>Date Reg:</b>	1st March 2019
<b>Proposal:</b>	Erection of nursery, with access, parking, play area and associated works.	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	366946 173258	<b>Ward:</b>	Parkwall And Warmley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	25th April 2019



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

### **REASON FOR REFERRING TO CIRCULATED SCHEDULE**

This application has been referred to the circulated schedule due to it being submitted by the Councils Property Services department. Further, 3no. objections from local residents have been received, which are contrary to the Officers recommendation.

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of a nursery, access, parking, play area and associated works at Warmley Park School in Warmley.
- 1.2 The wider site relates to an all through special school ranging from 3-18 years old. This site is located on adjacent fields to the north and off Tower Road North. The nursery will be for the youngest pupils, but will share many of the facilities of the main school, including a physiotherapy pool.
- 1.3 The applicant has set out that the need to increase the availability of specialist school places is a priority in South Gloucestershire. There is currently a shortfall of places for children aged 0-19, and that existing special schools are oversubscribed.
- 1.4 The school is located in a built up area of Warmley and within the East Fringe of Bristol Urban Area.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework Feb 2019  
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
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure
CS29	Communities of the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance  
Design Checklist SPD (Adopted) 2007

### 3. **RELEVANT PLANNING HISTORY**

- 3.1 PK16/3758/R3F Deemed Consent 08.08.2016  
Erection of single storey extensions and refurbishment to existing school to provide 6no. additional classrooms, auxiliary areas including therapy rooms, group rooms, offices and toilets. Amendments to the external elevations to allow for internal remodelling and sheltered canopies to play areas and entrance area with parking and associated works.
- 3.2 PRE18/1103 06.12.2018  
Construction of a new Nursery (one or two classrooms and outdoor play areas) and some access and parking. Advice regarding the layout of the site (landscape and highways), the existing landscape (trees, hedge, ecology) and the relation of the building to the field and to the buildings surroundings (existing school, residential and offices).

### 4. **CONSULTATION RESPONSES**

- 4.1 Siston Parish Council  
No objection
- 4.2 Sustainable Transport  
No objection in principle (details to be covered in report)
- 4.3 Environmental Protection (Noise)  
No objection in principle, recommended informatives.
- 4.4 Lead Local Flood Authority  
No objection in principle.
- 4.5 Sport England  
Objection. As the proposal does not accord with any of the exceptions of the Sport England's playing fields policy or with para. 97 of the NPPF.
- 4.6 The Coal Authority  
Standing advice recommended.
- 4.7 Tree Officer  
No comments received.

#### 4.8 Environmental Protection (Contamination)

*"No significant potential sources of contamination were identified, however the conclusions of the report provide a recommendation for some precautionary ground investigations and gas monitoring. In order to ensure that the site is suitable for its proposed use and in accordance with The National Planning Policy Framework...conditions are recommended for inclusion on any permission granted."*

### **Other Representations**

#### 4.9 Local Residents

1no. neutral comment and 3no. objections were received from local residents. Comments summarised as follows:

- Positive to see trees are being retained
- Much needed provision in South Gloucestershire
- Concerns with highway safety
- Speed limits along road are not observed
- Traffic calming measures should be encouraged
- Queries regarding how parking will be accessed
- There should be no future plans for a new access off Tower Road North
- This is an important green space
- Recent traffic incident
- The nursery should be re-located within the school
- Health impacts of additional pollution

### **5. ANALYSIS OF PROPOSAL**

#### 5.1 Principle of Development

##### *Provision of a Nursery*

5.2 The National Planning Policy Framework (NPPF) sets out in para.72 that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It goes on to state that; *Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this required, and to development that will widen choice in education. They should:*

- *Give great weight to the need to create, expand or alter schools*
- *Work with schools promoters to identify and resolve key planning issues before applications are submitted.*

5.3 Education facilities are defined as community infrastructure within Policy CS23. This policy sets out that the Council will work with partners to provide additional, extended or enhanced community infrastructure.

5.4 This development would involve the creation of a specialist nursery and play area for young children. This represents additional community infrastructure. The applicant has submitted information that demonstrates that there is a need for this provision in South Gloucestershire. It is understood that the existing specialist schools are oversubscribed, with no scope to expand. The provision of the nursery attracts significant weight.

### *Playing fields*

- 5.5 The NPPF sets out in para.97 that; *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
  - *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
  - *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*
- 5.6 This is also reflected in Policy PSP44. The nursery would be located on a field which is associated with the special school. Due to the needs of the pupils, traditional competitive sports are not played on the field. It is understood that the site has recently been upgraded to ensure it is accessible for all pupils and appropriate for their specialist requirements. The field has not been used as a sports pitch for over five years. This is evident through the lack of pitch marking.
- 5.7 Sport England have reviewed the proposal and consider that the fields do constitute playing fields and have been used in the past for mini and youth football pitches. They have objected on the basis that the scheme does not comply with para. 97 of the NPPF.
- 5.8 Whilst the comments from Sport England are noted, Officers consider that the proposed development incorporates recreational provision which would be suited to the requirements of the special school. This development proposes a wildlife garden, this will provide additional recreational outside learning opportunities for children of the main school and the nursery. It is understood that this is line with Ofstead recommendations for the school. It is also noted that the scheme would be on only a small part of the existing fields.
- 5.9 In addition to the above, throughout the course of the application it has also been confirmed that the school are willing to provide an informal community use on the remainder of the field. This would take the form of an under 14s football pitch. This would be advertised through the schools website and marked up once a booking was made during the football season. It could also be used for athletics and other summer activities. Details have been provided in terms of how the pitches would be accessed. The current pitches have not been used in the last 5 years, and they are not currently marked out. Accordingly, this informal community use is considered to represent an improvement to the existing situation.
- 5.10 Given all of the above, cumulatively it is considered that the development would comply with para. 97 of the NPPF as well as PSP44.

## *Summary*

- 5.11 The development is considered to be acceptable in principle. Detailed matters are discussed below.
- 5.12 Design and Visual Amenity  
Policy CS1 only permits new development where the “highest standards” of site planning and design are achieved. This policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.
- 5.13 An existing access off Tower Road North would be utilised this would lead to parking and the building itself. The building would be set back approximately 26 metres from the road. It would be a single storey structure with a lean to roof. Its elevations would be comprised of timber cladding and this would be alongside aluminium windows/doors, and a polymeric sheet roof. The design of the building does demonstrate interest and is considered acceptable. In coming to this conclusion it is also noted that the surrounding area has a mixed character.
- 5.14 It is recommended that conditions are imposed in relation to details of external materials.
- 5.15 Residential Amenity  
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties.
- 5.16 The proposed nursery would be located fairly close to some residential properties to the north and east of the site. Given the nature of the use some noise could arise from the development, however, Officers are mindful that there is already a school adjacent to the site. Environmental Protection have reviewed the scheme and have not raised an objection. It is likely that there will be some disturbance during the construction period, and the applicant will be reminded of best practice.
- 5.17 In terms of the building itself, it is not considered that it would result in detrimental impacts to the residential amenity of nearby occupiers.
- 5.18 Parking and Highway Safety  
A number of local residents raised concerns with existing traffic and highway safety along Tower Road North, that speed limits were not observed, traffic pollution and a recent traffic incident that happened nearby.
- 5.19 Plans show that the development would utilise an existing access off Tower Road North. This would be widened to 6 metres to allow vehicles to turn and pass. The Highways Authority have reviewed the access and consider that the visibility is acceptable. However, it was noted that currently there is parking to one side of the access, it is considered appropriate that these spaces are

managed to improve visibility. This would be through a Traffic Regulation Order (TRO), and the applicant has provided confirmation in writing that they would cover the cost of implementing this TRO. It is also proposed that a separate pedestrian access would be introduced off Tower Road North. This is considered acceptable and helps encourage alternate modes of travel.

- 5.20 In terms of parking provision, a total of 6 new parking spaces are proposed. Three disabled spaces would be provided and three standard spaces. Visitors can use the main school parking and on –street parking if needed. There is also a bay for minibus parking. 2 cycle parking spaces are shown on the plans, PSP16 sets out that there should be 1 cycle space per 8 staff for nurseries. Overall, the parking provision at the site is considered acceptable, although this is subject to conditions.

5.21 Trees

There are a number of trees which bound Tower Road North. An arboriculture report and tree protection plan were submitted in support of the application. This demonstrates that all trees would be retained and protected throughout the development. This is considered acceptable, and it is recommended that a condition is imposed to ensure the development proceeds in accordance these documents.

5.22 Contamination

A contamination report was submitted alongside the application, and this has been reviewed by the Contamination Officer. No significant potential sources of contamination were identified, however the conclusions of the report provide a recommendation for some precautionary ground investigations and gas monitoring. In order to ensure that the site is suitable for its proposed use, conditions are recommended.

5.23 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.

- 5.24 With regards to the above this planning application is considered to have a positive impact on equality. This application would involve the creation of a specialist nursery establishments for young children with protected characteristics.

#### 5.25 Other matters

Comments received raised concerns over future plans for the site and whether an additional access would be proposed off Tower Road North. Whilst these concerns are appreciated, they go beyond the scope of the application at hand.

### 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 That the application be referred to the Secretary of State as required by the Town and Country Planning (Consultation Direction) Circular 02/2009. Should they resolve not to 'call in' the application then it is recommended to be given **deemed consent**.

**Contact Officer: Lucy Paffett**  
**Tel. No. 01454 863436**

### CONDITIONS

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

Reason

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

2. Prior to the relevant stage of development details 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; and the National Planning Policy Framework.



3. A) Intrusive Investigation/Remediation Strategy - No development shall take place until site investigations as recommended in the Intégrale desk study report dated February 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.

Where 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 program of the 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 (or relevant phase of development) is occupied.

B) Verification Strategy - Prior to first occupation, where works have been required to mitigate contaminants (under condition A) 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.

C) 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

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

4. The off-street parking facilities (for all vehicles, including cycles) shown on the Proposed Plans (dwg no. 100E) hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

#### 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.

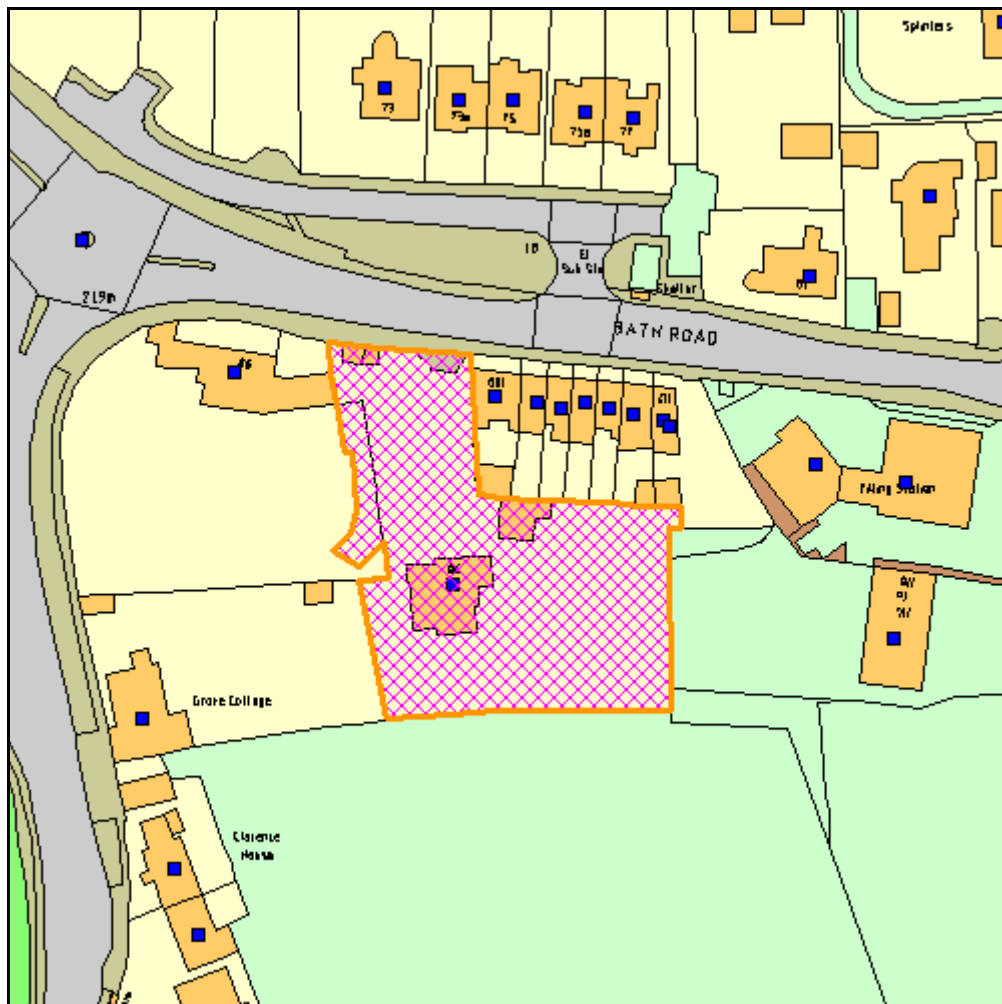
5. The development hereby permitted shall proceed in accordance with the Arboricultural Report (Silverback Arboriculture Consultancy Ltd, Dated Feb 2019) and the Tree Protection Plan (dwg no. 190228-WPS-TPP-Rev A-NB).

#### Reason

To protect the character and appearance of the area and to protect the long term health of the trees to accord and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policy PSP3 of the South Gloucestershire Policies, Sites and Places Plan (Adopted November 2017).

**CIRCULATED SCHEDULE NO. 24/19 – 14 JUNE 2019**

<b>App No.:</b>	P19/3159/RVC	<b>Applicant:</b>	City For Construction Ltd
<b>Site:</b>	98 Bath Road Willsbridge Bristol South Gloucestershire BS30 6EF	<b>Date Reg:</b>	27th March 2019
<b>Proposal:</b>	Variation of condition 2 attached to PK17/4372/F to substitute plan numbers SL.01 Rev D with 01, HT1.E Rev B with 03, HT1.P Rev A with 02, SS.01 Rev B with 04 and to add the plan 05.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	366679 170300	<b>Ward:</b>	Bitton And Oldland Common
<b>Application Category:</b>	Minor	<b>Target Date:</b>	21st May 2019



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100023410, 2008. **N.T.S.** **P19/3159/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.

## **REASONS FOR REPORTING TO CIRCULATED SCHEDULE**

A representation has been made by the parish council, which is contrary to the findings of this report. Under the current scheme of delegation it is therefore required to be taken forward under the Circulated Schedule procedure.

### **1. THE PROPOSAL**

- 1.1 This application is made under section 73 of the Town and Country Planning Act 1990 (as amended). Applications made under this section seek to develop land without compliance with conditions previously attached to planning permissions. In this instance, the applicant seeks to vary the plans condition to make amendments to the overall scheme.
- 1.2 Planning permission was granted under application ref. PK17/4372/F for the erection of 4no. dwellings with new vehicular and pedestrian access and associated works at 98 Bath Road, Willsbridge. Condition 2 of that permission controlled the plans against which the development must be completed. This application therefore seeks to amend the plans controlled by condition, in order to alter the siting and appearance of one of the proposed dwellings.
- 1.3 The application site comprises an existing large detached dwelling and its extensive residential curtilage. The site has a backland aspect, being enclosed to the north by houses fronting Bath Road, Willsbridge; to the west by the houses along Keynsham Road and further developed land to the east. To the south lies open land within the Bristol and Bath Green Belt. The site itself lies within the area defined as the east fringe of the Bristol urban area. There is an existing vehicular access into the site from Bath Road. Within and around the site there is a good deal of vegetation and the site is bounded to the north and west by high, historic stone walls.
- 1.4 Revised plans were received on 7<sup>th</sup> June 2019. The revisions involve alterations to proposed palette of materials to be used in the external finish of one of the residential units.

### **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
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS29	East 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
PSP8	Residential Amenity
PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourses
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
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 Developments SPD (Adopted) 2015

### 3. **RELEVANT PLANNING HISTORY**

*Application Site*

3.1 **PK17/4372/F**

Erection of 4no. dwellings with new vehicular and pedestrian access and associated works.

Approved: 01.12.2017

3.2 **K89/4**

ERECTION OF DETACHED BUNGALOW (OUTLINE) (Previous ID: K89/4)

Refused: 28.01.1991

### *Other Relevant Applications*

#### **3.3 PK17/4250/F – 98 Bath Road**

Erection of 2no. detached dwellings with new access and associated works.  
(Re submission of PK17/1389/F).

Approved: 18.01.2018

## **4. CONSULTATION RESPONSES**

4.1 Bitton Parish Council  
Objection – out of keeping with streetscene.

4.2 Oldland Parish Council  
No comment

### **Internal Consultees**

4.3 Sustainable Transport  
No objection

4.4 Conservation Officer  
No heritage objections

4.5 Lead Local Flood Authority  
No objection subject to comments regarding open ditch at southern boundary of site.

4.6 Landscape Officer  
Seems to be scope for front garden planting of small/medium size tree.  
Condition 12 of original permission required approval of landscaping scheme – unclear whether this was carried out.

4.7 Ecology Officer  
No objection subject to conditions attached to previous consent.

4.8 Tree Officer  
No comment

4.9 Housing Enabling  
No comment

4.10 Environmental Protection  
No comment

4.11 Highway Structures  
No comment

## **External Consultees**

- 4.12 Coal Authority  
Consultation not required

## **Other Representations**

- 4.13 Local Residents  
No comments received

## **5. ANALYSIS OF PROPOSAL**

- 5.1 This application seeks to vary a condition to permit alterations to one of the dwellinghouses making up the previously approved 4-unit scheme. The alterations would see House Type 1 (as labelled on plans), re-positioned and re-orientated, as to bring the property in line with the adjacent terrace row, and allow for the dwelling to face on to the highway. The overall form and detailed design of the building would also be altered. The remainder of the development would remain unchanged.

### **5.2 Principle of Development**

Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.

- 5.3 If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly. If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.

- 5.4 Therefore, an analysis of other conditions attached to the previous planning consent shall also be undertaken as part of this application against the provisions of paragraph 55 of the National Planning Policy Framework.

### **5.5 Analysis of Revisions**

The revisions involve alterations to House Type 1 (HT1), which is to be situated towards the northern end of the site. As such, the main areas of assessment are impacts on design and visual amenity, residential amenity, and transport.

#### *Design and Visual Amenity*

- 5.6 As approved, HT1 was to face in to the development, with the rear of the property therefore facing on to Bath Road to the north. The proposal now seeks to re-position and re-orientate the dwelling, as to bring it closer to Bath Road

and allow for it to front on to the highway. Overall, there are no objections to the re-positioning and re-orientation of the dwelling from a visual perspective. These alterations would allow for the dwelling to read as part of the Bath Road streetscene, and would allow for a greater visual relationship between the dwelling and the adjacent terrace row. Whilst the proposed changes would reduce the visual relationship between the dwelling and the remainder of the development, it is not considered that this would result in any significant harm in visual terms.

- 5.7 In terms of the alterations to the form of the building, the building would become marginally narrower and deeper. There are no objections to the alteration in form, and it is not considered that this would degrade the overall appearance of the building.
- 5.8 However concerns were raised regarding the proposed external finish of HT1. As approved, the proposed dwelling was to be finished in natural stone at both side elevations. This was considered the most appropriate design approach, given the natural stone finish of adjacent dwellinghouses along Bath Road.
- 5.9 However the proposals put forward as part of this RVC application show the east-facing side elevation finished in render. Given that this elevation faces on to an adjacent terrace (which is finished in natural stone), it was considered that a natural stone finish should be incorporated at this elevation, as to greater respect the finish of the immediately adjacent properties. There was also concern that finishing each side elevation in contrasting materials would compromise the overall appearance of the proposed dwelling.
- 5.10 Following discussions with the applicant, the plans were subsequently amended, with the materials proposed at the east-facing elevation changed to natural stone. Following this amendment, it is concluded that an acceptable standard of design has been achieved.

#### *Residential Amenity*

- 5.11 Having reviewed the amended plans, it is not considered that the proposed alterations to HT1 would result in any greater impact on the residential amenity of the existing surrounding residents than the consented arrangement.
- 5.12 The main consideration in this case is the provision of external amenity space to be afforded to the future occupants of HT1. Under the consented scheme, the main area of amenity space was to be provided between the rear of the dwelling and the adjacent highway to the north. The re-positioning and re-orientation of the dwelling has resulted in the main area of amenity space instead being provided to the south of the dwelling. This area is considered to be sufficiently large, and on the basis that it would face in to the development, would offer a degree of privacy. Greater privacy could be achieved through the use of landscaping features, and this is a matter that can be agreed through the submission of a scheme of landscaping. Overall, there are no fundamental concerns with the proposed alterations, when considering the impact of the development of residential amenity.



## *Transport*

- 5.13 Given the relatively minor nature of the proposed amendments, it is not considered that the proposal would have any significant impact on the vehicular connection between the site and the adjacent highway. In terms of parking provision, it is acknowledged that two external spaces would still be provided for HT1. Although the number of bedrooms contained within the property would increase from 3 to 4, the provision of two spaces for the 4-bed unit would accord with the Council's minimum parking standards, as set out in policy PSP16 of the Policies, Sites and Places Plan. Overall there are no concerns with the proposed alterations from a transportation perspective.
- 5.14 On the basis of the assessment set out above, it is not considered that the proposed alterations to HT1 would result in any significant adverse impact. There is therefore no objection to the proposed replacement of the approved plans with amended plans.
- 5.15 Other Conditions  
As any permission granted under this application would stand as a planning permission in its own right, all other conditions should be reviewed. The conditions should only be reapplied where it is necessary to do so. A review of the 18 conditions attached to the original permission is provided below.
- 5.16 Condition 1 required development to commence within 3 years. This condition will be carried forwards. Condition 2 is the subject of this application, and should be amended as per the new plans. Condition 3 required for a construction management plan to be submitted and agreed prior to the commencement of development. On the basis that this condition has not been discharged, it will be carried forwards. Condition 4 required parking to be provided in accordance with approved plans. This condition will be updated accordingly and will be carried forwards. Conditions 5 and 6 required the proposed vehicular manoeuvring area and access point to be provided prior to the first occupation of dwellings. Condition 7 required the existing access point to no. 98 Bath Road to be stopped up. All three conditions will be re-applied to any consent.
- 5.17 Conditions 8, 9 and 10 required sample panels showing proposed natural stone, render and brickwork to be erected on site and agreed with the LPA prior to the commencement of development. On the basis that the conditions have not been discharged, they will be carried forwards. Condition 11 is a compliance condition, and requires the reconstructed boundary wall to match the existing boundary wall. The condition will be re-applied.
- 5.18 Condition 12 required a landscaping scheme to be submitted and agreed prior to the commencement of development. Conditions 13 and 14 related to ecology, and required details of bat boxes and mitigation methods to be agreed by the LPA prior to the commencement of works. The conditions have not been discharged, and will therefore be carried forwards.

5.19 Condition 15 required works to be carried out in accordance with a submitted tree survey. The condition will be re-applied. Conditions 16 and 17 required drainage details and results of land contamination investigations to be submitted prior to the start of development. The conditions are yet to be discharged and will be carried forwards. Condition 18 restricted permitted hours of operation during the construction period, and will also be carried forwards.

5.20 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.

5.21 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 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 planning permission be GRANTED subject to the conditions listed below.

**Contact Officer: Patrick Jackson**  
**Tel. No. 01454 863034**

## **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. Development shall be carried out in accordance with the following plans:

Proposed Site Plan (Drawing no. B12060 01)  
House Type 1 - Proposed Floor Plans (Drawing no. B12060 02)  
Proposed Site Sections A-A & B-B (Drawing no. B12060 04)  
Proposed Bath Road Streetscene (Drawing no. B12060 05)  
(Received by Local Authority 21st March 2019)

House Type 1 - Proposed Elevations (Drawing no. B12060 03 A)  
(Received by Local Authority 7th June 2019)

And the following plans associated with planning permission PK17/4372/F:

Site Location Plan (Drawing no. SLP.01 Rev A)  
Existing Site Layout (Drawing no. ESL.01 Rev A)  
House Type 3 Elevations (Unit 3) (Drawing no. HT3.E Rev A)  
House Type 3 Floor Plans (Unit 3) (Drawing no. HT3.P P Rev A)  
(Received by Local Authority 12th September 2017)

Boundary Materials Layout (Drawing no. BML.01 Rev B)  
Proposed Site Sections - Page 2 (Drawing no. SS.02 Rev A)  
Housetype 3 - Elevations (Unit 2) (Drawing no. HT3.E Rev B)  
Housetype 3 - Floor Plans (Unit 2) (Drawing no. HT3.P Rev B)  
Housetype 4 - Elevations (Drawing no. HT4.E1 Rev B)  
Housetype 4- Floor Plans (Drawing no. HT4.P1 Rev A)  
Garage - Plot 4 - Plans and Elevations (Drawing no. GAR.PE Rev A)  
(Received by Local Planning Authority 21st November)

Reason

In the interests of clarity and proper planning.

3. Prior to the commencement of development a construction management plan shall be submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- a) parking of vehicle on site for operatives and visitors
- b) routes for construction traffic
- c) hours of operation
- d) method of prevention of mud being carried onto highway
- e) pedestrian and cyclist protection
- f) proposed temporary traffic restrictions arrangements for turning vehicles

Reason

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. This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

4. Prior to the first occupation of the dwellings hereby approved, the car parking provision for the proposed dwellings and the proposed visitor parking shall be implemented in accordance with the approved Site Layout Plan (Drawing no. B12060 01) and retained thereafter for that purpose. For the avoidance of doubt the term car parking provision relates to the garaging shown for the dwellings on the site.

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.

5. Prior to the first occupation of the dwellings hereby approved, the off street turning and manoeuvring area shall be completed in accordance with the submitted and approved plans and subsequently maintained free from any obstruction and available for the intended use for turning of vehicles associated with the development.

Reason

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 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

6. Prior to the first occupation of the dwellings hereby approved, the means of vehicular access shall be constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained as such.

Reason

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 Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

7. Prior to the first occupation of the dwellings hereby approved, the existing vehicular access to no. 98 Bath Road - Willsbridge shall be permanently stopped up and the footway reinstated in accordance with a plan to be previously submitted for written approval by the Local Planning Authority. For the avoidance of doubt, the section of boundary wall used to stop up the access shall be finished in natural stone, and shall be consistent with other boundary treatments.

Reason

In the interest of highway safety and the amenity of the area, and to accord with Policies CS1, CS8 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.

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

9. Prior to the commencement of development representative sample panels of render of at least one metre square showing the render colours and texture, shall be erected on site and approved in writing by the local planning authority. The works shall be completed strictly in accordance with the agreed samples, which shall be retained on site until completion of the development for consistency.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

10. Prior to the commencement of development a representative sample panel of brickwork showing mortar colour and pointing, of at least one metre square shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency. For the avoidance of doubt, a buff coloured brick would not be acceptable in this context.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

11. The reconstructed boundary wall (as shown on drg no. BML.01 Rev B) shall match the existing boundary wall in regard of its stone, coursing, mortar and pointing.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

12. 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 and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details. The scheme should follow relevant SGC planning policy in relation to landscape, the strategic landscape recommendations of the South Gloucestershire Landscape Character Assessment.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

13. Prior to commencement of development, the location and type of bat boxes shall be submitted to the local planning authority for approval in writing. The development shall then proceed with the scheme as agreed with the boxes installed prior to first occupation of any of the dwellings.

Reason

In pursuit of a net gain in biodiversity and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013. This is required to be agreed prior to the commencement of development in light of the potential presence of bats at the site, and to mitigate the impacts of the development on bats at the earliest stage.

14. Prior to commencement of development, a Precautionary Method of Works including mitigation measures preventing impacts on all protected species identified within the Preliminary Ecological Appraisal (Just Ecology, August 2017) shall be submitted to the local planning authority for approval in writing. The approved Precautionary Method of Works shall be strictly adhered to thereafter.

Reason

To ensure works are carried out in an appropriate manner and in the interests of the health and wellbeing of protected species, to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013. This is required to be agreed prior to the commencement of development in light of the potential presence of protected species at the site, which needs to be investigated prior to the disturbance of the ground, and considered at the earliest stage.

15. The proposed development shall be carried out in accordance with the submitted Pre-development Tree Survey and Constraints Statement dated August 2017 and the Tree Survey, Implications Assessment and Outline Protection Method Statement dated September 2017 written by Tree Maintenance Ltd.

Reason

To protect the long term health of the trees and the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

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

Reason

To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012. This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

17. The historic/current use of land adjacent to the site as a petrol filling station may have caused contamination which could give rise to unacceptable risks to the proposed development. As such, the following investigations must be undertaken and results submitted:
- A) Desk Study - Previous historic uses(s) of the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably competent person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.
  - B) Intrusive Investigation - Where potential contaminants are identified under (A), prior to the commencement of development, excepting necessary demolition works, an investigation shall be carried out by a suitably competent person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks (Remediation Strategy). The resulting Remediation Strategy shall include a schedule of how the works will be verified (Verification Strategy). Thereafter the development shall proceed in accordance with any agreed mitigation measures. (Note (A) and (B) may be combined if appropriate).
  - C) Verification Strategy - Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

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

Reason

In the interests of managing land contamination, to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013. Details are required to be submitted and agreed prior to the commencement of development to consider any potential land contamination at the earliest stage and to avoid any unnecessary remedial action in the future.

18. The hours of working on site during the period of construction shall be restricted to 0730 - 1800 on Mondays to Fridays and 0800 - 1300 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

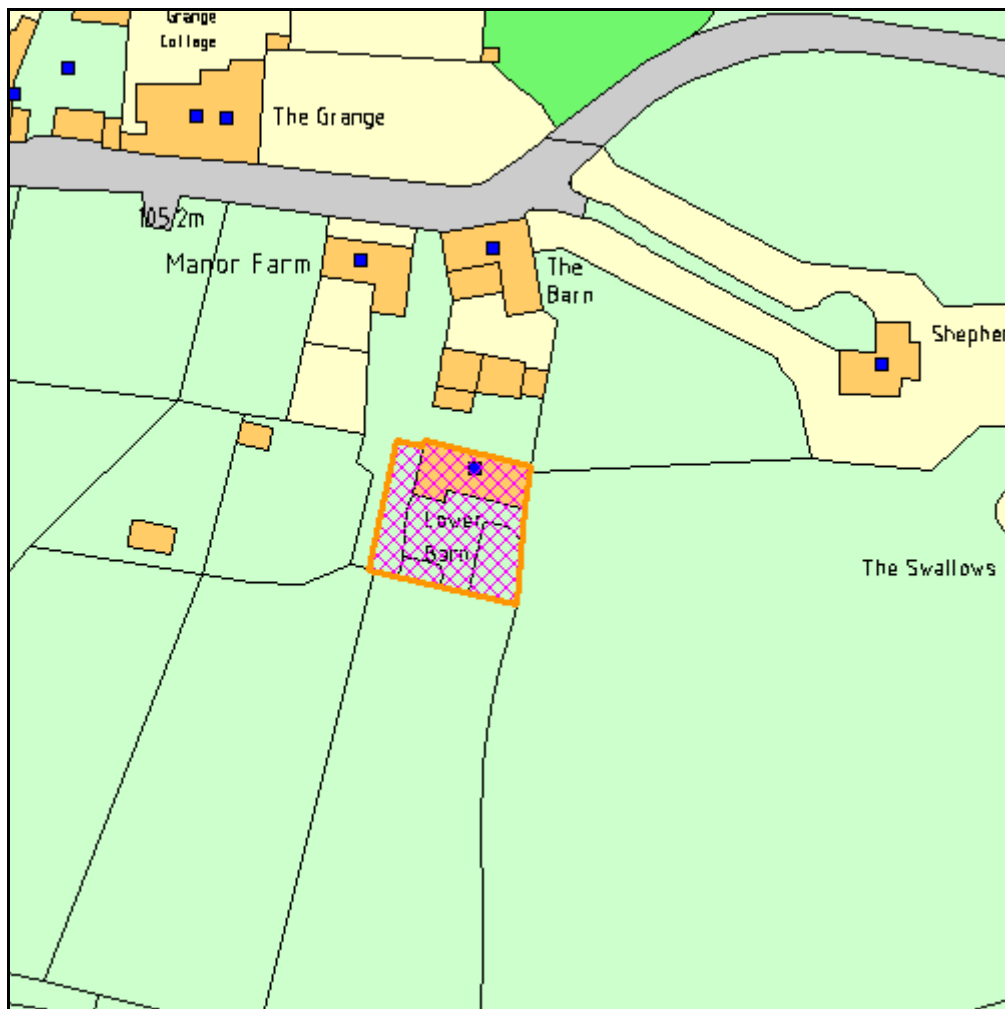
Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.



## CIRCULATED SCHEDULE NO. 24/19 14 JUNE 2019

<b>App No.:</b>	P19/3973/F	<b>Applicant:</b>	Mr Thomas Benwell
<b>Site:</b>	Lower Barn The Street Alveston Bristol South Gloucestershire BS35 3SX	<b>Date Reg:</b>	1st May 2019
<b>Proposal:</b>	Erection of a single storey front extension to form additional living accommodation.	<b>Parish:</b>	Alveston Parish Council
<b>Map Ref:</b>	363971 187985	<b>Ward:</b>	Severn Vale
<b>Application Category:</b>	Householder	<b>Target Date:</b>	26th June 2019



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N.T.S.

P19/3973/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 has been referred to the circulated schedule for determination as a comment of objection has been received from the parish council on the initial plans. This is contrary to the officer recommendation for approval.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a single storey front extension to a residential property near Alveston. The extension would be situated at the front as the building sits along the site boundary to the rear. The existing building was constructed around 2000 to replace a former curtilage listed farm building; it has a historic appearance albeit it is not a historic building and is not subject to listing.
- 1.2 The application site stands outside any defined settlement boundary and is within the Bristol and Bath Green Belt. Manor Farmhouse, to the north between the site and The Street is a grade II listed building; the application site is within its curtilage and setting.
- 1.3 Since an appeal was allowed at this site in 2009 (for a smaller proposal) there has been a material change in planning policy with, locally, the adoption of the South Gloucestershire Local Plan: Core Strategy in 2013 the South Gloucestershire Local Plan: Policies, Site and Places Plan in 2017, and nationally, with the NPPF replacing previous central government guidance.
- 1.4 Revised plans were received late in the application process. These reduced the volume increase of the building from 50% to 38%. There was insufficient time for public consultation on the revised plans, the application to be determined through the circulated schedule, and a decision be issued with the target timeframe. As the consultation from the parish relates to heritage (and the impact on heritage is unlikely to be resolved fully through the revision) it was concluded that the application should be determined without further reconsultation.

### **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
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
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
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

#### 2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Landscape Character Assessment SPD (Adopted) November 2014

CIL and S106 SPD (Adopted) March 2015

Waste Collection SPD (Adopted) January 2015 (updated March 2017)

### 3. **RELEVANT PLANNING HISTORY**

3.1 APP/P0119/A/08/2088424 Appeal allowed 23/04/2009  
Appeal against refusal of PT08/1861/F

3.2 PT08/1861/F Refused 29/08/2008  
Single storey side extension to form additional bedroom with en-suite facilities

#### *Refusal Reason*

1. The proposed extension, by reason of its size, design and external appearance, would be out of keeping with the existing dwelling and would detract from the traditional character of the building, and if allowed, would detract from the visual amenities of the locality. The proposal is therefore considered contrary to Policies D1 and H4 of the South Gloucestershire Local Plan Adopted January 2006.
2. The application relates to development which affects the setting of a listed building. The proposed development, by virtue of its scale, form and the roof light detail will harm the setting of the adjacent listed buildings, contrary to section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at PPG15 and policy L13 of the Adopted South Gloucestershire Local Plan.

- |     |   |          |            |
|-----|---|----------|------------|
| 3.3 | PT06/0094/F   | Approved | 07/04/2006 |
|     | Change of use of residential annex to form a separate dwelling house.               |          |            |
| 3.4 | PT00/0580/F   | Approved | 29/04/2000 |
|     | Demolition of existing barn (retrospective) and reconstruction to form granny annex |          |            |
| 3.5 | P99/1486  | Approved | 18/05/1999 |
|     | Conversion of existing building to granny annex                                     |          |            |

#### **4. CONSULTATION RESPONSES**

- 4.1 Alveston Parish Council  
Objection: heritage impact

##### **Internal Consultees**

- 4.2 Conservation Officer  
Objection: building not curtilage listed as was reconstructed; previous appeal decision found 'neutral' impact on listed building; current proposal greater in scale than that previously permitted; building would increase in size so that it was no longer an ancillary building to the historic farmstead; L shape would result in appearance of bungalow; level of harm less than substantial.

##### **Other Representations**

- 4.3 Local Residents  
3 comments of support have been received which raise the following matters:
- Building previous demolished; not historical
  - Historic appearance of farmstead unaltered
  - L shape will introduce boundary and would be consistent with original shape
  - No negative impact on green belt
  - Permission should be granted for family accommodation

#### **5. ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for the erection of a front extension to an existing residential dwelling near Alveston.

##### **Principle of Development**

- 5.2 Extensions and alterations to existing buildings are permitted in principle by policy PSP38 subject to an assessment of design, amenity, and transport. However, in addition to this as the site is within the green belt, the development must accord with relevant green belt policy and guidance.

##### ***Green Belt***

- 5.3 The government attaches great importance to green belts. In order to protect the open character of the land, there is a presumption against development in the green belt unless it falls into a pre-defined exception category or very

special circumstances indicate the presumption against development should be overridden.

- 5.4 One exception category is the extension of a building provided it does not result in a disproportionate addition over and above the size of the original building. For the purposes of this assessment, the original building is that permitted under PT00/0580/F.
- 5.5 The original building has a volume of approximately 482 cubic metres. The proposed extension (subject to the revised plans) would result in an overall volume for the building of approximately 667 cubic metres. This equates to an approximately 38% increase in the cubic content of the building.
- 5.6 Policy PSP7 provides an interpretation as to how the authority assess proportionate increases. It states that as a general guide, an increase of up to 30% is proportionate, those between 30% and 40% need careful consideration, but increases of 50% or more are likely to be found disproportionate.
- 5.7 The past appeal decision did not find that the alteration in the form of the building from being linear in nature to L shaped was harmful in design terms. That decision was for a smaller extension (which was found to be proportionate). The proposed extension is only marginally larger than the one previously permitted. While, at 38%, it is in the territory of requiring detailed assessment, this would normally consider the form of the building. This proposal greatly changes the form of the building but the appeal decision did not find that to be harmful. Therefore, given the relatively small increase in the size of the extension over that previously permitted, it is concluded on balance that the proposal would not result in a disproportionate addition to the building and therefore is an acceptable form of development in the green belt.

#### Design and Heritage

- 5.8 The proposed design is relatively simple; it consists of a front projection of matching materials. The fenestration is simple and overall the scale and appearance of the building is retained.
- 5.9 A front extension in its own right is not poor design and this was found to be the case in the earlier appeal decision. Concern has been raised by the conservation officer that the proposal would lead to a significant increase in the scale and massing of the building; those comments were made against the initial plans and the development has subsequently been scaled back. The concern of the conservation officer is that what was historically an outbuilding would lose its hierarchy in the farmstead and would become overtly residential in nature having the appearance of a substantial bungalow. In the opinion of the conservation officer, the increasing sense of domestication would be harmful to the character of the farmstead which still makes a positive contribution to the setting of the historic farmhouse.
- 5.10 These comments are noted. However, they must be considered against the appeal decision. The Inspector noted that the previous extension would not be harmful to the setting of the listed building in views from the open countryside

to the south as the outbuildings are now domestic in nature and the extension should not significantly change the relationship of open spaces to built form and the progression in height of buildings. The Inspector described this as a neutral factor.

- 5.11 The size of the extension has been reduced from the initial submission and it has been found to be proportionate to the existing building. In terms of scale and massing, the revisions introduced a lower ridge than on the existing building and a simple hipped roof form has now been proposed. These changes, in the opinion of the case officer, assist in retaining the hierarchy of buildings in the farmstead while allowing for an extension to the building. As for the domestication of the building, this was noted as having occurred when the site was visited by the Inspector in 2009 and is not a result of the development proposed in this application.
- 5.12 While it is accepted that the development would result in less than substantial harm to the setting of the listed building, that harm is not considered to outweigh the benefit of improving the built form and residential accommodation – particularly for a single storey dwelling. Great weight should be given to the conservation of a heritage asset yet in this instance the development is acceptable and any resulting harm would not justify refusal.

#### Residential Amenity

- 5.13 Development should not be permitted that has a prejudicial impact on the residential amenities of nearby occupiers or which fails to provide adequate living conditions to occupiers of the development itself.
- 5.14 The development would not result in any particular impact on nearby occupiers; there would be no decrease in privacy and the development would not be overbearing. The extension would be built on the existing garden. This would reduce the availability of amenity space. However, it would actually lead to an improvement in the amenity space where it prevented it from being used for parking. While the retained garden would fall below the minimum standards, the removal of vehicles would be an improvement to the quality of the amenity space and is acceptable.

#### Transport and Parking

- 5.15 For development of this nature, the most significant consideration is the provision of adequate off-street parking. It is indicated that three parking bays would be provided. This would exceed the minimum policy requirement of two. Provided two parking bays are provided there would be no transport objection to the proposal.

#### Impact on Equalities

- 5.16 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.

- 5.17 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 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 planning permission is GRANTED subject to the conditions listed below.

**Contact Officer: Griff Bunce**  
**Tel. No. 01454 863438**

## **CONDITIONS**

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

Reason

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

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

Reason

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

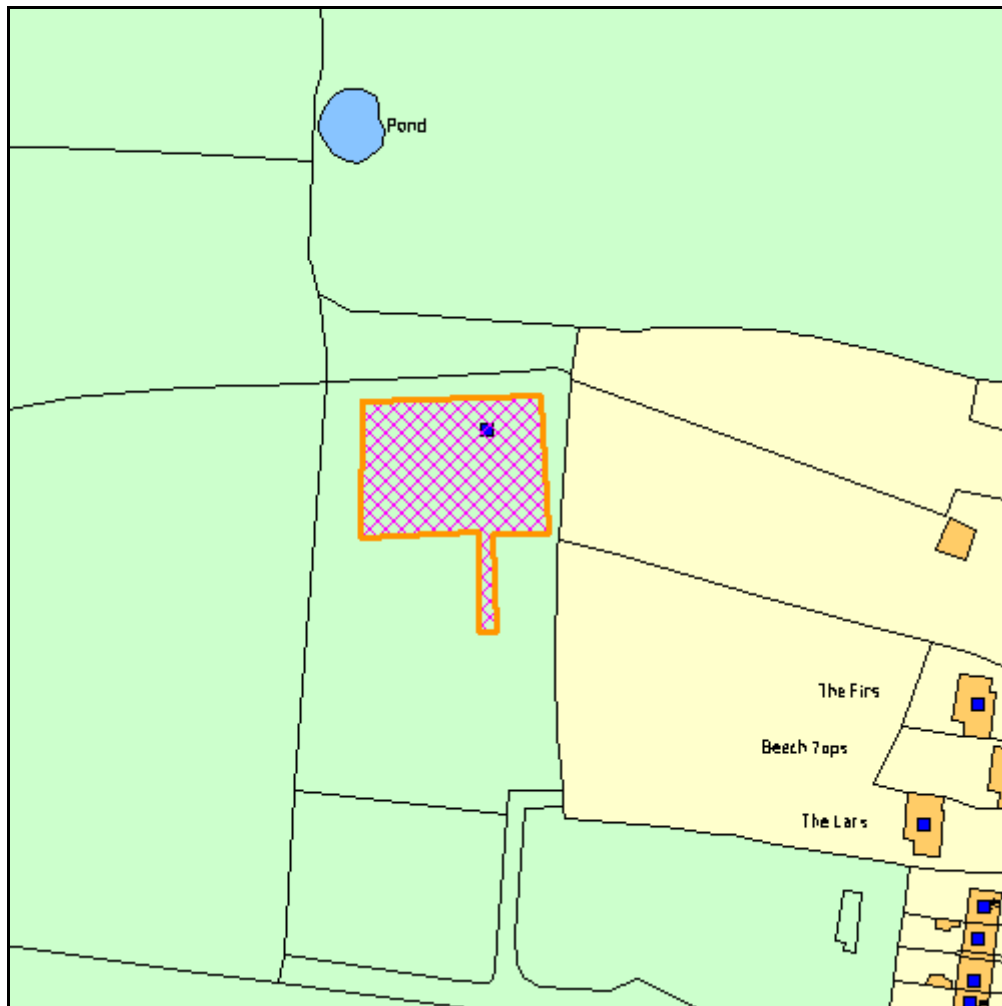
3. The development hereby approved shall be built in accordance with the following plans: 19P10-A-1 Combined Proposed Plan; 19P10-A-2 Floor Areas; and, 19P10-A3 Block Plan; all received 13 June 2019.

Reason:  
In the interests of clarity and proper planning.



## CIRCULATED SCHEDULE NO. 24/19 – 14 JUNE 2019

<b>App No.:</b>	PK18/4795/F	<b>Applicant:</b>	Mr Hemming
<b>Site:</b>	Land At West Chapel Lane Old Sodbury Bristol South Gloucestershire BS37 6NG	<b>Date Reg:</b>	12th November 2018
<b>Proposal:</b>	Extension to existing access track and formation of yard area, erection of boundary fence and associated works	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	375302 181505	<b>Ward:</b>	Chipping Sodbury And Cotswold Edge
<b>Application Category:</b>	Minor	<b>Target Date:</b>	1st January 2019



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PK18/4795/F

## ITEM 2

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 circulated schedule due to an objection having been received from Sodbury Town Council, which is contrary to the Officer recommendation.

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for an extension to an existing access track and formation of yard area, erection of a boundary fence and associated works, at Land West of Chapel Lane, Old Sodbury.
- 1.2 The site relates to a parcel of land, where the applicant currently keeps a smallholding of livestock. There is an existing agricultural building which was permitted in 2015, and an existing access track leading from Chapel Lane. It is understood that the access track and hardstanding is required to ensure that there is a weatherproof access.
- 1.3 The site is outside of any settlement boundary and within the Bristol/Bath Green Belt.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework Feb 2019  
National Planning Policy Guidance

### **2.2 Development Plans**

#### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

#### **South Gloucestershire 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
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP28	Rural Economy

## ITEM 2

PSP29      Agricultural Development

- 2.3    Supplementary Planning Guidance  
Development in the Green Belt SPD (Adopted) 2007  
Design Checklist SPD (Adopted) 2007

### 3.    **RELEVANT PLANNING HISTORY**

- 3.1    PK15/4281/F      Approve with Conditions      20.11.2015  
Erection of agricultural building for the storage of fodder and agricultural machinery.

### 4.    **CONSULTATION RESPONSES**

- 4.1    Sodbury Town Council  
Objection. Concern regarding other matters undertaken at the site. Impact on visual amenity and local amenity. Would lead to intensification of activities at site.
- 4.2    Sustainable Transport  
No objection
- 4.3    Lead Local Flood Authority  
No comment
- 4.4    Landscape Officer  
No objection
- 4.5    Public Rights of Way  
No objection subject to informative.
- 4.6    Highway Structures  
No comment

#### **Other Representations**

- 4.7    Local Residents  
No comments received.

### 5.    **ANALYSIS OF PROPOSAL**

- 5.1    Principle of Development  
The development would involve the installation of hardstanding and fencing in the open countryside and Bristol/Bath Green Belt.
- 5.2    CS34 sets out the Councils vision for rural areas in South Gloucestershire. This seeks to protect, conserve and enhance the rural area' distinctive character, beauty, wildlife, landscape, biodiversity and heritage. Further, seeks the protection of the best and most versatile agricultural land, as well as the designated Green Belt from inappropriate development.

## ITEM 2

- 5.3 The NPPF sets out that, when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Para. 146 sets out that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. In this instance, the development is considered to comprise (b) – engineering operations.
- 5.4 The area of hardstanding proposed would surround an existing agricultural building and the proposed access track would extend from an existing access track. From information before Officers, the development would be utilised to support an agricultural use. This is something that is commonplace in the open countryside and Green Belt. Given the scale and nature of the development it is not considered that it would be harmful to the openness of the Green Belt. Further, given it would supporting an agricultural use, it is not considered that it conflicts with the purposes of including land within the Green Belt. This proposal is therefore appropriate development in the Green Belt.
- 5.5 Other detailed matters are discussed below.
- 5.6 Visual Amenity  
The development would extend an existing access track and would introduce hardstanding to surrounding an existing agricultural building. A low post/net fence and native hedge would also be introduced. It is proposed that the track would be formed of crushed limestone. The scheme is considered acceptable with regards to visual amenity. Conditions are recommended to ensure that no outside storage takes place and that the proposed native hedge is planted in the first available planting season.
- 5.7 Residential Amenity  
There may be some disturbance to nearby occupiers during the construction period, but it is not considered that there would be any sustained residential amenity impacts. The applicant will be reminded of best practice during the construction period on the decision notice.
- 5.8 Highway Safety  
The Highways Authority have reviewed the development and consider the development acceptable given their use in association with agriculture. No objection is raised to these matters.
- 5.9 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.

## ITEM 2

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

5.11 Other Matters

The comments of the town council in relation to other activities at the site are noted. However, this assessment is based on the development at hand.

## 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 That the application be **APPROVED SUBJECT TO CONDITIONS.**

**Contact Officer: Lucy Paffett**  
**Tel. No. 01454 863436**

## CONDITIONS

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

Reason

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

2. No outside storage of material/goods/waste or plant shall take place on the development hereby approved.

Reason

To protect the character and appearance of the area and the openness of the Green Belt, and to accord with Policies CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

3. The native hedgerow as shown in the Proposed Layout and Section Plan (dwg no: 70475 01 001 as received 12th November 2018), shall be planted in the first available planting season following first use of the development hereby permitted.

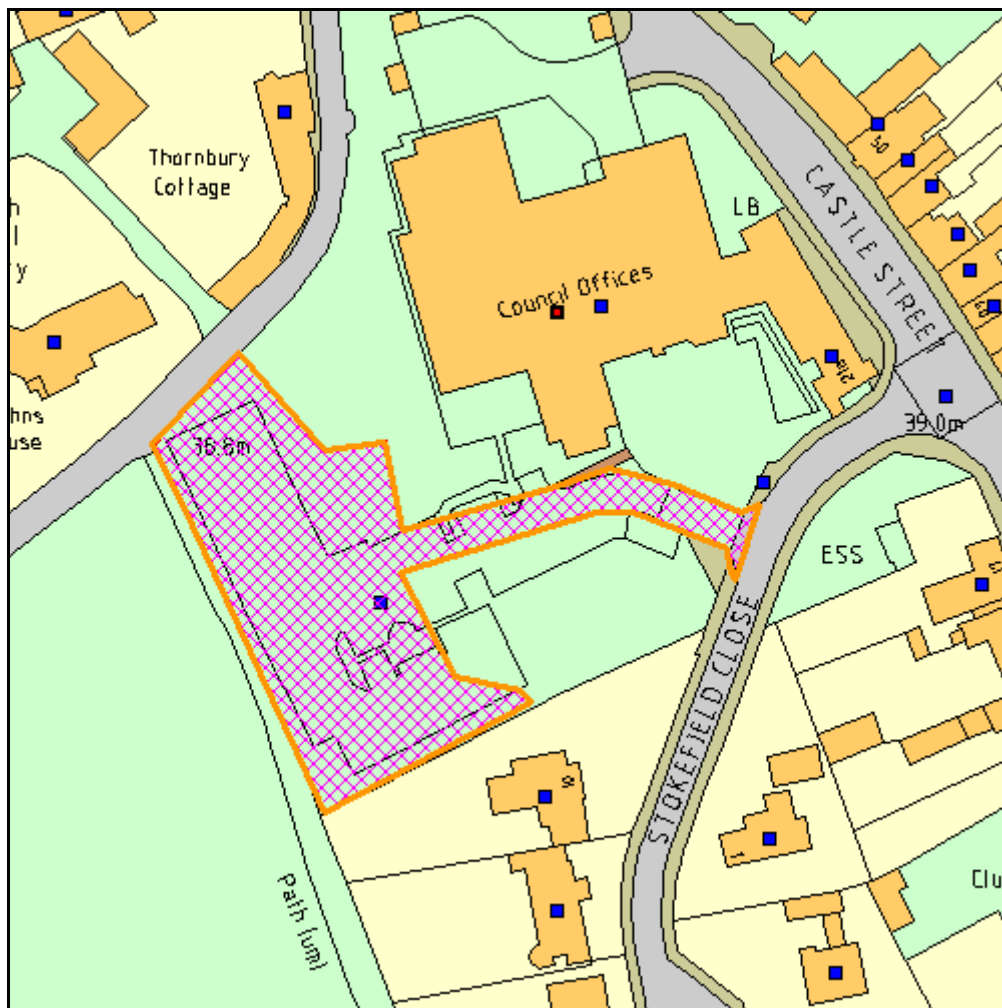
## ITEM 2

### Reason

To protect the character and appearance of the area and the openness of the Green Belt, and to accord with Policies CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

## CIRCULATED SCHEDULE NO. 24/19 – 14 JUNE 2019

<b>App No.:</b>	PT18/2930/F	<b>Applicant:</b>	Churchill Retirement LivingChurchill Retirement Living
<b>Site:</b>	Former Council Offices Castle Street Thornbury South Gloucestershire BS35 1HF	<b>Date Reg:</b>	18th July 2018
<b>Proposal:</b>	Erection of 6 retirement cottages, including landscaping, parking, and associated works.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	363521 190362	<b>Ward:</b>	Thornbury North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	10th September 2018



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PT18/2930/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 as: an objection has been received by the town council which is contrary to the officer recommendation; more than three comments have been received which is contrary to the officer recommendation; and, the recommendation is subject to a planning obligation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of 6 'retirement cottages' (Class C3) on land at Stokefield House (now known as Alexandra Lodge) in Thornbury. The site was redeveloped to form a complex of 57 apartments and 5 cottages for the over 50s. It is now proposed to build an additional 6 units on the retained amenity land to the west of the site.
- 1.2 The site is within the defined boundary of Thornbury. The site is also within the Thornbury Conservation Area. The site remains safeguarded for economic purposes under Policy CS12(38), although now that the residential redevelopment is nearly completion, the safeguarding serves little purpose. The northern extent of the Bristol and Bath Green Belt runs along the western boundary of the site. A public right of way also runs adjacent to the western boundary of the site. The western and northern boundaries of the site form and/or follow the course of the historic town wall of Thornbury. The site is subject to an area based Tree Preservation Order. The site is indicated as being development on the 1836 tithe map of the area.

### **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
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing



South Gloucestershire Local Plan Policies Sites and Places Plan 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
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP37	Internal Space Standards
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Affordable Housing and ExtraCare SPD (Adopted) May 2014

Landscape Character Assessment SPD (Adopted) November 2014

CIL and S106 SPD (Adopted) March 2015

Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. **RELEVANT PLANNING HISTORY**

3.1 PT17/4472/F Non-determination

Erection of 7 no. retirement dwellings to include landscaping, parking and associated works.

*If the Authority had been in a position to determine this application, it would have refused permission for the following reasons:*

1. The proposed development fails to respect and enhance the character, distinctiveness and amenity of the site and its context. The proposal would lead to harm to the Thornbury Conservation Area through the loss of the open, transitional, character that the site provides between the rural setting and historic core of the town and the urbanisation of the sensitive western edge of the town in this location. The proposed development would lead to the loss of high quality tree specimens that make a valuable contribution to the visual amenity of the locality for which no justification is made. The layout of the proposal fails to adequately assess the constraints of the site and safeguard existing features of landscape, heritage, and amenity value. The harm identified as resulting from the development, if permitted, outweigh the benefits of the proposal. The proposed development is therefore contrary to policy CS1, CS4a, CS9, and CS32 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP1, PSP2, PSP3, PSP5, and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework, July 2018.
2. In the opinion of the Local Planning Authority, the proposed development triggers a contribution towards affordable housing. The application site is a subdivision of PT16/0982/F and therefore – in accordance with the Development Plan and adopted guidance – the whole site should be used for determining whether or not

the affordable housing threshold is exceeded; in this instance it is. In the absence of an appropriate planning obligation to secure affordable housing provision or an appropriate contribution, the proposed development fails to mitigate its impact or contribute towards sustainable development. The proposed development is therefore contrary to policy CS4a, CS6, and CS18 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; the Affordable Housing and ExtraCare SPD (Adopted) May 2014; and the provisions of the National Planning Policy Framework, July 2018.

- |     |   |                   |            |
|-----|---|-------------------|------------|
| 3.2 | APP/P0119/W/18/3196004<br>Appeal against non-determination of PT17/4472/F   | Dismissed         | 30/11/2018 |
| 3.3 | PT16/0982/F<br>Demolition of existing buildings. Erection of 5 cottages and 57 sheltered apartments for the elderly including communal facilities, landscaping, parking, access and associated works. | Non-determination |            |
| 3.4 | APP/P0119/W/16/3155791<br>Appeal against non-determination of PT16/0982/F   | Allowed           | 30/05/2017 |

#### **4. CONSULTATION RESPONSES**

- 4.1 Thornbury Town Council  
Objection: detrimental to occupiers of lodge as would be constructed on an area of open space intended for amenity purposes.

##### **Internal Consultees**

- 4.2 Archaeology  
Development should be subject to an archaeological watching brief condition
- 4.3 Community Infrastructure  
Development would lead to a local population increase. Retained amenity space is likely to be sufficient to meet the needs of new residents, however, no provision is made for outdoor sports.
- 4.4 Conservation  
No objection. Reduction in number of units, buildings have be re-orientated, and the openness of the site would remain much more intact.
- 4.5 Environmental Protection  
Restrictions suggested on construction hours
- 4.6 Highway Structures  
Technical comment supplied
- 4.7 Housing Enabling  
No objection subject to planning obligation. Development represents sub-division of site; financial contribution subject to viability assessment; conclusion that figure presented by the applicant is appropriate.

- 4.8 Landscape  
No objection. Landscape scheme required.
- 4.9 Public Rights of Way  
No objection.
- 4.10 Sustainable Transport  
No objection. Although the development does not provide visitor parking, it does provide appropriate parking for each dwelling and given that these are retirement cottages, are likely to have a lower parking demand. Cycle parking should be secured by condition.
- 4.11 Trees  
Objection: development would result in the loss of a category 'A' tree; the loss of this tree would be detrimental to the local landscape.

### **Statutory / External Consultees**

- 4.12 Historic England  
No objection. The scheme has been improved now the number of units has been reduced.
- 4.13 Lead Local Flood Authority  
No objection. SUDS scheme should be secured by condition.
- 4.14 Office for Nuclear Regulation  
No comment

### **Other Representations**

- 4.15 Local Residents  
7 objections have been received which raise the following matters:
- Conflicts with assurances given by the developer at the public inquiry
  - Conflicts with pre-application advice
  - Consultation should be carried out in accordance with the original application to redevelop the site
  - Contrary to the specialist advice provided on the main application to redevelop the site
  - Cottages are sizable buildings/terraces
  - Harmful to the conservation area
  - High density
  - Impact on properties on Stokefield Close
  - Insufficient parking
  - Loss of privacy
  - Object to the drip-feeding of applications to redevelop the site
  - Profit motivated
  - Trees should be retained
  - Within the grounds of the approved apartments

## **5. ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for the erection of 6 dwellings on land at Stokefield House/Alexandra Lodge, Thornbury.

### **Principle of Development**

- 5.2 The site is within the settlement boundary of Thornbury. Under policy CS5, development is directed to the existing urban areas and defined settlements. Therefore, the principle of residential development on this site is acceptable. Furthermore, the overall acceptability of the redevelopment of this site for residential purposes is established by the appeal decision for PT16/0982/F. Now that the development allowed on appeal has been built out, this has removed the site from employment uses and therefore while still safeguarded under policy CS12, with regard to this particular site the policy is out of date and should not act as a constraint to development.
- 5.3 Therefore, the acceptability of the proposed development should be assessed against site specific considerations and the site context. The most significant constraint to development is its location in the Thornbury Conservation Area. Other relevant policies includes design, landscape, and affordable housing provision. This is reflected in the main issues of the appeal for PT17/4472/F for a similar scheme for 7 units.
- 5.4 For this proposal to be acceptable, the reasons given by the Inspector for dismissing the previous appeal need to be overcome.

### **Heritage, Design, and Landscape**

- 5.5 Policy CS1 requires development in the district to meet the 'highest possible' standards of site planning and design and proposals must be informed by, respect and enhance the character, distinctiveness and amenity of the site and its context. In specific relation to the conservation area, the design standard expected by policy CS1 should reflect the special architectural and historic interest of the area and seek to preserve or enhance the character and appearance of the locality. Policy PSP17 states that development in a conservation area will be expected to preserve or enhance the elements of the area which contribute to its special character or appearance. It goes on to require the position of new development to be carefully considered and 'open spaces, building lines, views [...] boundary walls which contribute to the character or appearance of the conservation area are retained; and existing trees [...] green spaces which contribute to the character of the conservation area will be retained and protected.'

### **Site Character**

- 5.6 Although the wider site has been subject to redevelopment, the western edge where development is proposed has retained its open, green, and transitional nature. Previously development was resisted on the basis that it would be harmful to the conservation area as these characteristics would be lost. This was due to the proximity to the site boundary and the loss of existing high quality vegetation.

### Heritage Impact

- 5.7 When the site was redeveloped, the western area was left as amenity land to preserve the green and open buffer previously referred to. The absence of buildings coupled with the mature trees within the site creates an attractive, green edge to the settlement enclosed by the town walls; something which has been eroded to the south by the prominence and intrusiveness of the Stokefield Close development. This is an important reminder of the historic settlement pattern in this part of Thornbury.
- 5.8 Development on this part of the site is therefore sensitive. A key issue with the last application was the proximity to the boundaries and the impact this had on the transitional nature of the site. In responding to the appeal decision, not only has the number of units been reduced but the orientation and location of these units has been revised to retain the sense of openness and greenness that the site currently possesses. Fewer trees are to be removed and the buildings will be positioned further within the site and subsequently will be less visible.
- 5.9 In redesigning the scheme, the previous objections have been overcome. The site would, in the most part, retain its existing character – or at least retain it enough that the proposal would not have a significant adverse impact on the character and appearance of the conservation area – and there is no longer a heritage objection to the proposal.

### Landscape and Trees

- 5.10 The site contains a number of large trees of high quality. Due to the quality of the trees and the contribution that they make to the area, a Preservation Order is in place. The stone boundary wall demarcating the western boundary of the site defines the historic edge of the medieval. Stone boundary walls are important features within the Thornbury Conservation Area and add to the special character of the adjacent landscape.
- 5.11 Four plots will be situated to follow, on a slight realignment, the 5 cottages approved under the original permission. This would result in the loss of one high quality tree. A further semi-detached pair would be to the north. These have been repositioned to have less of an impact on the existing trees.
- 5.12 Views out of the site to the countryside are retained under the revised proposal. Trees near the boundaries are also retained. While there would be the loss of a high quality specimen, the overall impact on the landscape and trees is significantly less than in the previous iteration of the proposal. The objection on the grounds of landscape impact has been overcome.

### Site Layout

- 5.13 Policy CS1, which is the principal design policy, requires development proposals to be informed by, and respect and enhance, the character, amenity and distinctiveness of a site and its context. It goes on to require existing features of landscape, nature conservation, heritage, and amenity to be safeguarded and enhanced through incorporation into the development.

- 5.14 As discussed, the amended scheme includes fewer units in revised locations. The open and green character of the site is retained much better in the current proposal. The revised layout is a significant improvement over that considered before and the design objection has been successfully overcome.
- 5.15 It is noted, and is a theme emerging from public consultation, that the proposed cottages have a greater mass to the existing cottages. Whereas the previous approval included a half-dormer style to the first floor, the cottages proposed here are a more traditional two-storey property. Given the scale and massing of the apartment building – while a matching design of the cottages would have been pleasant – the larger mass of those subject to this application are not a reason to raise a design concern.

### **Planning Obligations**

- 5.16 The appeal was previously dismissed on the grounds it did not include a means by which to secure a contribution towards affordable housing provision. The provision of community infrastructure is also relevant.

### **Affordable Housing**

- 5.17 This proposal includes 6 dwellings; it would not on the face of it trigger an affordable housing contribution. However, the area of the site subject to this proposal was to be laid out as landscaped gardens under PT16/0982/F for the erection of 57 sheltered apartments and 5 cottages; that development did trigger an affordable housing contribution and was subject to a planning obligation.
- 5.18 It is accepted by parties that the proposal triggers an affordable housing contribution, equivalent to 2 dwellings, as it would form part of the overall redevelopment of the site and is a subdivision rather than a wholly separate development.
- 5.19 A viability case has been presented. This considers the viability of the scheme as a whole taking into account the consented and nearly completed development. This has been independently reviewed. From this exercise, officers have concluded that a financial sum of £149,473 is a viable, fair, and reasonable contribution and can be accepted in lieu of on-site affordable housing contributions. This figure has increased since the initial offer by the applicant.
- 5.20 The request for this contribution has been considered against the CIL Regulations and passes the legal tests of a planning obligation.

### **Community Infrastructure**

- 5.21 An analysis of the proposal has concluded that sufficient open space would be retained to meet the needs arising from the proposal and the existing development. However, no provision is made for outdoor sports.
- 5.22 The lack of outdoor sports was an issue at the public inquiry into the initial redevelopment proposals. The Inspector did not support the authority's

position that older people should have access to outdoor sports within the development.

- 5.23 This is highly material. It means that the authority cannot justify requesting any contribution now, even though the proposal is technically deficient against policy expectations.

### **Residential Amenity**

- 5.24 Development should not be permitted that has a prejudicial impact on residential amenity or which provides less than satisfactory living conditions for future occupiers.

- 5.25 The proposal would be situated on land previously identified as serving an amenity function. Under policy PSP43, new residential units are expected to have private amenity space. The cottages would have their own garden and this requirement is met for that aspect of the proposal. As stated, an audit of on-site spatial provision has indicated that there is sufficient space on site to meet amenity and public health requirements. While it is desirable to retain the large landscaped area as part of a good design, it is not required to serve as amenity land for the wider redevelopment of the site. As a result, no amenity issues are identified for the retirement apartments.

- 5.26 Furthermore, while the view from nearby properties would change, the development would not have a prejudicial impact on the living conditions of nearby occupiers. There is sufficient separation between the existing building and the proposed cottages to prevent any noticeable loss of privacy.

### **Transport**

- 5.27 In terms of traffic generation, the proposal is has not been concluded to result in significant levels of additional movements. The access remains safe and suitable and adequate visibility is provided.
- 5.28 Concern has been raised about the level of on-site parking provision. The development is located where under the previous application 9 parking spaces had been identified. Plans indicate the provision of 19 spaces as part of the proposal (and 2 spaces outside the red edge by the site entrance). Discounting the 9 required for the earlier development, this results in the provision of 10 spaces to serve the 6 residential units. The level of parking is acceptable for a 2-bedroom unit.
- 5.29 Cycle parking is not indicated. The site is in close proximity to the services in Thornbury town centre, which is in walkable distance and that there is a bus stop on Castle Street outside the development site. The site is in a sustainable location. It is feasible that residents might wish to cycle to local facilities and services. Cycle parking should therefore be provided and a condition could be used to secure this.

## **Ecology**

- 5.30 The site had provided habitat for protected species in the former office building. This was considered in the earlier application and mitigated. There are no remaining ecological constraints. Biodiversity gain should be achieved and therefore the use of planning conditions should be considered to secure ecological enhancement.

## **Drainage**

- 5.31 A drainage strategy was previously required for the whole site. It is not clear whether or not the proposed development would require this to be updated and revised. However, given that drainage has previously been considered, officers are satisfied that it is likely an acceptable solution can be reached. Therefore, this matter can be suitably addressed through the use of planning conditions.

## **Impact on Equalities**

- 5.32 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.
- 5.33 With regards to the above this planning application is considered to have a neutral impact on equality.

## **Other Matters**

- 5.34 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.
- 5.35 The timing of applications to the local planning authority is not within its control; there is nothing to prevent a staged redevelopment of a site and advice at pre-application stage is non-binding. Council officers cannot comment on any assurances provided by the developer.
- 5.36 Development is unlikely to be carried out without profitable gain to the developer; the profit on this instance is reasonable as the contribution has been subject to viability appraisal.
- 5.37 Additional consultation was undertaken so that any interested party consulted about earlier schemes was aware of the current application.



## **Planning Balance**

- 5.38 The proposal would result in 6 additional larger cottages for older persons. It is recognised that there is a need for specialist housing for older people. The proposed revisions to the scheme have overcome the earlier objections. The balance now falls towards planning permission being granted.

## **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 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 authority be delegated to the Director of Environment and Community Services to grant planning permission subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- (i) **AFFORDABLE HOUSING**  
A financial contribution, in lieu of on-site provision, of £149,473 (equivalent to a 35% contribution of the overall development as subject to a viability review.)
- 7.2 It is recommended that that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.
- 7.3 It is recommended that should the Agreement not be completed within 6 months of the date of the resolution to grant planning permission, the application shall:
- (i) be returned to the Circulated Schedule for further consideration; or,
  - (ii) that delegated authority be given to the Director or Environment and Community Services to refuse the application.

**Contact Officer: Griff Bunce**  
**Tel. No. 01454 863438**

## **CONDITIONS**

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

### **Reason**

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

2. Prior to the first occupation of any dwelling hereby permitted, details of cycle parking provision (in accordance with policy PSP16) shall be submitted to and approved in writing by the local planning authority. The cycle parking shall be provided within 2 months of the first occupation of the dwellings or from receipt of written agreement (whichever is that latter) and thereafter retained.

### **Reason**

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

3. Prior to the first occupation of any dwelling hereby permitted, 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; and, areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details with the planting undertaken in the first planting season following the first occupation of any 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.

4. Prior to any ground disturbance which has not previously been considered in connection with the development approved under PT16/0982/F, a scheme of archaeological investigation and recording of the site shall be submitted to and approved in writing by the local planning authority. The approved programme shall be carried out in full.

### **Reason**

In the interests of archaeological investigation and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

5. Prior to the first occupation of any dwelling hereby permitted, details of any additional external lighting (to that approved in connection with the development approved under PT16/0982/F) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. For the avoidance of doubt, the lighting scheme required by this condition shall follow guidance set out in Section Four of the Phase Two Bat Assessment by ECOSA (June, 2016) and related Bat Method Statement and be 'bat friendly'.

Reason

In the interests of biodiversity and to accord with policy PSP18 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

6. The development hereby approved shall be carried out in strict accordance with: Arboricultural Assessment and Method Statement (reference 14378-AA9-AS, prepared by Barrell Tree Consultancy, dated 29 June 2019); Manual for Managing Tree on Development Sites (published by Barrell Tree Consultancy); and, plan 14379-BT11, Tree Protection Plan, received 10 September 2018.

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.

7. The off-street vehicular parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

8. All works shall proceed in accordance with the methods laid out in Section 5 of the Preliminary Ecological Appraisal by ECOSA (February, 2016) and Section Four of the Phase Two Bat Assessment by ECOSA (June, 2016). This includes avoiding disturbance and/or harm to nesting birds, incorporating native planting of trees and shrubs into the landscaping scheme and installing a bat friendly lighting scheme

Reason

In the interests of biodiversity and to accord with policy PSP18 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

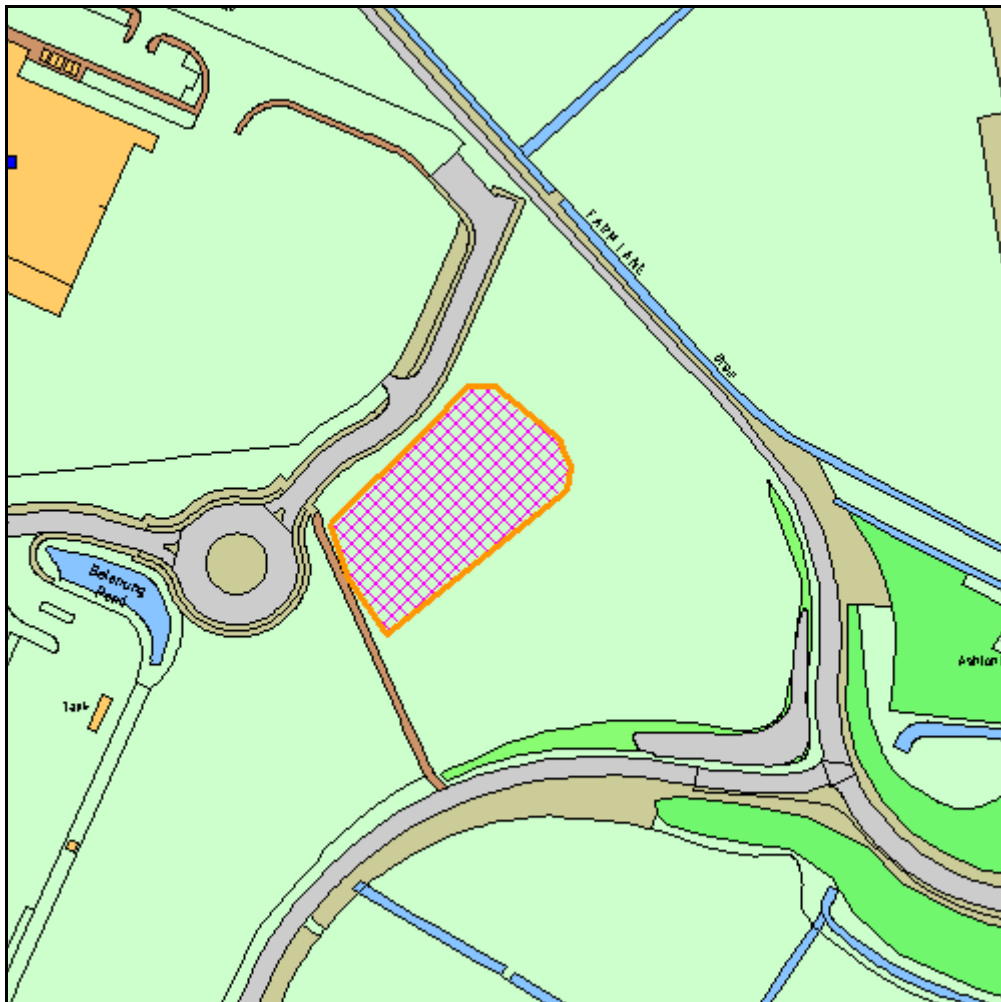
9. The hours of working on site during the period of construction shall be restricted to: 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays, and no working shall take place on Sundays or Public Holidays. The term working shall, for the purpose of clarification of this condition include: the use 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 protect the amenities of the occupiers of nearby dwellinghouses, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

## CIRCULATED SCHEDULE NO. 24/19 – 14 JUNE 2019

<b>App No.:</b>	PT18/5779/F	<b>Applicant:</b>	c/o Barwood Capital BP 2017 (Central Park) Ltd and Travelodge Hotels Limited
<b>Site:</b>	Land Off Goldcrest Way Severn Beach South Gloucestershire BS35 4GG	<b>Date Reg:</b>	6th December 2018
<b>Proposal:</b>	Erection of a five storey 81 bedroom hotel (C1 Use class) plus roof plant space, with ancillary bar cafe / meeting / function space, with associated car parking and landscape.	<b>Parish:</b>	Pilning And Severn Beach Parish Council
<b>Map Ref:</b>	355655 183025	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Major	<b>Target Date:</b>	4th March 2019



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N.T.S.

PT18/5779/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.

### **REASONS FOR REFERRING TO THE CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule following the receipt of an objection from the Parish Council, the concerns raised being contrary to the officer recommendation.

## **1. THE PROPOSAL**

- 1.1 The application site is a vacant undeveloped plot 0.35ha in area, lying within Central Park which is within the Severnside Enterprise Area. The Avonmouth Severnside area is located between Bristol and the Severn Estuary, immediately adjacent to the M5 and M49 motorways. The area has seen significant new employment development in recent years, in particular in Central Park for large format warehousing/logistics units and for recycling and energy projects.
- 1.2 Many of the buildings at Central Park have been developed under the long standing extant consents granted to ICI in the 1950's (see para. 3.1 below). These consents do not however cover the erection of a new hotel, hence the need for this full planning application.
- 1.3 The application site is located on the eastern boundary of central Park, in close proximity to the new motorway junction, on the M49, which is currently under construction. The new junction falls to the east of the site with a new link road proposed that will connect the new junction to the roundabout immediately to the south of the site and Goldcrest Way.
- 1.4 To the north-west of the application site there is a CHEP pallet storage and distribution facility and to the south is a recently erected Amazon distribution centre.
- 1.5 The application site sits within the corner of Goldcrest Way and the new motorway link road. The site is flat and barren, having been raised, under the extant consents, for development by the previous site owner and used as a construction compound. The southern boundary is formed by the new motorway link road with the western boundary being formed by Goldcrest Way. The boundaries to the north and east are currently not defined.
- 1.6 The applicant seeks a full planning permission for the erection of an 81no. bedroom, 5-storey hotel (Class C1) to be operated by Travelodge. The scheme incorporates plant space, ancillary café bar and a meeting & function space. The hotel will primarily target the business user market.
- 1.7 It is intended that undeveloped land to the north and east of the application site will form part of a separate planning application for further amenities in the way of drive thrus, a petrol filling station, a small shop and hot food offer, all of which is to be the subject of a separate application.

- 1.8 To ensure a co-ordinated approach to these developments, the applicants sought pre-application advice (PRE18/0300) from the Council's Major Sites Team, the outcome of which was generally supportive.
- 1.9 The site lies within Flood Zone 3b and a gas pipeline runs approximately 45m away from the eastern boundary of the application site.
- 1.10 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 Schedule 2.10(b) refers to urban development projects and identifies sites of more than 1ha or urban development which is not residential requiring a screening Opinion from the LPA. The site is 0.35ha and the use is for a hotel. As such no EIA Screening Opinion or EIA is required for this proposal.
- 1.11 The application is supported by the following documents:
- BREEAM Pre Assessment Report
  - Design & Access Statement
  - Lighting Details
  - Planning Statement
  - Flood Risk Assessment
  - Noise Impact Assessment
  - Transport Assessment
  - Air Quality Assessment
  - Bio-Diversity Survey and Report
  - Travel Plan
  - Energy Statement

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework Feb. 2019  
National Planning Policy Guidance Sept. 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  
CS6 Infrastructure & developer contributions  
CS7 Strategic transport infrastructure  
CS8 Improving accessibility  
CS9 Managing the environment & heritage  
CS11 Distribution of economic development land  
CS12 Safeguarded areas for economic development  
CS35 Severnside

South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted)  
Nov. 2017

PSP1 Local Distinctiveness  
PSP2 Landscape  
PSP3 Trees & Woodland  
PSP6 Onsite Renewable and Low Carbon Energy  
PSP8 Residential Amenity  
PSP11 Transport Impact Management  
PSP12 Motorway Service Areas and Roadside Facilities  
PSP16 Parking Standards  
PSP17 Heritage Assets and the Historic Environment  
PSP18 Statutory Wildlife Sites : European Sites and Sites of Special Scientific Interest (SSSIs)  
PSP19 Wider Biodiversity  
PSP20 Flood Risk, Surface Water and Watercourse Management  
PSP21 Environmental Pollution and Impacts  
PSP26 Enterprise Areas  
PSP28 Rural Economy

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005

South Gloucestershire Council Residential Parking Standards (SPD) Adopted Dec. 2013

Waste Collection : guidance for new developments (SPD) Adopted Jan. 2015

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide.

The South Gloucestershire Landscape Character Assessment Adopted Nov. 2014

**3. RELEVANT PLANNING HISTORY**

3.1 There are two primary planning permissions which were granted by Gloucestershire County Council to Imperial Chemical Industries Limited (ICI) under the Town and Country Planning Act 1947 in 1957 - SG.4244 & 1958 - SG.4244/A. The 1957 Consent includes planning permission for a number of different uses at the development site, which remains valid to-day and these include:

- a) Factories for the production of chemical and allied products.
- b) Offices, warehouses, stores, reservoirs, pumphouses, canteens, clubs, hostels, training establishments, amenity and welfare buildings, sports pavilion and sports and playing fields; and
- c) Any buildings, structures, erections, or engineering works expedient for and ancillary to the construction and operation of the factories mentioned in paragraph (a) above, other than buildings, structures or erections in which actual processes of manufacture are carried on.

Whilst many of the buildings in Central Park have been developed under this extant consent, a planning application is required for the current hotel proposal as this use does not fall within the land uses permitted under the historic consents.



## 4. CONSULTATION RESPONSES

### 4.1 Pilning and Severn Beach Parish Council

Pilning & Severn Beach Parish Council have the following comments to make against this application -

- 1) Please can the location of the site be checked as it is thought the site may be within the COMAH area and if it is then it may be too close for safety.
- 2) The flood risk assessment identifies a minimum floor level that is some 2.5m below the projected Sea level over the lifetime of the development and thus the development is inherently unsafe.
- 3) The height of five stories in an area with a generally low elevation aspect is unacceptable.

### 4.2 Other Consultees

#### Archaeology Officer

No archaeological assessment has been submitted with the application even though it is in a sensitive area. As the area has been largely impacted by various construction activities archaeology may have been truncated and pre-determination work would be unnecessary. However a programme of archaeological work needs to take place and this will need to include below ground archaeological assessment and palaeoenvironmental borehole sampling.

The following condition should be applied:

“Prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, a programme of archaeological and geoarchaeological work and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, must be submitted to and approved by the local planning authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.”

#### Community Infrastructure and Public Open Space

As there are no POS implications for this application, we have no comments to make.

#### Lower Severn Drainage Board

No response

#### Highways England

No objection

#### Wessex Water

No response

Highway Structures

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

Or

If the application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner.

Housing Enabling

No comment

NHS

No response

Landscape Officer

No specific objections subject to revisions to the landscape scheme.

*Revised landscape proposals were subsequently submitted to which the Landscape Officer offered no further comment.*

Ecology Officer

No objection subject to conditions to secure mitigation recommendations and swift boxes.

Transportation D.C.

As we believe that there is adequate space on the site for employees and guests/visitors to park and as the proposed access or servicing arrangements are also satisfactory, we have no concerns about these matters. Likewise, we do not consider that this development is likely to materially alter the traffic patterns associated with this location. As a result, we have concluded that this development will not have a 'significant' impact on the local highway network and so we have no highways or transportation comments about this application.

Avon Fire and Rescue

No response

Police Community Safety Officer

No objection

Arts and Development Officer

No comment

Lead Local Flood Authority

No objection in principle.

Health & Safety Executive (HSE)

No objection

Conservation Officer

No comment

Environmental Policy

No response

Avon Wildlife Trust

No response

Emergency Planning Unit

No response

The Environment Agency

No objection subject to the Local Planning Authority being satisfied that the Sequential Test is met.

### **Other Representations**

4.3 Local Residents

No responses

## **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Paragraph 2 of the NPPF requires (in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and Section 70(2) of the Town and Country Planning Act 1990), that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The Development Plan consists of the South Gloucestershire Core Strategy (2006-2027) and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted Nov 2017).

5.3 The National Planning Policy Framework (NPPF) sets out the Government's vision for future growth and introduces at para 10 a '*presumption in favour of sustainable development*'. For decision taking this means at para.11 *inter alia*:

c) approving development proposals that accord with an up-to-date development plan without delay;

Given that the Council can demonstrate a 5-year housing land supply (HLS) as confirmed by a recent appeal decision APP/P0119/W/17/3189592 relating to Land South of Gloucester Road, Thornbury, then criterion c) applies.

5.4 NPPF Paragraph 8 provides the three overarching objectives of sustainable development, which are:

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 5.5 Chapter 6 of the NPPF promotes support for building a strong, competitive economy.
- 5.6 NPPF Para.86 states that LPA's should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. The NPPF definition of a main town centre use includes hotels. NPPF para. 87 explains that when considering edge of centre and out of centre locations preference should be given to accessible sites that are well connected to the town centre.
- 5.7 NPPF Section 11 requires the maximum use to be made of previously developed land, encouraging mixed use schemes and giving substantial support to the re-use of brownfield land. The highest quality architectural design is sought within section 12 and this is reflected in Core Strategy Policy CS1.
- 5.8 Core Strategy Policy CS11 identifies Severnside as an area of 635ha of economic development land (with planning permission) and Policy CS12 identifies the land primarily safeguarded for B use classes unless the proposal would not hinder the regeneration or retention of other B uses, and that it would clearly demonstrate it was a sustainable development, improve the number and range of jobs in the vicinity and that no other provision has been made elsewhere in the local development framework.
- 5.9 Policy CS35 refers specifically to the Severnside area where distribution and other extensive employment uses are supported, which are broadly in line with the 1957 and 1958 consents.
- 5.10 Local Plan Policy PSP26 identifies the site as within the Avonmouth/Severnside Enterprise Area where development will be acceptable if it:

1. safeguards future economic prosperity;
  2. provides an integrated development avoiding conflicts with other development;
  3. makes provision towards education, skills development and training;
  4. contribute towards the physical and social infrastructure of the City Region Deal;
  5. provide high quality public realm and spaces attractive to businesses; and
  6. makes provision towards the sustainability of the site, the wider enterprise area and local communities.
- 5.11 Policy PSP28 identifies the site as within an area where the rural economy is strongly promoted and supports business developments.
- 5.12 Having regard to the six criteria attached to Policy PSP26:
1. Safeguards Future Economic Prosperity
- 5.13 Most of the Enterprise Area is within B class uses, however there is a significant lack of local support services for the businesses such as visitor accommodation and food and drink offers. Travelodge have numerous business hotels across the UK located in similar such areas where they offer an important local service to the employment uses. The Severnside Enterprise Area would benefit from improved local services such as the hotel proposed.
- 5.14 The proposed scheme would also provide increased employment opportunities. The 81 bedroom hotel with bar café/meeting space would provide a total number of 25-30 employees with 6-8 of these expected to be full-time and 20-22 part time. The café area can be utilised as a large conference/meeting room/training area by the local businesses. The scheme would fulfil a local business need which would safeguard the future economic prosperity of the Enterprise Area.
2. Integrated Development
- 5.15 The hotel would be located adjacent to the roundabout junction to the future M49 link road. The layout allows for connections to the existing footpaths and also to those proposed in the adjacent development for the drive thrus/cafes. The proposal ensures that it will be an integrated development that would enhance the use of the wider area for pedestrians and vehicle users.
3. Education, Skills Development and Training
- 5.16 The supporting information confirms that Travelodge are committed to skills development and training via a multi-tiered management programme.
4. Physical and Social Infrastructure of the City Region Deal
- 5.17 The provision of a hotel will provide a significant local service support to the wider business community allowing visitors and staff to stay overnight and will

ensure the wider industrial area has the most attractive and best opportunity to compete in the market for future investment.

#### 5. Public Realm and Attractive Spaces

- 5.18 The scheme would provide good connectivity to the public transport and road network and the provision of soft landscaping provides a high quality public realm.

#### 6. Sustainability of the Site, the Wider Enterprise Area and Local Communities.

- 5.19 Approximately 41,500 people are expected to use the hotel during any one year thus providing a significant boost to the local economy. Travelodge intend to take a 25 year lease on the building which itself has a 60 year lifespan.
- 5.20 Having regard to the above, the proposal would accord with the requirements of Policy PSP26.

#### The Sequential Test

- 5.21 The pre-application response from Officers stated that the hotel use at this location is supported in principle to serve the Severnside Enterprise Area. The proposed scheme is for the purposes of providing a local support service for the business community in the Severnside Enterprise Catchment. This is an accepted need as there is no such existing provision in the area, all of which is a significant distance from the closest town centre or edge of centre locations.
- 5.22 The proposed hotel site is the only available vacant site within the Enterprise Area that is vacant and suitable for a hotel use, in respect of proximity to public transport, access for business visitors, and local access for the existing businesses in the area.

#### Conclusion

- 5.23 The proposed C1 Hotel use with ancillary uses would complement the established distribution park, providing additional support facilities for the Severnside Enterprise Area. The proposed hotel would diversify the employment offering within the area, whilst not impacting on the existing employment uses of the wider area. Having regard to all of the above, officers have no in-principle objection to the proposed development.

#### Scale and Design

- 5.24 The proposed 5-storey hotel (6 storeys including roof top plant room) measures approximately 42.6m long x 14.8m wide x 19.6m high, having 81 bedrooms and a floor space of 2,972.4 sq.m. Under the extant consents a building up 36.5m in height could be erected. The existing buildings within Central Park are generally very large varying from between 10m and 22m in height. The proposed building in terms of scale would not look out of place in this environment. The quantum of accommodation has been determined from market analysis by the hotel operator.

- 5.25 The site would be located in a prominent position such that the building would be seen as a gateway feature into Central Park, providing a clear and legible scheme, which achieves a successful balance between floor area, parking and landscape.
- 5.26 The aesthetic of the development reflects the function of the building and surrounding area, to ensure a consistent character throughout the distribution park. Officers are satisfied that the proposed building exhibits the highest standards of design as required by Policy CS1 and the NPPF.
- 5.27 Sustainability  
The scheme has been designed to achieve a BREEAM rating of 'very good'. The submitted Energy Strategy Report concludes that the carbon emissions from the hotel achieve improvements over the Carbon emissions targets required by Building Regulations Part L2A.
- Transportation Issues
- 5.28 NPPF para. 109 states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".
- 5.29 In this case the three key issues are: increased travel generation; the proposed servicing arrangements and the car parking provision. These matters have however been addressed in the submitted Transport Statement.
- 5.30 To address the issue of increased travel demand, the applicants have extracted estimates from the TRICS database for hotel related uses. The information extracted from this data indicates that this hotel will generate some 300 vehicular trips per day, of which around 30 would take place in the AM peak and 20 in the PM peak period. Although the applicants have not carried out an operational assessment of their access junction or the adjoining highway network, as the additional predicted movements at these locations during the network critical peak periods are very small. Therefore, officers do not consider these movements are likely to create any material problems. Consequently, officers do not consider that this development will create any congestion issues on the surrounding highway network.
- 5.31 The applicants also indicate that the proposed car park has 81 car parking spaces plus a further 4 for disabled users. As there are currently no adopted parking standards for this type of use, officers are not able to compare these proposals in this manner. However, the previous standards as set out in the 2006 South Gloucestershire Local Plan indicate that one space should be provided for each bedroom, hence the proposed total number of parking spaces would be adequate. Sufficient disabled user and bicycle parking spaces have also been provided to meet the Council's requirements.
- 5.32 The applicants have also provided information which indicates that service and refuse collection vehicles can satisfactorily manoeuvre within the proposed car park/service yard. Hence, there are no concerns about this matter either.

- 5.33 Furthermore, the applicants have provided an outline general arrangement drawing showing the site access junction. This connects with Goldcrest Way which is not an adopted highway and it is not therefore under the Council's jurisdiction. However, the proposed arrangements are broadly satisfactory. Officers would therefore recommend that, if the owners of Goldcrest Way wish it to be adopted in future, they must ensure that the site access junction is constructed to the Council's standards.
- 5.34 Officers believe that it is likely that, as and when the adjacent M49 Intermediate Junction is completed, the proposed hotel will attract traffic flows from that route. Hence, Highways England have been consulted on this matter and have offered no objection to the proposed hotel.
- 5.35 A Framework Travel Plan has been submitted in support of this planning application. This is aimed primarily at staff and given the location of the site, it appears broadly satisfactory. Officer however recommend that a Full Travel Plan is submitted and approved by the Council before the Hotel opens so that it can be implemented immediately this takes place.
- 5.36 In summary therefore, there is adequate space on the site for employees and guests/visitors to park and as the proposed access and servicing arrangements are also satisfactory, officers have no concerns about these matters. Likewise, officers do not consider that this development is likely to materially alter the traffic patterns associated with this location. As a result, the development as proposed will have no 'severe' impact on the local highway network and there are no highways or transportation objections to the proposal.

#### Landscaping

- 5.37 The site is currently a bleak expanse of raised ground which is devoid of any soft landscaping. A comprehensive scheme of landscaping has now been submitted to the satisfaction of the Council's Landscape Architect. The scheme has been designed to integrate with the development proposed on the adjacent site and would interconnect with both the natural and built environment. The landscaping proposed would significantly improve the area's aesthetic and soften the appearance of the proposed Hotel in comparison to its industrial surroundings.

#### Ecology

- 5.38 A Preliminary Ecological Appraisal (Phlorum, October 2018) has been submitted alongside the application. There are no designated sites that will be affected by this development.

#### Habitats

The habitats on site consist of:

- Bare ground – the majority of the site consisted of hardcore with no vegetation;
- Ruderal vegetation – largely present around the perimeter of the site.



#### Bats

There are no buildings or trees within the site so it is considered that they are highly unlikely to be present.

#### Birds

The site lacks vegetation for nesting and foraging birds and the levels of disturbance make it unlikely to support birds associated with the Severn Estuary Special Protection Area.

#### Otter, Badger and Hedgehog

No suitable habitat for these mammals was recorded during the survey.

#### Amphibians and Reptiles

The site was considered to offer negligible habitat to amphibians and reptiles due to the lack of vegetation.

- 5.39 Subject to conditions to ensure that the development proceeds in strict accordance with the mitigation recommendations of the Ecological Appraisal and to secure Swift nesting boxes, there are no objections on ecological grounds.

#### Environmental Issues

- 5.40 The site lies within an industrial area well away from any residential dwellings. In this instance a condition to control the hours of construction is not necessary. Although lying within a COMAH (Control of Major Accident Hazards) site the HSE has not advised against this development.

#### Noise

- 5.41 A noise measurement survey has been carried out and a noise mitigation strategy developed to protect the proposed development from the existing and potential future noise climate in order to satisfy the adopted hotel internal noise criteria.

#### Air Quality

- 5.42 The submitted air quality assessment concludes that there will be acceptable levels during the operational phase and as a result of the proposed development.

#### Flood and Drainage Issues

- 5.43 The proposed development has a lifetime of no more than 50 years and the lease for the proposed hotel would need to be renewed in 25 years' time. Pre-application discussions with The Lower Severn Drainage Board took place and they have raised no objections. The Environment Agency have referred to the Avonmouth Severnside SFRA Level 2 mapping for the 2073 scenario and their new mapping produced to support the Avonmouth Severnside Enterprise Area Ecology Mitigation and Flood Defence project for 2076, and both confirm the site would be safe with the land raising already undertaken and the proposed finished floor level.

- 5.44 The proposal falls within Flood Zone 3, which is an area with a high probability of flooding. The development proposals are classified as More Vulnerable development, which is an appropriate use within Flood Zone 3 according to Table 3 of the Technical Guidance to the NPPF.
- 5.45 The NPPF sequential test seeks to steer new development to areas with the lowest probability of flooding. The Flood Zone maps identify the site as falling within a protected Flood Zone 3; therefore, a Sequential Test is required to demonstrate that no other local allocated development sites at a lower flood risk are more appropriate.
- 5.46 The Flood Risk Assessment (FRA) provides the following extract from the SFRA produced by Capita Symonds (March 2011):

*“Strategically the area has been examined for its development potential over many years. The assessments have identified that the area is a strategic location for the expansion of employment development to serve the South West. However, the Environment Agency has advised that any future development should take full account of flood risk and be based on the appropriate application of the risk-based sequential approach advocated in Government planning guidance (PPS 25).”*

The site has had extensive flood/tidal defence works in the form of levels raising. The site therefore is;

- Located in a protect flood zone area. Flood defence being provided by raising of the full development area.
- The site is allocated in an employment area.
- There are therefore no other suitable site of a sufficient size, within an appropriate location that are at a lower form of flood risk.

- 5.47 Table 3 of the NPPF Technical Guide identifies that a ‘More Vulnerable’ development identified to be within Flood Zone 3 is considered to be ‘appropriate’ if it can satisfy the requirements of the Exception Test. For the Exception Test to be passed:
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
  - a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

The submitted FRA has identified through review of the flood data and discussions with Lower Severn Drainage Board (LSDB) that the site is located outside of the functional flood plain. An assessment of flood defences and flood Evacuation has been undertaken and included as Appendix D, which demonstrates safe means of evacuation in the event of breach or failure of the flood defences.

The development will not result in any loss of floodplain storage capacity in the 'design' flood event (100 year) and through inclusion of an appropriate drainage strategy including sustainable drainage systems, will not cause any increase in flood risk elsewhere.

- 5.48 Subject to a raft of conditions requested by the Environment Agency, there are no objections on drainage or flooding grounds.

#### Overall Planning Balance

- 5.49 The proposal is a high quality development that would provide local support services for the business community in the Severnside Enterprise Area catchment where currently none exist. The site is the only one available in the locality and has excellent vehicular access being close to the new motorway junction. The scheme would provide new job opportunities and diversify the employment offering in the area. The scheme is appropriately scaled and would provide a landmark building at the entrance to Central Park. The associated landscaping would significantly enhance the visual amenity of the landscape. The scheme is considered to be a sustainable one that would integrate well within the location and have wider public benefits with little adverse impact.

#### Community Infrastructure Levy (CIL)

- 5.50 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. The introduction of CIL charging commenced on 1st August 2015. In the event that a decision to approve this application is issued, the scheme would be assessed for CIL charging.

#### Consideration of likely impact on Equalities

- 5.51 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.
- 5.52 With regards to the above this planning application is considered to have 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 planning 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: Roger Hemming**  
**Tel. No. 01454 863537**

## **CONDITIONS**

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

Reason

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

2. The development hereby approved shall be carried out in strict accordance with the following plans/drawings:

Site Location Plan Drawing No. 11050 PL 001 received 03 Dec. 2018

Proposed Site Plan Drawing No. 11050\_PL002 Rev A received 25 Feb 2019

Proposed Plans Drawing No. 11050\_PL003 Rev A received 25 Feb 2019

Proposed Elevations Drawing No. 11050 PL 004 Rev B received 07 May 2019

Landscape Details Drawing No. 11050 PL 12\_002 received 03 Dec. 2018

Landscape Master Plan Drawing No. 4114 01 Rev C received 21 Jan 2019

Landscape Plan 1 of 2 Drawing No. 4114 02 Rev C received 21 Jan 2019

Landscape Plan 2 of 2 Drawing No. 4114 03 Rev C received 21 Jan 2019

Landscape General Arrangement and Planting Plan Drawing No. 11050 PL\_001 Rev B received 25 Feb 2019

Drainage Details Drawing No. 18-066/310 Rev P4 received 03 Dec. 2018

Reason

For the avoidance of doubt.

3. Prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, a programme of archaeological and geoarchaeological work and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, must be submitted to and approved by the local planning authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

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. This is required prior to commencement to ensure there is no undue damage to archaeological remains.

4. The development shall not be brought into use until the access, car & cycle parking and turning areas have been completed in accordance with the approved plans and retained thereafter for that purpose.

Reason

To ensure the satisfactory provision of access, turning and parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

5. All hard and soft landscape works shall be carried out in accordance with the approved details and timing shown on the Landscape Plan Drawing No. 11050\_PL\_12\_001 Rev B.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP2 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov 2017 and the National Planning Policy Framework.

6. The development shall proceed in strict accordance with the mitigation recommendations provided in Chapter 5 of the Preliminary Ecological Appraisal (Phlorum, October 2018).

Reason

To enhance the biodiversity of the site and to accord with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and Policy PSP19 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017.

7. Prior to the first occupation of the development hereby approved, a plan showing the location and specification of swift boxes suitable for at least three nesting pairs, shall be submitted to and approved in writing by the local planning authority. Once this plan has been agreed, photographic evidence of their installation shall be submitted to the local planning authority for approval in writing.

Reason

To enhance the biodiversity of the site and to accord with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and Policy PSP19 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017.

8. A Full Travel Plan shall be submitted to and approved in writing by the Council before the Hotel opens for business so that it can be implemented immediately this takes place. This must be based upon the Framework Travel Plan that has been submitted in support of this planning application and as such aimed primarily at staff.

Reason

To ensure that this proposal conforms to the requirements of Policies CS 7 and CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and policy PSP11 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov 2017 by managing traffic impacts and prompting sustainable travel.

9. The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.

Finished floor levels are set no lower than 8.15m above Ordnance Datum (AOD).

Reason

To ensure safe access and egress from and to the site and to reduce the risk of flooding to the proposed development and future occupants to accord with Policies CS1 and CS5 of The South Gloucestershire Local Plan Core Strategy (Adopted), Policy PSP20 of The South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

10. No development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the LPA:

1) A preliminary risk assessment which has identified:

- all previous uses,
- potential contaminants associated with those uses,
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To prevent pollution of the water environment and to accord with Policies CS1 and CS5 of The South Gloucestershire Local Plan Core Strategy (Adopted), Policy PSP20 and PSP21 of The South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF. This must be a pre-commencement condition to avoid remedial action.

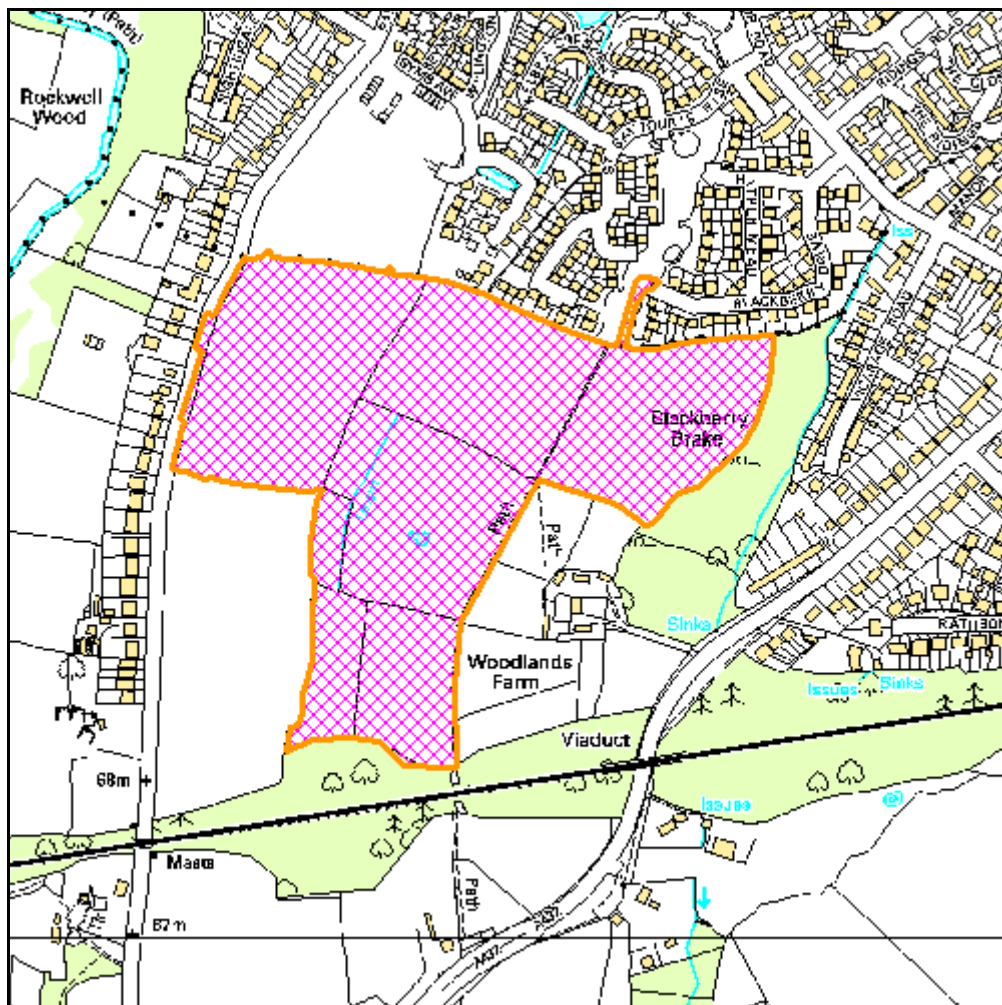
11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted a remediation strategy to the LPA how this unsuspected contamination shall be dealt with and obtained written approval from the LPA. The remediation strategy shall be implemented as approved.

Reason

To prevent pollution of the water environment and to accord with Policies CS1 and CS5 of The South Gloucestershire Local Plan Core Strategy (Adopted), Policy PSP20 and PSP21 of The South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

## CIRCULATED SCHEDULE NO. 24/19 – 14 JUNE 2019

<b>App No.:</b>	PT18/6313/RM	<b>Applicant:</b>	Chris DollingBDW Trading Limited
<b>Site:</b>	Land To The East Of Park Lane Coalpit Heath Bristol South Gloucestershire BS36 1AT	<b>Date Reg:</b>	19th December 2018
<b>Proposal:</b>	Erection of 204 no dwellings with landscaping, appearance, layout, scale and associated works. (Reserved matters application to be read in conjunction with Outline Planning Permission PT17/0215/O).	<b>Parish:</b>	Westerleigh Parish Council
<b>Map Ref:</b>	366348 180256	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Major	<b>Target Date:</b>	15th March 2019



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PT18/6313/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 Committees for determination.

### **REASON APPLICATION REFERRED TO THE CIRCULATED SCHEDULE**

The application has been placed on the Circulated Schedule in accordance with the Council's adopted scheme of delegation due to objections that have been received from thirteen neighbours. In addition, while Westerleigh Parish Council have not objected, they have raised concerns, and Frampton Cotterell Parish Council have objected.

## **1. THE PROPOSAL**

- 1.1 This application seeks reserved matters approval for 204 homes and associated public open space, landscaping and infrastructure. All reserved matters are included, apart from access, which was approved at outline application stage.
- 1.2 The related outline application for 215 houses (ref. PT17/0215/O) was allowed on appeal. The reserved matters includes all parts of the outline site, apart from the 11 plots set aside for self-build housing (which will be subject to separate reserved matters).
- 1.3 The site is a T-shape and is a green field site, comprising a dry valley on the edge of Coalpit Heath and Frampton Cotterell. The site is bound in the west by Park Lane, and the site drops down from Park Lane to the valley floor. Houses in Park Lane face the site and currently have views towards the Blackberry Brake woodland, which bounds the site to the north east.
- 1.4 "The Meads", a recent housing development (see planning history), and the Park Farm development bound the site to the north and more closely follow the topography of the application site. In the east, as well as Blackberry Brake, the site is bound by Woodlands Farm, the former home of author Dick King-Smith. In the south, the main South Wales to London railway line sits on an embankment which forms the southern boundary of the site, and there is a sloping field that is not included in the site boundary between the site and Park Lane in the south west.
- 1.5 Houses are proposed on the sides of the valley, in three parcels that are separated by strong lines of retained mature trees along the valley floor and ascending the centre of the eastern side of the valley. These trees are protected by individual and group Tree Preservation Orders, along with others on the site, including the line of mature trees that separates the site from the existing housing development in the north.
- 1.4 The valley floor is proposed to become a linear public open space containing a Locally Equipped Area of Play (LEAP), pathways and an attenuation pond. Allotments and "grow patches" are proposed to the south of the areas of housing. Further areas of the site are proposed to be retained as meadow grassland, in the south and east.

- 1.5 Due to the topography of the site, a significant amount of engineering works will be required to achieve its development for housing, including a number of retaining walls.
- 1.6 There is a Public Right of Way (PROW) running north to south across the east of the site, adjacent to land that is to be retained as meadow grassland. This provides access into the existing housing development in the north. The PROW is proposed to be retained and will connect into the proposed housing development in the north and east of the site. Two further pathways are also proposed to connect to The Meads, including one into the existing play area there.
- 1.7 As well as plans, a number of reports have been submitted with this application. These include a Landscape and Ecology Management Plan (LEMP), Noise Assessment, Flood Risk Assessment Addendum, Site Waste Management Plan, Road Safety Audit, Self-Build Framework, Carbon Reduction Report, Sustainability Note, Arboricultural Impact Assessment and Method Statement, Design Compliance Statement and a Private Management and Maintenance Scheme.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework February 2019  
National Planning Policy 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  
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  
CS34 Rural Areas

South Gloucestershire Local Plan Policy Sites and Places Plan Adopted November 2017:

PSP1 Local Distinctiveness

PSP2 Landscape  
 PSP3 Trees and Woodland  
 PSP4 Designated Local Green Spaces  
 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 Environment Pollution and Impacts  
 PSP24 Mineral Safeguarding Area  
 PSP37 Internal Space and Accessibility Standards for Affordable Dwellings  
 PSP40 Residential Development in the Countryside  
 PSP42 Self-Build and Custom Housebuilding  
 PSP43 Private Amenity Space Standards

## 2.3 Supplementary Planning Guidance:

Design Checklist SPD (adopted August 2007)  
 Waste Collection: Guidance for New Developments SPD (adopted January 2015, amended March 2017)  
 Frampton Cotterell and Coalpit Heath Village Design Statement  
 Art and Design in the Public Realm- Planning Advice Note

## 3. RELEVANT PLANNING HISTORY

- 3.1 P19/2083/RVC- Erection of up to 215no dwellings with public open space and associated infrastructure. Outline application with access for consideration, including variation of condition 13 attached to planning application PT17/0215/O (allowed at appeal) to change the wording so a Public Art scheme can be submitted separately- all other matters reserved. Granted 18<sup>th</sup> April 2019.
- 3.2 PRE18/1071- Pre-application enquiry for Reserved Matters approval for the construction of up to 215 homes, public open space and associated infrastructure (access already approved), in accordance with the terms of the application, Ref PT17/0215/O. Comments provided 28<sup>th</sup> November 2018.
- 3.3 PT17/0215/O- Erection of up to 215no dwellings with public open space and associated infrastructure. Outline application with access for consideration - all other matters reserved. Refused 24<sup>th</sup> August 2017, appeal allowed 6<sup>th</sup> September 2019.
- 3.4 PT16/042/SCR- Development for up to 215no dwellings with allotments, cycling and pedestrian routes, new play areas and improvements to road and pedestrian safety measures. EIA not required 8<sup>th</sup> December 2016.
- 3.5 PT13/0028/O- Residential development of up to 330 dwellings on 23.51 ha of land; 0.2 ha Local Centre (up to 465m2 Use Classes A1, A2, A3 and up to 465m2 Use Class D1); Community Square incorporating car parking for local centre. Construction of 1 no. vehicular access onto Badminton Road and 3 no. vehicular accesses onto

Park Lane. Landscaping, open space, allotments and all associated infrastructure. Outline application with all matters reserved except access. Refused 15<sup>th</sup> July 2013.

- 3.6 PT11/050/SCR- Development for 420 residential dwellings with a local centre together with associated access, car parking, landscaping and open space. EIA not required 11<sup>th</sup> January 2012.
- 3.7 PT10/1013/RM- Erection of 184 dwellings; construction of 186sqm of retail floorspace; construction of new vehicular access off Heather Avenue and provision of public open space. (Approval of Reserved Matters). (To be read in conjunction with outline planning permission ref PT08/2760/O) (The Meads). Granted 27<sup>th</sup> September 2010.

PT08/2760/O- Erection of 220 residential dwellings and 186m<sup>2</sup> of A1 retail floorspace. Outline application with means of access. All other matters reserved (The Meads). Refused 15<sup>th</sup> December 2008, appeal allowed 5<sup>th</sup> June 2009.

#### **4. CONSULTATION RESPONSES**

- 4.1 **Westerleigh Parish Council:** Neither support nor object to the application, but originally raised two main concerns:

a) that the improvements to the road junctions affected by the increased volume of traffic must be made at the start of the development phasing;

b) in relation to the play areas and green spaces: Westerleigh Parish Council are concerned at the community and financial effects of management company controlled areas and the funding models involved in these. Westerleigh Parish Council would like to have the opportunity to discuss the options and benefits for residents, of the Parish Council taking ownership and/or control of the play areas and green spaces and the maintenance of them, at the point at which the developer is creating the management company thereof.

- 4.2 Following revised plans, additionally commented as follows:

- 4.3 The junctions of Park Lane & Badminton Road and the new development junction with Park Lane are of concern as dangerous junctions which are having their volume of usage significantly increased. The modifications to Park Lane/Badminton Road MUST be done before building commences as the construction traffic will cause a massive problem there prior to the new residents.

- 4.4 The junction of the development with Park Lane is indicated to be edged with a sharp right angled wall- meaning visibility splays could be hindered - this needs redesigning.

- 4.5 All junctions within the development seem to be sharp angled corners and once there is a multitude of parked vehicles on the estate the ability of emergency vehicles in particular, as well as other large vehicles such as bin lorries, removal lorries etc. to navigate these corners will be hindered and slowed considerably.

- 4.6 Trees - there should be many more trees planted than in the plan.

- 4.7 Following further revised plans, commented as follows:

- 4.8 Could see no further items of concern over and above those already reported but no alleviation of concerns either. Please refer to the previous comments as those concerns still stand.
- 4.9 **Frampton Cotterell Parish Council:** Object to the application. The existing stone wall along Park Lane is a valuable wild life habitat and should be protected. The developer needs to ensure the play areas conform to the design statements for Frampton Cotterell and SGC. There should be consultation with the Crime Prevention Officer to help alleviate Anti-Social Behaviour. Reiterate Westerleigh Parish Council's comments.
- 4.10 Also comment that the Parish council agree with the observations made by Westerleigh Parish Council. The improvements to the road junctions affected by the increased volume of traffic must be made at the start of the development phasing. The option for the Parish to maintain its own parks and open spaces should be investigated.
- 4.11 **Councillor Claire Young:** Objects to the application. Residents have raised concerns that the design and layout of the properties along the boundary with the Meads do not mirror those on the other side of the boundary (large detached properties). Although the plans make this boundary look like a thick hedge, it is in fact quite thin in places, especially in winter. This sight line into the site does not appear to have been considered. Either the boundary needs to be reinforced with more planting or the layout adjusted so that there is more of a sense of continuity moving from one development to the next. If reinforcing the boundary, it is important to make sure that the accesses between the two sites are maintained, to enable pedestrians to move freely between the two sites.
- 4.12 Although in the Design Compliance Statement the planning officer is quoted as saying, "I will not be supportive of a layout that shows potential vehicular access into adjacent agricultural land," and the response is, "Accepted and layout amended," the layout would clearly still allow access to the field bordering Park Lane to the south west of the site.
- 4.13 Will the broadband provided be Fibre to the Premise (FTTP) or Fibre to the Cabinet (FTTC)? If the latter, will this enable the remaining houses on The Meads that do not have high speed broadband to access it? What is the minimum speed that all properties on the development can expect?
- 4.14 Westerleigh Parish Council currently maintains a number of open spaces and play areas and at their recent meeting expressed an interest in taking over management of the open space on this site, rather than the management company.
- 4.15 **Arts and Development Officer:** The developers have commissioned a public art plan for this site in response to the planning condition for it. Looks forward to

the appointment of a lead artist and further details coming forward shortly so that any proposals can be integrated fully into the site.

- 4.16 **Drainage Officer:** Following revised plans, has commented as follows:
- 4.17 Drainage and Flood Risk Management Team has no objection in principle to this application subject to the following advice.
- 4.18 SUDS: 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: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2018.
- 4.19 For the avoidance of doubt would expect to see the following details when discharging the above conditions:
- 4.20 The submission of a detailed list of all current revisions of any plans, drawings and/or documents relevant to both the foul sewage and surface water network and its components such as existing ditches, attenuation ponds and flow control devices.
- 4.21 Where applicable, the listed plans, drawings and documents are required to accompany the list for final approval.
- 4.22 An updated cross-sectional plan of the proposed ditch re-profiling and their associated locations.
- 4.23 An updated plan of the attenuation pond which clearly illustrates an all-around access track for maintenance.
- 4.24 Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change (40% the current accepted industry standard) storm event (winter and summer).
- 4.25 All storm events not just up to the 960 minutes as previous. The submission must therefore include the MicroDrainage mdx file for audit and approval.
- 4.26 Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as attenuation features and flow control devices for the lifetime of the development.
- 4.27 The information regarding these aspects is to be submitted in the format of an industry standard document such as a technical note and should include the specific regime for each of the components and also, which components each party is responsible for such as, Wessex Water, the named Private Management Company and/or South Gloucestershire Council where applicable.

- 4.28 Confirmation, approval, and/or acceptance of an application for Ordinary watercourse consent as outlined below, is required to be submitted. Ordinary Watercourse consent may be required from the Lead Local Flood Authority for any work or structures, to, in or affecting any ordinary watercourses. The following items of this proposal fall within the aforementioned criteria;
- Culverting or the creation of crossings of the adoptable highway over existing watercourses / ditches.
  - The installation and/or construction of 7 headwalls/outfalls A through G.
  - Proposed ditch re-profiling.
- 4.29 Where a drainage 'Compliance' condition rather than a 'Pre-Commencement' condition is preferred, the submission of all the above SUDS discharging details will be required prior to any Decision Notice being issued.
- 4.30 **Environmental Protection Officer:** No objections in principle. Comments are as those previously detailed in application PT17/0215/O. Noise reports indicated that railway noise would not be an issue. However some noise mitigation was necessary to ensure internal noise levels in dwellings and associated garden amenity areas close to existing highways to ensure compliance in accordance with BS8233.
- 4.31 It is recommended that a detailed Construction Environment Management Plan be provided to the satisfaction of the Planning Authority. The plan should in particular detail control of construction site noise in accordance with BS 5228, lorry movements, control of dust and hours of operation.
- 4.32 Standard advice in relation to construction is given.
- 4.33 **Highway Structures Officer:** There are structures on Park Lane Road that have a height restriction- Bridge Number 68077 which has a signed height of 14'0". Therefore any construction traffic and deliveries should be routed to the site from the North and there should be a planning condition to prevent construction traffic and deliveries approaching the site on Park Lane from south of the bridge. Please route vehicles appropriately. Please contact the Highway Structures team for further details.
- 4.34 If the application includes a structure that will support the highway or support the land above a highway, no construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected. This includes, but is not exclusive to, the retaining walls shown on drawing numbers 249-061-01 Rev A, 249-061-02 Rev B and the timber bridge referred to on drawing number GL1035 07. The earthwork slopes proposed are to be no steeper than 1 (vertical) in 3 (horizontal) and are to have 1.0m wide level berm at top and bottom of slopes.

- 4.35 **Housing Enabling Officer:** Following revised plans, has commented as follows:
- 4.36 The S106 agreement requires 35% of homes to be provided as affordable. The application for 204 dwellings shows 75 homes will be provided as affordable. This meets the S106 quantum requirements.
- 4.37 The application is in accordance with the tenure split of 73% social rent, 5% affordable rent and 22% intermediate housing set out in the S106 agreement and proposes 55 units for social rent, 4 units for affordable rent and 16 units for shared ownership.
- 4.38 The range of house types proposed are in accordance with the S106 agreement.
- 4.39 The S106 agreement requires Affordable Homes to be built to the same design standard as the market units and in addition Lifetime Homes standard, Part 2 of Secured by Design, and comply with the Registered Provider (RP) Design Brief;
- 4.40 The 2 bed houses types are open plan. RP's prefer separate kitchen diner and living rooms.
- 4.41 The S106 agreement specifies 12 affordable dwellings in a cluster with no more than 6 flats with shared access. All flats sharing a communal entrance should be of a single tenure. The clustering proposed is in accordance with the S106 agreement.
- 4.42 The application proposes 8% of the social rented homes consisting of 4 x 2 bed houses and 2 x 3 bed houses to be provided as wheelchair accommodation in accordance with the S106 agreement.
- 4.43 As per previous comments the applicant is still requested to address the following issues with the wheelchair accommodation prior to the reserved matters application being determined;
- There are concerns about co-locating all of the 2 bed wheelchair accessible homes in a remote location on the scheme.
  - In the three bed wheelchair units (plots 102 & 85) the door into bedroom 1 could cause issues with blocking the lift access. The Senior Occupational Therapist has requested that this is rehung to open on the opposite side or a sliding door is fitted.
- 4.44 It is not clear from the house type plans provided whether the proposed designs meet the South Gloucestershire's wheelchair accommodation standard Wheelchair Specification.
- 4.45 There is no objection subject to the applicant confirming the wheelchair units will meet the wheelchair specification and making amendments to the wheelchair accommodation and open plan 2 bed house type as per comments above.
- 4.46 **Landscape Officer:** Following revised plans, has commented as follows:
- 4.47 Originally commented that garden sizes need to be checked against our policy PSP43; some of them look very small and also awkward shapes. Now comments has checked a number of the gardens and there has been some improvement, but would



request that confirmation is sought to confirm that the gardens meet minimum policy standards.

- 4.48 Originally commented could find no arboricultural report or tree protection drawing. Now comments that this has been submitted; but defers to tree officer regarding the acceptability of the report;
- 4.49 Originally commented on boundary treatments that there is a lot of close board fencing and retaining walls. Considered more thoughtful use of materials was needed – the use of stone walls and hedgerows where abutting rural edges, limited close board fencing and the option of instant hedge screening between rear gardens investigated. Commented the timber fence around the allotments should be amended to post and rail with hedging. Now comments that this has been taken on board and the boundary treatments types and extent are improved. There are further improvements though that could be made, which are set out below
- 4.50 Originally commented that paving materials need to be more varied- buff tarmac or resin bound gravel to pedestrian routes is needed. Now comments that block paving has been used more widely, which reduces the amount of tarmac, but still has reservations regarding the use of hoggin paths, as they are more difficult for wheelchair users and pushchairs etc. A resin-bound surface or 'Mastertint' buff coloured, tarmac surface would be preferable where there is likely to be a high level of use
- 4.51 Trees needed are in rear gardens.
- 4.52 Proposed cycle link to the Park Farm POS- although it's good to include as a surfaced route, it doesn't make sense if it just stops. Need to find a way of continuing this to the estate road.
- 4.53 Originally commented that the hedge which divides the housing from the Public Open Space does perhaps need a rethink. Now comments that the ecology requirement regarding this is understood, which is considered acceptable.
- 4.54 Originally commented that the meadow grassland should be amended in some areas, where there is damp ground. Now comments that the seed specification has now been amended and is acceptable.
- 4.55 The northern and southern hedgerow boundaries need to be interplanted with hedging plants to reinforce the hedgerow.
- 4.56 Concerned about the changes of levels where roads/plots abut the retained trees and hedgerows around the edge of the development.
- 4.57 Originally commented that the longitudinal site sections don't really demonstrate what was hoped for. Now comments that updated landscape sections have been submitted. The revised sections reflect these changes and there is an improvement; however does still have some concerns regarding the retained trees, which are set out below.
- 4.58 On the revised plans, comments specifically as follows:

- Comments regarding the increase in brick boundary walls have been taken on board, but there are a number of locations where these walls stop part way around the boundary and change to fencing; it would be preferable to continue the brick boundary walls to meet the building, such as on plots 34, 54, 59-57, 60, 51, 83-86, 171-182;
- It is unclear whether any trip rails are proposed on the scheme; could this be clarified please? It is also unclear whether the attenuation pond is to be fenced;
- The revised site layout shows 12 less trees than the previous layout and the avenue tree planting is much reduced. The avenue tree planting should be reinstated as previously shown, to accord with Core Strategy Policy CS2 and PSP3;
- There are more opportunities generally around the site for tree planting, in order to improve the street scene and enhance the retained vegetation. Small growing tree species are proposed in some peripheral areas of the site, where larger, longer-lived species could be achieved. Tree planting should also be included within rear gardens, where space allows;
- There are a lot of very small areas of grass shown throughout the scheme; the planting should be rationalised to avoid this and avoid future maintenance problems;
- It would be helpful if the following was added to planting plans, in order to assess them more readily: tree survey numbers and species added, so consistent with the tree protection plans; finished floor levels of plots, existing ground levels, especially at base of trees to be retained;
- Currently there is concern regarding the change of levels between the existing retained trees and adjacent roads, footpaths and buildings and the tree protection plans are not to the correct scale (slightly less than 1:200), so can't easily be overlaid with the planting proposals. If this cannot be corrected, need to see cross sections to demonstrate these trees can be retained successfully; T134 to Plot 4, G130 and T132 to road, T117 to parking for Plot 100;
- The additional landscape section is useful, but need to see detailed cross sections where development is closest to retained trees-T140 to the footpath adjacent to Plot 82 and T136 to Plot 84. There are other location where A1 category Oak trees are to be retained near to proposed roads and paths, such as T186 and T88 and assurance is needed that these trees will not be affected;
- Street tree planting should be planted using a cellular soil system, to ensure adequate soil volumes are achieved. The extent of these together with the extent and location of proposed root barriers, should be shown on the planting plans;
- There is minimal planting shown around the attenuation pond, where there is adequate room for substantial new tree and shrub planting, which would enhance the space.

4.59 **Public Open Spaces Officer:** Following revised plans, has made the following comments:

4.50 Much of the Public Open Space (POS) seems to have embankments where it abuts development parcels. It is not clear what the gradients will be but it appears that this may make the POS less accessible. Further clarification is required but obviously the POS must be easily accessible without encountering slopes that would be difficult for people, buggies, maintenance machinery, etc. Landscape plans should show include

proposed finished levels or contours (as required by condition 12) so that it can be established if there are any problematic areas.

- 4.51 The submitted Tree Protection plans state they are at 1:200. In fact they are 1:250; this needs to be remedied. There appears to be 8 plans in the range rather than the 10 quoted on the plans.
- 4.52 Did comment that only the landscape plans show the fence around the allotments inside the hedge; all others show it outside the hedge. Suggested removing *Prunus spinosa* from the hedge mix; its nature is too suckering. Now comments that both issues are sorted.
- 4.53 Did comment that the Adoption and Management Plan does not exclude the street lighting columns from the land to be transferred to the Management Entity. Now comments that there is a note on the Adoption and Management Plan that locations to be finalised at Section 38 stage; this is acceptable.
- 4.54 Did comment that an embankment that appears to be supporting the highway also lies within an allotment plot. Both of these issues are shown on the extract below. The western end of the allotments is similarly affected by both streetlights and slope adjacent to the highway. Following revised comments, commented that the slopes are no longer shown on the plans but levels have not been provided.
- 4.55 Fence heights around the allotments vary depending which on the plan- Boundaries and Enclosures says 1.2m, Landscape says 1m. 1.2m would provide a bit more security.
- 4.56 Did comment that the route for maintaining the attenuation pond and surrounding landscape should be clearly identified on the plans, particularly as there is due to be a permanent body of water – periodic desiltation is likely to be required. Cannot see how machinery would access the area without encountering embankments, proposed gravel paths with timber edges and trees. Then commented that the detail of SWI maintenance contained in the PM&MS (Private Management and Maintenance Scheme) is inadequate and not site-specific, but it is a Section 106 obligation anyway. So long as no heavy plant required for attenuation maintenance needs to traverse grass and Root Protection Areas (RPAs) (e.g. for desiltation, or for removal of arisings) then route around the pond is acceptable. These matters will be picked up in the PM&MS which should detail how the attenuation area will be maintained. A compacted gravel path is unlikely to suffice.
- 4.57 Did comment had not yet seen the maintenance regime details required under condition 20- "Ownership and responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as, Existing Ditches, Attenuation/Infiltration features, and Flow Control Devices where applicable. These documents must be provided and clarify the intended methods of maintenance. Commented the PM&MS does not fulfil all of the S106 requirements,

but this item is S106 related and may be dealt with outside of the reserved matters determination process.

- 4.58 Did comment that two structures are shown on the engineering plans but has found no details of them. According to the Adoption and Management Strategy they would be POS. Clarification is required as to what they are and what POS function they serve. Now comments that it is understood these are highway structures and will need to be included in the S38 process.
- 4.59 Asked if it could be confirmed that no services will cross small areas of land being transferred to the Management Entity, as this would reduce the available soil volume for the proposed trees.
- 4.60 Has no objection to landscaped road verges being managed by the Management Entity.
- 4.61 Did comment that if possible could gapping up of the northern boundary be carried out to avoid short cuts being made where they are not designed routes. Now comments that some additional planting is shown on the boundary.
- 4.62 Did comment that many trees are proposed in areas where their target soil volume would not be provided unless cellular soil systems are introduced. In addition, hornbeam (*Carpinus betulus*) are proposed less than 1m from the highway. These have a potential canopy spread of 4-8 m. Now comments that hopefully the kerbs and haunchings have been taken into account when calculating soil volumes, but notes and welcomes the cellular systems now proposed. Acceptability within the highway to be ascertained at S38 stage.
- 4.63 Did comment that visitor parking in front of plot 96 projects into POS and should be removed. Then noted this has been realigned to run parallel with the road.
- 4.64 There are odd bits of highway projecting into POS, has found no clarification for this.
- 4.65 Did comment that a bin store is proposed to be sited on POS and highway; this is not acceptable. POS adoption needs to make sense with the proposed landscape. Clear and sensible demarcation between POS and private land is required, not provided in some cases. Now comments that this has been sorted.
- 4.66 Did comment that at plots 173 and 174; it can be seen that the conveyance and landscape do not make sense when read together. All such instances need to be checked and rationalised.
- 4.67 Did comment- Manholes on slopes- what is the slope gradient? Will probably look dreadful. In addition, the slope is right beside path to front of plots 83 - 85. Not adoptable so not lit and no boundary feature to give definition/protection. Then commented may have been sorted but no levels shown that confirm this is the case.

- 4.68 Again, adoption v landscape does not make sense. Why would plot 83 want to take ownership of the piece of grass that includes a slope? They would have a c.60m trip from their garden to bring the mower round to the front – unreasonable and unrealistic. The POS is too crude and needs to be tailored to the landscape plan. Another example is outside plots 97 and 120 where the POS plan does not sensibly correlate to the landscape plan. Plot 97 would have a c.45m trip with mower from back garden to cut c.4sq.m. of grass. There are no doubt other examples but it is for the applicant to thoroughly review these matters.
- 4.69 It would help if easements were shown on the engineering plans and the landscape plans so that any conflicts could be spotted. Is *Prunus lusitanica* acceptable less than 1m of the foul sewer?
- 4.70 Notes the Parish Council has expressed an interest in taking on the POS and would strongly recommend that they read and familiarise themselves with the S106 before they enter any discussions or arrangements with the developer.
- 4.71 Did comment that the PROW is proposed to remain as a mown grass path; this will not be sufficiently accessible nor durable as it is a muddy mess and un-walkable except in boots when wet. Then commented that despite the fact cover letter states that the section of PROW between plots 152 to 159 is now surfaced with compacted gravel, the External works layout does not reflect this; it is not coloured in at all. It should be changed to reflect the change to compacted gravel that is identified on the landscape plan. All plans should concur. Only one section of PROW is proposed for surfacing; the others will remain muddy and virtually unusable unless this is addressed. Defers to the PROW Officer but feel that MOT Type 1 to dust would provide a more durable surface.
- 4.72 Why is a 3m S38 tarmac cyclepath planned to meet with the old Park Farm development where there is a PROW but no surfaced route for cycles to use?
- 4.73 Why is a native hedgerow planned alongside the PROW? Clarified that it is for ecological purposes.
- 4.74 Commented why is dry meadow grassland proposed on the eastern POS? Some of this area has springs and wet meadow grassland may be more appropriate in places. Now comments this is sorted.
- 4.75 Queried if it is the intention to kill off and re-seed entire areas as suggested by the plan, as this appears to be the case.
- 4.76 Did comment that would suggest that hedges such as that enclosing plot 161 and 162's gardens should belong to those plots rather than be classed as POS. Then commented this is partially sorted but now leaves them with a random small area of grass to maintain.
- 4.77 Did comment a timber bridge is proposed across the watercourse, but has found no details for the Local Authority to consider. The bridge would be located right next to a

headwall, with a storm water sewer culvert meeting the corner of the bridge and a foul sewer running under its abutments/foundations; this will complicate the necessary design, of which nothing has been submitted: Then commented the bridge has been moved to avoid conflict with manholes but only a photo of a bridge has been provided. Additional detail will be required. Now comments a hardwood bridge should be used instead of softwood. It is reasonable to expect a more durable bridge should be installed, otherwise burden of cost is on the residents. FSC certification should be stipulated, hi-grip decking should be used. The design of the substructure will be as important as that of the bridge itself when it comes to detailed design after site survey. It is possible the bridge will also require either land drainage consent or temporary works approval from drainage.

- 4.78 Compacted gravel paths – durability is a problem, particularly on slopes. A hard bound surface would be preferable. Defers to the PROW Officer but feels that MOT Type 1 to dust would provide a more durable surface. Experience elsewhere is that had to be replaced with tarmac as the compacted gravel paths deteriorated to such an extent they were fairly unusable (porridge in winter and rutted dust bowl in summer) and certainly not “inclusive”.

- 4.79 On the play area, commented as follows:

Timber has a limited lifespan and the Council is experiencing timber products having a much shorter lifespan that would be expected.

- 4.80 Laminate and wood guarantees- timber and laminated products tend to have a lesser lifespan than steel so would recommend investigating the guarantees offered, particularly as the burden of cost of repairs and replacement will fall to the residents. Council play officer is not aware of any Playdale equipment in c.70+ play areas so do not have particular experience of their products but have experienced the following and would highlight these issues for consideration:

- Unexpected timber and laminate failures (hence play officer’s preference is generally steel);
- Kicking out of panels (ensure materials and fixings are suitably robust);
- Arson attacks (enclosed areas, under slides- hence metal may be better than plastic, etc.);
- Use of equipment as a toilet (enclosed areas of equipment).

- 4.81 Timber is commonly proposed due to the lesser cost compared to more durable steel. There have been a few cases of catastrophic failure of timber cantilever swings, which fortunately have not caused fatalities, but which rather backs up these concerns.

- 4.82 The maze is bespoke and would not have the benefit of a TUV certificate (i.e. tested to EN standards rather than just designed to them). Apparently children have been known to use such mazes as a balance trail, walking along the top of the timber. Have emailed the manufacturer and asked for details of guarantee and expected life expectancy but have not yet heard back. Suspect it may be attractive to an arsonist and other enclosed/semi-enclosed timber structures within South Glos and further afield have suffered such attacks.

- 4.83 Did comment that a bit worried the co-location of teen shelter with children's play equipment could give rise to conflict. Now comments that location moved. Agrees with the principle of providing for all ages of young people but teen shelters tend to be very controversial and getting the right site is always difficult. The new site is good in that it was path access, but it is closer to properties. Achieving adequate separation from properties whilst still achieving passive surveillance is a bit of a "catch 22". One location considered was on the west side of the band of trees that runs through the whole play area, keeping it as far from the properties as possible but staying out of RPAs, however that would also have a downside of no surfaced access, so it would be less inclusive. Doesn't have a problem with the design. It provides a little bit of shelter but does not provide enough to encourage people to sleep there, nor does the seating arrangement encourage sleeping. The Police, who end up dealing with the issues that may arise, tend to have views on teen shelters too. Westerleigh Parish Council is considering taking on the open spaces and they might also have a view on it. Notes that the site does not lie in the boundary of the Parish who suggested the teen shelter.
- 4.84 Did comment that the multi-play unit has an enclosed twisting chute. As a Council, have concerns about enclosed opaque tube slides especially where the configuration is such that you cannot see if the way is clear before descending, making them inappropriate for an unmanaged public play space. The risk of someone concealing a hazard within the tube, which may not be apparent before descending, is too much of a risk. In addition, proper inspection by an inspector may not be possible as an inspector needs to be able to check visually and with their hands, particularly the joints to make sure there are no imperfections/snags/sharp areas. Now comments this item has been substituted to remove the enclosed chute.
- 4.85 Inclusivity should be given thorough consideration so that as many children as possible are able to enjoy the play area. A roundabout that can cater for a wheelchair has been included, this is good. Basket swings can cater for some but not all disabled children. Playdale do have a selection of inclusive design MPUs and it would be worth considering whether one of these could be used. In addition, some play panels would help entertain those who are less able to be physically active.
- 4.86 Commented that the noughts and crosses panel is somewhat juvenile for the intended age range. Could it please be swapped for a pinball panel? Now comments this has been done.
- 4.87 Did comment that items of equipment have maximum gradients within which they can be installed. Would like information to be provided that confirms this has been taken into account. Now comments that it has been clarified that the site is relatively flat and topography will not prove a problem.
- 4.88 Although signage is proposed to make clear the area is to be a dog-free zone, locating a dog bin at the play area is somewhat contradictory.

- 4.89 Did comment that could the extent of the Provision for Children and Young People land be identified on a plan. Now comments that a new plan is provided; the fact that this is all play area should be identified on plans used for sales purposes so that potential purchasers are aware.
- 4.90 Further to the question about having a teen shelter on the site, it was noted that a teen shelter could be provided on this site as part of the provision for children and young people. It would need to be suitably located where it would not cause nuisance to residents and be of sufficiently durable construction so as not to become the subject of an arson attack.
- 4.91 Topsoil BS 3882 reference needs to be changed to reflect the current 2015 edition rather than the withdrawn 2007 version.
- 4.92 Did comment that the pumping station and its access way is shown as going to the management company; is this not to be adopted by Wessex Water? Now notes this has been removed from adoption plan.
- 4.93 Footpath links to north- classification of the paths needs to be thought through. If paths on the adjacent development to the north are adopted highway, then strategic highway to highway paths should have a S38 status, particularly if they are expected to be lit.
- 4.94 Did comment that the PM&MS has not yet been submitted. This is a breach of the S106. When will it be submitted? Now submitted, but comments there are some issues with lack of detail on Surface Water Infrastructure (SWI) maintenance. This is not intended to be a generic document. It needs to clearly set out what needs to be done, how and when. All to be resolved via S106 process.
- 4.95 Comments on the PM&MS, that there seems to be conflict between paras 1.3 and 1.6 as to when the Management Company take on responsibility. The POS is to be inspected and approved by the Council prior to transfer to the Management Entity.
- 4.96 Timetables for implementation should have been provided for approval with the Landscaping Scheme and the Surface Water Infrastructure Scheme. Without this cannot monitor delivery against timetable, this should be conditioned.
- 4.97 Did query the proposed pit detail for the Liriodendron proposed to be planted in the middle of the compacted gravel path to prevent damage to the path, but notes the path is now realigned.
- 4.98 A plan with potential public art has now been submitted. One of the locations is inside the orchard. The orchard will only be accessible to allotment holders so any artwork located here would not be accessible to all. Similarly in the play area, no artwork should be installed that might attract unaccompanied adults.



- 4.99 **Public Rights of Way Officer:** The hedge in the north section will be right on top of the legal line of the Public Right of Way (PROW) Not a massive issue but it shouldn't really, so can they move it back?
- 4.100 Once the legal PROW goes past the POS it should go into the land owned by Woodlands, on the east side of the hedge and there it stays for two fields before turning back across to the west side of the hedge into the southernmost part of the site. This is more an issue for the owners of Woodlands than for this site in as much as the developer setting out a path on the other side of the hedge does not remove the legal line from the Woodlands side of the hedge, which the Council could enforce if felt so minded- and if the owners of Woodlands decide in the future that they want to move it off their land onto the path set out by the developer (which will not be the Definitive footpath) this could be an issue for them. They should do it now while they have some control.
- 4.101 Regarding the surface, needs to know what "compacted gravel" is – i.e. their construction method. If it will end up like someone's crunchy driveway then it will be no good. So agrees with the Public Open Spaces Officer that a Type 1 to dust path would be best, depth of 6-8". The path should continue down past the allotments otherwise this will turn into a muddy corridor with the extra footfall.
- 4.102 **Self-Build Officer:**
- 4.103 The NPPF (para 50) requires Local Planning Authorities to plan for a mix of housing including 'people wishing to build their own homes'. The Self-build and Custom Housebuilding Act 2015 placed a duty on local authorities to keep a register of individuals (and associations of individuals) who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects, to publicise that register and to have regard to it when carrying out planning and housing functions. South Gloucestershire Council have kept a register since the 1<sup>st</sup> April 2016, as of the 31<sup>st</sup> January 2019 the total number of entries on the register was 716.
- 4.104 The Housing and Planning Act 2016 (Section 9, (1)) defines Self-build and Custom Housebuilding as "the building or completion by-
1. individuals
  2. associations of individuals, or
  3. persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals."
- 4.105 It does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person.
- 4.106 The Housing and Planning Act 2016 defines a serviced plot of land as a plot that
- a) has access to a public highway and has connections for electricity, water and waste water, or
  - b) can be provided with those things in specified circumstances or within a specified period.

- 4.107 The Government has set out legislation that exempts self-build homes from the Community Infrastructure Levy (CIL). In order to benefit from this exemption, self-builders must provide a self-build exemption claim (prior to commencement of development) and additional supporting evidence within 6 months of completion of the dwelling.
- 4.108 The Policies Sites and Places (PSP Plan) was adopted on 8<sup>th</sup> November 2017 and forms part of the South Gloucestershire Development Plan. The PSP Plan contains detailed planning policies to manage new development, allocate and safeguard sites for various types of development and includes Policy PSP42- Self and Custom Housebuilding.
- 4.109 Plots for self and custom build housebuilding are required to be sold for the purposes of self and custom building.
- 4.110 PSP42 (part 4): 5% of 215 dwellings equates to 11 serviced plots (that meet the definition of self-build and custom housebuilding plots within the Housing and Planning Act 2016) for sale to self and custom housebuilders.
- 4.111 Notes the receipt of the self-build delivery framework. Condition 6 of the planning permission requires the inclusion of a detailed delivery framework to set out the model which will be followed in order to deliver self and custom-build housing. It should also set out how the proposed model fulfils the Housing and Planning Act's (2016) definition of self-build and custom housebuilding. In considering whether a home is a self or custom build home, South Gloucestershire Council must be satisfied that the initial owner (the self-builder) of the home will have primary input into its final design and layout.
- 4.112 The models described below represent four generic ways that custom and self-build projects can be brought forward on sites where self-build plots are required through the Policies, Sites and Places Plan, self and Custom-build housing, PSP42. Each can be adapted to suit a particular site. The submitted Delivery Statement confirms that the plots will be as follows:
- a. Sell plots to private homebuilders: Developer/land owner to provide building plots for self and custom-build. The plots are serviced, delivered and marketed by the developer (with the principle of planning permission already established) directly to individual private homebuilders through a reputable estate agent and to persons registered on the Council's self-build register. Private homebuilders are responsible for designing and building or commissioning the building of their home. During the second marketing period the developer may offer any unsold plots as shell homes.
- 4.113 Due to the proposed plot size (a gross internal floor area of no more than 108sqm) further consideration about the servicing and delivery of plots is required, for example if they will be delivered as detached, terraced or semi-detached plots for custom build and the options for bringing forward plots for terrace or semi-detached self-build. This detail should also be contained in the plot passports or other similar documentation for self-builders.

- 4.114 Recommends that plots are carefully selected to ensure they can be serviced in an agreed specified period in the construction programme and are attractive to prospective self and custom housebuilders. It will thus be expected that plots and any 'shell homes' will be offered ahead of the developer standard product.
- 4.115 Page 6 of the Delivery Statement details the proposed location of the 11no. self-build plots on the south-western edge of the site. There would be four plots on the left side of the access road and seven plots on the right-hand side. The plots provided on the right hand-side give rise to concern because three of them would be at right angles with plot 8. Could the configuration of the right-hand side seven plots be re-considered? It is agreed that this would be a suitable location for the plots as they would be grouped together in a discreet part of the development.
- 4.116 A serviced plot of land means a plot to which all reasonably necessary service connections have been provided to the boundary including being accessible by road of an adoptable standard and utility services to adoptable standards by the relevant statutory undertaker.
- 4.117 There are usually four common utility connections; water and sewage connections, electricity, gas and telecoms. Each utility is normally provided to a disconnected chamber on or just within the boundary of each plot (for example electricity connections provided to fuse boxes on stakes and water connections provided to a man-hole in the pavement). Connections should be clearly identified and labels should not use short-hand. Careful consideration of the locations of the connections is required so that they are kept out of the way of construction traffic.
- 4.118 It is expected that custom-build plots will be brought forward by way of full details at the reserved matters stage, for individual plots by individual self-builders or the self-build enabler on their behalf. The Council would welcome a Design Code or brief to agree on. As a minimum, this should include the subdivision of plots, building line, scale and boundary treatments. The Design Code should set out design parameters for self and custom housebuilding and should not be overly prescriptive allowing for design variation, creativity and innovation.
- 4.119 Plot passports are simple summaries of the design parameters for each plot capturing relevant information from the Design Code, planning permission and Delivery Statement. They act as a key reference point for prospective purchasers and form part of the marketing material available for each custom build plot to help private homebuilders to understand what they can build on a plot. The use of plot passports specific to each plot is recommended to be provided before commencement of those phases which include plots for private homebuilding to be used as part of the marketing material for each plot. They add value and certainty by acting as a key reference point for the purchaser, capturing relevant information from the planning permission, design constraints and procedural requirements in a simple and accessible format. Each passport should clearly show the plot location, permissible building lines and side spacing, [proximity constraints to neighbouring buildings, the developable footprint and building height restriction](#). Passports should be clear about [the number dwellings that can be built \(generally only one\) as well as car parking and access location etc](#). The choice of finishing materials, fenestration and roof shape is usually left to the plot owner. Plot passports are to be agreed with the Self-build Officer and Planning Officer.

- 4.120 There is no mention of a Design Code or Plot Passport being proposed as part of the Self Build Delivery Framework document submitted. This needs to form part of the Delivery Framework and the officer politely requests significant additional detail on the above.
- 4.121 Self and custom housebuilding plots and shell homes are to be marketed at open market value. Any plots which remain unsold following the first marketing period shall be made available as either self / custom housebuilding plots or as shell homes during the second marketing period.
- 4.122 No more than 50% of the market dwellings shall be occupied until all the self/custom-build plots are provided as serviced plots and are being marketed appropriately.
- 4.123 Plots and/or shell homes are to be marketed with a reputable estate agent and to persons registered on the Council's self-build register. Details of each plot, contained in the plot passport for example, should be provided to and agreed by the Council before the start of the self-build marketing period.
- 4.124 A strategy for the marketing of the custom-build plots is required before commencement of any phase which includes custom-build plots and should set out how plots will be marketed to eligible purchasers, use of plot passports, the method for valuing plots, the proposed terms and conditions for the sale and the use of a reputable and experienced estate agent. It is understood that a marketing strategy is yet to be submitted and agreed by the Council.
- 4.125 The Council will also require the principle access road and communal areas serving self-build and custom build plots to be delivered to adoptable standards by an agreed trigger, during the build out of the site or phase as appropriate.
- 4.126 Summary: self-build and custom housebuilding is sought in line with national Planning Policy Guidance: Planning Obligations and other requirements under Policy PSP42 of the Council's adopted Policies Sites and Places Plan (PSP).
- 4.127 This application generates a self and custom housebuilding requirement of 11no. serviced plots to be provided on site and in line with the principles / heads of terms as set out above.
- 4.128 The submitted Self Build Delivery Framework document has omitted a number of requirements and information, including;
- Consideration about the appropriate type of plots which will be available, for example plots for detached or terrace home, taking into account the size of the plots and the size of gardens and parking arrangements;
  - Consideration of the use of a simple self-build design code;
  - Consideration of the use of plot passports;
  - No more than 50% of market dwellings shall be occupied until all self-build plots are serviced and marketed appropriately and marketing details are provided and agreed by the Council (preferably in the form of plot passports) for marketing on the Council's self-build register;

- The Council will also require the principle access road and communal areas serving self-build and custom build plots to be delivered to adoptable standards by an agreed trigger, during the build out of the site or phase as appropriate.

- 4.129 The self-build phasing plan must be referenced in this Reserved Matters application to ensure CIL is not inadvertently triggered across the whole self-build element of the scheme due to commencement elsewhere on the site.
- 4.130 A Design Code is required to be conditioned as part of this Reserved Matters application to ensure standards of design.
- 4.131 The Government has set out legislation that exempts self-build homes from the Community Infrastructure Levy (CIL). In order to benefit from this exemption, self-builders must provide a self-build exemption claim (prior to commencement of development) and additional supporting evidence within 6 months of completion of the dwelling. It is vital that work is not begun on site before self-builders submit the appropriate forms and obtain notice from the Council which confirms their exemption.
- 4.132 In order for self-builders on sites of more than one self-build plot to benefit from the CIL exemption, phasing must be mentioned in the planning permission as a condition. This is because CIL regulations require this to allow self-builders to take advantage of the phasing provisions in the regulations, where each self-build plot will need to be identified as an individual phase. If the planning permission is not individually phased by plot then the commencement of the development will trigger CIL attributable to the whole development precluding any subsequent housebuilders from applying for CIL relief. The outline application should show each plot and any access works to be phased separately via a phasing plan.
- 4.133 **Transport Development Control Officer:** Following revised plans, comments as follows:
- 4.134 Did request revisions to the proposed adoption plan to include the street lighting design. 1m sq. areas for the street lighting columns which are located outside of the shared surfaced areas will need to be included in the highway adoption plan. The areas for adoption may need to be adjusted once the street lighting design has been technically approved. The pumping station and spur into the allotment car park would not be adopted as highway. Now comments the street lighting column areas for adoption have now been shown apart from adjacent to the allotments. There is however sufficient space here between the road and the fence to add the small 1m sq areas to the adoption plan. It should be noted that the adoption plan is not definitive and will need to be reviewed at the detailed s38 design stage.
- 4.135 Did comment that the cycle path link to the play area would be better if it were more direct. Now notes this has been altered.
- 4.136 Did comment there are some areas of 45 degree splays still to be added at plots 16 and 17, the entrance to the flats 64 – 72, plots 135 and 136 and plot 73. Notes these have now been added.

- 4.137 Did comment that the raised tables should be shown more clearly. The tarmac ramps at each entry to the table should be indicated with arrow heads. Pedestrian crossings should be on the desire line and on the top of the table surfaced with block paving. Ramps should be clear of driveways and pedestrian routes into the shared surfaced areas. The pedestrian crossing points at the table junctions need to be on the desire lines and clear of driveways. Happy to meet and discuss if this is not clear. Now comments the only areas which are not quite right are the crossroads between plots 35, 36, 52 and 53. Pedestrians shouldn't be walking onto a table and down a ramp to the shared surface road. Can the ramps from the shared surface roads be replaced by block paved strips at the same level as the table? The block paved strip across the side road between plots 15 and 76 isn't really necessary and can be removed. It would be helpful if these two points could be addressed now otherwise would recommend a suitable condition for the details to be submitted and approved prior to commencement.
- 4.138 Please move the pedestrian crossing away from the driveway of plot 114 to a more central position in front of plot 113. Can the crossing be moved to the front of plot 113 closer to the desire crossing line and moving the ramp away from the visitor parking space? Could be a pre-commencement condition.
- 4.139 Did comment that although not raised earlier the Council's cycle parking standard includes a requirement to provide cycle parking for each dwelling. Therefore can stores for 2 cycles at each house without a garage be shown on the drawings please? Now notes these have been provided.
- 4.140. Did comment that the Council's residential car parking SPD includes a requirement for Electric Vehicle Charging Points (EVCP) (or other ultra-low emission facility) at each garage or parking space adjacent to a dwelling. This detail would be needed to discharge the parking condition. Please ask the Applicant to indicate the EVCPs at the suitable dwellings on the drawings. Now comments can only see plot 57 which does not have a charging point and should. Could be a pre-commencement condition.
- 4.141 Did comment that the surface water drain opposite plots 94-85 is outside of the adoptable highway. Is there a reason for this? How will adopted gully connections be provided? Now notes the Surface Water Drain is not shown within the highway.
- 4.142 Otherwise no objections to the revised details.
- 4.143 **Tree Officer:** Following revised plans, commented as follows:
- 4.144 As tree issues go this is a good site, there are minimal removals, and the protection for the trees in accordance with the tree protection plans and the arboricultural method statement is adequate. There are a few comments:
- 4.145 In 4.6.3 of the method statement it states that for the no dig surface installation the developer should contact the arboricultural consultant for a toolbox talk. Requests a watching brief here for the installation of the cellular confinement/no-dig surfaces within the RPAs.

- 4.146 Also requests a watching brief for any ditch clearance works within the RPAs of trees to include the removal and replacement of protective fencing before and following any works. This is to ensure the protection of the trees and the correct placement of the protective fencing.
- 4.147 The access for maintenance of the attenuation pond needs further clarification. Any incursion within the RPAs of the trees will require no-dig cellular confinement fit for the purpose and weight of vehicle intended to use the track.
- 4.148 All other works should be in accordance with the submitted Method statement.
- 4.149 With regard to the proposed planting of trees/location/species/suitability/suitability of planting medium, defers to the Landscape Officer for comment.
- 4.150 **Urban Design Officer:** It is widely agreed that the new NPPF places a renewed emphasis on design quality. This has been borne out by a number of well reported schemes being dismissed on appeal for 'design' reasons. The applicant should also note that the Council has recently regained its 5 year supply position and this has been agreed by the parties at ongoing appeal proceedings in respect of proposed development at South of Gloucester Road, Thornbury.
- 4.151 Para 124 of the NPPF states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve...and helps make development acceptable to communities'. Para 127 states that 'decisions should ensure that developments:...add to the overall quality of an area...are visually attractive...are sympathetic to local character...establish a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live...and create safe, inclusive and accessible places...', and para 130 states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area...'. It also states that Local Planning Authorities should also seek to 'ensure that the quality of approved development is not materially diminished between permission and completion'.
- 4.152 The NPPG makes similar statements including, 'Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer. Standard solutions rarely create a distinctive identity or make best use of a particular site. The use of local materials, building methods and details can be an important factor in enhancing local distinctiveness when used in evolutionary local design, and can also be used in more contemporary design.
- 4.153 Policy CS1 of the Core Strategy requires that the highest possible standards of design and site planning are achieved, siting, form, scale, height, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context and density and overall layout is well integrated with existing adjacent development and connected to the wider network of foot, cycle and public transport links.
- 4.154 PSP1- Local Distinctiveness, requires that new development should respond constructively to buildings and characteristics of a locality that make a positive

contribution to the distinctiveness. The supporting text explains how this should be done and it is clear that the historic building stock, usually pre-war is usually the best source to understand locally distinct building styles and not more recent estates that rarely sought to respond to local character and are in fact the reason why modern planning policy promotes locally distinct architecture.

- 4.155 It is worth noting that no viability issues have been presented to date. This is not surprising, as this is a greenfield site in an attractive location with good values. There should thus be no reason why a good standard of design cannot be achieved alongside other planning policy objectives.
- 4.156 The outline was granted on appeal. Condition 1 requires that development must accord with the Design & Access Statement (July 17) and parameter plans in respect of scale, Green Infrastructure, Land-use & Access and Density.
- 4.157 The vision/aspirations etc. set out in the Design & Access Statements are important in the context of the new NPPF (para 130) as the community and inspector was clearly meant to believe that development of a certain quality would be achieved.
- 4.158 Originally commented that what is presented by the developer though is currently something of a muddle that lacks much subtlety or quality. Errors designers often make in terms of 'architecture' is to introduce unnecessary detail into elevational treatments, specify poor quality materials, dress frontages only, and pay little attention to important details, such as eaves, plinths, mortar colour, window reveal depths and bin storage etc. In terms of urban design distinctive 'places' and streets often have a strong theme of repetitive forms and strong unifying features such as boundary treatments and robust landscaping. What is common with modern developer approaches is to introduce too much variety with little logic to the distribution of dwelling types. This leads to a tedious / anywhere design. All these common problems are evident in the proposed scheme. The best approach is often to keep things simple and do them well.
- 4.159 The scheme is predominantly landscape led, and defers to landscape colleagues in respect of these issues. The approved Design and Access Statement (DAS) otherwise suggests two character areas:
- 4.160 Park Lane- where the development is described as a formal row of semi-detached dwellings in render with reconstituted slate roofs, 75mm window reveals, pitched door canopies & chimneys and 2.5 storey reconstituted stone dwellings with quoin detailing either side of the entrance to the site. Low 'stone' (as distinct from recon stone expressed elsewhere) front walls to the 'entrance' dwellings and railings and shrubs elsewhere.
- 4.161 Originally commented that the details fail to comply with the approved DAS in the following ways: roofs are in concrete tile, only fronts of properties are in render and recon stone, the front garden walls to plots 1, 2 & 18 are recon stone not natural stone, window reveal depths are not specified and railings have not been provided. Render units in the DAS and the nearby older semi-detached units are much more simply detailed. Traditionally render was applied to stone dwellings in South Gloucestershire so as to maintain the property, in so doing covering over the detailing. Rendered properties thus tend not to have the extensive quoining detail, and are often



devoid of such decoration other than small stone cills, plinth and drip details to lintels. These and other rendered plots should be reviewed accordingly. The stone units however would retain such detailing. However there is no precedent for the string course which appear to be rather randomly applied in any case looking at the street scenes, e.g. it intersect with the cills on plot 2, doesn't appear on plot 1 and is below the cill on the plot 18. Thus, the string courses would be better removed from the recon stone dwellings across the scheme. With respect to the Bekstone this is a very poor substitute for the traditional pennant stone which has a harder finish and often red tinges through it. Bekstone is also an overtly modern product and can combine well with modern detailing and grey windows etc, however as a 'traditional' appearance is being promoted would suggest the Rebastone (now Bradstone) Keinton. Pitched canopies should be confirmed as in timber and small format tile (not plastic). Has now commented that the plans have been revised in accordance with the above.

- 4.162 Rural Frontage- around the southern edges, central Public Open Space (POS) area and eastern edge, described as a 'organic' building line with 'sinuous' private drives, a mix of 2 storey semis and detached units with some 3 storey apt buildings to act as key buildings on the primary route. Architecture is 'traditional' in recon stone and 10% rough cast render, with brick arched heads and surrounds, vertical fenestration, canopy porches, roofs in red and brown concrete profiled tiles with occasional recon slate. Key buildings will have chimneys and boundaries will be hedges and walls.
- 4.163 Noted the details fail to comply with the approved Design and Access Statement (DAS) in the following ways: The build line is not 'organic' and only a cursory attempt has been made to create 'sinuous' driveways/lanes around these edges. Brick is far too evident being on very visible to sides to all plots and wholly applied to some units and along the eastern edge. There doesn't appear to be any stone walls or recon slate tiles, nor chimneys to key plots. This whole character area requires reviewing. Again the Bekstone is not a good substitute for pennant and therefore should also be amended to the Bradstone products. With regard the apartment blocks I would suggest the string courses are removed and a proper plinth detail is provided. A note should be added to ensure it is clear the brick quoining detail is red brick (even on the red main brick facades), quoining should project 5-10mm from the facing brick to add definition, and chimneys added. The heavy full brick window surrounds to some units should be removed and replaced the red arched detail as other windows. Pitched canopies should be confirmed as in timber and small format tile (not plastic). Window reveal depths should be specified (min 75mm). Has commented that the plans have now been amended sufficiently that they are considered acceptable.
- 4.164 Core dwellings: These tend to combine red brick with blue brick detailing and traditionally styled flat canopies to doors, although the drawings are not clear in all instances and should be checked. String courses are again applied rather randomly, on some dwellings and not others and to some frontages and not others on the same dwelling. Some units also have a rather heavy full brick surround to a window. Again, thinks the designer is trying a little too hard. Would suggest that the string courses are removed and a proper plinth is introduced. The blue brick is a welcome addition but used consistently just to the arched heads and cills is sufficient to create the distinctive twist. The heavy full blue brick window surrounds to some plots should be removed and replaced with the arched detail. The use of the red brick and Staffordshire blue detailing thus distinguishes the core units well from the other

character areas, thus could be used on plots 111/112, 134/135, 144/145, 166 & 167. The same with plots 132, 165, 171 & 204. All these key units would perhaps just benefit from other more subtle ways of distinguishing their role in defining these spaces, e.g. introduce chimneys, stone walls to front gardens, pitched door canopies, recon slate and possibly a grey window frames etc. Window reveal depths should be specified (min 75mm). Has commented that the plans have been amended sufficiently such that it is now considered acceptable.

4.165 Originally made the following comments:

- It is understood that there are significant levels issues across the scheme and what appears to be large areas of cut and fill. Given this is scheme driven in the most part by its 'sensitive' treatment of this 'dry valley' rural edge this is wholly inappropriate. Engineering / slab levels etc. should work with the site topography;
- The scheme is dominated by tarmac, with no attempt to distinguish between traditional highway and shared space and private drives and parking bays. Clear changes in material (thresholds) between these street types should be provided to define the street hierarchy. Shared spaces should generally be at least 50% block paved and include build outs and street trees etc. to create interest, greater amenity and slow traffic etc. Adoptable visitor bays should be parallel to the roadside not perpendicular as opposite 95/96;
- Further thought is required in respect of pedestrian desire lines, i.e. occupants of plots 97-101 will inevitably seek to walk across the grass to get to the primary street or through the tree line via plots 85 parking to go west. Occupants of plots 173-177 are also forced to go south to get to the footpath through the POS before they can go northwest. There will be a desire line across the grass north in front of plot 61 from the end of the shared space not as the path alignments in this area show. Plots 24-29 will want to go directly north back to the primary street and should not have to cross the grass and walk over private drives;
- There are many instances where there is timber fencing in highly visible locations, i.e. rear of plots, 1, 35, 15, 36-37 & 38, 29, 60, 52, 15, 74, 86-84, 99-102, 106 & 109, 111, 144, 147, 157-170, 132-131, 129-128 rear of self-build plots / parking spaces 30, 54 & 57 etc. This is not acceptable;
- The aspiration of 'formal' street trees has been lost along the primary route;
- The NPPG requires that bin storage is better designed into schemes. It should also be noted that refuse collectors now require bins to be brought to within 10m of the public highway. In reality, in many cases bins will be left out the front of dwellings or just within the entrance to driveways so becoming a source of annoyance for neighbours and impacting negatively on the street scene etc. Properly designed in bin storage to the front of the properties should be provided where there is not direct access from the garden of a property to the public highway;
- The space provided for the self-build plots is clearly tight and requires testing to demonstrate it can meet the objectives;
- Material products will need specifying. '*Or similar*' is not acceptable.

4.166 Now comments that defers to respective landscape, development management and drainage colleagues in respect of site levels and landscaping issues. Otherwise considers that the above appear to have been addressed sufficiently such that the layout is now considered acceptable.

- 4.167 Originally commented that the development is required to meet Policy PSP6-Renewable Energy. Clarification should thus be provided of how this will be achieved. Solar tiles as opposed to panels are a better product, particularly in conjunction with slate effect tiles. Now comments that a sustainability note has provided confirming that the application will comply with PSP6 in terms of achieving a 20% reduction in CO2 emissions over the current building regulations. Climate change however continues to rise up the agenda. PSP6 also encourages developers to offer additional micro renewables as 'optional extras' to purchasers, e.g. additional Photovoltaics (PV), higher performance PV, battery storage, or indeed PV where none is required to meet the objectives of PSP which is measured across the development as opposed to individual plots. Such offers would provide an avenue for Barratts to meet its stated aim of supporting their customers to reduce annual running costs and lead lower carbon lives etc. Would thus request a full response to the objectives of PSP6, including, for public record the required calculations, a plan confirming which plots will be fitted with PV and a marketing response.
- 4.168 Originally raised an objection due to the proposals currently lacking a quality and rigour that provides reassurance that high quality locally distinct design will be achieved as required by the NPPF, NPPG and Local Plan policies. Commented that levels need reviewing and that the scheme failed to meet the quality that the original Design and Access Statement alluded to which is clearly nearer to what the inspector and community expected. Commented that appearance details and materials require review, surface treatments & bin storage proposals are inadequate and require review, the area provided for the self-build plots appears challenging and therefore risks failing to meet these objectives and pedestrian desire lines should be more carefully considered and accommodated. Commented that a thorough review and substantive changes are thus required as set out above, otherwise these reserved matters should be refused.
- 4.169 Now comments that a thorough review has been undertaken. House types, detailing and materials have been simplified, such that the character areas are now more coherent. The layout has been adjusted in places, boundary walls added in prominent locations, bin stores to the front of plots without easy rear access and surface materials amended. The effort made is welcome and this is now a much better scheme. Also notes information provided in terms of self-build delivery. This is welcome. A detailed marketing strategy is though now required. Thus, subject to a fuller response in terms of PSP6 as set out above, has no further objection.
- 4.170 Waste Officer: Originally commented as follows. Please provide detailed drawings of the two communal bin stores so that the number of refuse and recycling bins needed can be assessed. Please provide distances between the communal bin stores and the collection vehicle. Following revised plans, had no further waste comments.
- 4.171 Network Rail: No objection in principle to the above proposal but due to the proposal being next to Network Rail land and infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway asset protection comments have been included which the applicant is strongly recommended to action should the proposal be granted planning permission. The

local authority should include these requirements as planning conditions if these matters have not been addressed in the supporting documentation submitted with this application.

- 4.172 If not already in place, the developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.
- 4.173 Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure.
- 4.174 Proper provision must be made to accept and continue drainage discharging from Network Rail's property. The Land Drainage Act is to be complied with. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway. Full details of the drainage plans are to be submitted for acceptance to the Network Rail Asset Protection Engineer. No works are to commence on site on any drainage plans without the acceptance of the Network Rail Asset Protection Engineers: Network Rail has various drainage standards that can be provided Free of Charge should the applicant/developer engage with Network Rail's Asset Protection Engineers.
- 4.175 Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3 months notice before works start.
- 4.176 It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.
- 4.177 Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement

of works and the works shall only be carried out in accordance with the approved method statement.

- 4.178 All excavations/earthworks carried out in the vicinity of Network Rail's property/structures must be designed and executed such that no interference with the integrity of that property /structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.
- 4.179 The proposal must not interfere with or obscure any signals that may be in the area.
- 4.180 Network Rail would remind the council and the applicant of the potential for any noise/vibration impacts caused by the proximity between the proposed development and the existing railway, which must be assessed in the context of the National Planning Policy Framework (NPPF) and the local planning authority should use conditions as necessary.
- 4.181 The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running and heavy freight trains.
- 4.182 There is also the potential for maintenance works to be carried out on trains, which is undertaken at night and means leaving the trains' motors running which can lead to increased levels of noise.
- 4.183 It is therefore strongly recommended that all future residents are informed of the noise and vibration emanating from the railway, and of potential future increases in railway noise and vibration.
- 4.184 It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.
- 4.185 Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.
- 4.186 Fisher German (On behalf of Esso Petroleum Limited): Client does have apparatus situated near the proposed works. No objection to the proposals so long as the "Special Requirements for Safe Working" booklet and the covenants contained in the Deed of Grant are adhered to.

## Other Comments

4.187 Representations objecting to the development have been received from 13 neighbours, and are summarised as follows:

4.188 On the original plans:

- The infrastructure around the fields will not cope with 204 homes being built; The area will not be able to cope with the additional traffic;
- It will bring overwhelming traffic to the surrounding road network. The previous developments at this location have already brought excessive traffic onto the surrounding roads;
- Roads to get onto Badminton Road will not cope;
- There is insufficient parking available for the proposed housing. This will not only cause issues in accessing properties but will lead to parking on landscaped verges and on the narrow roads, causing damage to the landscaping and obstruction to other vehicles;
- Given the increased volume of vehicles that will be on the local roads, what, if any consideration has been given to Park Lane towards Church Road?
- The doctors and dentists will not be able to accommodate more people;
- Fields flood often, another pumping station is needed;
- Are schools going to be able to cope with all the extra children?;
- Schools locally are not big enough;
- There are not enough local shops;
- The trees should be protected;
- The Landscape and Ecology Management Plan states existing hedgerows will be "gapped up" using native species to a width of 3m in accordance with the soft landscape drawings. These drawings do not detail any infilling to the existing boundary hedgerows which would screen the development from neighbours and provide vital corridors for existing local wildlife;
- The northern boundary should be formalised and reinforced with all the current hedge gaps closed with planting to deter nuisance access and lurking in final scheme, and shield noise/dust disruption during the construction process;
- The area is home to many birds and other wildlife;
- Deer, foxes and other wildlife are often seen in these fields, what will happen to them?;
- There have been two estates and numerous areas of infilling over the last few years which is still going on, soon there won't be many green areas left;
- There is an unacceptable loss of green space around the village with a corresponding detrimental effect on wildlife;
- This green space is the last one that prevents the village becoming an urban sprawl;
- This development will change the feel of the area;
- Local youngsters cannot afford to buy houses as the prices are too high and there is no provision for social housing;

- Objects to the layout of the proposed social rent housing. It is poorly distributed within the development. The purpose of including social housing in new developments is to allow people to have a good home, living within a mix of properties. Putting all of the social housing, or at least the vast majority of it, all in one line down the side of the development is not going to achieve this aim;
- The soil is valuable for agricultural purposes and could be used for allotments;
- There is no statement or strategy in the pack detailing how the scheme will be designed to minimise opportunities for anti-social behaviour;
- The affordable/social rent properties are not spread evenly around the development as they should be;
- The render used as external wall treatment in the previous development is going green and mouldy on several buildings and should not be deemed appropriate for this scheme;
- Concerned that a path is included towards the centre of the northern boundary from the proposed housing development into The Meads. This seems unnecessary given the proposed footpath closer to Park Lane. A simple solution is to plant new hedgerow to close the existing gap instead;
- The above path will lead to a disproportionately large amount of foot traffic impacting on peace and quality of life for immediate neighbours.
- There should be a single path into The Meads, away from private houses;
- The central access route by foot for the proposed site emerges in The Meads on a public pathway, adjacent to a private driveway that is divided from it by a simple wooden barrier. This barrier is frequently damaged by pedestrians and vehicles as it stands at the moment. With the proposed access this will only act as a gathering point with an increasing risk of further wear and tear in this area;
- Object to the style of housing directly opposite The Meads, as the applicant has stated previously that this would be a mirror of the existing houses, with shared driveways and a similar house style;
- The housing opposite The Meads is very closely spaced houses with vehicles parked right outside, visible from the houses opposite;
- Early designs suggested much less housing would be constructed on the Northern border of the site. This would be more in keeping with what is directly opposite. The plans show rows of terraced grouped houses facing detached houses. Would these houses not be better fitted in the centre of the Blackberry Farm Development?
- Both Park Lane and Rural Edge housing have been identified for enhanced appearance through the use of premium main facing material. This was a similar requirement in development of The Meads in attempt to reflect the character of housing found elsewhere in the village of Frampton Cotterell. The current requirements imposed on Park Lane and Rural Edge housing should be extended to that housing facing the existing Meads development in order to ensure the character mirrors existing design principles. The housing in this area of the site should not be considered Core Housing;

- Concerned regarding drainage- the additional water that will be pushed down the hill towards The Meads causes concern, and there is also concern that householders will be left to resolve any problems this causes themselves;
- There has been no information provided regarding how the site will progress and duration of disruption to the most affected neighbours.

#### 4.189 On the revised plans:

- In terms of the layout of the site very little has changed from the plans that were originally submitted;
- In the Meads development the requirement for affordable houses was that they were to be evenly spread throughout site, with no more than 6 within one cluster. This plan proposes building a cluster which has 12 affordable houses. Social housing is much needed, but it is supposed to be evenly distributed on the site, not clustered into a few areas;
- The houses being constructed next to The Meads will have a road between them and The Meads, giving a view of essentially a car park for much for the year;
- On the original plan, the prime way through onto this site was to be at the top of the Meads, by Park Lane and another at the bottom of the pre-existing site, through what is now a field. This now appears to have changed. The main connecting route from the new site into the Meads appears to be via a new path. Encouraging the new site to use the proposed new pathway would dramatically increase the number of people walking past existing properties in the Meads, impacting on privacy and increasing the danger to pedestrians from cyclists;
- The Meads has no way through into the pre-existing Park Farm site so why is there a need to have one from the new site, going through middle of Meads?;
- A new path runs through an area close to the current hedge, next to the pond. The new path runs through this area, under the trees, creating an area that is likely to attract anti-social behaviour due to its relative seclusion;
- Shops should be provided as well as houses as the one shop in the village is too far for the elderly that live in Frampton Cotterell;
- There are not enough doctors surgeries and school places to cope with up to 800 more people;
- There is already too much traffic on Park Lane and it goes too fast, speed humps should be put in along Park lane as part of the development;
- From the new revised plans there is only one exit and entrance road onto Park Lane. This road and the surrounding area does not have the infrastructure to cope with potentially additional 400 cars;
- There will be damage to wildlife, noise pollution and damage to the environment;
- Comments raised originally have not been addressed.



#### 4.190 On the further revised plans:

- The updated soft landscaping proposals include only vague notes about repairing and infilling the northern boundary hedgerow, and the plans, specifically GL1035 02A rev B, still show large gaps where nuisance access will damage the roots and facilitate antisocial behaviour;
- The roads will not be able to cope with a possible three hundred extra cars travelling on them. There would need to be calming measures and crossings for the children that would walk to school;
- The local roads are already overloaded at peak times, and the new bus services will not provide significant aid to this problem. 204 plus homes will mean possibly 430 to 500, and probably much more, additional vehicles on the local roads eventually. Existing congestion on Church Road, Bristol Road, Park Lane and Badminton Road is bound to get worse;
- The junction between Park Lane and Badminton Road is dangerous;
- The access from the proposed development onto Park Lane is on the outside of a bend which gives restricted visibility on both directions;
- Although Park Lane has a 30mph speed limit, many exceed this. The new junction would be potentially an additional danger;
- Even with the bigger Watermore School currently being built, with this estate (and the proposed new houses in Coalpit Heath), there would not be enough school places available;
- Doctors and Dentist surgeries would not have the space for the extra people in the area;
- The local educational and medical services infrastructures are already seriously oversubscribed and overloaded, as are the local shops. This development will contain no realistic means of improving the situation. There is only one dental practice in Frampton Cotterell.
- With the two estates that were previously built and all the infill building that has occurred that it would be a mistake to build on these fields. It has been proved that people feel better when there are green spaces for them to walk through, the footpath being used by rambling groups and dog walkers, local groups have also used them as well;
- It is not unusual to see Deer, Kites and all sorts of wildlife in these fields;
- Have seen barn owls flying over the fields and bats flitting about around the trees  
along Park Lane on several occasions after dark. It is very likely that bats will also fly around the trees in the hedgerows within the site, and around Blackberry Brake on the Badminton Road side of the proposed site;
- Accepting that affordable housing would be required on any such development, it is unacceptable for a cluster of 18 such properties to be concentrated to the exclusion of any other housing along the northern boundary with existing established housing;
- The affordable housing should be evenly distributed throughout the development;

- In any case, this layout of housing is completely different from the original "sympathetic" proposal the developer proposed when distributing leaflets to the affected existing homeowners.
- This application is a reduced version of the previous proposal, which received a firm and clear refusal which was over-ridden by the outcome of the developer's appeal;
- It still leaves the opportunity for further expansion on the remaining field along Park Lane, which is at present being left vacant, as well as the "green space" towards Woodlands Farm; The provision of green spaces in the development in any case does not compensate for the loss of the existing green space (open fields) which provides the only remaining significant break between Coalpit Heath and Frampton Cotterell;
- If this application is approved and the scheme is built it will be another serious step along the route to losing the individual identities of both Frampton Cotterell and Coalpit Heath;
- The parking allocation proposed for the new development is questionable as many homes have more than the two vehicles;
- The layout of parking for most properties is one space behind the other one, which increases the risk of accidents through having to move cars around and cars will park on the highway to avoid this;
- The fields are productive for agricultural and should not be developed for this reason;
- The fields are already a publicly rewarding green space all year round, the greenspaces provided in the development will not compensate for this;
- The developers have stated that despite the long walking distances to bus stops, most of the residents of the new development will use public transport rather than drive to work, but this is considered unlikely;
- Loss of views from Park Lane;
- It appears that the site's foul drainage will be routed into the existing sewer running along Park Lane. There have been some problems with drainage along this sewer in the recent past. Relying on this sewer to take yet more waste appears to be optimistic;
- These proposed residential properties will not benefit the local community, the houses will be occupied by people relocating from other areas;
- Hopes that the land is being properly surveyed and that the survey is verified by independent agencies and that the local planning authority checks this very carefully.

## **5. ANALYSIS OF PROPOSAL**

### Principle of Development:

- 5.1 Outline planning permission has already been granted for up to 215 houses on this site, via the appeals process. The site is laid out to accommodate that number of houses. It is noted that a number of comments raise concern relating to the principle of developing this land for housing. However, it has already been established that this is acceptable through the outline planning permission. The purpose of this reserved

matters is to consider the detailed matters related to delivering the development, and it would not be reasonable to reconsider the principle of this development here.

- 5.2 The access on to Park Lane proposed was included in the outline planning permission and as such has already been granted planning permission. In respect of the comments made regarding the suitability of this access, this has therefore been fixed by the outline planning permission and it would again be beyond the purpose of this reserved matters application to consider this again.

#### Compliance with the DAS

- 5.3 The site takes the form of a dry valley with strong lines of mature trees, and these are the key elements of its existing character. The approved Design and Access Statement states that the development will respond to the topography of the site and work accordingly with the contours. It also states that the proposals should maximise the opportunity to use existing landscape features as structuring elements of the masterplan and as a basis for the creation of a distinctive character that is specific to the site. The need to create a strong gateway to the site from Park Lane is also considered important. Therefore the key issues for this proposal are how the design and layout of the site responds to the existing topography and landscape setting and the existing street scene on Park Lane.
- 5.4 The development adheres to the locations of development shown in the parameter plans at outline stage. The vast majority of the mature trees on the site have been retained and the public open spaces on the site are mainly linear in nature and based around the lines of mature trees on the site. The site keeps its valley shape and will have a green setting. A strong, more formal layout is also provided onto Park Lane.
- 5.5 The design and materials of the dwellings shown are considered acceptable with stone and render used in key areas, including on Park Lane and where the dwellings face the main public open spaces. Two and a half storey dwellings and the two three storey flat blocks proposed provide a sense of enclosure around the northern part of the main public open space. Through negotiations there have been a number of minor changes such as changes to materials, provision of chimneys and additional side windows.
- 5.6 Therefore in principle the form that the development takes is considered acceptable.

#### Engineering Works

- 5.7 Initially concerns were raised about the level of engineering works proposed on the site to achieve the layout shown. This was due to the amount of cut and fill proposed, the height and positioning of retaining walls shown on the plans, and the number of dwellings that required underbuild, steps and/or banking. The concern was that this potentially gave the site an over engineered appearance which would be contrary to the above principles of responding to the landscape setting and topography of the site.
- 5.8 However following the submission of further information and discussions with the applicant it is accepted that there are constraints on site this in respect as the site levels need to remain as existing within the root protection areas of the significant number of mature trees to be retained and to ensure surface water drainage can be

achieved into the attenuation pond to the south of the development. This limits the scope within the site to grade the site without having to use so many retaining walls and other associated structures.

- 5.9 The applicant has made some minor changes to mitigate some of the impacts of the engineering works, including reducing the underbuild on the larger flat block and providing an additional ramp, and using reconstituted stone to improve its appearance, terracing some of the gardens to reduce the height of the retaining wall to the rear of them, and providing additional planting to soften the appearance of the underbuild on dwellings. Given this, and that the development retains its valley form and has a mature landscape setting, it is considered that the levels and associated engineering works proposed are acceptable.

#### Private Gardens

- 5.10 It is noted that a number of garden sizes do not meet the sizes set out as a guide in Policy PSP43. However, the developers do not consider this can easily be altered within the perimeter block structures shown. It is considered the majority of dwellings have a reasonable sized rear garden, and the amount of public open space which is in close proximity to all dwellings on this site is noted. Therefore, this matter is not considered to warrant the consideration of refusal of this application.

#### Public Open Space

- 5.11 The Public Open Spaces Officer has made a number of comments throughout the application. Of the outstanding issues that have been raised;
- 5.12 there are pathways on the plans that provide access from the roads on to the main public open space. There are not any banking or structures on the engineering plans that would be likely to cause any notable difficulties with access via these paths.
- 5.13 The discrepancies with the tree protection plans and allotment fence height raised have been resolved.
- 5.14 The applicant has confirmed no services will cross the smaller areas of land adjacent to the highway that will be transferred to the Management Entity.
- 5.15 The sections of highway projecting into the POS have been removed from later plans, as have the areas assigned to private dwellings where they would be better located in the POS.
- 5.16 In respect of the PROW surfaces and the construction of the bridges, conditions are recommended to address these matters.
- 5.17 The changes to the play equipment requested have been made, and the dog bin has been removed.
- 5.18 A teen shelter has been proposed on the Public Open Space. This follows an informal request from a Member of Frampton Cotterell Parish Council. This is considered to be

acceptable in principle as it makes provision for a wider age range. However, it is considered that the location of the teen shelter requires further consideration as it will require a level of passive surveillance but also not be so close to houses and younger children's play equipment that it could cause conflict and disturbance. This presents a difficulty on this site due to the linear nature of the main public open space and the mature trees blocking surveillance. A condition is therefore recommended for the details of location and design to be considered at a later date, and this will allow the matter to be discussed further with the Council's Play Officer and both Parish Councils if necessary.

- 5.19 The footpath links into The Meads are shown on the plans as to be adopted.
- 5.20 The timetables for implementation of the landscaping scheme and surface water infrastructure scheme have been provided.
- 5.21 There is a condition on the outline planning permission that will address the final locations of the public art.

#### Landscape Matters

- 5.22 In respect of the Landscape Officer's comments, in addition to those discussed above, it is noted that additional tree planting has been provided around the attenuation pond, compared to what was proposed originally. Also additional tree planting has been provided on the northern boundary to plug the gaps in the existing tree line. To the south of the self-build plots, further tree planting is also proposed, compared to what was proposed originally. Trees have not been provided in rear gardens, as the applicant states this is often not wanted by buyers, although they will undertake landscaping and tree planting if buyers want this. The absence of trees in rear gardens in the scheme is unfortunate, but given the level of tree cover on the development, is not considered to be a reason to refuse the application.

#### Affordable Housing

- 5.23 It is noted that concerns have been raised about housing being affordable. Affordable housing is provided within this development. The proportion (35%), mix and tenure has already been set by the Section 106 Agreement at outline stage, and it is not the purpose of the reserved matters application to revisit this. In respect of concerns regarding the distribution of affordable housing, this is considered to be appropriately located within the site and to comply with Section 106 requirements in respect of clustering.
- 5.24 No further comments have been received from the Housing Enabling Officer, but in relation to the location of the two bedroom wheelchair homes, the applicant has advised that they do not wish to move these. Given the location of the site and that there will be pedestrian access to Frampton Cotterill via the proposed pedestrian cycle link to Blackberry Drive to be funded by the Section 106 Agreement, this is considered acceptable. The issues raised with the internal layout are considered minor and can be discussed between the developer and RP if necessary.

### Self-Build Dwellings

- 5.25 Eleven plots on the site are proposed as self-build plots to comply with the Section 106 Agreement for 5% of the plots to be self-build, and these will come forward as separate applications. As part of this application a Self-Build Delivery Framework has been submitted.
- 5.26 Concern has been raised about three of the plots being at a right angle to one other, but there are similar layouts on other areas of this site. The applicant has confirmed that the plots will be sold as serviced plots. This has now been confirmed in the Framework submitted.
- 5.27 It is considered that requirement design details and the production/ use of "plot passports" are more appropriately addressed through the requirement for a Design Scheme in the Section 106 Agreement, as the self-build plots are not actually part of this reserved matters application site. Marketing requirements are also contained in the Section 106 Agreement.

### Highway and Transportation Matters

- 5.28 It is noted that a number of concerns have been raised about transport and road layout matters. However, the Transport Officer has not raised an objection and his outstanding comments are now considered to be addressed through the latest set of plans.

### Arboricultural Matters

- 5.29 The Tree Officer's request for watching briefs has been recommended as a condition.

### Noise Impact

- 5.30 The noise assessment concludes that acoustic screening is required for gardens which are exposed to the traffic noise from Park Lane, i.e. where parts of the gardens are behind driveways or adjacent to the highway. The screening should be an acoustic fence or solid masonry wall of at least 1.8 metres in height. 1.8 metre brick walls are mainly shown in these locations, apart from a small area on the boundary of plot 4 that is shown as a close boarded fence. It is considered these brick walls are an acceptable solution, subject to a condition that the wall around plot 4 should be extended. This is also desirable for visual amenity reasons.

### Urban Design

- 5.31 In response to the Urban Design Officer's request for a fuller response on renewable energy, the applicant has submitted a "Carbon Reduction Report". This sets out that photovoltaic (PV) panels will be used. Plots with potential for this have been highlighted on a plan attached to the report. The applicant has stated that appropriate dwellings are identified for PV provision due to the size, shape, angle and orientation of their roof plane. This ensures that the PV panels are utilised in the most efficient

manner by being positioned appropriately with regards to maximising solar gain. This is considered to address this matter and a condition has been recommended to ensure the technologies used achieve the 20% reduction in carbon emissions required by Policy PSP6.

#### PROW Matters

- 5.32 In respect of the Public Rights of Way Officer's comments, where not addressed above, a condition has been recommended to move the hedgerow shown on the plan away from the legal line of the PROW. An informative note will go on the decision notice advising that the legal line of the Public Right of Way actually passes through the adjacent curtilage of Woodlands Farm.

#### Other Matters and Representations Received

- 5.33 In respect of comments made by the Parish Councils and the Local Member where not addressed above, the timing of the works to the Park Lane/ Badminton Road junction is already set out by the Section 106 Agreement, and is required prior to the occupation of the 50<sup>th</sup> dwelling.
- 5.34 It is understood that the developers have now had discussions with Westerleigh Parish Council about the possibility of them taking on the management of the public open spaces.
- 5.35 The stone wall along the site boundary with Park Lane is not shown on the plans as being retained. While it is an attractive feature, its loss is not considered to be a significant issue.
- 5.36 Additional planting has now been shown on the northern boundary of the field to the south west of the development. Houses backing on to the field to close this boundary would have been unlikely to have been appropriate to the setting of the development as the backs of these houses would be very visible from Park Lane and the south of this development.
- 5.37 Turning to other matters raised by neighbours not addressed above, the vast majority of the mature trees on this site are proposed to be retained, with only a small number of trees (6 individual trees, 2 small sections of hedgerow, one small hedgerow and one group in total) lost to accommodate infrastructure provision. Allotments and smaller grow patches have been proposed to allow people to grow their own food.
- 5.38 In respect of the paths into The Meads these are considered desirable to increase connectivity between the site for walkers and cyclists, particularly those that wish to use the public open spaces. It is noted that there are a couple of gaps in the hedgerow on the northern boundary that appear to be currently being used as informal access to the site.
- 5.39 It is noted that the housing on the northern boundary is primarily laid out as semi-detached houses and short links of three, and on the existing housing development, larger detached houses predominate in this area. However, the houses are between 20 and 30 metres away from the site boundary with significant levels of vegetation

between. Therefore this is not considered to result in a significantly adverse impact on the outlook of the neighbours.

- 5.40 Car parking proposed is considered to be acceptable and in accordance with planning policy PSP16 which sets out minimum residential parking standards for South Gloucestershire.
- 5.41 It is considered the concern raised by Highways Structure regarding the height restriction on the existing railway bridge can be addressed through the Construction and Environmental Management Plan condition already attached to the outline planning permission as a pre-commencement condition.
- 5.42 In respect of drainage, a condition for final details of the drainage scheme has been recommended, to reflect the recommendations of the Drainage Officer.
- 5.43 It is considered a revised boundary treatment detail is required for the boundary between plots 190 and 191 to ensure this does not look untidy in the street scene due to its raised level. This is a minor detail though and a condition has been recommended to address this.
- 5.44 It is considered the issues raised by Network Rail are largely matters relating to their own management arrangements that can be addressed outside the planning system.

#### Consideration of likely impact on Equalities

- 5.45 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.
- 5.46 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 **approve** reserved matters has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and South Gloucestershire Local Plan Policy 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 Reserved Matters are **approved** subject to the following conditions:

## **8. CONDITIONS**

1. This decision relates only to the plans below:

P18-1942\_02 Rev Z Site Layout  
P18-1942\_04 Rev E Indicative Street Scenes  
P18-1942\_05 Site Location Plan  
P18-1942\_06 Rev E Materials Plan  
P18-1942\_07 Rev D Phasing Plan  
P18-1942\_08 Rev D Site Layout  
P18-1942\_09 Rev D Affordable Housing Distribution Schedule  
P18-1942\_10 Rev D Allotment Access Strategy  
P18-1942\_11 Rev D Adoption and Management Strategy  
P18-1942\_12 Rev D Parking Strategy  
P18-1942\_13 Rev D Boundaries and Enclosures  
P18-1942\_14 Rev D Refuse Collection Strategy  
P18-1942\_15 Rev D External Works  
P18-1942\_16 Rev D Self Build Phasing and Detailed Delivery Framework  
P19-1942\_17 Rev D Affordable Housing Strategy  
P18-1942\_19 Rev G House Type Pack  
P18-1942\_23 Enclosure Details  
P18-1942\_24 Rev D External Works  
P18-1942\_30 Rev A Vehicle Charging Strategy  
249-060 Rev H General Engineering  
249-060-01 Rev C Road and Sewer Longitudinal Sections Sheet 1  
249-060-02 Rev B Road and Sewer Longitudinal Sections Sheet 2  
249-061-01 Rev G Detailed Engineering Sheet 1  
249-061-02 Rev H Detailed Engineering Sheet 2  
249-061-02 Rev G Detailed Engineering Sheet 3  
249-063 Rev F Vehicle Tracking  
249-064 Rev H Drainage Strategy  
249-065 Rev D Attenuation Pond  
249-067 Rev F Drainage Catchments  
249-068 Rev H Flood Exceedance Routing  
249-069 Rev A Manhole Schedules  
249-070 Rev C Cut and Fill  
249-071 Road Crossing Sections  
249-072 Ditch Cross Sections  
BDWB20836-03G Rev H Tree Protection Plan Sheet 1 of 8  
BDWB20836-03G Rev H Tree Protection Plan Sheet 2 of 8  
BDWB20836-03G Rev H Tree Protection Plan Sheet 3 of 8  
BDWB20836-03G Rev H Tree Protection Plan Sheet 4 of 8  
BDWB20836-03G Rev H Tree Protection Plan Sheet 5 of 8  
BDWB20836-03G Rev H Tree Protection Plan Sheet 6 of 8  
BDWB20836-03G Rev H Tree Protection Plan Sheet 7 of 8  
BDWB20836-03G Rev H Tree Protection Plan Sheet 8 of 8

GL1035 01 Rev C Soft Landscape Proposals Sheet 1 of 10  
 GL1035 02 Rev D Soft Landscape Proposals Sheet 2 of 10  
 GL1035 03 Rev C Soft Landscape Proposals Sheet 3 of 10  
 GL1035 04 Rev C Soft Landscape Proposals Sheet 4 of 10  
 GL1035 05 Rev D Soft Landscape Proposals Sheet 5 of 10  
 GL1035 06 Rev C Soft Landscape Proposals Sheet 6 of 10  
 GL1035 07 Rev D Soft Landscape Proposals Sheet 7 of 10  
 GL1035 08 Rev C Soft Landscape Proposals Sheet 8 of 10  
 GL1035 09 Rev D Soft Landscape Proposals Sheet 9 of 10  
 GL1035 10 Rev D Soft Landscape Proposals Sheet 10 of 10  
 GL1035 11 Rev C Play Area Proposals  
 GL1035 12 Rev C Landscape Sections  
 GL1035 13 Rev A Landscape Sections  
 GL1035 14 Rev A Art Installation Location Plan  
 GL1035 15 Provision of Children and Young People's Play  
 GL1035 16 Rev A Tree Soil Volumes and Highway Protection  
 GL1035 17 Timber Shed and Bridge Imagery  
 CTS-001 Timber Bridge Type B Generic Arrangement

Reason

To clarify the plans forming this consent.

2. No development shall commence until the following additional surface water drainage details have been submitted to and approved by the Local Planning Authority:
  - a). The information below, to be submitted in the format of an industry standard document such as a technical note and including the specific regime for each of the components and also which party is responsible for each component where applicable:
    - A detailed list of all current revisions of any plans, drawings and/or documents relevant to both the foul sewage and surface water network and its components such as existing ditches, attenuation ponds and flow control devices. Where applicable, the listed plans, drawings and documents are required to accompany the list for final approval;
    - An updated cross-sectional plan of the proposed ditch re-profiling and its associated locations;
    - An updated plan of the attenuation pond which clearly illustrates an all-around access track for maintenance;
    - Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change (40% the current accepted industry standard) storm event (winter and summer);
    - All storm events not just up to the 960 minutes as previous. The submission must therefore include the MicroDrainage mdx file for audit and approval;
    - Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as attenuation features and flow control devices for the lifetime of the development.

b). Confirmation, approval, and/or acceptance of an application for Ordinary Watercourse Consent where required from the Lead Local Flood Authority for any work or structures, to, in or affecting any ordinary watercourses. The following items of this proposal fall within the aforementioned criteria:

- Culverting or the creation of crossings of the adoptable highway over existing watercourses / ditches;
- The installation and/or construction of 7 headwalls/outfalls A through G;
- Proposed ditch re-profiling.

The development shall be carried out in accordance with the above approved details.

**Reason**

This is a pre-commencement condition to ensure that the provision of satisfactory drainage is not prejudiced by starting works on the scheme, 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.

3. No dwelling shall be occupied until the details of the photo voltaic technologies to be used in order to ensure a 20% carbon emission reduction on total residual energy consumption throughout the site have been submitted to and approved in writing by the Local Planning Authority. The technologies shall be installed in accordance with the approved details.

**Reason**

To ensure a 20% reduction in carbon emissions is achieved and in accordance with Policy PSP6 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

4. Notwithstanding the submitted details, plots 3 and 4 shall not be occupied until the proposed 1.8 metre high brick wall shown on western boundary of plot 4 has been extended along its southern boundary up to the garden gate of plot 3, in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

**Reason**

To ensure adequate noise mitigation and in the interest of visual amenity, and in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policies PSP1 and PSP21 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

5. Notwithstanding the submitted details, plots 190 and 191 shall not be occupied until details of the boundary treatment between plots 190 and 191 have been first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason**

In the interest of visual amenity, and in accordance with Policy CS1 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.

6. Notwithstanding the submitted details, prior to construction of the 100<sup>th</sup> dwelling or the construction of the pathways following the Public Right of Way in the east of the site, whichever is sooner, details of the construction and surfacing, including cross sections and a method statement, of the path following the line of the Public Right of Way in the east of the site, proposals to relocate the proposed hedge away from the legal line of the Public Right of Way and a timetable for the implementation of the above works shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

In the interests of pedestrian accessibility, and in accordance with Policy CS8 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP10 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

7. Notwithstanding the submitted details, prior to construction of the 50<sup>th</sup> dwelling or the construction of the footbridges in the Public Open Space, whichever is sooner, details of the construction and materials for the footbridges proposed in the Public Open Space and a timetable for their implementation shall first be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

To ensure the bridges are durable, and in accordance with Policy CS8 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP10 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

8. Notwithstanding the submitted details, prior to construction of the 50<sup>th</sup> dwelling or the construction of the teen shelter in the Public Open Space, whichever is sooner, details of the final location and design of the proposed teen shelter and a timetable for its implementation shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

To ensure the location and design of the Teen Shelter is acceptable, and in accordance with Policy CS2 of the South Gloucestershire Local Plan Core Strategy adopted December 2013.

9. Prior to the commencement of any of the following works: to install cellular confinement for trees; on no dig areas within the Root Protection Areas of Trees; or to clear ditches within Root Protection Areas of trees, details of a watching brief to be implemented to ensure the works are carried out to a satisfactory standard, shall be first submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details throughout the duration of the works.

Reason

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.

**Contact Officer: Helen Winsall**  
**Tel. No. 01454 865911**

**CONDITIONS**

1. This decision relates only to the plans below:

P18-1942\_02 Rev Z Site Layout  
P18-1942\_04 Rev E Indicative Street Scenes  
P18-1942\_05 Site Location Plan  
P18-1942\_06 Rev E Materials Plan  
P18-1942\_07 Rev D Phasing Plan  
P18-1942\_08 Rev D Site Layout  
P18-1942\_09 Rev D Affordable Housing Distribution Schedule  
P18-1942\_10 Rev D Allotment Access Strategy  
P18-1942\_11 Rev D Adoption and Management Strategy  
P18-1942\_12 Rev D Parking Strategy  
P18-1942\_13 Rev D Boundaries and Enclosures  
P18-1942\_14 Rev D Refuse Collection Strategy  
P18-1942\_15 Rev D External Works  
P18-1942\_16 Rev D Self Build Phasing and Detailed Delivery Framework  
P19-1942\_17 Rev D Affordable Housing Strategy  
P18-1942\_19 Rev G House Type Pack  
P18-1942\_23 Enclosure Details  
P18-1942\_24 Rev D External Works  
P18-1942\_30 Rev A Vehicle Charging Strategy  
249-060 Rev H General Engineering  
249-060-01 Rev C Road and Sewer Longitudinal Sections Sheet 1  
249-060-02 Rev B Road and Sewer Longitudinal Sections Sheet 2  
249-061-01 Rev G Detailed Engineering Sheet 1  
249-061-02 Rev H Detailed Engineering Sheet 2  
249-061-02 Rev G Detailed Engineering Sheet 3  
249-063 Rev F Vehicle Tracking  
249-064 Rev H Drainage Strategy  
249-065 Rev D Attenuation Pond  
249-067 Rev F Drainage Catchments  
249-068 Rev H Flood Exceedance Routing  
249-069 Rev A Manhole Schedules  
249-070 Rev C Cut and Fill  
249-071 Road Crossing Sections  
249-072 Ditch Cross Sections  
BDWB20836-03G Rev H Tree Protection Plan Sheet 1 of 8  
BDWB20836-03G Rev H Tree Protection Plan Sheet 2 of 8  
BDWB20836-03G Rev H Tree Protection Plan Sheet 3 of 8  
BDWB20836-03G Rev H Tree Protection Plan Sheet 4 of 8

BDWB20836-03G Rev H Tree Protection Plan Sheet 5 of 8  
 BDWB20836-03G Rev H Tree Protection Plan Sheet 6 of 8  
 BDWB20836-03G Rev H Tree Protection Plan Sheet 7 of 8  
 BDWB20836-03G Rev H Tree Protection Plan Sheet 8 of 8  
 GL1035 01 Rev C Soft Landscape Proposals Sheet 1 of 10  
 GL1035 02 Rev D Soft Landscape Proposals Sheet 2 of 10  
 GL1035 03 Rev C Soft Landscape Proposals Sheet 3 of 10  
 GL1035 04 Rev C Soft Landscape Proposals Sheet 4 of 10  
 GL1035 05 Rev D Soft Landscape Proposals Sheet 5 of 10  
 GL1035 06 Rev C Soft Landscape Proposals Sheet 6 of 10  
 GL1035 07 Rev D Soft Landscape Proposals Sheet 7 of 10  
 GL1035 08 Rev C Soft Landscape Proposals Sheet 8 of 10  
 GL1035 09 Rev D Soft Landscape Proposals Sheet 9 of 10  
 GL1035 10 Rev D Soft Landscape Proposals Sheet 10 of 10  
 GL1035 11 Rev C Play Area Proposals  
 GL1035 12 Rev C Landscape Sections  
 GL1035 13 Rev A Landscape Sections  
 GL1035 14 Rev A Art Installation Location Plan  
 GL1035 15 Provision of Children and Young People's Play  
 GL1035 16 Rev A Tree Soil Volumes and Highway Protection  
 GL1035 17 Timber Shed and Bridge Imagery  
 CTS-001 Timber Bridge Type B Generic Arrangement

#### Reason

To clarify the plans forming this consent.

2. No development shall commence until the following additional surface water drainage details have been submitted to and approved by the Local Planning Authority:
  - a). The information below, to be submitted in the format of an industry standard document such as a technical note and including the specific regime for each of the components and also which party is responsible for each component where applicable:
    - o A detailed list of all current revisions of any plans, drawings and/or documents relevant to both the foul sewage and surface water network and its components such as existing ditches, attenuation ponds and flow control devices. Where applicable, the listed plans, drawings and documents are required to accompany the list for final approval;
    - o An updated cross-sectional plan of the proposed ditch re-profiling and its associated locations;
    - o An updated plan of the attenuation pond which clearly illustrates an all-around access track for maintenance;
    - o Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change (40% the current accepted industry standard) storm event (winter and summer);
    - o All storm events not just up to the 960 minutes as previous. The submission must therefore include the MicroDrainage mdx file for audit and approval;

- o Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as attenuation features and flow control devices for the lifetime of the development.

b). Confirmation, approval, and/or acceptance of an application for Ordinary Watercourse Consent where required from the Lead Local Flood Authority for any work or structures, to, in or affecting any ordinary watercourses. The following items of this proposal fall within the aforementioned criteria:

- o Culverting or the creation of crossings of the adoptable highway over existing watercourses / ditches;
- o The installation and/or construction of 7 headwalls/outfalls A through G:
- o Proposed ditch re-profiling.

The development shall be carried out in accordance with the above approved details.

#### Reason

This is a pre-commencement condition to ensure that the provision of satisfactory drainage is not prejudiced by starting works on the scheme, 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.

3. No dwelling shall be occupied until the details of the photo voltaic technologies to be used in order to ensure a 20% carbon emission reduction on total residual energy consumption throughout the site have been submitted to and approved in writing by the Local Planning Authority. The technologies shall be installed in accordance with the approved details.

#### Reason

To ensure a 20% reduction in carbon emissions is achieved and in accordance with Policy PSP6 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

4. Notwithstanding the submitted details, plots 3 and 4 shall not be occupied until the proposed 1.8 metre high brick wall shown on western boundary of plot 4 has been extended along its southern boundary up to the garden gate of plot 3, in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

#### Reason

To ensure adequate noise mitigation and in the interest of visual amenity, and in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policies PSP1 and PSP21 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

5. Notwithstanding the submitted details, plots 190 and 191 shall not be occupied until details of the boundary treatment between plots 190 and 191 have been first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

In the interest of visual amenity, and in accordance with Policy CS1 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.

6. Notwithstanding the submitted details, prior to construction of the 100th dwelling or the construction of the pathways following the Public Right of Way in the east of the site, whichever is sooner, details of the construction and surfacing, including cross sections and a method statement, of the path following the line of the Public Right of Way in the east of the site, proposals to relocate the proposed hedge away from the legal line of the Public Right of Way and a timetable for the implementation of the above works shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

In the interests of pedestrian accessibility, and in accordance with Policy CS8 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP10 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

7. Notwithstanding the submitted details, prior to construction of the 50th dwelling or the construction of the footbridges in the Public Open Space, whichever is sooner, details of the construction and materials for the footbridges proposed in the Public Open Space and a timetable for their implementation shall first be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

To ensure the bridges are durable, and in accordance with Policy CS8 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP10 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

8. Notwithstanding the submitted details, prior to construction of the 50th dwelling or the construction of the teen shelter in the Public Open Space, whichever is sooner, details of the final location and design of the proposed teen shelter and a timetable for its implementation shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

To ensure the location and design of the Teen Shelter is acceptable, and in accordance with Policy CS2 of the South Gloucestershire Local Plan Core Strategy adopted December 2013.

9. Prior to the commencement of any of the following works: to install cellular confinement for trees; on no dig areas within the Root Protection Areas of Trees; or to clear ditches within Root Protection Areas of trees, details of a watching brief to be implemented to ensure the works are carried out to a satisfactory standard, shall be



first submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details throughout the duration of the works.

#### Reason

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.