

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. 47/19

Date to Members: 22/11/2019

Member's Deadline: 28/11/2019 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

1. Application reference number:

2. Site Location:

3. Reasons for referral:

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

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

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

a) Referring Member:

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 22 November 2019

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/1108/F	Approve with Conditions	Roads 1 And 1 B Former Frenchay Hospital Frenchay Park Road Frenchay South Gloucestershire BS16 1LE	Frenchay And Downend	Winterbourne Parish Council
2	P19/11920/F	Refusal	27 Swallow Drive Patchway South Gloucestershire BS34 5RF	Charlton And Cribbs	Patchway Town Council
3	P19/13226/F	Approve with Conditions	14 Quarry Mead Alveston South Gloucestershire BS35 3JN	Severn Vale	Alveston Parish Council
4	P19/13512/ADV	Approve with Conditions	Birch House Brotherswood Court Great Park Road Bradley Stoke South Gloucestershire BS32 4QW	Bradley Stoke North	Bradley Stoke Town Council
5	P19/4541/F	Approve with Conditions	4 Samian Way Stoke Gifford South Gloucestershire BS34 8UQ	Stoke Gifford	Stoke Gifford Parish Council
6	P19/7919/F	Approve with Conditions	The Old Brewery Siston Lane Siston South Gloucestershire BS30 5LX	Boyd Valley	Siston Parish Council
7	PK18/6511/F	Approve with Conditions	Pope's Storage Broad Lane Yate South Gloucestershire BS37 7LB	Yate North	Yate Town Council

CIRCULATED SCHEDULE NO. 47/19 – 22ND NOVEMBER 2019

App No.:	P19/1108/F	Applicant:	Redrow Homes South West
Site:	Roads 1 And 1 B Former Frenchay Hospital Frenchay Park Road Frenchay Bristol South Gloucestershire	Date Reg:	11th February 2019
Proposal:	Creation of new road and associated highway works.	Parish:	Winterbourne Parish Council
Map Ref:	363383 177635	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	8th April 2019



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P19/1108/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application is on the Circulated Schedule as there was a drafting error relating to the plan revisions on the previous report. The application has previously been circulated due to the objection from Winterbourne Parish Council.

1. THE PROPOSAL

- 1.1 This is a full application for the construction of a new road on the former Frenchay Hospital site. Outline planning permission was granted under ref: PT13/0002/O for redevelopment of the hospital site to facilitate the construction of up to 490 residential units; a new health and social care centre and; a 1 form entry primary school. Access was considered at outline stage. Reserved matters approval has been granted for Phases 1, 2 3a and 4. The road that is the subject of this application has been previously submitted to the Council as part of the reserved matters application for Phase 3b (ref: PT17/5624/RM), which is yet to be determined by the Council.
- 1.2 The proposed road would broadly follow the existing road, which accesses the site from Beckspool Road and runs along the eastern part of the site. The application site is within the Frenchay Conservation Area and would abut the boundaries with listed properties at the eastern edge of the site. There are several important trees both within the red line and immediately adjacent to the site.
- 1.3 Planning permission was granted in 2019 for the construction of a new two form entry primary school (ref: P19/3567/F). The proposed road would be required to serve the proposed school and to enable its construction.
- 1.4 The application has undergone extensive negotiations between the Local Planning Authority and the applicants to ensure the retention of the maximum number of trees. The proposed line of the road has been amended to allow for the retention of the limes and a no dig solution has been agreed around the black pine.

2. POLICY CONTEXT

2.1 National Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Policy Framework February 2019
Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS2 Green Infrastructure

CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS29 Communities of the East Fringe of Bristol Urban Area

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

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

- 2.3 Supplementary Planning Guidance
Landscape Character Assessment SPD (Adopted August 2005)
Frenchay Conservation Area SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/0002/O - Redevelopment of hospital site to facilitate the construction of up to 490 residential units; a new health and social care centre and; a 1 form entry primary school, all with associated works. Outline application with access to be determined: all other matters reserved – Permitted 5th December 2014
- 3.2 PT15/5412/RM - Erection of 88no. dwellings with the provision of public open Space and ancillary supporting infrastructure. (Reserved Matters application to be read in conjunction with outline planning permission PT13/0002/O in regards to scale, appearance and layout) – Approved 17th August 2016
- 3.3 PT16/5062/RM – Approval of Landscaping for both plot and public areas pursuant to first phase of 88 dwellings (Reserved Matters application to be read in conjunction with outline planning permission PT13/0002/O in regards to scale, appearance and layout) – Approved 15th February 2017
- 3.4 PT17/0973/RM - Erection of 127no. dwellings with public open space and ancillary supporting infrastructure. (Approval of Reserved Matters to be read in conjunction with outline planning permission PT13/0002/O). – Approved 24th October 2017
- 3.5 PT17/4904/RM - Erection of 41no dwellings (Phase 3a) with the provision of public open space and ancillary supporting infrastructure. (Reserved Matters application to be read in conjunction with Outline Planning Permission

PT13/0002/O in regards to scale, appearance and layout) – Approved 23rd May 2018

- 3.7 PT17/0803/RM - Approval of landscaping for site wide strategic landscaping and green infrastructure (Approval of Reserved Matters to be read in conjunction with outline planning permission PT13/0002/O). – Approved 19th June 2018
- 3.8 PT17/5624/RM – Erection of 23no dwellings and ancillary supporting infrastructure with details of appearance, landscaping, layout and scale. (Approval of Reserved Matters to be read in conjunction with outline planning permission PT13/0002/O). – Pending consideration
- 3.9 P19/3567/F – Erection of a two form entry primary school and associated works – Granted 22nd July 2019

4. **CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council

Object to the application, raising the following comments

- Strong objection
- Never intended there would be a road through the new development
- Road would only be intended for school access
- Plan would result in the loss of 21 prime trees
- Proposal would generate a lot of extra traffic to this entrance
- Beckspool Road has previously been deemed as not suitable as an access and egress point to the development

4.2 Other External Consultees

Historic England – No comments

Avon Gardens Trust – Object to the proposal, raising the following points;

- Submitted Arboricultural Impact Assessment states that 4 trees will require removal in order to accommodate the road
- Necessary for localised removal and hard pruning of trees within two further groups
- Further three trees (all Category A) may require removal and one of these is protected by a Tree Preservation Order
- Inappropriate in terms of trees and conflict with the aims of Policies CS9 and PSP17
- Proposal would result in significant harm to the locally registered historic park and garden

Wales and West Utilities – Comment that there should be no building over any W&W plant or enclosure of their equipment.

4.3 Internal Consultees

Arboricultural Officer – No objection

Landscape Architect – No objection, to the proposal, raising the following points;

- Amended layout that retains trees T298, T294 and T71 is acceptable with regards to landscape

- Defer to Tree Officer with regards to method statement for the no dig footpath beneath T294
- Conditions required regarding the tree protection and compensation for the loss of T156

Sustainable Transport – No objection to the proposal, raising the following points;

- Layout is the result of discussions between officers and the applicant
- No-dig solution around one of the trees and a reduction in tarmac along the LTA
- Enhancement to the LTA will be achieved once the show homes have been sold and the tarmac is removed and landscaped
- Primary access point to the development is via the primary access to the hospital on Frenchay Road
- This access has always been considered a secondary but essential additional access
- The application does therefore comply with what was envisaged at the outline stage

Lead Local Flood Authority – No objection, subject to condition

Conservation Officer – No objection

Highways Structures – No comment

Environmental Protection – No objection, subject to informative regarding working times and practices

Other Representations

4.4 Local Residents

2 letters of objection received, raising the following points;

- Do not consider the negative impact on the landscaping with some significant amount of trees being removed
- Several category A trees affected
- Works have commenced without consent and the root system of a protected Oak (T156) has been destroyed
- No evidence of conditions Arboricultural clerks of works supervising the works
- Numerous breaches of conditions and approved process have been witnessed and reported
- Up to 18 trees being removed for new pavements
- Little consideration of the restraints on sites
- Access has functioned for many years with existing pavement widths
- Designs should use cellweb and other standard approaches for RPZs and redesign the access road accordingly
- Application should be rejected as it is poorly considered and uncoordinated
- Route was never to be used as an access point to the development
- Use of this road was to service the new primary school only
- Application shows a through road through the whole site
- Proposal would generate a lot of extra traffic to this entrance
- Beckspool Road has previously been deemed not suitable as an access and egress point to the development
- Amazed there is no transport comment as this would become a rat run from Bristol Road

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application proposes a road to replace the existing road. The existing access onto Beckspool Road will be utilised. The proposed road is shown on the masterplan for the outline. The principle of the development is therefore considered to be acceptable.

5.2 Impact on trees and landscape

The site forms part of the locally registered park and garden, which was formally the gardens to Frenchay Park House. The site has a great number of trees on the site, some of which are covered by Tree Preservation Orders (TPOs). The scheme as originally proposed involved the loss of the several important trees and works within the root protection areas of others. The revised scheme results in the Black Pine near Beckspool Road and the Limes at the end of the Lime Tree Avenue being retained.

5.3 There is a category A oak tree (T156) that would be lost as a result of this proposal. It is unfortunate that, due to works on the adjacent parcel of land, this tree has been damaged and the resulting instability necessitates its removal. The proposed road is required to facilitate access to the school, both for its construction and its operation. Due to the constraints of the site, the proposed road cannot be constructed and this tree be retained. To mitigate for the loss of this tree, a condition will be imposed to require replacement planting on the wider Frenchay site. The precise locations and species of the replacement trees would be agreed through the condition.

5.4 Conditions will also be imposed to require the specifications of the no-dig elements of the scheme and the tree protection measures to be agreed prior to the commencement of development to safeguard the retained trees.

5.5 There would be additional benefit to the Lime Tree Avenue as some of the tarmac adjacent to the proposed road would be removed. This area will be used to provide access to the show homes and then would be removed once they are sold. A condition will be imposed to ensure that these works take place.

5.6 The amendments to the application that result in the retention of the trees near to Beckspool Road and the end of the Lime Tree Avenue are welcomed. Several of the trees shown on the plans as being removed were agreed through the conditions on the outline application. Conditions will be used to secure appropriate replacement planting for the loss of the oak tree. The public benefits of the proposed road, which is critical to the delivery and operation of the new primary school, and the mitigation through replacement planting are considered to outweigh the harm caused by the loss of the trees. The proposal is therefore considered to be acceptable in terms of its impact on trees and landscape.

5.7 Impact on highway safety

The access road has been previously agreed through the outline and is shown on the masterplan. The access was considered to be an essential secondary

access to the development. The principal reason for the proposed road is to provide access to the new primary school, for both its construction and its operation, hence this application being submitted separately from the reserved matters application for phase 3b.

5.8 The proposed road has been amended since submission to allow for the retention of trees nearer to Beckspool Road. It is proposed to use a no-dig solution on the parts of the footpath around the trees and this has been agreed in principle by the Highways team. A condition will be imposed to ensure that the proposed specification is acceptable in terms of tree retention and highways.

5.9 There is sufficient visibility from the site onto Beckspool Road for vehicular and pedestrian traffic. The proposed alignment of the road would allow for vehicles to pass and sufficient tracking for vehicles. There would also be sufficient footpaths for pedestrians. It is therefore not considered that there would be any adverse impacts on highway safety as a result of this proposal.

5.10 Other matters

The Lead Local Flood Authority do not consider that there has been sufficient information submitted to assess the impact of the proposed development. A condition will be imposed requiring full drainage details prior to the commencement of development to ensure that there is adequate drainage for the proposed road.

5.5 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 Planning permission be **GRANTED** in accordance with the conditions set out below.

Contact Officer: Suzanne D'Arcy
Tel. No. 01454 865065

CONDITIONS

1. The development hereby approved shall be begun within 12 months of the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), to avoid the accumulation of unimplemented planning permissions and to ensure the timely delivery of the new school.

2. Within 18 months of the commencement of the road, details of the replacement trees, including species and locations shall be submitted to and agreed in writing by the Local Planning Authority. There shall be at least 6 replacement trees, which have a girth of at least 18cm, unless justification is submitted to and approved by the LPA which demonstrates that this number cannot feasibly be delivered on site. The trees shall be planted in the next planting season and be retained for a period of five years, with any dead or diseased trees being replaced within this period.

Reason: To compensate for the loss of trees and in the interests of the landscape setting of the development, in accordance with CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted November 2017)

3. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted 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 2012. This is a condition precedent because it is necessary to understand whether the drainage is appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

4. All tree protection should be in place PRIOR to any groundworks/site clearance works commencing, in accordance with the Tree Protection Plan, dwg.no. BHA_163_10 Rev C (Appendix 2 of the AIA Rev A). The contractor should inform our tree officer once the fencing is in place, so it can be inspected on site, before works begin. The tree protection shall be retained throughout the development.

Reason: For the protection of the trees, in accordance with CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted November 2017)

5. Following the sale of the show homes on Phase 4, the tarmac access shall be removed and replaced in accordance with the detail shown on drawing 0567/104/3 rev J.

Reason: In the interests of the landscape setting of the development, in accordance with CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted November 2017)

6. No development shall commence until the detailed Arboricultural Method Statement, including the specification for the no dig areas, in accordance with BS5837:2012, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason: For the protection of the trees, in accordance with CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted November 2017). This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

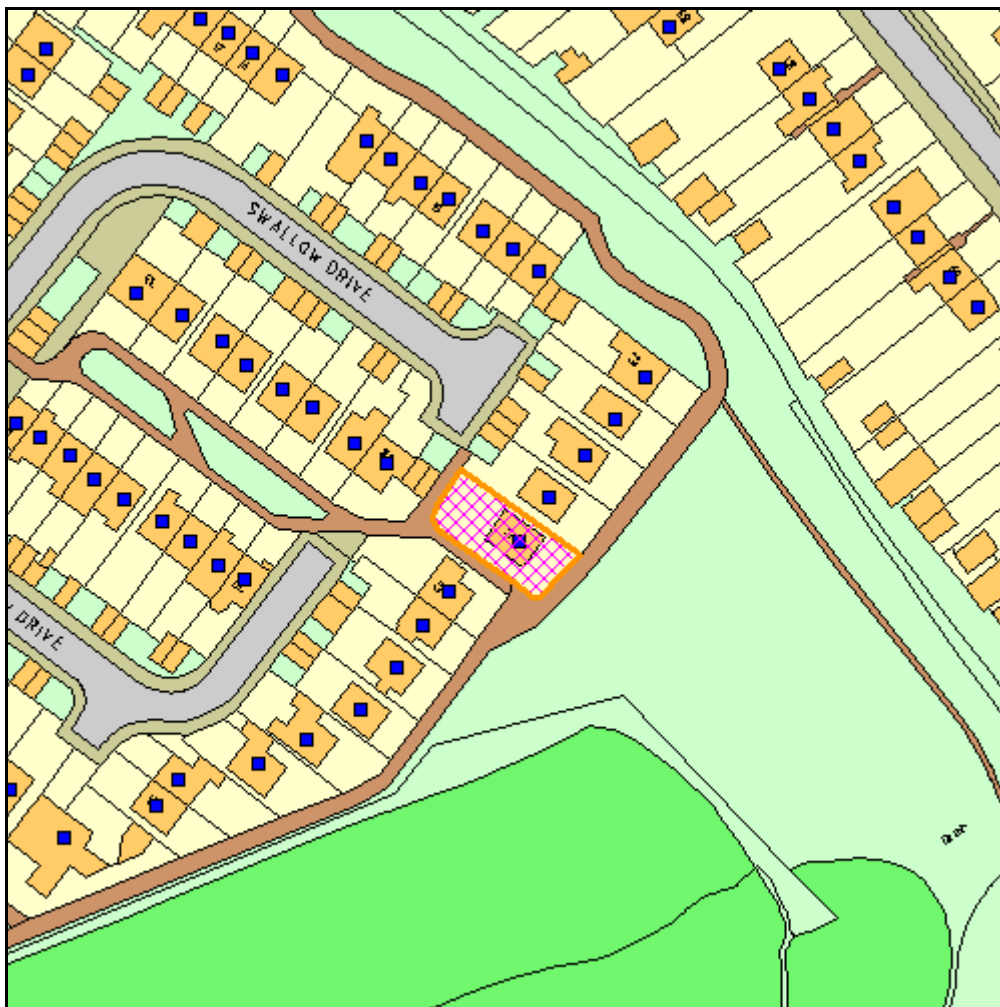
7. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Drawings numbered 0567/101 E, /104/3 I, /303/8 A, and /313 D, received by the Council on 24th September 2019, 0567/302/5 D, received by the Council on 25th September 2019 and drawings numbered 0567/104/3 rev J, /104/4 rev K, 301/5 rev D, /315 and /403/3 rev L, received by the Council on 28th October 2019.

Reason: To define the terms and extent of the permission.

CIRCULATED SCHEDULE NO. 47/19 – 22 NOVEMBER 2019

App No.:	P19/11920/F	Applicant:	Mr Hardeep Konsal
Site:	27 Swallow Drive Patchway Bristol South Gloucestershire BS34 5RF	Date Reg:	24th September 2019
Proposal:	Erection of 2 metre fence to facilitate change of use of land from open amenity space to private amenity space (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (retrospective).	Parish:	Patchway Town Council
Map Ref:	359422 181765	Ward:	Charlton And Cribbs
Application Category:	Minor	Target Date:	18th November 2019



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P19/11920/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 SUBMISSION TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's circulated schedule procedure as comments received from a local Councillor are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a 2 metre side and rear boundary fence at a property in Patchway. The proposal would move the position of the boundary to enclose an area of landscaping within the grounds of the property.
- 1.2 The application site relates to a two storey, end terraced Radburn style property which is located within a residential area of Patchway.
- 1.3 The land to the side which the fence has enclosed is not considered to fall within the curtilage of the property and therefore part of the application includes a change of use of land from amenity land to residential garden.
- 1.4 The application site has recently been subject to planning enforcement action. During enforcement negotiations, the landowners were notified that any forthcoming application in regards to a 2 metre close boarded fence would likely be refused, and, that should an application be submitted that showed brick elevation, a more favourable outcome may be likely. However, this submitted application is for a 2 metre close board wooden fence and will be assessed on this basis.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS9 Managing the Environment and Heritage
CS25 Communities of the North Fringe of Bristol

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

PSP1 Local Distinctiveness
PSP5 Undesignated Open Spaces within Urban Areas and Settlements
PSP8 Residential Amenity
PSP11 Transport

PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 N113 – Refusal - 15.08.1974
Erection of screen wall to enclose additional garden land.

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
Patchway Town Council considered this retrospective application at the Council meeting on the 5th October 2019 and object to this application as they have concerns over the boundary and loss of green space.

- 4.2 Other Consultees

Sustainable Transport
No objection

Local Councillor
Support this application as similar changes can be seen in the local area.
Landowner is financially constrained.

Other Representations

- 4.3 Local Residents
The application received a total of 2 objections that raise several points. These are summarised below.

- The standard and quality of fencing is poor and unsightly.
- Pedestrian access to the side access lane is now narrow, dark and hazardous.
- All properties within the rank are subject to a previous condition restricting permitted development rights in regards to fencing and open space. I appreciate some have walls/fences but not to this degree and height.
- The fence is unsightly in comparison to the neighbouring brick wall and exceeds the previous structure in height.
- Other properties have been refused permission for this type of development.
- The fence restricts light and visibility, creating a public risk.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 requires the 'highest possible' standards of site planning and design to be informed by, respect and enhance the character and amenity of the application site and its context. This policy also requires that existing features of landscape and amenity value are safeguarded and enhanced and that soft landscape proposals form an integral part of the design for a site. In this instance it is not considered that the proposal would meet a good standard of design and appearance and therefore the application is recommended for refusal.

5.2 Design and Visual Amenity

The development involves erecting a 2 metre high close board fence along the side of the property for a distance of 15.3 metres to a point level with the rear boundary and enclosing a strip of adjacent public amenity space, approximately 3metres wide, within an enlarged garden. This fence will facilitate a change of use of land from open amenity space to private amenity space (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

5.3 It is considered that the area of land that has been enclosed does not form part of the residential curtilage of no.27 (it should be noted that ownership does not automatically allow use of land as domestic garden) and that the application includes the change of use of land from amenity space to residential garden.

5.4 Swallow Drive is a 1970's housing estate in a radburn layout with a central spinal road which then splits in two radial cul de sacs. The estate is accessed from the North West, through a gap in the established building line along Coniston Road. There are two undeveloped grassed areas to either side of the entrance. These prominent open spaces are a feature of the estate and surrounding area and similar areas of green space of varying configuration and size are dispersed adjacent to roadways and footways throughout the neighbourhood and are important features that characterise and enhance the appearance of the area. In particular, they provide a welcome sense of openness within an extensive residential estate of compact housing.

5.5 Permitted development rights were removed within the estate, under planning permission SG2138/2, condition B, that states "...no wall, fence or other structure of any kind shall be constructed or erected without the express consent of the Local Planning Authority". Local Authority records show that correspondence was issued to the landowner on the 23rd June 2015 to confirm this.

5.6 Whilst it is acknowledged that some properties within the local vicinity have benefitted from schemes similar to this, in regards to taking advantage of the grassed area adjacent their properties, these boundary treatments are constructed of brick, this is considered a more sympathetic approach, provides a better quality design and is more visually appealing.

- 5.7 The case officer considers that the erected boundary fence causes significant harm to the character and appearance of the locality. Moreover, the impact of the loss of part of the amenity area would be exacerbated by the 2 metre high close boarded fence. As the fence protrudes 3metres from the side of the dwellinghouse and runs 15.3metres down the entire boundary, it would be a significant and prominent feature in views along the Swallow Drive. As a result, it would represent an incongruous intrusion in the street scene that would contrast uncomfortably with the solid brick walls that provide a more typical and attractive enclosure to other private gardens at the side and rear.
- 5.8 It is therefore considered that the recently erected boundary fence has a harmful and detrimental impact on the contribution that the urban green space to the side of no.27 has on the character and amenity of Swallow Drive and that the proposal fails to reach a good standard of design.
- 5.9 Residential Amenity
Given the overall scale and location of the proposed fence, and its relationship with the existing dwelling and surrounding properties it is not considered that it would give rise to a significant or material overbearing impact upon neighbouring properties. It is considered therefore that the proposals would be acceptable in terms of residential amenity.
- 5.10 Transport
Whilst it is recognised that the boundary fence is slightly higher than, and closer to the highway than the previous boundary treatment, it is not considered that its erection has a significant impact on visibility and highway safety and no objection is raised in this regard.
- 5.11 Other Matters
A support comment received mentioned that, due to financial constraints, the occupiers are unable to fulfil the previous request from Planning Enforcement Officers. This concern is not considered a planning matter.
- 5.12 Equalities
The Equality Act 2010 protects people from discrimination in the workplace and in wider society. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is REFUSED for the reasons listed on the decision notice.

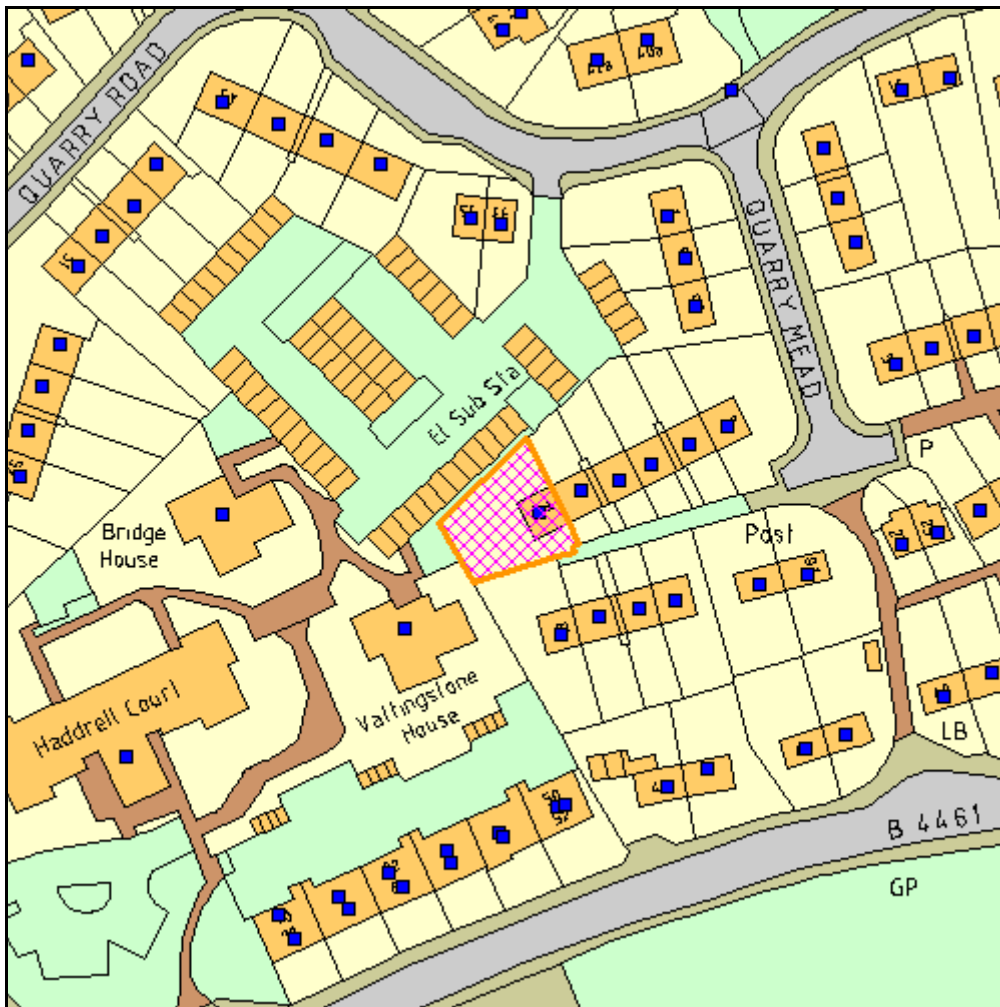
Contact Officer: Westley Little
Tel. No. 01454 863162

REASONS FOR REFUSAL

1. The development creates an uncomfortable and incongruous development that does not represent the highest standards of design and would cause substantial degree of harm to the visual amenity of the area. The proposal is therefore contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP1 and PSP38 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.

CIRCULATED SCHEDULE NO. 47/19 – 22 NOVEMBER 2019

App No.:	P19/13226/F	Applicant:	Mr Williams
Site:	14 Quarry Mead Alveston Bristol South Gloucestershire BS35 3JN	Date Reg:	23rd September 2019
Proposal:	Erection of a two storey side extension to form additional living accommodation.	Parish:	Alveston Parish Council
Map Ref:	362947 188293	Ward:	Severn Vale
Application Category:	Householder	Target Date:	14th November 2019



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P19/13226/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 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 Planning permission is sought for the erection of a two storey side extension to form additional living accommodation at no. 14 Quarry Mead, Alveston.
- 1.2 The application site comprises an end of terrace property set within a large plot. The site is situated within the defined settlement boundary of Alveston, and within the Bristol and Bath Green Belt. The subject property is constructed in a 'Cornish' style.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Policy Guidance (2014)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history associated with the site.

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

Objection – There will be an increase in living accommodation and therefore an increased requirement for parking in what is already an over congested area for on street parking.

4.2 Other Consultees

Archaeology Officer

No comment

Sustainable Transport

No objection

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a two storey side extension. Extension and alterations to existing properties is managed through policy PSP38 of the Policies, Sites and Places Plan. This policy is generally supportive subject to an assessment of design, amenity, and transport. However, the site is located within the Green Belt and any development must accord with the principles of Green Belt policy to be acceptable.

- 5.2 Policy CS5 and CS34 of the Core Strategy and policy PSP7 of the Policies, Sites and Places Plan support the protection of the Green Belt from inappropriate development. The NPPF also attaches great importance to the Green Belt – with development in the Green Belt generally being considered inappropriate. However, there are limited categories of development within the Green Belt that are not considered to be inappropriate. When considering an extension to a building, the most relevant category is ‘the extension of a building, provided that it does not result in a disproportionate addition over and above the original size of the building’, as set out in Paragraph 145 of the NPPF.

- 5.3 Policy PSP7 of the Policies, Sites and Places Plan and the South Gloucestershire Supplementary Planning Document: Development in the Green Belt (Adopted) 2007) set out a guide for assessing whether or not an extension is proportionate. Additions resulting in a volumetric increase of up to 30% are likely to be considered proportionate, those resulting in an increase between 30% and 50% are to be carefully reviewed, and those resulting an increase of over 50% are likely to be considered disproportionate.

- 5.4 The applicant has provided volume calculations for both the existing building, and the proposed extension. The calculations show the volume of the existing building to be 197.7m³, with the proposed extension set to increase the volume of the building to 373.9m³. This would represent a volume increase of approximately 89%.
- 5.5 It is acknowledged that an 89% increase would represent a substantial addition, which would almost double the overall scale of the building. As such, and when taking account to the aforementioned proportionality guide, it is not considered that the extension would appear as a typically proportionate addition to the host.
- 5.6 Notwithstanding this, consideration must be given to the context of the development, and the actual impact on the openness of the Green Belt. The application site is located within a defined settlement boundary, in a densely developed residential area. The proposal seeks to extend an existing terrace in to an area of existing residential curtilage, which is bounded on each side by built form. Overall, the site is not considered to be inherently open in character, and as such the actual impact on openness would be limited.
- 5.7 In this respect, another appropriate form of development in the Green Belt is considered relevant. Paragraph 145 sets out that 'limited infilling in villages' is an appropriate form of development, which therefore allows for small gaps between existing built form, located within existing villages, to be developed.
- 5.8 Whilst this category is more generally applied to proposals for new buildings in the Green Belt, it is considered to be relevant to this case. This is on the basis that a new building of similar scale and layout to the proposed extension would be considered to fall within the definition of 'limited infilling in a village'. Given that the extension proposed would have no greater impact on openness than a new building, it is reasonable to consider the provision of the extension as being an appropriate form of development in the Green Belt.
- 5.9 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.10 It is acknowledged that the proposed extension would be substantial, and the proposal essentially seeks to double the property in size. Whilst this may not be an appropriate approach for the majority of dwellinghouses, there are certain factors in this case which reduce the overall impact on visual amenity.
- 5.11 Firstly the property is set at the end of a cul-de-sac, and as such does not form a prominent feature within the streetscene. Given that the property can only be

- seen from a limited number of public areas, the overall impact of the development is reduced.
- 5.12 Furthermore, the property sits within a spacious plot, with a large external area to the western side of the property. Due to the size of the plot, it is possible to create a considerable extension, without the resultant enlarged dwelling appearing cramped within the plot.
- 5.13 The end of terrace nature of the property also allows for a larger extension to be provided. Were the property semi-detached, it is likely that such a large extension would create a sense of imbalance between the semi-detached pair. However as the property sits on the end of a terrace of six, any sense of imbalance is reduced.
- 5.14 In terms of the more detailed elements of the design, the extension would assimilate the appearance of the existing dwelling. This is considered the most appropriate approach for this property type. On the basis of the assessment set out above, whilst the scale of the extension is acknowledged, it is not considered that its provision would result in any acute harm to visual amenity. An acceptable standard of design has been achieved and the proposal complies with policies CS1 and PSP38.
- 5.15 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.16 Given the spacious nature of the plot, the proposed extension would be set a significant distance from any neighbouring properties. As such, it is not considered that the provision of the extension would have any harmful impact on the amenity of neighbouring residents. It is also considered that adequate levels of amenity space would be retained at the site. The proposal therefore complies with policies PSP8 and PSP38.
- 5.17 Transport
The concerns raised by the parish council in respect of additional parking are noted. In terms of existing parking arrangements, the application site does not appear to be served by any parking spaces. No additional parking spaces are proposed, and as such the development would not impact upon existing parking arrangements.
- 5.18 In terms of living accommodation, it is acknowledged that the proposal would significantly increase the size of the dwelling. However the Council's minimum parking standards for residential units (as set out in policy PSP16), are based

on bedroom number. At present, the property contains a total of 3 bedrooms. Whilst the proposal would allow for the size of the bedrooms within the property to increase, the total number of bedrooms contained within the property following the development would remain at 3. As such, the development would not lead to an increase in bedroom number, and there is therefore no increased requirement for on-site parking spaces. The impact of the development in this respect is therefore neutral.

5.19 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.

5.20 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 That the application be **APPROVED** subject to the conditions included on the decision notice.

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

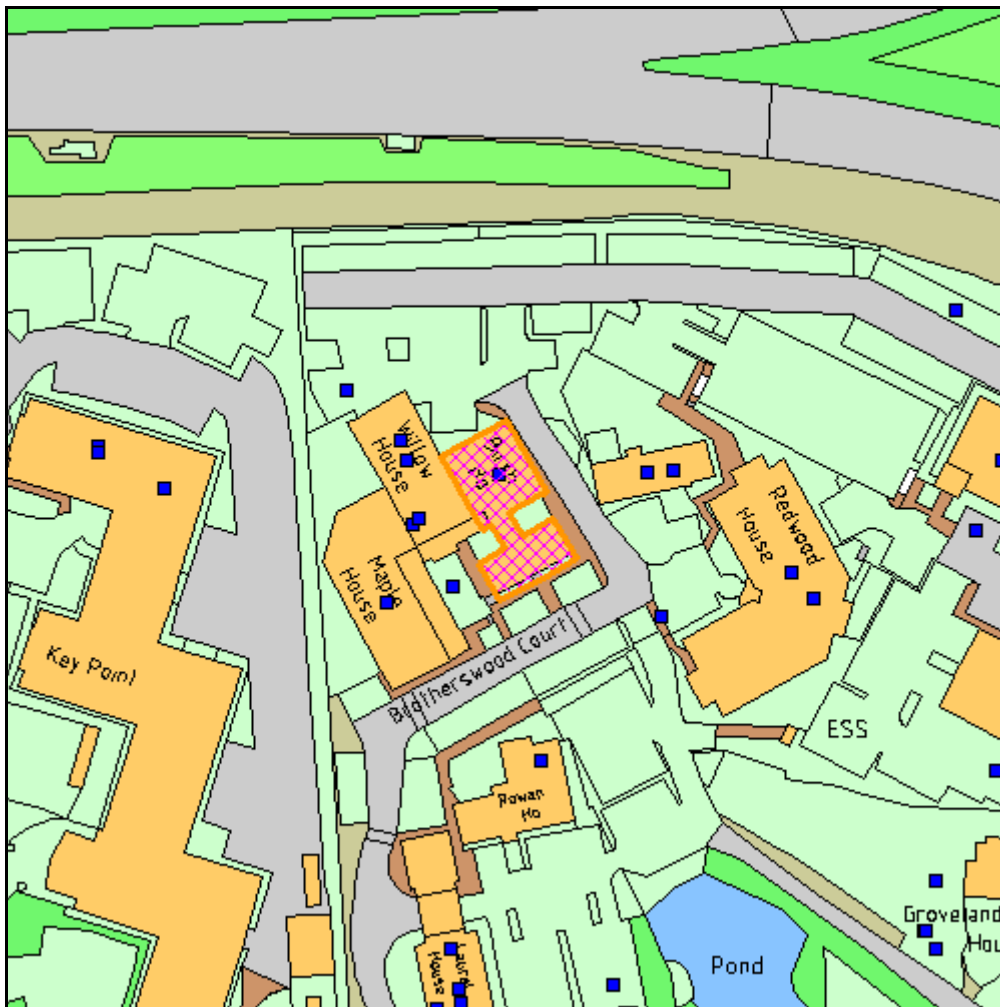
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 47/19 – 22 NOVEMBER 2019

App No.:	P19/13512/ADV	Applicant:	Coffee1 Limited
Site:	Birch House Brotherswood Court Great Park Road Bradley Stoke Bristol South Gloucestershire BS32 4QW	Date Reg:	27th September 2019
Proposal:	Display 2 no. internally illuminated fascia signs and 1 no. internally illuminated hanging sign.	Parish:	Bradley Stoke Town Council
Map Ref:	361588 183565	Ward:	Bradley Stoke North
Application Category:	Minor	Target Date:	20th November 2019



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P19/13512/ADV

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.

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with procedure given that an objection has been raised by the Town Council

1. THE PROPOSAL

- 1.1 The applicant seeks consent for the display of 1 no. non-illuminated fascia sign on the front elevation, 1 no. non-illuminated hanging sign and 1 no. externally illuminated fascia sign on the side elevation.
- 1.2 The application has been subject to negotiations to ensure a reduction in the size of the signage and to secure external illumination to a fascia sign on the side elevation. The signage relates to a pending application to change the use of the site to a coffee outlet. They will be dark painted aluminium panels.
- 1.3 The signage will be as follows:

Front fascia sign: 2.28m by 0.55m (approx) previously internally illuminated and 2.65m by 0.7m
Side fascia sign: 2.6m by 0.6m (approx) previously internally illuminated
Hanging sign: 0.75m by 0.75m previously internally illuminated
- 1.4 The application site comprises a large detached, two storey building that is locally listed.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework Feb 2019
The Town and Country Planning (Control of Advertisement) Regulations 2007
The Town and Country Planning Act 1990 Section 220
- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Heritage and Natural Environment
- 2.3 Supplementary Planning Guidance
Shopfronts and Advertisements (Adopted) April 2012

3. RELEVANT PLANNING HISTORY

P19/13513/F Installation of 11 no. air conditioning units and change of use from office (Class B1a) to mixed use office (Class B1a) and coffee shop (Class A3) as defined in

the Town and Country Planning (Use Classes) Order 1987 (as amended). Pending Decision

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

Bradley Stoke Town Council objects to this planning application on grounds that this is a locally listed building which should be preserved as it is, without fixing signs to the building itself. Instead stand-alone signage not attached to the building should be used.

Other Representations

4.2 Listed Building Officer

Concern expressed in relation to the scale, materials and external illumination of the signage.

Following the submission of revised details including the reduction in scale of the proposal and alteration to external lighting, the Listed Building officer has indicated to the case officer that there is not an objection.

4.3 Sustainable Transport

No objection

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As stated in the NPPF, the government attaches great importance to the design of the built environment, citing good design as the key aspect of sustainable development and thereby positively contributing to making places better for people. Developments should function well and add to the overall quality of the area, creating attractive and comfortable places to live, work and visit. It specifically states that poorly placed advertisements can have a negative impact on the appearance of the built environment and should be subject to control in the interests of amenity and public safety, taking account of cumulative impacts.

5.2 Visual Amenity/Heritage

The signage will be attached to a locally listed building and as set out above concerns have been raised. It should be noted however that through negotiations amendments have been secured both to the size of the sign on the front elevation but more particularly to accord with guidance all external illumination has been removed and the only illumination will be to the sign on the side elevation through three external lamps.

It should be noted that a submitted revised plan is still showing illumination to the hanging sign however the applicant has agreed to a condition stipulating that notwithstanding what is shown this sign shall have no illumination. This is considered acceptable in terms of the impact upon the host building which is locally listed.

Within the wider context the area is predominantly commercial with office space and it is considered that the development is acceptable in these terms. It is not considered that there would be any adverse cumulative impact.

The design of the signage is therefore considered acceptable and would not detract from the visual amenity of the area.

5.3 Highway Safety

It is not considered that the signage would cause any adverse impact upon the public highway or the safety of pedestrians.

6. CONCLUSION

- 6.1 In accordance with Section 220 of the Town and Country Planning Act 1990 and Regulation 3 of the Advertisement Regulations 2007, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

7. RECOMMENDATION

- 7.1 That advertisement consent is **GRANTED**

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

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

Received 24th September 2019
Site Location Plan

Received 25th September 2019
Block Plan

Received 13th November
Photo - proposed signage on the side elevation and external lighting

Received 15th November 2019
Drawing 596195 Rev C - Proposed Elevations

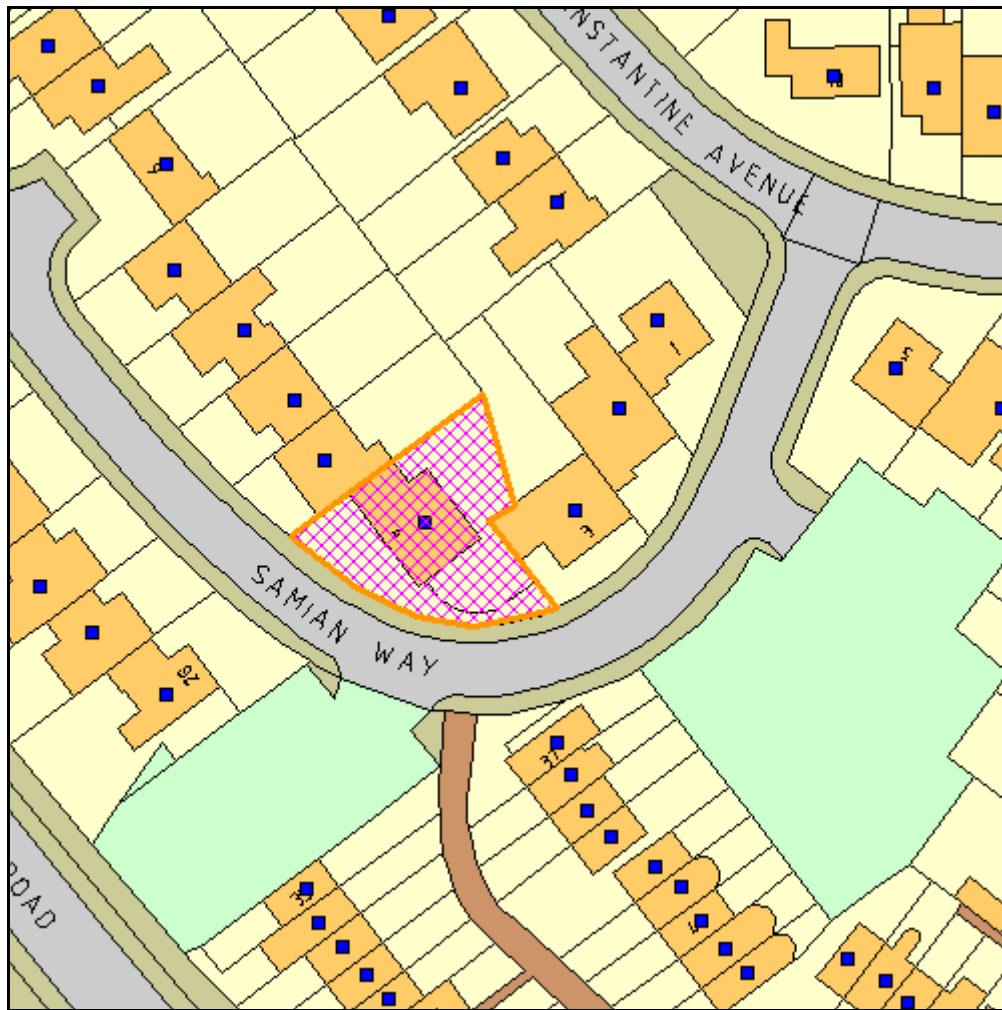
Notwithstanding the details/text shown on Drawing 596195 Rev C (Elevations), the projecting hanging sign proposed shall be non-illuminated.

Reason

For the avoidance of doubt and to ensure that the signage does not detract from the visual amenity of the locality or the significance of the locally listed building in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy 2013

CIRCULATED SCHEDULE NO. 47/19 – 22ND NOVEMBER 2019

App No.:	P19/4541/F	Applicant:	Mr Stephens
Site:	4 Samian Way Stoke Gifford Bristol South Gloucestershire BS34 8UQ	Date Reg:	2nd May 2019
Proposal:	Erection of two storey front and single storey front, side and rear extensions to provide additional living accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	362086 180092	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	25th June 2019



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P19/4541/F

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

REASON FOR APPEARING ON THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following an objection from the Parish Council which is contrary to the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission the erection of a two-storey and single storey front extension, and single storey side and rear extensions to provide additional living accommodation at 4 Samian Way, Stoke Gifford.
- 1.2 Amendments were received during the course of the application to change the design of the single storey front extension and to add a pitched roof to the proposed side extension. A period of public re-consultation was carried out. This reduced the number of bedrooms following development from four to three.
- 1.3 The proposals add a canopy above the existing bay window, an additional living room, and additional space in the upstairs bathroom. Previously the garage was also proposed for to have a lean-to roof and be converted to a bedroom, however it is not proposed to have a pitched roof and will remain in use as a garage.
- 1.4 The site is within the North Bristol urban fringe area.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework February 2019
National Planning Policy Guidance
- 2.2 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	Environment and Heritage
CS25	North Bristol Fringe

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

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

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted) 2013

3. CONSULTATION RESPONSES

- 3.1 Stoke Gifford Parish Council
Objection – overdevelopment.

3.2 Other Consultees

Transport

Four bedroom dwellings require two off-street parking spaces which must be provided within the site boundary. Revised Block Plan requested to show this.

3.3 Local Residents

Two objections have been received, and both relate to the superseded plans:

- No 5 will no longer be link detached, will become a semi-detached house and reduce value
- Will overshadow kitchen of no. 5 which is already dark and lacks good quality natural light
- Lean to garage roof will slope towards neighbouring property to underneath their side window
- Loss of garage means insufficient parking.

4. ANALYSIS OF PROPOSAL

4.1 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 4.2 The proposed development consists of a two-storey pitched roof feature gable extending beyond the principal elevation and a canopy is proposed above the existing bay window. The existing garage is proposed to be raised up to a pitched roof, and a single storey side and rear extension is proposed to infill between an existing rear extension. The proposed two storey element is a prominent feature, however no. 4 Simian Way has a different design and material palette to the surrounding estate and is on the end of a row, and so there is some flexibility regarding design. The front elevation as it currently exists is rather plain and it is considered that the proposed canopy, front extension and raising of the garage roof will improve the design of the dwelling. Furthermore, no. 4 is significantly set back and so the front extension will not appear prominent in the street scene.

- 4.3 The Parish Council have objected on the grounds of overdevelopment, however the extensions proposed are subservient to the host dwelling and total only 9sqm of additional floor space. Subject to a condition requiring materials to

match those used in the existing dwelling, the development accords with policy CS1 of the Core Strategy.

4.4 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. Concerns regarding the impact on no. 5 Samian Way have been received, however given the single storey nature of the proposal along the boundary to no. 5, and the orientation of the existing buildings, it is unlikely there will be a material increase in overshadowing compared with the extant situation. The proposal does not overlook any neighbouring properties and the host dwelling will retain adequate amenity space.

4.5 Transport

Policy PSP38 of the Policies, Sites and Places Plan sets out the Councils parking standards. Following amendments, no increase in the number of bedrooms is proposed, and the existing parking space in front of the garage is unaffected by development. There is no transportation objection.

4.6 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application it is considered to have a neutral impact on equality.

5. CONCLUSION

- 5.1 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. 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.

6. RECOMMENDATION - APPROVED (subject to conditions)

Contact Officer: Trudy Gallagher
Tel. No. 01454 864735

CONDITIONS

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

Reason

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

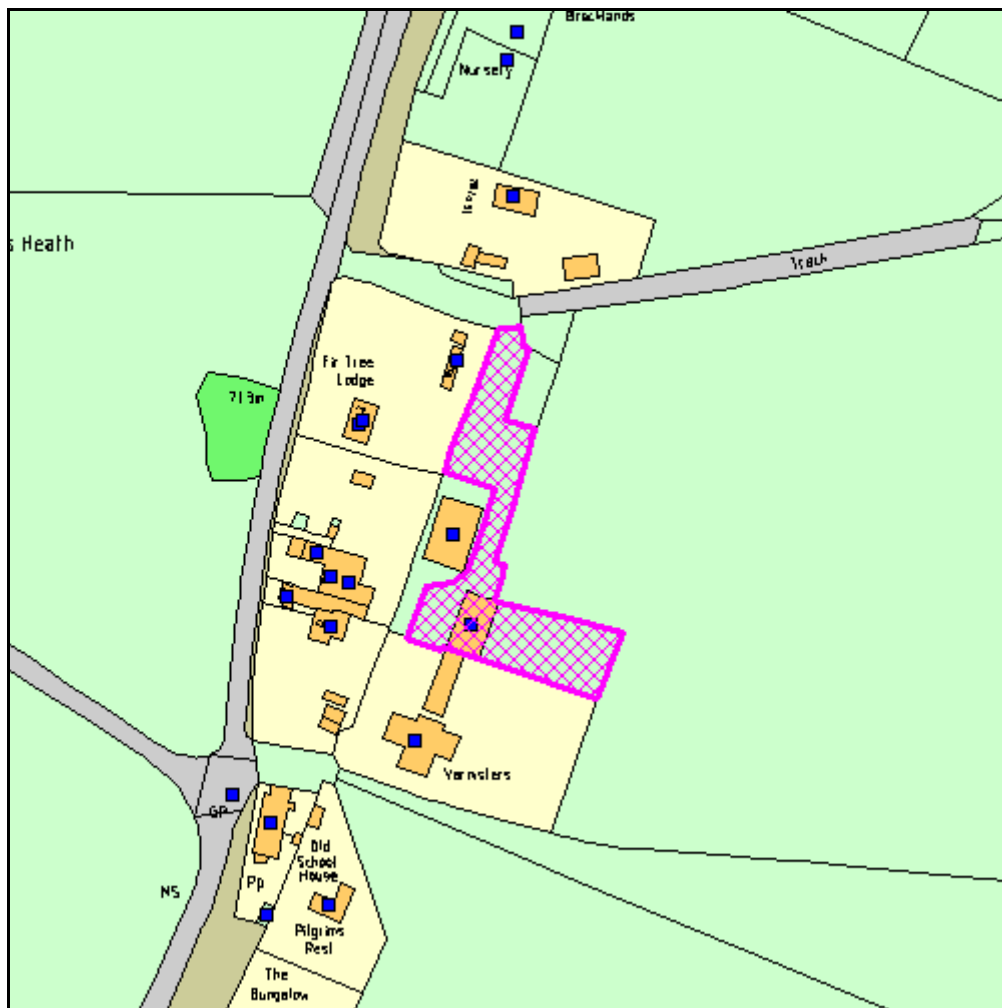
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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.

CIRCULATED SCHEDULE NO. 47/19 – 22 NOVEMBER 2019

App No.:	P19/7919/F	Applicant:	J Curtis
Site:	The Old Brewery Siston Lane Siston Bristol South Gloucestershire BS30 5LX	Date Reg:	2nd July 2019
Proposal:	Alterations to existing outbuilding to facilitate conversion to 1no self- contained dwelling and associated works. (Resubmission of P19/1366/F)	Parish:	Siston Parish Council
Map Ref:	368230 173938	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	23rd September 2019



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P19/7919/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks full permission for alterations to an existing outbuilding to facilitate its conversion to 1no. self-contained dwelling and associated works at 'The Old Brewery' near Siston. The building is currently used for ancillary storage and vehicles.
- 1.2 This application is a resubmission of P19/1366/F which was refused due to the negative effect on existing residential amenity.
- 1.3 The site is located outside of any settlement boundary and within the Bristol and Bath Green Belt. In addition, the dwellings immediately west are locally listed and a public right of way runs along part of the existing access.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) February 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
CS15	Distribution of housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

South Gloucestershire 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

PSP18	Statutory Wildlife Sites
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 P19/1366/F
 Alterations to existing outbuilding to facilitate conversion to 1no self-contained dwelling and associated works.
 Refusal 3.4.2019

Reason(s):

1. The development would have a significant negative impact on the residential amenity of occupiers of the host dwelling, known as 'The Old Brewery'. This is due to the proposed access wrapping around the dwelling and its presence, directly adjacent to patio doors and windows of main living areas. This would result in noise and other harmful disturbances from the likely vehicular movements. In addition to this, the host dwelling would lose all existing private amenity space provision. A shared courtyard area is proposed, but this would fail to be functional, safe or strictly private. In this way there would be a lack of sufficient private amenity space provision for the host dwelling. These impacts cumulatively and individually would result in detrimental residential amenity impacts to these occupiers, contrary to Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policies PS8 and PSP43 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; as well as the provisions of the National Planning Policy Framework.

- 3.2 PK18/0132/O
 Erection of 1no detached dwelling (Outline) with all matters reserved
 Refusal 5.3.2018

Reason(s):

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. The applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. Furthermore, and in addition, the development would be located at an unsustainable location, which fails to accord with the defined appropriate walking and cycling distances to facilities and services. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, PSP11 and PSP7 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; the Development in the Green Belt SPD and the National Planning Policy Framework.

Appeal: APP/P0119/W/18/3197894

Dismissed 18.7.2018

- 3.3 PK14/3895/RVC
Removal of condition 13 attached to planning permission PK11/2243/F.
Approval 12.12.2014
- 3.4 PK11/2243/F
Conversion of existing building to facilitate change of use from Class B1 to tourist accommodation (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)
Approval 23.9.2011
- 3.5 PK07/1153/F
Change of use of Micro Brewery (Class B2) to Business Use (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
Approval 25.5.2007
- 3.6 PK06/1986/F
Conversion and extension of existing Micro Brewery building to form a dwelling. (Resubmission of PK04/4122/F).
Refusal 16.8.2006

Reason(s):

1. The site lies within the Bristol/Bath Green Belt and the proposal, if permitted, is likely to lead to domestic appurtenances and vehicle parking within the associated curtilage, detracting from the openness of the Green Belt in this location, contrary to Policy GB1 of the South Gloucestershire Local Plan and Green Belt policy as contained in PPG2.
2. The attempt made to secure the re-use of the building in a suitable business use was unsuccessful due to the unreasonably high level of rent sought, the length of the lease offered and persistence with only one agent over the marketing period. The proposal therefore is not considered to amount to a reasonable attempt to market the premises for a business re-use and fails to satisfy policy H10 (A) of the South Gloucestershire Local Plan.

Appeal: APP/P0119/A/06/2026498

Dismissed 25.1.2007

- 3.7 PK04/4122/F
Conversion and extension of existing Micro Brewery building to form a dwelling.
Refusal 4.3.2005

Reason(s):

1. The site is located within the Bristol/Bath Green Belt and the enlargement of the building does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Deposit Draft).

2. The site lies within the Bristol/Bath Green Belt and the proposal, if permitted, is likely to lead to domestic appurtenances and vehicle parking within the associated curtilage, detracting from the openness of the Green Belt in this location, contrary to Policy GB1 of the South Gloucestershire Local Plan (Revised Deposit Draft) and Green Belt policy as contained in PPG2.
3. No attempts have been made to secure the re-use of the building in a suitable business use, neither is the conversion as proposed part of a scheme for business re-use and therefore the proposal fails to satisfy policy H9 (A) of the South Gloucestershire Local Plan (revised deposit draft).
4. The proposal, by virtue of the enlargement of the existing building, would be detrimental to the open character of the Green Belt, contrary to policy GB1 of the South Gloucestershire Local Plan and government guidance contained in Planning Policy Guidance Note 2.

3.8 PK04/3549/F

Conversion and extension of existing Micro Brewery building to form a dwelling.
Refusal 1.12.2004

Reason(s):

1. The site is located within the Bristol/Bath Green Belt and the enlargement of the building does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Deposit Draft).
2. The site lies within the Bristol/Bath Green Belt and the proposal, if permitted, is likely to lead to domestic appurtenances and vehicle parking within the associated curtilage, detracting from the openness of the Green Belt in this location, contrary to Policy GB1 of the South Gloucestershire Local Plan (Revised Deposit Draft) and Green Belt policy as contained in PPG2.
3. No attempts have been made to secure the re-use of the building in a suitable business use, neither is the conversion as proposed part of a scheme for business re-use and therefore the proposal fails to satisfy policy H9 (A) of the South Gloucestershire Local Plan (revised deposit draft).
4. The proposal, by virtue of the enlargement of the existing building, would be detrimental to the open character of the Green Belt, contrary to policy GB1 of the South Gloucestershire Local Plan and government guidance contained in Planning Policy Guidance Note 2.

3.9 PK04/0208/F

Erection of 2 no. dwellings and associated works.
Refusal 20.2.2004

Reason(s):

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2, Policy GB1 of the South Gloucestershire Local Plan (Deposit Draft), Policy 16 of the Joint Replacement Structure Plan (As Intended to be Adopted), and Policy KLP36 of the adopted Kingswood Local Plan.

2. The proposal, by virtue of the mass of the buildings and the creation of residential curtilages, would have a detrimental effect upon the open character of the Green Belt, contrary to policy GB1 of the South Gloucestershire Local Plan (revised deposit draft) and the provisions of Planning Policy Guidance Note 2 'Green Belts'.
3. The proposal represents an unsatisfactory form of backland development without proper road frontage which, if approved, would have an adverse effect on the amenities of the occupiers of the proposed dwelling at plot 1 due to the close proximity of the access leading to plot 2. The proposal is therefore contrary to policy KLP85 of the adopted Kingswood Local Plan and policy H4 of the South Gloucestershire Local Plan (Revised Deposit Draft).
4. The proposal represents sporadic residential development in the open countryside, which is contrary to policy H3 of the South Gloucestershire Local Plan (revised deposit draft).
5. Insufficient information, such as a DETR assessment, has been submitted with the application to demonstrate that the risks of flooding and pollution have been eliminated from the scheme. The proposal is therefore contrary to policy RP1 of the adopted Rural Areas Local Plan and policies EP2, L17 and L17A of the South Gloucestershire Local Plan (revised deposit draft) and government guidance contained in DETR Circular 03/99.

3.10 P97/4702

Change of use of vacant farm building to micro-brewery (B2)

Approval 12.2.1998

4. CONSULTATION RESPONSES

4.1 Siston Parish Council
Objection due to being in the Green Belt.

4.2 Other Consultees

Open Spaces Society
No comment

Highway Structures
Standard informative recommended

Lead Local Flood Authority
No objection

Sustainable Transport
No objection

Public Rights of Way
No objection

Other Representations

4.3 Local Residents
None received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This proposal is a revised scheme following a dismissal for a similar scheme earlier this year. The single refusal reason related to loss of amenity, but the principle of development in this location (Green Belt; open countryside) was considered acceptable and the Officer can find no reason to disagree with this view. At the time, it was acknowledged that subdivision of the plot and additional domestic paraphernalia would inevitably have a greater impact on the openness of the Green Belt than the current situation, but it was concluded this could be controlled by removing householder permitted development rights and conditioning a landscaping scheme/plan.

5.2 Therefore, provided the conditions listed above are carried forward, the proposal would comply with paragraph 146 (d) of the NPPF and policies PSP40 (4), CS5 and CS34. However, for it to be fully acceptable, it will need to overcome the Case Officer's previous concerns and accord with all remaining considerations.

5.3 Design

Some operational development is required to facilitate the conversion, but it is considered the building would retain its existing rural character and appearance. The most significant change will be the gardens; new residential features to the east and west of the building. However, as mentioned above and subject to condition, minor additions and domestic paraphernalia should be kept to a minimum.

5.4 Amenity

The previous scheme (P19/1366/F) on the site was refused solely because there was a lack of amenity space for the hosts and from noise and disturbance due to comings and goings.

5.5 Revisions have been made the scheme, including the allocation of private amenity space for each dwelling and keeping parking to the front of 'The Old Brewery'. These are considered sufficient to overcome the harm previously identified and it is now considered the proposal accords with policy PSP43 and is unlikely to negatively affect the host occupiers.

5.6 It is also considered unlikely any other adjoining neighbours would be prejudiced.

5.7 Parking and Highway Safety

It is noted that this site is located in a rural area away from any facilities and is poorly served by public transport, which means the occupiers are likely to be car-dependent. Therefore, it is considered that the proposal does not accord with the requirements of policy PSP11 in terms of juxtaposition to necessary facilities and access by all travel modes. Nevertheless, it is unlikely that a single dwelling will generate more than approximately 7 new vehicular movements in a 24 hour day. Consequently, it will not create a significant amount of new traffic, nor will it produce any highways or transportation issues which could be considered severe or are likely to represent a significant

intensification of the use of this site. As a result, the LPA do not consider that a transportation objection could be sustained on this basis.

- 5.8 Likewise, although this dwelling is somewhat remote from the public highway, so refuge collection and access by emergency vehicles is less than optimal, it is not considered that this is such a significant concern that the LPA would be able to sustain a transportation objection on this basis either.
- 5.9 In addition, examination of the plans shows the property will possess 4 bedrooms. Therefore, to conform to the Council's adopted Residential Car Parking Standards, at least 2 off-street car parking spaces will need to be provided. It is understood that an area of hardstanding will be available for parking and turning, thus allowing vehicles to leave in forward gear. Therefore, the development is satisfactory in this respect.
- 5.10 Finally, this new dwelling will share the site's existing access arrangements with 'The Old Brewery'. This will not be altered in any way. Therefore, it is considered that it is unlikely the proposal will generate highway safety concerns. As a consequence, there is no highways or transportation objections to this development.
- 5.11 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.12 With regards to the above this planning application it is considered to have a neutral impact on equality.
- 5.13 Planning Balance
Having considered the proposal and examined all the relevant policies and strategy of the development plan, Officers have found that it is in accordance when considered as a whole. It is concluded that planning permission should be granted subject to the conditions set out at the end of this report.

6. CONCLUSION

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

- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the 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 listed below.

Contact Officer: Helen Braine
Tel. No. 01454 863133

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. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In the interests of protecting the openness of the green belt, and to accord with policy CS1, CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; policy PSP7 and PSP40 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the 2019 National Planning Policy Framework.

3. Prior to the commencement of the relevant works, 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.

Reason

To protect the character and appearance of the area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the 2019 National Planning Policy Framework.

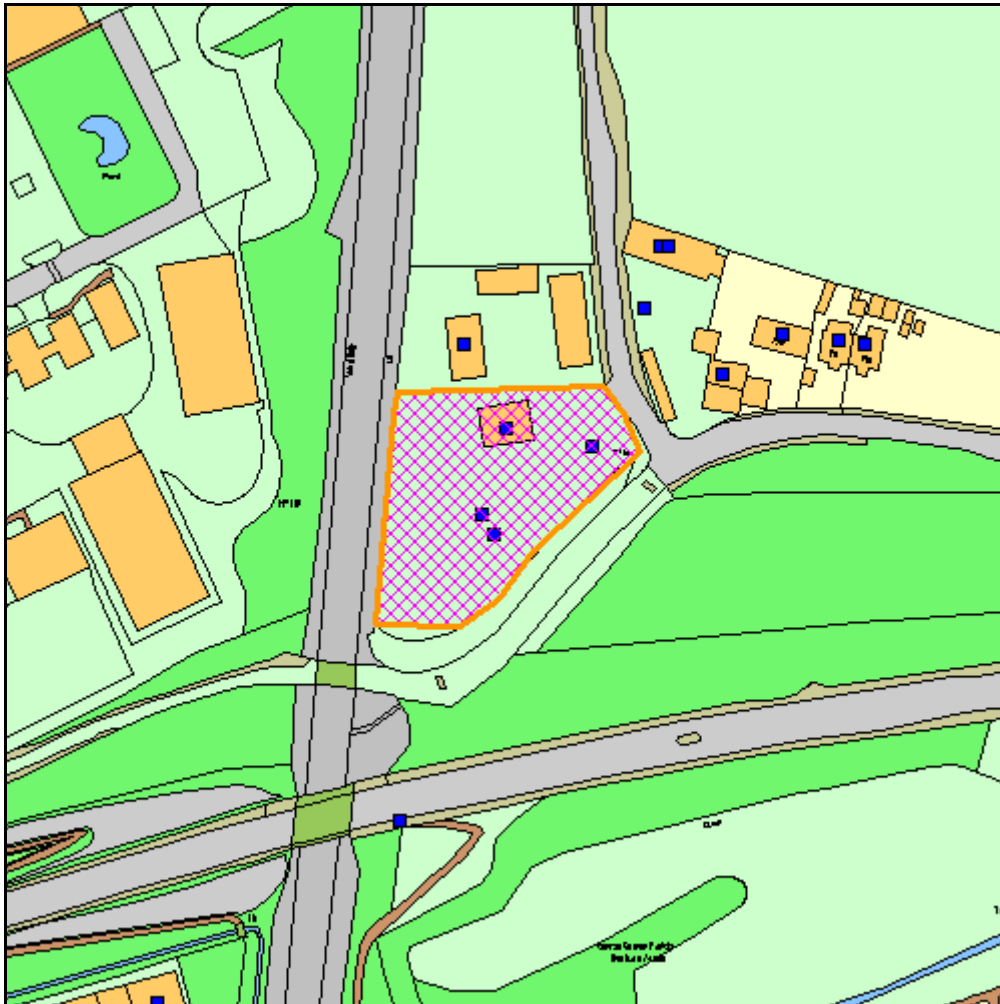
4. The development shall be implemented strictly in accordance with the following plans:
Received 27.6.2019:

The Location Plan (130)
Proposed Block Plans (120)
Proposed Plans (110)
Existing Plans (100)

Reason
For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 47/19 – 22 NOVEMBER 2019

App No.:	PK18/6511/F	Applicant:	Mr A Pope Popes Storage
Site:	Pope's Storage Broad Lane Yate Bristol South Gloucestershire BS37 7LB	Date Reg:	14th January 2019
Proposal:	Change of Use from waste transfer station (sui generis) to storage yard (Class B8) including the stationing of 53 No. storage containers as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). (Retrospective).	Parish:	Yate Town Council
Map Ref:	370682 183702	Ward:	Yate North
Application Category:	Minor	Target Date:	5th March 2019



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100023410, 2008.

N.T.S.

PK18/6511/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 REPORTING TO CIRCULATED SCHEDULE

This application is to appear on Circulated Schedule due to the receipt of an objection from the Town Council.

1. THE PROPOSAL

- 1.1 This application seeks retrospective permission for the change of use of the southern section of the site from a waste transfer station to a storage yard (Class B8) including the stationing of 53 storage containers for this purpose at Pope's Storage, Broad Lane, Yate.
- 1.2 The entire application site is also known as Rowley Fields and is located at the junction of Broad Lane and Watery Lane, Yate. The site is bounded on the western side by the main Bristol to London railway line. There are several residential properties and Brimsham Green School that lie close by along Broad Lane, the main access road to the site.
- 1.3 As this is a retrospective application it is understood that whilst storage in containers has occurred on site for a number of years, the current self-storage business commenced on site in approximately 2016 and has slowly expanded across the area of the site subject to this application since then, adding more containers to the site to meet demand.
- 1.4 Over the course of the application amended block plans were requested to clearly identify the southern section of the site that is subject to the application to mirror the submitted site location plan.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS12 Safeguarded Areas for Economic Development

CS30 Yate and Chipping Sodbury

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16	Parking Standards
PSP21	Environmental Pollution and Impacts
PSP26	Enterprise Areas
PSP27	B8 Storage and Distribution Uses
PSP28	Rural Economy

3. RELEVANT PLANNING HISTORY

- 3.1 P93/2092/CL – Certificate of Lawfulness for the storage and breaking of scrap motor vehicles covering the entire site – Granted - 9 May 1996
- 3.2 P94/2340/CM – Use of land for the storage of waste skips (temporary 2 year permission) – Approved - 17 February 1995
- 3.3 P96/2752 – Waste transfer station; weighbridge and site office/w.c. (temporary 2 year permission) – Approved with conditions – 12th February 1997.
- 3.4 P99/2257 – Continued use of land for Waste Transfer Station, weighbridge and site office/w.c. (southern section of site) – Approved with conditions – 14th April 2008
- 3.5 PK00/0505/F – Change of use of land for skip hire (northern section of site) – Approved with conditions - 17th April 2008
- 3.6 PK06/3549/F – Demolition of existing building to facilitate the erection of 3 no. storage units (in the northern section of the site) – Approved with conditions – 11th July 2008

4. CONSULTATION RESPONSES

4.1 Yate Town Council (summary)

“Objecting on the grounds that this change of use will create a larger volume of visitors using the site. Hours of use unclear as there is no indication of operating times

This location is also currently under development with 8 new houses which will create additional traffic

There is also a concern that the increase in parking could cause people to park by the junction outside of the local school. Currently, there are few vehicles which access the site during peak school hours”

4.2 Other Consultees

Lead Local Flood Authority

No Objection

Network Rail

No objection in principle subject to advisories

Sustainable Transport (summary)

“It is understood that part of the site has also been used for scaffolding and storage and this use will cease in February 2019.

With this application, there is now an opportunity to regularise the use of the site as well as manage the traffic movements to and from this location ensuring that there is less harm from the current none-conforming use of the site.

Whilst we accept that the proposal (self-storage use) may increase the level of visit to the site, I am confident that the resulting traffic from this would involve more smaller vehicles (i.e. cars/vans) rather than the present use which can generate significant level of HGVs traffic. On this basis therefore, the transportation officer does not wish to pursue highway objection to this application subject to the following conditions.

1. The premises shall be used for B8 storage only and for no other purpose (including any other purpose in Class B8 use; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).
2. There shall be no outside storage of any kind within the site boundary unless prior written approval is obtained from the Planning Authority.
3. No container unit within the site shall be shipped out for purpose of use or hiring out away from site.
4. Total number of the container (dimensions to be agreed by the planning Authority) on site shall not exceed maximum number of 53no. containers (single-story high).

Reasons (for all the above conditions are): to contain level of traffic movements on ‘route to school’ and for road safety reason.

5. Notwithstanding plans submitted, provide details of parking and manoeuvring area on site for written approval by the Planning Authority and then, prior to first use of the site as B8 storage, provide the parking and manoeuvring area in accordance with the approved plan all to be subsequently maintained satisfactory thereafter.

Reason: to provide off street parking for the staff and the customers/visitors.”

Environmental Protection (Summary)

“I have reviewed the information submitted in support of the planning application. I have no objections in principle to the change of use of the site, but would recommend that Condition 14 placed on the previous planning

application for the site (P99/2257) regarding plant and machinery should be carried over:

- All plant and machinery shall operate only in permitted hours and shall be silenced and maintained at all times in accordance with the manufacturers specifications and recommendations.

In addition I would recommend that the following condition be applied:

- Broadband reversing alarms shall be fitted and operated on all forklift trucks used on site.

The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health section”.

Further ‘Construction Sites’ advisories were also recommended.

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application is principally being assessed under policy CS4a Presumption in Favour of Sustainable Development and the National Planning Policy Framework (NPPF), in particular section 2, where permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Due to the site being situated outside of the settlement boundary, and therefore considered rural, this application is also being assessed under policy PSP 28 Rural Economy where the alteration of existing business would be acceptable where the development is located within the curtilage of the site and the development is reasonably necessary for the purpose of the business use is clearly for that purpose. Also, due to the nature of the use of the site, the application is being assessed under policy PSP 11 Transport Impact Management development proposals would be acceptable providing they would not have unacceptable effect on highway and road safety or severely impact on the amenities of surrounding access routes. There is no ‘in principle’ objection provided no adverse impacts are found under the above considerations.

5.2 Storage Use

The proposal seeks the change of use from an existing use of the site from a waste transfer station and a portion of the skip hire/storage area of the site to that for self-storage, for mainly domestic purposes and small business, by the siting of 53 storage containers. The site has been subject to various similar uses to that currently operating, such as a scrap yard, as demonstrated in the planning history. Whilst these uses are seen as *sui generis* uses, an element of open storage of waste and skips/containers has occurred at the site as part of these uses and it is considered that the site is an industrial commercial site. The site is situated outside of safeguarded economic development areas and settlement boundaries, however the site is immediately adjacent both of these.

- 5.3 The main policy for storage and distribution uses, policy PSP 27 directs these uses to specific safeguarded economic development areas. It does not prohibit these uses from other areas, but does however remain silent on how these sites should be assessed. Therefore, due to this policy remaining silent this leaves the proposal to be assessed under CS4a and the aims of the NPPF for the presumption in favour of sustainable development where permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The existing use of the site is a waste transfer station and skip hire, with the remains of a skip hire business operating at the northern section of the site. It is noted that a small industrial site is also directly opposite the site. The proposed use would create a facility for the storage of items within storage containers which is considered would provide less of an impact to the surrounding environment than the lawful use. This is due to the change in less harmful traffic movements, and the less harmful visual aspect of the storage containers being lower than the allowed maximum height for the storage of the waste and skips currently permitted on site. Both of the transport issues and visual amenity are considered further below.
- 5.4 Despite the site being situated both outside of a settlement boundary and a safeguarded economic development area, the existing use of the site must be taken into consideration. It is considered the proposed use would not lead to any additional conflict with neighbouring uses of land and given the existing use, the proposed use would also represent an effective and efficient reuse of the land, which has the existing characteristics of a storage yard and the use is compatible with the site's location, its accessibility and its surroundings. Also, as this is largely a retrospective application, it is important to note that planning enforcement have not received any reported issues relating to the current self-storage use of the site. Due to it being considered the benefits of the proposed outweighing the adverse impacts, in particular by reducing the impacts of the existing use, it is considered that the proposal complies with policies CS4a and PSP 28, and the NPPF.

5.5 Transport

The Council's transport officers were consulted and in response raised no objections in principle due to the officer's opinion that traffic generation would differ from the existing use to smaller vehicles, and thus represent a less harmful transport impact than that of the existing use. The existing use can generate a significant amount of regular HGV traffic, and it is considered that

the proposed use would significantly reduce this traffic and involve smaller vehicles such as cars and vans, with the applicant suggesting a maximum of around 12 - 15 vehicles movements to and from the site a day. The applicant has also suggested larger vehicles will only access the site for exceptional deliveries or collections which they have stated these very rarely occur.

- 5.6 As part of the previous permissions highway enhancement works to improve the access were undertaken under a section 106 agreement due to the HGV movement to and from the site. The access for the proposed use is the existing access with no alterations proposed. However, the existing use is subject to conditions restricting movements to and from the site for HGVs due to the proximity of Brimsham Green School on the access road. The Town Council has raised concerns surrounding the access to the site during school hours, the current use is conditioned restricting HGV access at peak school times, with the change of use this HGV traffic is considered to diminish, with the transport officer raising no concerns about the volumes of traffic the proposed use may generate. In order to control the proposed development, to satisfy road safety along this route, the transport officer recommended conditions to restrict the use of the site for storage only, no containers to be hired for off site purposes and thus restricting larger vehicle movements. It is also considered necessary to reattach the same HGV movements condition to further protect the school traffic despite the expected decrease in these movements.
- 5.7 As part of additional comments received, parking of around 13 to 14 spaces was suggested for visitors and staff, however there is no policy standards for a specified amount of formal parking to be provided at such sites under policies PSP 11 or PSP 16. As this is a largely a retrospective application, during visits to the site and correspondence with the owner and their representatives it was confirmed that parking arrangements are currently informal on site as customers largely park next to their storage unit, collect or deposit their items, and then depart. Therefore, given the site layout and nature of use it is considered that formal parking arrangements are not required. However, in order to allow for manoeuvring and this current informal parking arrangement it is considered appropriate to limit any storage outside of the containers on site, and limit the amount of containers on site to that proposed. If further containers were to be brought onto the site and the layout alters this would impact on manoeuvring and current parking arrangements on site which would require further assessment. It is also considered unlikely that customers of the storage unit would park outside of the site as suggested by the Town Council given the nature of the use of the site.
- 5.8 On balance, subject to attaching relevant conditions as outlined above the development is considered acceptable in transport terms and therefore complies with policy PSP 11.

5.9 Design and Location of Development

The site is enclosed by existing high security fencing, with hedging surrounding the boundaries adjacent to the highway. The northern section of the site also contains low, single storey storage buildings of industrial/commercial design in current use for the skip hire business. The addition of the storage containers,

of approximately 2.5 metres in height would have a minimal impact on the surrounding area given the site's context and location. The existing permission would allow for stockpiles of waste and skips to a maximum of three metres in height therefore the proposed containers, although permanent, would be lower and have less of an impact than these stockpiles.

5.10 Whilst the Town Council has raised concerns that nearby the site further new houses have been approved along the access road, it is important to point out that the existing site has been in operation for numerous years in various forms, as shown in the planning history. The proposed use is considered to have less of an impact on the locality than these uses and therefore could not be refused on these grounds. However, in order to protect the amenities of these local residents it is considered appropriate to attach an opening hours conditions.

5.11 With the attaching of relevant conditions it is considered that the proposal complies with policies CS1 and CS5.

5.12 Residential Amenity

There are a handful of residential properties in the vicinity of the site, largely on the access road Broad Lane, including permission to erect 7 properties recently approved, with a residential property to the north of the skip hire site. Whilst it is considered these do not overlook the site and not directly impacted by the proposed use and operations, due to being on the access roads, it is considered appropriate to protect the resident's amenity. Conditions were attached to the existing use to protect residential amenity, and despite considering the proposed use has less of an impact than the existing use, it is still considered appropriate to attach conditions for the hours of operation of the site and limiting the noise of any machinery used on site, as per the previous permissions. With attaching these conditions it is considered this would protect the residential amenity and therefore comply with policy PSP 8.

5.13 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 The planning permission is **granted** subject to the conditions outlined below

Contact Officer: Aaron Bush
Tel. No. 01454 863117

CONDITIONS

1. The use hereby permitted shall be restricted to the hours 7:00 to 19:00 every day. For the avoidance of doubt no operations or activities in connection with this permission shall be undertaken outside of these hours.

Reason

In order to protect residential amenity of properties on the access roads to the site and in order to accord with policies CS1 and CS5 of the South Gloucestershire Local Plan Core Strategy Adopted 2015, and policy PSP 8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

2. The use of the storage containers hereby approved shall be solely for self-storage and for no other purposes (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any other provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

In order to contain the level of traffic movements on 'route to school' and for road safety reason, in order to comply with policy PSP 11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

3. No outside storage shall take place at the site without the prior written consent of the Local Planning Authority.

Reason

In order to contain the level of traffic movements on 'route to school' and for road safety reason, in order to comply with policy PSP 11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

4. No container unit within the site shall be hired out for a purpose of use that requires it to be removed from the site.

Reason

In order to contain the level of traffic movements on 'route to school' and for road safety reason and in order to comply with policy PSP 11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

5. The total number of the containers on site shall not exceed a maximum number of 53no. containers, as shown on the submitted proposed block plan, and shall not be stacked.

Reason

In order to contain level of traffic movements on 'route to school' and for road safety reason, and to prevent an incongruous addition to the setting. In order to comply with policies CS1 and CS5 of the South Gloucestershire Local Plan Core Strategy Adopted 2015 and policies PSP 11 and PSP 27 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

6. During school term times no heavy goods vehicle shall enter or leave the site between the hours of 08:15 to 09:00 and 15:00 and 15:45 Monday to Friday inclusive and the applicant shall take such measures to instruct all drivers of heavy goods vehicles using the site of the restrictions.

Reason

In order to contain level of traffic movements on 'route to school' and for road safety reason and in order to comply with policy PSP 11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

7. All plant and machinery shall operate only in permitted hours and shall be silenced and maintained at all times in accordance with the manufacturers specifications and recommendations.

Reason

In order to protect the residential amenity of nearby residents and to comply with policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.