

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. 48/19

Date to Members: 29/11/2019

Member's Deadline: 05/12/2019 (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:

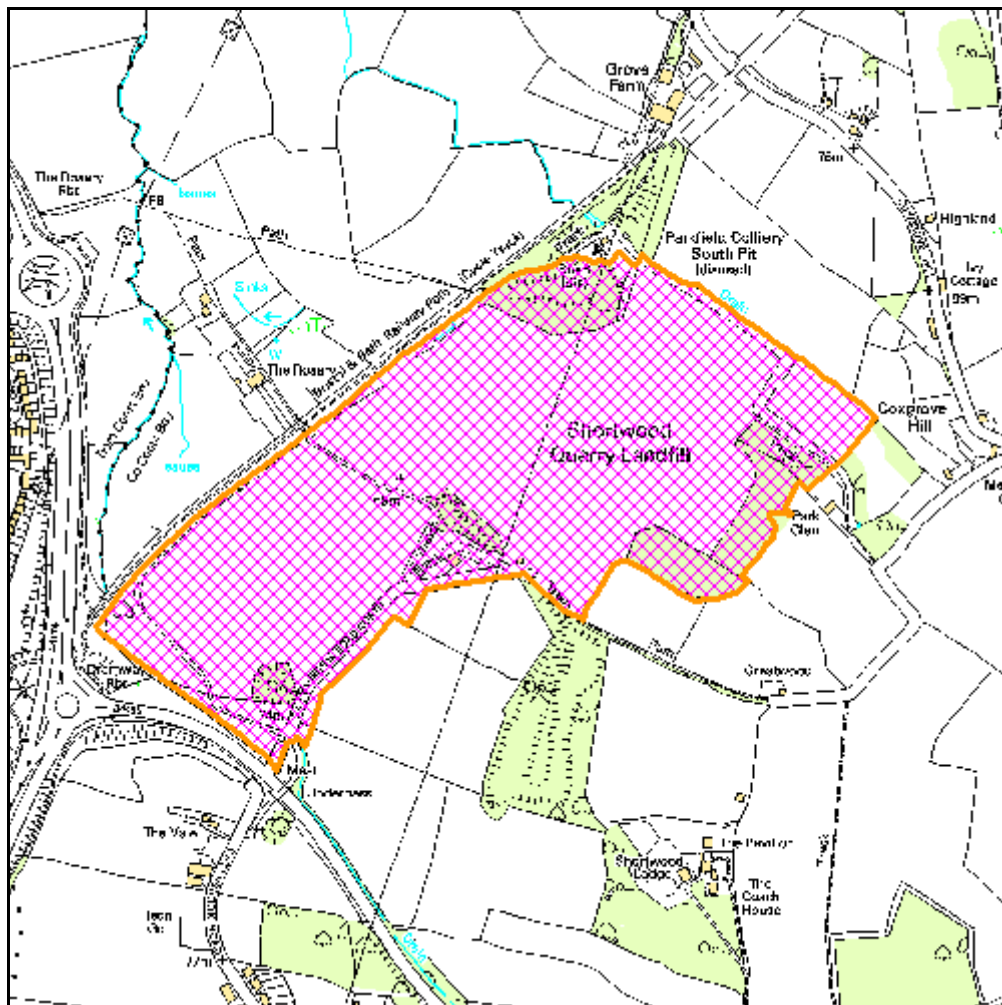
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 29 November 2019

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/09621/RVC	Approve with Conditions	Shortwood Quarry Landfill Cattybrook Road North Shortwood Pucklechurch South Gloucestershire BS16 9NJ	Boyd Valley	Pucklechurch Parish Council
2	P19/12271/F	Approve with Conditions	35 Ludlow Close Willsbridge South Gloucestershire BS30 6EB	Longwell Green	Oldland Parish Council
3	P19/12406/F	Approve with Conditions	40 Redfield Hill Oldland Common South Gloucestershire BS30 9TQ	Bitton And Oldland	Bitton Parish Council
4	P19/13842/F	Refusal	Former Dairy Unit Mumbleys Farm Sweetwater Lane Thornbury South Gloucestershire BS35 3JY	Severn Vale	Aust Parish Council
5	P19/14082/TRE	Approve with Conditions	Land At Cleeve Hill Downend South Gloucestershire BS16 6EU	Frenchay And Downend	Downend And Bromley Heath Parish Council
6	P19/15186/F	Approve with Conditions	Magnolia House Cloisters Road Winterbourne South Gloucestershire BS36 1LL	Winterbourne	Winterbourne Parish Council
7	P19/16076/F	Approve with Conditions	392 Church Road Frampton Cotterell South Gloucestershire BS36 2AB	Frampton Cotterell	Frampton Cotterell Parish Council
8	PK17/4155/RM	Approve	Parcels 18, 20A And 20B Emersons Green South Gloucestershire BS16 7FX	Boyd Valley	Emersons Green Town Council

CIRCULATED SCHEDULE NO. 48/19 – 29TH NOVEMBER 2019

App No.:	P19/09621/RVC	Applicant:	Mrs Sarah HollandEnovert South Limited & Ibstock Brick (Cattybrook) Limite...
Site:	Shortwood Quarry Landfill Cattybrook Road North Shortwood Pucklechurch Bristol South Gloucestershire	Date Reg:	29th July 2019
Proposal:	Variation of condition no. 25 attached to planning permission PK03/1545/F to now read "Not later than 17 September 2023 landfilling shall have ceased and the site, excluding the clay stockpile area, shall be restored in accordance with drawing no. SWQ014b"	Parish:	Pucklechurch Parish Council
Map Ref:	367760 176114	Ward:	Boyd Valley
Application Category:	Major	Target Date:	23rd October 2019



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

INTRODUCTION

This application appears on the circulated schedule, as a result of a consultation response received, from the Parish Council, contrary to Officer recommendation.

1. THE PROPOSAL

1.1 The application is for permission for the variation of condition no. 25 attached to planning permission PK03/1545/F to read - *'Not later than 17 September 2023 landfilling shall have ceased and the site, excluding the clay stockpile area, shall be restored in accordance with drawing no. SWQ014b.'*

1.2 The application relates to the operational landfill site at Shortwood Quarry near Pucklechurch. The quarry site, a former clay pit, commenced landfilling operation in 2007, permitted by planning permission reference PK03/1545/F. Condition 25 of planning consent reference PK03/1545/F stated:

'Not later than 12 years from the date of the start of waste deposit (such date to be notified to the Local Planning Authority, in writing, within 7 days) landfilling shall have ceased and the site, excluding the clay stockpile area, shall be restored in accordance with drawing no. SWQ014a.'

Reason:

To provide for the completion and progressive restoration of the site within the approved timescale in the interest of visual amenity and to accord with Policy 28 of the Minerals and Waste Local Plan.'

1.3 When preparing the landfilling consent yearly tonnages and input rates were anticipated and estimated against the void space available, this resulted in the timescales referred to in condition 25. The majority of inputs, have however since then been considered to be of commercial and industrial waste nature, with lower than anticipated volumes of household waste. The average density of this waste has been much higher than originally forecast, resulting in less void space being consumed by the input of waste. The remaining volume (June 2019) to achieve the approved and agreed necessary pre-settlement contours and landform of the site is approximately 370,000 cubic metres. It is considered that whilst therefore there is still an on-going significant quantity of locally arising waste needing to be landfilled, this has not been of a nature to fill the void in accordance with the existing scheme and its timescales. The consequence of this is that achieving restoration of the site will take longer and planning permission for additional time is required. It is considered that, with more household waste input secured for the site, that the remaining void can be filled and the approved pre-settlement levels achieved in approximately 3

years, hence the condition has been sought to be varied as submitted.

- 1.4 The application site is bounded by the Mangotsfield to Yate cyclepath and the Shortwood link North Link Road to the north west and south west respectively and the Pucklechurch Ridge to the east. The nearest residential properties are located at the Rosary, 75 metres from the application boundary, immediately to the west. Grove Farm lies 150 metres to the north of the site boundary at the bottom of Coxgrove Hill. Continuing up Coxgrove Hill there are a number of further residential properties. Around the eastern side of the site, largely hidden by woodland are the isolated properties of Park Glen, Greatwood Farm and Shortwood Lodge. Emersons Green is located to the west, across the ring road, whilst Lydes Green is developing to the north. The site as a whole is located within the designated Green Belt.
- 1.5 The application has been screened in accordance with EIA regulations. In addition to land use planning requirements and the satisfactory restoration and capping of waste sites the requirement for restoration is also necessary in terms of ongoing environmental and pollution control.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy for Waste
National Planning Practice Guidance

2.2 Development Plans

West of England Joint Waste Core Strategy (Adopted) March 2011
Policy 8 – Landfill
Policy 11 – Planning Designations
Policy 12 – General Considerations

South Gloucestershire Local Plan Core Strategy
CS1 High Quality Design

2.3 Supplementary Planning Guidance

Green Belt – Supplementary Planning Document

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/1545/F – Continuation of clay extraction and restoration by landfilling with residual non-hazardous waste. Approved 10 March 2006.
- 3.2 PK08/0303/RVC – Variation of condition 33 attached to planning permission PK03/1545/F to amend the operational working hours of the landfill site to 07.00 to 13.00 Saturdays and 07.00 to 16.00 Bank Holidays. Approved 20th March 2008.

- 3.3 PK13/1076/MW - Variation of condition 33 attached to planning permission PK03/1545/F to amend the operational working hours of the landfill site to include for Public Holiday working between 07:00 and 16:00. Approved 30th May 2013.

4. **CONSULTATION RESPONSES**

4.1 Pucklechurch Parish Council

Object to an extension of that length of time as believe that this is detrimental to the continued health and wellbeing of the numerous local residents that now live in close proximity to the site.

4.2 Other Consultees
Environmental Protection

There are no objections in principle. The following information should however also be considered. The Environmental Protection Team have been in receipt of sporadic but widespread and relatively large numbers of complaints related to odours in the vicinity of the Shortwood Quarry landfill site. The odours are believed to be emanating from the site, however, investigations by the Environment Agency (EA) are ongoing. Complaints of odours in the Lyde Green and Emersons Green areas have increased moreso over the last 2 summers and complaints received by the Environmental Protection Team have been referred to the EA who are the enforcement agency for the site. It is our opinion that to remove the condition and allow an extension to the landfill operation will cause further complaints as residents are expecting the landfill to cease and the expectation is that once the engineering works are completed and the landfill is closed the odours would diminish significantly. The proposals ultimately would extend the time the landfill remains open and the likelihood that the neighbourhood is subjected to ongoing related odourous emissions. As more people are aware of the enforcement agency's role along with their complaints procedure, the Environmental Protection Team have gradually received less direct complaints, but we are aware that the odour issues are an ongoing problem for many living in the Lyde Green/Emerson's Green areas and the issue is often highlighted in the local media.

I understand that the EA will also be consulted and that some remediation works to alleviate odour emissions is underway and are continuing and through this proposal works to cover some areas will be made which may reduce the odourous emissions.

Public Rights of Way

The reinstatement of the footpath lines that were diverted by order to enable the works is welcomed, as is the extra access to enjoy the area. I have one comment to make that there is a permissive bridleway inside the hedge along the line of Cattybrook Road North that is shown on the plan as along the road. Is the proposal to lose the off road bridleway section? I would prefer to see this retained and some improvement to the crossing point at the southern end of the road.

The applicants have subsequently confirmed that upon completion of the restoration of the site, we are happy to retain the current permissive bridleway

inside the hedge along the line of Cattybrook Road North, as well as giving the option for users to use the adjacent section of road, if desired.

Further PROW comments were subsequently received:

It looks as though several footpaths are to be set up across the site following reinstatement as well as preserving the bridleway links around and across so that is acceptable

Environment Agency

No comments received

Historic England

No comments to make

The Coal Authority

The conditions to which this application is seeking variation do not specifically affect coal mining related issues. Therefore, The Coal Authority has no comments to make on this application.

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the use of the site has been established for landfill purposes through consent reference PK03/1545/F. This application seeks consent to vary the timescales of the previous consent. It is solely the impact of this additional timeframe that is the subject of this application. Nothing else is being sought to be changed and it is considered that all other existing controls through the previous planning permissions would remain in force. Shortwood landfill is the only active landfill site in South Gloucestershire. The landfilling of the former claypit void, its subsequent restoration and landscaping has been approved by previous consents. It has therefore been considered that the principle of landfill is acceptable at this site. The timescale specified in the original consent for the site reflected the operational requirements at the time. Waste collection and disposal operations have since evolved and void space remains at the site. It is considered that there is a sound justification for varying the condition and timescale of the permission, there is a requirement and need for continued landfill provision and there is an existing approved landfilling and restoration scheme that remains incomplete. This application seeks additional time in which to complete the previously approved scheme. The timescale proposed is considered to be a balanced one, given the information provided and the voidspace remaining combined with the need and requirement to complete the scheme in an agreed timescale. Completion to agreed levels and subsequent restoration of the site is therefore a necessary requirement both in terms of land use requirements as well through the Environment Agency licensing regime associated with the effective capping and containment of the landfilled site and

therefore in principle considered acceptable, subject to detailed development control considerations.

- 5.2 The main issues to be examined are considered to be the likelihood of any impact, in planning terms, upon local amenity, on the basis of noise, dust or odour emissions, and vehicle movements generated by the proposals and the likelihood and potential that any impacts could be reasonably controlled or mitigated.
- 5.3 It should also be noted that the site would be subject to and controlled by an Environmental Waste Management Licensing, controlling the everyday operations at the site with regards to environmental impacts. In this respect the Government advises in its National Planning Policy for Waste, that Planning Authorities should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.
- 5.4 Local Amenity
Whilst it is noted that there are no objections in principle to the proposals from the Council Environmental Protection Officer, the additional comments and concerns raised are also noted. In this respect it is acknowledged that the Environment Agency (EA) are the enforcement agency and Environmental Permit regulators for the site. Complaints regarding odours believed to be emanating from the site, are being reviewed, and investigations by the Environment Agency (EA) are ongoing. It is further understood that whilst fewer issues are now being raised with the Council, the EA may be contacted direct. It is further understood that some remediation works to alleviate odour emissions is underway and are continuing and through this proposal works to cover some areas will be made which may reduce the odorous emissions.
- 5.5 The operators have stated that in response to the comment that there have been relatively large numbers of complaints related to odours in the vicinity of the Shortwood Quarry landfill site, and that in these complaints the odours are believed to be emanating from the site, they would like to confirm that when the site receives an odour complaint an investigation is undertaken into the potential source, looking at meteorological conditions, the nature of the odour and time of the complaint etc. If the complaint is received through the Environment Agency, then the EA also undertake their own investigations and share the results with the operators. The operators consider that the findings do not generally attribute the complaints directly to the current and ongoing landfill operation. It is considered that there may also be a number of other potential odour sources in the area that require further investigation as potential odour source. Further to this, limiting off-site emission of odours is a key requirement of the site's Environmental Permit and would remain so during any extension of time granted. As the landfill progresses the whole site will be capped and restored, with continued active management of the landfill gas, further reducing potential for the release of odorous emissions. Progressive restoration is a key requirement of both the sites planning permission and Environmental Permit.

- 5.6 A liaison group, consisting of local residents, parishes, EA and Council Officers exists for the site for the purposes of discussing and raising any issues surrounding the ongoing landfill operations and addressing them where necessary. No objections have been received from the nearest local residents around the site who were consulted.
- 5.7 As suggested elsewhere above, it should also be noted that the site would be subject to and controlled by an Environmental Waste Management Licensing, controlling the everyday operations at the site with regards to environmental impacts. In this respect the Government advises in its National Planning Policy for Waste, that Planning Authorities should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.
- 5.8 The land use is established, and whilst an end to operations is sought, the approved landform and restoration scheme exists. Therefore to cease operations prior to completion would not achieve the approved levels and restoration scheme nor indeed the engineering solution and management of the site that has been designed with both landscape and future pollution control management considerations. The proposal would not prevent the continued and ongoing capping and restoration operations which remain to be implemented on a progressive basis. This implementation and restoration has been designed to reduce potential for amenity impact by working in a phased manner across the site and gradually away from the nearest residential properties and properties that have now since established and are continuing to be developed on Lydes Green. The timescale proposed is considered to be a balanced one, given the information provided and the voidspace remaining combined with the need and requirement to complete the scheme in an agreed timescale. Completion to agreed levels and subsequent restoration of the site is therefore a necessary requirement both in terms of land use requirements as well through the Environment Agency licensing regime associated with the effective capping and containment of the landfilled site. On balance therefore of the information and considerations above, it is reasonably considered that potential issues can be mitigated and regulated, and in land use planning terms, the proposals to vary the condition, thereby extending the timescale by the limited time proposed to enable the completion of the site are considered acceptable in this instance.
- 5.9 Green Belt
The site is an existing operation landfill, the principle of which has already been established in the Green Belt location, following extraction of clay from the site. The principle of restoring the site to agreed and approved levels, returning it to the wider landscape would not be considered to conflict with the requirements of Green Belt policy and will benefit this area of Green Belt in terms of securing a restoration that would improve the sites impact upon openness and visual amenity. It is not considered that additional timescales proposed would significantly alter these considerations in the Green Belt or in its own right have separate or additional material impacts upon its openness.

5.10 Transportation

It is not considered that this would result in any material increase in vehicular movements to and from this existing site and existing access would be utilised. It is not considered that additional timescales proposed would significantly alter these considerations.

5.11 Landscape

The site is an existing operation landfill, the principle of which has already been established, following extraction of clay from the site. The principle of the restoration of the site to agreed and approved levels, returning it to the wider landscape has been determined. It is not considered that additional timescales proposed would significantly alter these considerations.

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 development hereby approved shall be read and implemented in accordance with planning permission reference PK03/1545/F, and subsequent variations, except as varied under the provisions of this planning permission.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the West of England Joint Waste Core Strategy (Adopted) March 2011, set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the conditions recommended.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

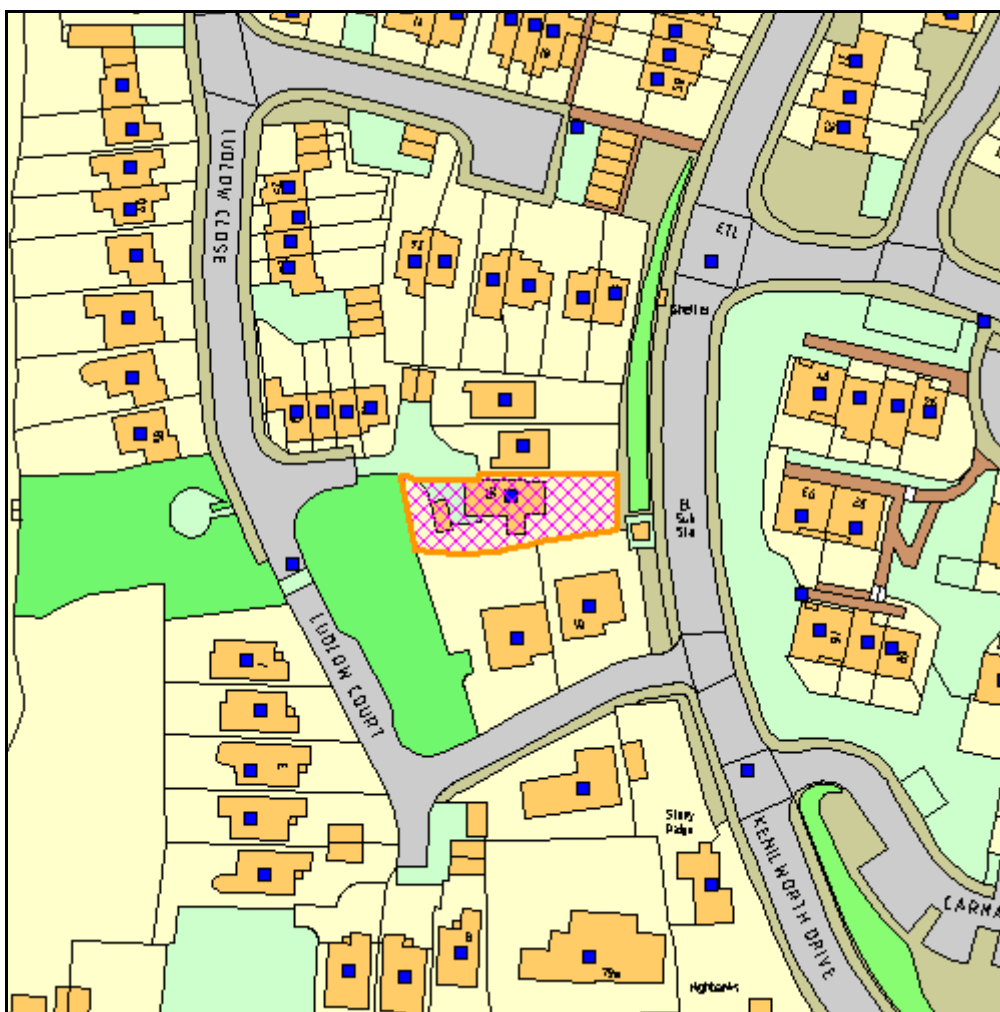
1. Not later than 17th September 2023 landfilling shall have ceased and the site, excluding the clay stockpile area, shall be restored in accordance with drawing no. SWQ014b.

Reason:

To provide for the completion and progressive restoration of the site within the approved timescale in the interest of visual amenity and to accord with Policies CS1 of South Gloucestershire Local Plan Core Strategy and Policies 8 and 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011

CIRCULATED SCHEDULE NO. 48/19 – 29 NOVEMBER 2019

App No.:	P19/12271/F	Applicant:	Mr & Mrs Rob Moore
Site:	35 Ludlow Close Willsbridge Bristol South Gloucestershire BS30 6EB	Date Reg:	10th September 2019
Proposal:	Erection of single storey rear and two storey side and rear extensions to provide additional living accommodation.	Parish:	Oldland Parish Council
Map Ref:	366714 170508	Ward:	Longwell Green
Application Category:	Householder	Target Date:	1st November 2019



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100023410, 2008.

N.T.S.

P19/12271/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule, as a result of a consultation responses received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection of a single storey rear and two storey side and rear extensions to provide additional living accommodation.
- 1.2 The property is a relatively detached dwelling, located on a residential cul de sac within the residential area of Willsbridge.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Access/Transport

South Gloucestershire Policies Sites and Places Plan (Adopted)
November 2017
PSP8 Residential Amenity
PSP38 Development Within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/1010/F - Erection of double detached garage. Approved 18.05.2006
- 3.2 PK04/0358/F - Erection of rear conservatory (retrospective). Approved 24.02.2004
- 3.3 PK03/3671/CLE - Certificate of Lawfulness for an existing rear conservatory. Withdrawn 20.02.2004
- 3.4 K5423/2 – Single storey side extension. Approved 08.04.1988
- 3.5 K5423/1 – Single storey front extension. Approved 14.08.87

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
No objection

Sustainable Transportation

The proposed development will increase the bedrooms within the dwelling to four. From the plans submitted it would appear that the existing vehicular access and parking are unaffected by proposed extension. The level of parking available complies with South Gloucestershire Council's residential parking standards. On that basis, there is no transportation objection raised.

Tree Officer

No comments received

Other Representations

4.2 Local Residents

Three letters of objection have been received, raising the following points:

- due to the contours of the land and its relationship with properties to the south, the proposals, which would be within 1metre of the shared boundary would be overbearing and oppressive, giving a greater sense of enclosure.

- The rear extension would be overbearing to properties to the north, blocking light

- The first floor windows on the front and rear elevations would overlook the rear amenity areas of properties to the South Gloucestershire Council

- The extension would be near to a small area of woodland where bats are often seen, there could be potential impact from a new two storey extension upon commuting habitat and flight paths

- The fence is incorrectly shown on the plans, and the ground floor window of the side elevation would overlook properties to the south

- There is a mature tree to the rear, not shown on the plans

- The trees to the front may be affected by foundations

- The two storey would be approximately 3.6 metres long and the ridge created at right angles to the main roof would be over 5 metres long

- There will be a significant loss of light and sun to the rear of the property to the north

- The single storey extension, replacing the conservatory may give rise to some amenity impacts

- This will be detrimental to the amenities of the property and result in the loss of their enjoyment of the garden

- The objections to the north could be overcome if the extension proposed was finished flush with the rear wall of the existing house

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Extensions to dwellings within residential curtilages are acceptable in principle subject to detailed development control considerations in respect of local amenity, design and transportation; as set out in policy PSP38. The issues for consideration in this respect therefore are whether the proposals have an adverse impact on the amenities of nearby occupiers and whether the design of the proposal is sufficiently in keeping with the site and surroundings.

5.2 Residential Amenity

The comment and concerns above are noted. The two storey rear extension would project approximately 3.6 metres from the rear wall of the existing dwelling with a gable end roof design facing east. This would be approximately 7 metres from the property boundary to the north. This is not considered to be an unreasonable size, given the distances and relationship. The roof ridge is set down approximately 1.5 metres lower than the existing ridge and additional revisions to the original scheme have introduced a hip end over the en-suite part of the two storey extension and this serves to reduce the bulk to a certain extent. The proposals would extend to a similar building line to the rear wall of the property to the north. The remainder of the proposals to this orientation would be single storey and as such are less likely to create any material impact. Given therefore the distance, orientation and relationship with adjacent property in this direction, the length of the extension, and the relative distance, it is not considered that the extension could be considered an unreasonable addition to the property and in this instance it is not considered that it would give rise to unreasonable, significant or material residential amenity impact by way of overbearing impact, such as to warrant objection and sustain refusal of the application on this basis.

- 5.3 The two storey side extension would be set approximately 1 metre off the shared boundary with the properties to the south beyond which is rear curtilage of the dwellings in this direction. There is an existing south facing window at first floor level, however there will be no side/south facing windows in the new extension. Proposed first floor windows are facing in east and west directions, the rear window being to a bathroom. The windows therefore would not be directly overlooking the properties to the south. It is not considered that the ground floor windows would give rise to significant issues of overlooking. An additional condition is recommended restricting any further windows in the south elevation. The roof ridge is set down approximately 1.5 metres lower than the existing ridge and additional revisions to the original scheme have introduced a hip end over the en-suite part of the two storey extension and this also serves to reduce the bulk to a certain extent. The side of the proposed extension would be approximately 11 metres and 7.5 metres from the rear walls of the properties in this direction, it is noted that there is a height difference between the ground levels and that the application property is higher than those to the south. Notwithstanding this, the proposed side/rear extension does not extend right across the width of either of the shared boundaries, but only by around 5 metres to one property (along a 20m boundary) and approximately 2.5 metres on the other (along a 14m boundary) and thus further limiting the level of enclosure that may be perceived. On this basis it is not considered that the proposal is of an unreasonable design and scale that could be considered to, given its size, orientation, relationship and design, give rise to material

overbearing or overlooking impact that would warrant and sustain an objection and refusal of the application on these grounds.

5.4 Design / Visual Amenity

The scale and design of the proposals is set back somewhat from the front of the property and considered to adequately integrate with the existing dwelling and surrounding area, and is therefore not considered to give rise to material or significant impact upon the area or streetscene. Materials would be acceptable and sufficient private amenity space would remain within the property.

5.5 Ecology

The nature of the proposals as the construction of a side extension within the amenity curtilage of a relatively modern dwelling would not be considered to give rise to any material ecological impacts or impacts upon bats habitat and flight paths.

5.6 Trees

The proposals would be over existing hardsurfaced areas and not in immediate proximity to any of the trees in the area such that they are unlikely to be impacted. An informative is recommended advising on the provisions and requirements of TPO's.

5.7 Transportation

The level of parking available complies with South Gloucestershire Council's residential parking standards. There are no highways objections to the proposals.

5.8 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That planning permission is granted, subject to the conditions recommended.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

2. The tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

Reason

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

3. The bricks to be used externally in the development hereby permitted shall match those of the existing building in colour and texture.

Reason

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

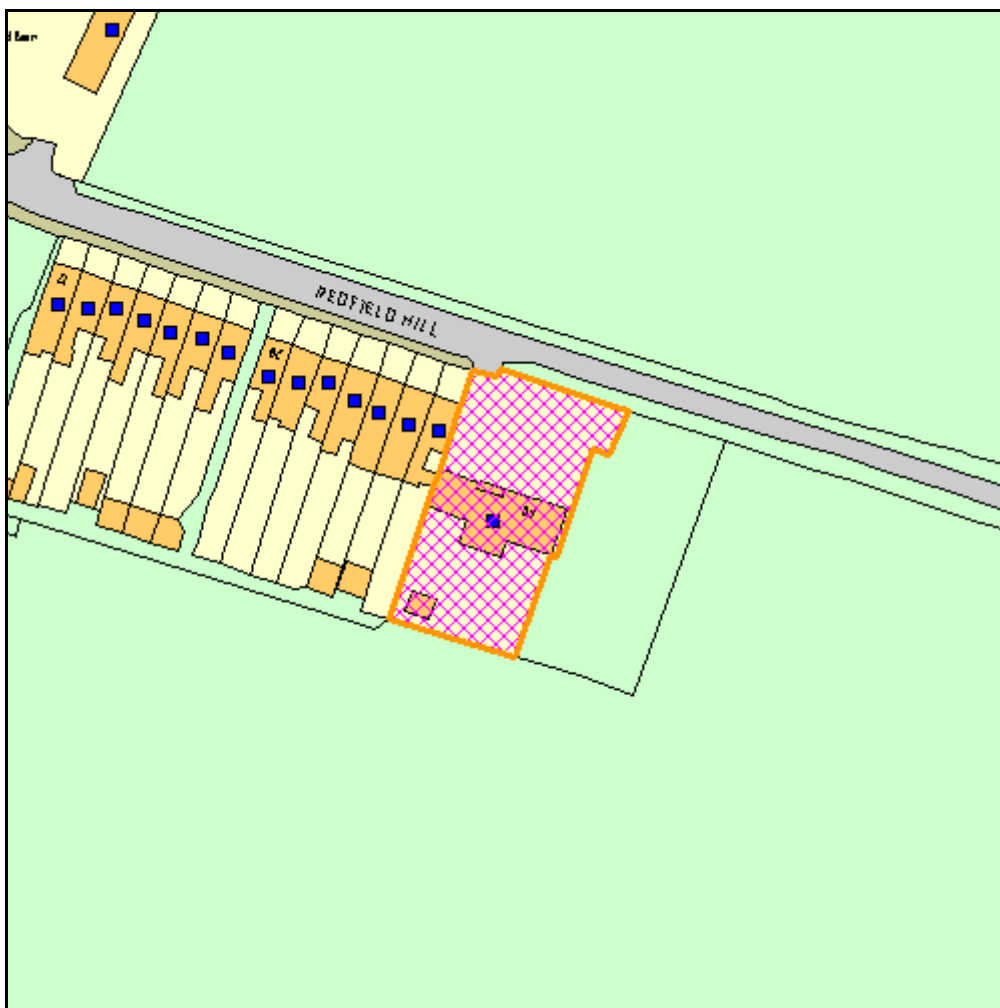
4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the south elevation of the property.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the South Gloucestershire Policies Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 48/19 – 29 NOVEMBER 2019

App No.:	P19/12406/F	Applicant:	Ms Tammy Parsons
Site:	40 Redfield Hill Oldland Common Bristol South Gloucestershire BS30 9TQ	Date Reg:	13th September 2019
Proposal:	Raising of roofline to facilitate creation of first floor living accommodation with balcony.	Parish:	Bitton Parish Council
Map Ref:	367869 171533	Ward:	Bitton And Oldland Common
Application Category:	Householder	Target Date:	7th November 2019



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following an objection from the Parish.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the raising of the roofline to facilitate the creation of a first floor living accommodation with balcony. The application relates to a large dormer bungalow outside the settlement boundary of Oldland Common and in the Bristol/Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
South Gloucestershire Design Checklist (Adopted) 2007)
South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
Affordable Housing SPD (Adopted) Sept.2008.
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – (Adopted) March 2015
SPD: Development in the Green Belt (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|-------------|--|----------|
| 3.1 | PK12/3015/F | Erection of single storey side extension to replace existing pool enclosure and provide additional living accommodation.
Approved | 1.11.12 |
| 3.2 | PK09/0537/F | Erection of single storey side extension with use of roof space to provide additional living accommodation.
Refused | 13.5.09 |
| 3.3 | PK08/2547/F | Erection of retractable pool enclosure to side of dwelling.
Approved | 22.10.08 |

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No Objection to the increase in living space but are not in favour of the raising of the roof line as this will change the fundamental look of the house.

Internal Consultees

- 4.2 None

Statutory / External Consultees

- 4.3 Transport
No objection

- 4.4 Western Power
Western Power operates the 132kV tower line that oversails the property to which this application applies. Western Power Distribution therefore has a duty to draw to the attention to anyone proposing to work within the proximity of electricity lines that minimum safety clearances should be observed at all times. All third parties should review the HSE Guidance Notes GS6 'Avoidance of Danger from Overhead Power Lines' prior to any works commencing.

In addition any third party planning works beneath overhead electricity lines should contact Western Power Distribution for guidance and advice prior to any works commencing in close proximity to overhead lines.

Other Representations

- 4.5 Local Residents
None received

5. **ANALYSIS OF PROPOSAL**

- 5.1 The application is for the raising of the existing roofline to create a first floor to the existing bungalow.
- 5.2 **Principle of Development**
The application stands to be assessed against the above listed policies and all material considerations. Both local and national planning policies are supportive of development within existing curtilages provided it meets the criteria set out in design policies, does not have an adverse impact on the residential amenity of the property or its neighbours or on highway safety and on-site parking. In this case the site is within the Bristol/Bath Green Belt. Development must meet with the set criteria which includes that an extension to an existing property must not be disproportionate.
- 5.3 **Green Belt**
The proposal would be to raise the roofline of the existing bungalow to create additional residential accommodation. Both local and national guidance indicate that providing an extension to an existing building would not be disproportionate, then such development would be appropriate. Details submitted within the timeframe of the application show that that raising of the roof, and other previously undertaken work, would amount to an increase in volume of around 46% over and above that of the original bungalow. This level is within set parameters used by the Council and on this particular basis taking into consideration the circumstances presented here, is considered acceptable. However, it is reasonable to remove the permitted development rights for this property so that any future development can be fully assessed by the LPA.
- 5.4 The proposal is considered to accord with the principle of development and this is examined in more detail below.
- 5.5 **Design and Visual Amenity**
The existing property is a detached bungalow. The proposal would raise the roofline of the property to facilitate first floor accommodation and include the creation of a rear first floor balcony.
- 5.6 It is noted that the Parish have objected on grounds of design of the roof only. It is acknowledged that there would be changes to the house following this development. However, overall in terms of the design, scale, massing it is unlikely a refusal could be successfully defended in an appeal situation. Good quality materials are proposed and given the above the scheme is considered acceptable and can be supported.
- 5.7 **Residential amenity**
The existing dwellinghouse benefits from a good size garden and the raising of the roofline will not change this situation. Similarly, neighbours to the west are set forward of the front building line of the application site and the alterations would not have an adverse impact on these properties.

5.8 Transport

The property benefits from ample parking within the site and on this basis there are no objections to the proposal.

5.9 Overhead cables

These are noted directly above the application site. The consultee response sent in by Western Power will be included as an informative on the decision notice.

5.10 Impact on Equalities

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

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

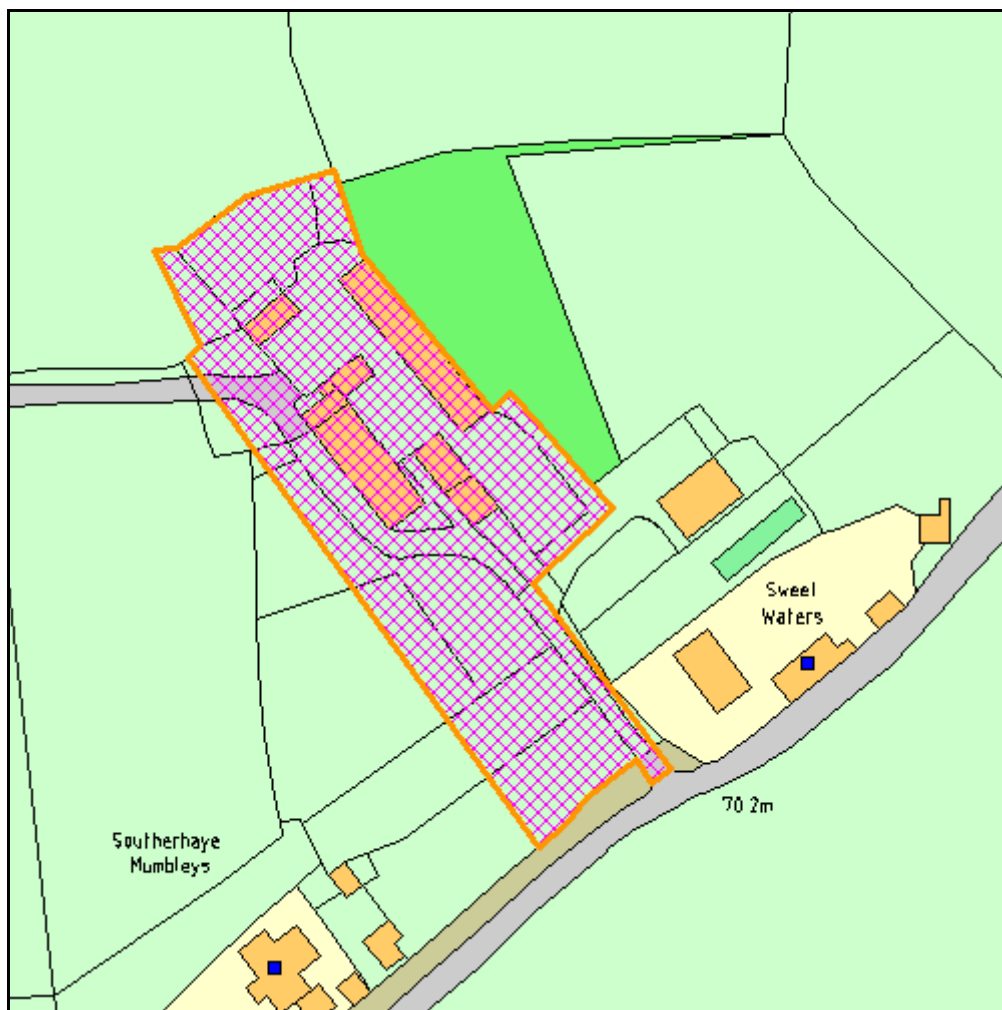
2. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, and F) , or any minor operations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

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1 and PSP7 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 48/19 – 29TH NOVEMBER 2019

App No.:	P19/13842/F	Applicant:	Mr And Mrs Mark Robbins
Site:	Former Dairy Unit Mumbleys Farm Sweetwater Lane Thornbury Bristol South Gloucestershire	Date Reg:	7th October 2019
Proposal:	Demolition of former agricultural building and erection of 1 No. detached dwelling with associated works (retrospective) (Re-submission of P19/09550/F).	Parish:	Aust Parish Council
Map Ref:	361509 188932	Ward:	Severn Vale
Application Category:	Minor	Target Date:	2nd December 2019



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

CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments received from local residents and the local Member contrary to Officer Recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the demolition of former agricultural building and erection of 1 No. detached dwelling with associated works (retrospective).
- 1.2 The application site relates to Mumbleys Farm, Thornbury which is in the open countryside, outside a settlement boundary and in the Bristol/Bath Green Belt.
- 1.3 This application follows a withdrawn scheme of the same description. The scheme was withdrawn after the applicant was informed that it would not comply with adopted planning policy which assesses conversions of rural buildings but the erection of new buildings in the countryside is strongly resisted, especially in the Green Belt. The applicant has therefore since canvassed local residents and councillors for support and as result under the revised system this application will appear on the Circulated Schedule.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP9	Health Impact Assessments

PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP28	Rural Economy
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
 South Gloucestershire Design Checklist (Adopted) 2007)
 South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
 SPD – (Adopted) March 2015
 SPD: Development in the Green Belt (Adopted) 2007
 South Gloucestershire Council Waste Collection: guidance for new
 developments SPD (Adopted) Jan 2015

3. **RELEVANT PLANNING HISTORY**

- | | | |
|-----|--|---------|
| 3.1 | PT15/5278/PNA
Prior notification of the intention to construct an access track.
Refused | 11.1.16 |
| 3.2 | PT16/1212/PNGR
Prior notification of a change of use from 2no agricultural buildings to 3no. residential dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with operational development
Split decision | 6.5.16 |
| 3.3 | PT16/4634/PNGR
Prior notification of a change of use from 1no agricultural building to 2no. residential dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with operational development
Refused | 22.9.16 |
| 3.4 | PT16/6796/PNGR
Prior notification of a change of use from 1no agricultural building to 1no. residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with operational development (Re submission of PT16/4634/PNGR).
Approved | 1.2.17 |
| 3.5 | PT17/1496/F
Construction of new access track.
Approved | 27.6.17 |

- 3.6 PT18/1343/F Part demolition and alterations of existing agricultural barn to facilitate conversion to 1 no. dwelling with detached double garage and associated works.
Refused 9.7.18

Reason 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 Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Reason 2:

It is considered that the design has failed to reflect the original utilitarian and traditional appearance of the barns resulting in an overly domesticated building which would be at odds with its countryside location. The scheme therefore fails to represent the highest quality of design standards and is contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the NPPF.

- 3.7 P19/09550/F Demolition of former agricultural building and erection of 1 No. detached dwelling with associated works (retrospective).
Withdrawn.

4. CONSULTATION RESPONSES

4.1 Aust Parish Council

Objection:

Aust Parish Council object to the application, as it is for a new build in the greenbelt.

This is consistent with the Parish Council's approach to other applications.

Internal Consultees

4.2 Archaeology
No comment

4.3 Highway Structures
No comment

4.4 Environmental Protection
No objection subject to an informative re possible contamination on the site.

Statutory / External Consultees

4.5 Transport
Objection:

Fails to be an appropriate walking or cycling distance from the majority of key services, facilities or bus stops as set out within Policy PSP11, CS1 and CS8.

- 4.6 Drainage
No objection

Other Representations

- 4.7 Local Residents
Letters of support have been received from 4 local residents. The points raised are summarised as:
- Plans sympathetic to area
 - Improvement on what there before
 - Steel barn was an eyesore, this will be a visual improvement
 - Mistakes made, application no longer permitted development but suggest a pragmatic approach
 - Around 95% of the traffic on the lane use is as a short cut (it comes up on satnav as a quick route from the Severn Bridge). Impact of extra house will be inconsequential in terms of traffic movement
- 4.8 Local Member:
A letter of support has been received from the Local Member, Cllr Riddle. The points raised are summarised as:
- For whatever reason the barn with Class Q consent has been taken down. This application restores what would have been on the site if the previous application had been followed through and the barn converted
 - This application is an improvement: a high quality landscape scheme, a larger development area (thus allowing the Council to have more control over the site); removes/demolished other barns on the site, improving openness of the Green Belt
- 4.9 Concern:
One letter has expressed concern regarding the use of the existing agricultural access during construction due to it being for agricultural purposes only and requests a condition that the new access be made prior to any construction taking place.

5. ANALYSIS OF PROPOSAL

- 5.1 The applicant seeks full planning permission for the demolition of a barn and the erection of a new dwelling. The application is retrospective as the barn has already been demolished and foundations of a new building have been laid.
- 5.2 Rather than reflecting a modest residential curtilage, the red edge extends over the whole of the site.
- 5.3 Principle of Development
The proposal stands to be assessed against the above listed policies and all material considerations.

- 5.4 The starting point is the location of the proposed development outside a settlement boundary and within the open countryside. Policy CS5 establishes the spatial strategy for development in the district. Under this policy, new development is directed to the existing urban areas, market towns, and defined rural settlements. Residential development outside of these locations is strictly controlled. South Gloucestershire planning policy is very clear where it aims to protect the countryside. Policy PSP40 lists where residential development is appropriate.
- 5.5 The site is located within the Bristol / Bath Green Belt. National planning policy sets the criteria for acceptable development in Green Belt where development is restricted to the set list laid out in the NPPF. Local adopted planning policy follows this lead to protect our specially designated areas from sprawl and encroachment.
- 5.6 Other relevant policies include the impact of a proposal on the landscape, impact on residential amenity of future and existing occupiers and impact on road networks.
- 5.7 *Other considerations:* the application follows a prior approval for the conversion of a barn into residential accommodation. Such conversions are part of the permitted development rights but must follow the strict regulations as set out in national policy. The restrictions are there to avoid indiscriminate residential development in the countryside.
- 5.8 These prior approval restrictions only allow:
- The conversion of an existing barn if it is structurally sound – information is usually provided in the form of a report prepared by a structural surveyor who gives his/her professional opinion on the soundness of the building and its capability for conversion
 - The conversion must use the footprint of the existing building and not be any larger in height or footprint
 - This development only allows for limited work such as the infilling of walls or the introduction of new doors and windows
 - The degree of work is limited and endorsed by a High Court Case (Hibbett v SSCLG, 2016) where the judge ruled that works that go over and above what was deemed reasonably necessary to convert a barn i.e. only using the existing structure as its basis, are regarded as being a new build and therefore cannot be regarded as falling under the permitted development regulations. Such development is refused conversion under permitted development and must be assessed under adopted planning policy the same as all other planning applications
 - The residential curtilage of the converted barn is limited to the size of the footprint of the building and must not exceed it. Among other things the aim is to protect the countryside (and Green Belt) from sprawl and to safeguard the countryside from encroachment
- 5.9 Although the conversion of the barn into a residential dwelling was considered under permitted development this did not constitute planning permission – it

was merely a test as to whether or not the proposal at the time complied with the permitted development regulations.

5.10 No fall-back position:

Most importantly, prior approval can only be given for the conversion of an existing building. In this instance the building/barn has been demolished and therefore, permitted development rights do not exist and there is no fall-back position. The assessment of a new build in the open countryside must therefore, be considered under current adopted planning policy as set out in the South Gloucestershire Development Plan suite of documents and under national planning policy framework (NPPF).

5.11 Residential development in the countryside:

The scheme would be for the erection of 1no. new dwelling on this site. Acceptable residential development in the countryside as listed under PSP40 include: rural housing exception site; rural workers dwellings; replacement of a single dwelling; or the conversion and re-use of existing buildings.

5.12 The scheme fails to accord with any of these policy criteria and is therefore inappropriate development in the countryside and contrary to PSP40.

5.13 Green Belt:

The erection of new buildings in the Green Belt is regarded as inappropriate development which by definition is harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the harm by reason of inappropriateness or any other reason, is clearly outweighed by other considerations.

5.14 The Green Belt location of the site has again not been acknowledged by the applicant in the submitted details and therefore no very special circumstances have specifically been given. Some details have been put forward by the applicant in the submitted Design and Access Statement (D & A). However, some of these are disputed by the Officer as being incorrect. The statement specifies at 1.3 *that permission was partly implemented by commencement of conversion of part of the building (approx. 48% of the total net floor area)*. Following a site visit and comparing approved plans it is clear to Officers that no 'conversion' has taken place. The works on site comprise the foundations of the new build and three single skin walls of a smaller outbuilding formerly attached to the main barn.

5.15 At 2.1 the D & A declares the *applicants have owned the property for approximately 12 months, they purchased it in the belief that they would be able to create a family home and are lay people who have never previously been involved in the development process*. The prior approval PT16/6796/PNGR, which was submitted by a firm of professional planning agents, indicates the creation of a large family home and therefore this reason does not amount to very special circumstances.

5.16 At 2.2 it is stated *Due to a confusion between the Class Q permission and the need to obtain building regulation consent, construction work was carried out in*

accordance with the building regulation drawings which did not accord with the Class Q conversion drawings, in particular the original steel framework and part of the building was removed and that limb of the building was slightly increased in size. Officers would cite that inexperience and or ignorance of procedure does not amount to a case of very special circumstances, particularly as professionals were used in the submission of the prior approval consent.

- 5.17 The bar for 'very special circumstances' is set high due to the importance of protecting this unique resource and a case has not been made in this instance. The proposal is contrary to both national and local Green Belt policy.

5.18 *Change of use of land:*

The site location plan shows the red edge (indicating the development area) has been set around the whole of the site rather than just the proposed new dwelling and a corresponding modest residential curtilage. A dotted red line and a solid blue line are shown on the submitted landscape plans which it is stated, firstly, matches the garden approved under PT16/6796/PNGR and secondly, indicates the extent of ownership. However, this is not the plan that was submitted to show the extent of the development – it is merely a supplementary plan to indicate landscaping and not the class use of the land.

- 5.19 No means of enclosure to separate the proposed garden areas from the agricultural areas has been given. The above means the whole of the site would be considered as being residential and is clearly excessive for a single dwelling and consequently an inappropriate change of use of land in the Green Belt. No very special circumstances have been provided as a reason for this size garden. It is noted that the submitted landscape plan indicates areas of planting or but would still mean a very large area of agricultural land would be changing to residential use. One of the five aims of Green Belt policy is to *safeguard the countryside from encroachment*. This scheme showing the loss of large area of agricultural land and a disproportionate residential garden area would clearly be contrary to both local and national aims.

- 5.20 Comments in support of the scheme indicate firstly, that more control can be exerted over a larger garden – this is not the case. There would be no way to control the spread of domestic paraphernalia into the countryside; In planning terms a clearly defined residential space rather than a large, open, sprawling area is established and recognised good practice. It is not possible for the LPA to 'police' garden areas to ensure use is contained within a line set on a plan. Secondly, that the removal of some buildings would increase the openness of the Green Belt. Again this is not correct because the agricultural buildings that are to be removed are already appropriate buildings in a countryside location so their removal cannot be offset in terms of their impact on Green Belt openness.

5.21 Location of development outside settlement boundary:

In terms of sustainable transport methods, the site is not located within a defined settlement boundary – which is the local planning authority's preferred means by which to denote sustainable locations. The agent has correctly identified that the prior notification application to convert an existing barn was assessed differently

to this application which considers the erection of a new build dwelling. Adopted policies set out in the Development Plan must be used in these circumstances.

- 5.22 In terms of assessing the location of the development, PSP11 sets out that residential development proposals are located on safe, useable walking and, or cycling routes, that are an appropriate distance to key services and facilities. Where this is not the case, the site would be an appropriate distance from a bus stop facility which connects to a destination serving key services and facilities.
- 5.23 In this instance the site would fail to be an appropriate distance from key services and facilities (this is discussed in more detail below). Further to this supporting text within PSP11 states that *'Individual circumstances on the ground, including road safety, direction and lack of any dedicated cycling or walking facilities, may result in key services and facilities becoming inaccessible'*.
- 5.24 It is useful to consider the Inspector's recent decision, at Orchard View, Lower Morton (ref APP/P0119/W/18/3203552) where the main issue was whether or not the site was a suitable location for a new dwelling. The Inspector noted the distance of that appeal site from the northern edge of the settlement of Thornbury was approximately 1km; by contrast this application site is around 2km from the village of Alveston and 2.8km from the edge of the town of Thornbury (around 3km from the main high street). There are no shops or services along Sweetwater Lane. It is noted that Marlwood School (Secondary), in the village of Alveston, is approximately 1900m away and via unlit country roads with no footways. It is also noted that part of the route is on the B4461 Vattingstone Lane which is busy in the morning and evening peak hours due to its direct linkage with the M49 motorway. As such it would not be a comfortable route for cyclists accessing the school or further afield.
- 5.25 The Inspector's observations on the situation whereby *This would be potentially dangerous and an unattractive choice for most people, particularly so in the dark or inclement weather* can be similarly applied to this case.
- 5.26 Whilst it is noted that there are limited facilities available in the village of Alveston, the linkages to the village are likely to mean that the motor car will be the mode of transport used. There is no Public Transport provision within walking distance of the site.
- 5.27 Given the above, where very similar circumstances can be assumed, future occupants of the proposed dwelling are likely to be wholly car dependent.
- 5.28 The site is located in an isolated location in the countryside and would not be served by safe and suitable access for pedestrians to day-to-day services and facilities. As such it would conflict with Core Strategy Policies CS1, CS8 and Policy PSP11. Together, those Policies seek to promote most new development in locations which reduce the need to travel and commute and restrict development in the open countryside. The Policies also require development to connect to the wider network of foot, cycle and public transport links and to provide appropriate, safe, accessible, convenient and attractive access for all mode trips arising to and from the proposal.

5.29 The proposal would also conflict with the National Planning Policy Framework (the Framework) which states that planning decisions should avoid the development of isolated homes in the countryside except in a limited range of circumstances.

5.30 Conclusion of principle of development:

The proposal fails to accord with the principle of development and is contrary to adopted planning policy which restricts indiscriminate residential development in the countryside, in unsustainable locations and in the Green Belt. There are therefore objections to this proposal in terms of CS5, PSP7, PSP11 and PSP40.

5.31 Recent appeal cases:

A recent appeal decision at Huckford Lane Barns, Winterbourne, (APP/P0119/W/19/3228513) dismissed 3.9.19, presents a very similar situation and is extremely relevant here.

- The appellant wanted to demolish a barn which had been granted prior approval for conversion to a dwelling under permitted development rights and instead build a new house
- The site was outside a settlement boundary
- The site was within the Bristol/Bath Green Belt

5.32 The Inspector considered (among other things):

- *Whether the proposed development would be inappropriate development in the Green Belt having regard to relevant development plan policies and the National Planning Policy Framework*
- *Whether the site is suitable having regard to local and national planning policies on the location of housing*
- *If the scheme would be inappropriate development, whether the harm caused by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances needed to justify it*

5.33 The Inspector found with regard to the above:

- The proposal did not conform to any of the listed criteria and was therefore inappropriate in the Green Belt and *in conflict with the Framework and Core Strategy Policies CS5, CS34 and PSP Policy PSP7.*
- The Inspector confirmed that *The Framework reflects planning law in requiring applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.* The Inspector also confirmed the South Gloucestershire development plan broadly accords with the policies of the Framework and concluded that *the proposal would not conform with and would be harmful to the overall spatial strategy of the Development Plan.*

- The Inspector reiterated the purpose of permitted development rights which he said exist to *expressly, and only exceptionally, grant permission as a means of re-using certain qualifying buildings.*
- 5.34 The above case is a current example of an Inspector ruling that makes the distinction between permitted development rights and a planning application and upholds the adopted planning policies of South Gloucestershire LPA.
- 5.35 Design
Submitted details indicate the building is very similar to that considered under prior approval PT16/6796/PNGR. The resulting design is a mix of timber cladding and render.
- 5.36 In terms of appearance the proposed dwelling is considered acceptable but this does not outweigh the in principle objection to the proposal.
- 5.37 Residential amenity
This scheme indicates the residential curtilage would include the whole of the site, albeit sectioned off into for example, managed grass areas. The extent of the residential curtilage is unacceptable in this countryside location. In the absence of a modest residential amenity area, it would be difficult to avoid the spread of domestic paraphernalia in this Green Belt and rural location. Although dwellings in the countryside can have larger gardens, this application is considering the erection of a new dwelling and as such the amount of garden space should be appropriate and not excessive.
- 5.38 The dwelling would be of a sufficient distance away from closest existing neighbours and as such there would be no adverse impact on their amenity.
- 5.39 The proposal is therefore unacceptable in terms of the amount of residential amenity proposed due to its adverse impact on the character of the area.
- 5.40 Landscape
The site is part of a former farm set within the South Gloucestershire Landscape Character Assessment area 18: Severn Ridges (LCA18). The area is characterised by large scale sloping landforms rising from the Levels with section of steep scarp to the north and south and gentler slope profiles elsewhere.
- 5.41 The application site is set back from the highway, accessed eventually, along a track which has previously been granted planning permission. The track was acceptable on the basis that it remained simple in form and appearance and would not be seen in the wider views. To the west of the application site clear views can be seen for some distance across a softly undulating landscape, with the large fields divided by low hedging and the occasional tree.
- 5.42 It has been stated that the landscape scheme has been designed by a landscape architect with the purpose of improving the visual appearance of the site and to mitigate the impact of both the existing and proposed buildings on the openness of the Green Belt. However, the existing buildings do not have a

negative impact on the openness of the Green Belt because they are appropriate rural buildings.

- 5.43 It is noted that a high proportion of the site would be yard or hardstanding but no details of how the residential amenity areas would be set aside from the rest of the site have been given. A selection of native trees are to be used to screen the development. Notwithstanding the submitted scheme where more details would be required, the overall proposal has been shown to be contrary to policy and as such no further details have been requested.

5.44 Other matters:

5.45 Submitted plans:

It is noted that submitted plans show the building as standing – this is not the case as it has been demolished. The submitted plans are therefore incorrect.

5.46 Ecology

The plans show that a number of other agricultural buildings are to be demolished as part of this proposal. No ecological reports have been submitted with this application and therefore it must be pointed out that prior to demolition the buildings need to be checked for protected species.

5.47 Neighbour concerns:

Concern comments from the neighbour regarding the use of the existing agricultural access track during the construction process and the request for a condition are noted. However, even if this application was considered acceptable, it would not be reasonable to insist that the approved access track is built first prior to the development. It is considered this would be a civil matter to be discussed between the relevant parties to, for example, limit deliveries and damage to the agricultural track.

5.48 Impact on Equalities

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

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

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

5.51 Planning summary

This proposal for a new dwelling in the countryside and in the Green Belt has been assessed against the adopted suite of policies that make up the

Development Plan for South Gloucestershire Council. It is been found to be contrary to these and other policies and in maintaining decisions made by Officers and upheld in recent appeal decisions for similar applications within South Gloucestershire by independent Inspectors, the application cannot be supported.

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: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that the application is **REFUSED**.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

1. The proposal is outside an established settlement boundary. The introduction of a new house in this rural location has failed to accord with the criteria set out in adopted policies which seek to ensure that development in the countryside is strictly limited. The proposal is therefore contrary to adopted Policy CS5, CS8 and CS34 of the South Gloucestershire Local Plan (Adopted) 2013; Policies PSP11 and PSP40 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the NPPF in general.
2. 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 Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP7 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.
3. The development would fail to be an appropriate walking or cycling distance from the majority of key services and facilities as set out within Policy PSP11. Further, due to their unlit nature and lack of footpath/cycle lane, the surrounding roads would not be suitable for use by pedestrians or cyclists. For these reasons the site is unsustainable as future occupants would have to rely heavily on the facilities and services of Thornbury which would involve travel by private car. The development is therefore contrary to Policy PSP11 of the South Gloucestershire Policies, Sites and Places Plan

(Adopted) November 2017; Policies CS5 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the NPPF in general.

CIRCULATED SCHEDULE NO. 48/19 – 29 NOVEMBER 2019

App No.:	P19/14082/TRE	Applicant:	Mr Chris Wright Silverback
Site:	Land At Cleeve Hill Downend Bristol South Gloucestershire BS16 6EU	Date Reg:	7th October 2019
Proposal:	Crown lift to 4m 1no. Sycamore, 1no. Sweet Chestnut and group of various other trees, fell 5no. Ash trees all covered by SGTPO 22/11 dated 16th May 2012 and KTPO 14/88 3rd July 1989	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364802 177098	Ward:	Frenchay And Downend
Application Category:	Works to trees	Target Date:	29th November 2019



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P19/14082/TRE

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 as comments have been received that are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 Crown lift to 4m 1 no. Sycamore, 1 no. Sweet Chestnut and group of various other trees, fell 5 no Ash trees all covered by SGTPO 22/11 dated 16th May 2012 and KTPO 14/88 3rd July 1989.
- 1.2 The trees are located on land to the rear of nos. 57 to 67 Cleeve Hill, Downend, Bristol, South Gloucestershire, BS16 6EU.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. The Town and Country Planning Act 1990
 - ii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/1762/TRE, Site Address: 61 Cleeve Hill, Downend, Bristol, South Gloucestershire, BS16 6EU, Decision: SPLT, Date of Decision: 12-JUL-17, Proposal: Works to various trees as detailed on the submitted schedule. Covered by South Gloucestershire Tree Preservation Order 22/11 dated 16 May 2012., CIL Liable:
- 3.2 PK16/1530/TRE, Site Address: Cleeve Tennis Club, Cleeve Hill, Downend, Bristol, South Gloucestershire, BS16 6EU, Decision: COND, Date of Decision: 17-MAY-16, Proposal: Works to 3 no. Sycamore trees to prune back to previous points and crown reduce by 3m a group of Oak and Sweet Chestnut trees covered by KTPO 14/88 dated 3rd July 1989 and SGTPO 22/11 dated 16th May 2012, CIL Liable:
- 3.3 PK15/4742/TRE, Site Address: Cleeve Tennis Club, Cleeve Hill, Downend, Bristol, South Gloucestershire, BS16 6EU, Decision: COND, Date of Decision: 17-DEC-15, Proposal: Works to crown lift to 4m various trees shown on submitted plan all covered by KTPO 14/88 dated 3rd July 1989, CIL Liable:
- 3.4 PK04/1599/TRE, Site Address: Land to the rear of 39 Cleeve Hill and 59-63 Cleeve Hill Downend, South Gloucestershire, Decision: COND, Date of Decision: 09-JUL-04, Proposal: Reduce 1 no. Ash Tree (T8) by 15-20%, reduce 2 no. Ash Trees (T10 and T11) by 20% and reduce 1 no. Birch Tree (T14) by 10-15%, all covered by South Gloucestershire Council Tree Preservation Order KTPO14/88 dated 20 January 1999, CIL Liable:

4. CONSULTATION RESPONSES

- 4.1 Downend And Bromley Heath Parish Council has no objection, subject to the approval of the South Gloucestershire Council's Tree Officer.

Other Representations

4.2 Local Residents

Comments have been received from three local residents objecting to the proposal. Objections are on the grounds of loss of habitat and general impact on the local ecology and flood light penetration from the Tennis Club due to removal of branches

5. ANALYSIS OF PROPOSAL

5.1 Proposed Work

Crown lift to 4m 1 no. Sycamore, 1 no. Sweet Chestnut and a group of various other trees. To fell 5 no Ash trees.

5.2 Principle of Development

The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.

5.3 Consideration of Proposal

The proposal to crown lift the trees involves the removal of low branches to facilitate access by vehicles bringing in materials for the consented development. The removal of these branches will not have a significant impact on the amenity these trees provide nor on the ecological benefits derived from the trees.

- 5.4 The developer has planted a double row of native species whips beneath the trees proposed for crown lifting on the eastern boundary. He has, in addition, planted similar along the western boundary. It is considered that these young trees will develop to produce hedgerows that will serve to act as a screen to the flood lights for the Overndale Road properties. They will also replace lost habitat on the site which will have significant ecological importance.

- 5.5 The Ash trees have become infected by the fungal disease – Chalara Ash Dieback. The trees were identified as a problem by the Arboricultural Consultant although they do not have an impact on the current proposal.

- 5.6 The removal of the trees is on safety grounds. Ash Dieback is an aggressive pathogen that degrades the structure of the tree very rapidly. It is, therefore, important that the infected trees are removed relatively quickly as they become dangerous to climb and unpredictable to dismantle if they are not dealt with soon after infection.

- 5.7 A condition of removal of these trees will be that they are replaced with large-growing species in order to mitigate for the loss of canopy cover in this part of the site.

6. RECOMMENDATION

- 6.1 That consent is GRANTED subject to the conditions on the decision notice.

Contact Officer: Simon Penfold
Tel. No. 01454 868997

CONDITIONS

1. Replacement trees, the species, size and location of which are to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following the felling hereby authorised.

Reason

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

2. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

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

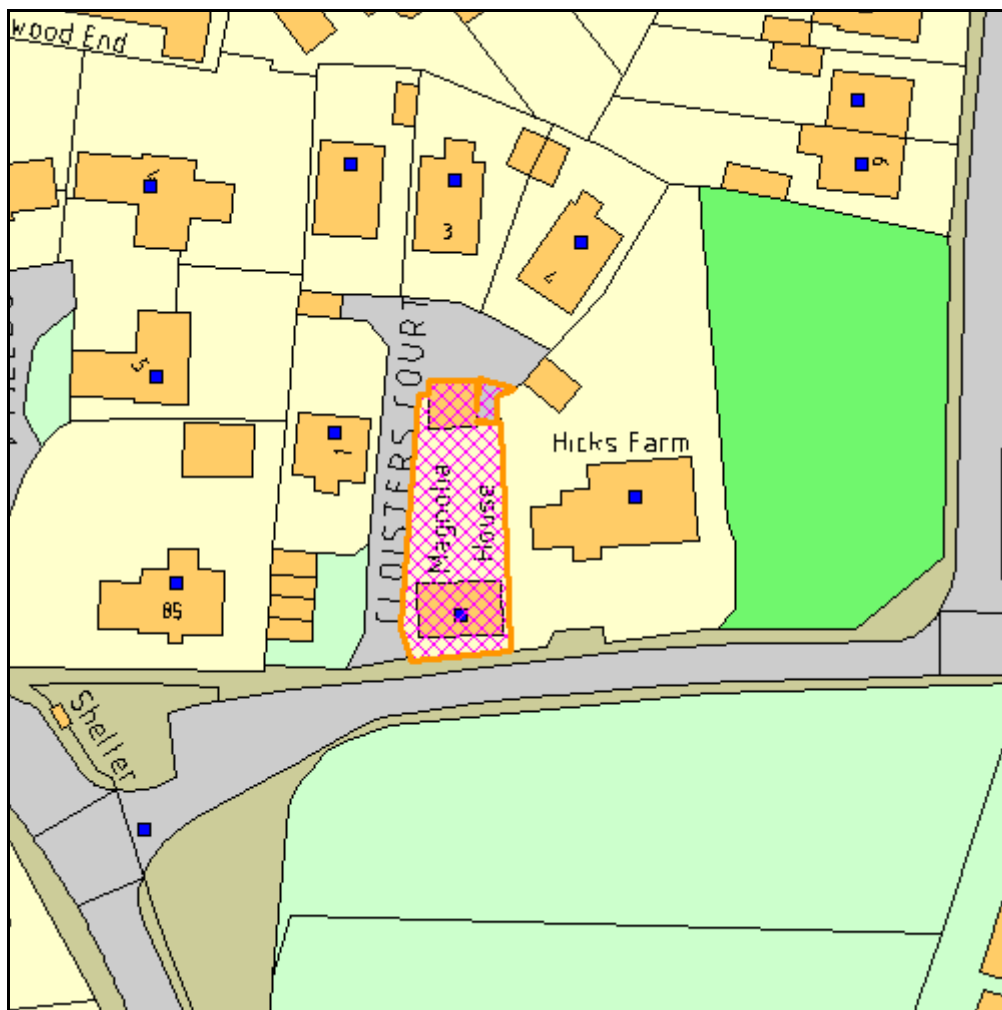
3. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

CIRCULATED SCHEDULE NO. 48/19 – 29TH NOVEMBER 2019

App No.:	P19/15186/F	Applicant:	Miss Claire Pearce
Site:	Magnolia House Cloisters Road Winterbourne Bristol South Gloucestershire BS36 1LL	Date Reg:	21st October 2019
Proposal:	Erection of single storey rear extension and front porch to provide additional living accommodation (resubmission of P19/4162/F)	Parish:	Winterbourne Parish Council
Map Ref:	365482 180717	Ward:	Winterbourne
Application Category:	Householder	Target Date:	16th December 2019



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P19/15186/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.

INTRODUCTION

This application appears on the Circulated Schedule, due to a consultation responses received, from the Parish Council, contrary to Officer Recommendation.

1. THE PROPOSAL

- 1.1 The applications seeks permission for the erection of a front porch and single storey rear extension to form additional living accommodation. The application has been submitted as a resubmission of a previous application ref. P19/4162/F, for a two storey rear extension and front porch, which was refused.
- 1.2 The application site is Magnolia House, a detached, stone and render property located at the top of Cloisters Road, Winterbourne. Immediately adjacent to the application site is the Grade II listed Hicks Farmhouse.

2. POLICY CONTEXT

22.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS9 Managing the Environment and Heritage
CS34 Rural Areas

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

PSP8 Residential Amenity
PSP38 Development Within Residential Curtilages
PSP17 Heritage Assets and the Historic Environment
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 P85/1837 - Erection of dwelling on site of existing partly collapsed barn. Approved 03.02.1986
- 3.2 P85/1886/L - Demolition of partly collapsed barn. Approved 30.01.1986

- 3.3 P19/4162/F - Erection of front porch and two storey rear extension to form additional living accommodation. Refused 18.10.2019.

This application was refused for the following reason:

'The development through its location, size, scale and design would result in a material increase in the scale and massing of the dwelling which in turn would increase its prominence and have a material and significant detrimental impact in the setting of the adjacent listed building. The development would therefore fail to preserve or enhance the setting of the adjacent Grade II listed building and would be contrary to Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013, PSP17 South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017 and the provisions of the National Planning Policy Framework.'

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

The comments of the Parish Council are Objection. The Parish Council and the Conservation Officer both requested the extension be moved to the other side, but this has been ignored. We reiterate our original comments for P19/4162/F: the extension is too large and should be no greater than 50% of the width of the rear elevation and the proposal is about 2/3 coverage.

Conservation Officer

In light of the reduction in scale and massing of the proposed rear extension (with it dropping from two to single storey), the impact of the proposed extension on the setting of the adjacent listed building would not result in sufficient change as to cause harm to the significance of the designated heritage asset as previously identified. There is therefore no objection.

Archaeology

No comments

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP17 requires that developments affecting a listed building should serve to protect, and where appropriate, enhance or better reveal the significance of heritage assets and their settings. Alterations and extensions to listed buildings, or development within their setting, will be expected to preserve and where appropriate enhance those elements that which contribute to their special architectural or historic interest Policy CS9 of the Core Strategy (Adopted) 2013 expects new development to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance.

- 5.2 Policy PSP38 allows for extensions to existing dwellings providing the work is in keeping with the scale, design and architectural style and detailing of the host dwelling and will not have any adverse impact on existing levels of residential amenity. Policy CS1 requires a high level of design.
- 5.3 Listed Building Setting/Visual Amenity
The comments from the Parish Council above, are noted. The previous objection from the Council's Conservation Officer arose as a result of the proposed two storey extension. The application is now for a single storey rear extension and whilst the previous consultation comments from the Conservation Officer suggested that the extension could be moved to the other side and that it should be less than half of the width of the dwelling, this was in respect of the two storey extension proposed given its location and bulk and potential impact upon the setting of the adjacent listed building. There are no objections to the current application from the Council's Conservation Officer, to the revised scheme for single storey extension. This view is concurred with and the proposals, having been reduced to a significant and material degree are considered to have satisfactorily addressed previous concerns and acceptable in scale, form and location in respect of the existing site and the surrounding area. The design, scale and materials are considered to be acceptable.
- 5.4 Residential Amenity
Given the relative orientation of the two properties, the scale of the proposals and the relationship with adjoining sites it is not considered that there would be a material amenity impact upon any adjacent properties
- 5.5 Transportation
There would be no impact in terms of existing or future parking arrangements and on this basis there are no transportation objections to the proposals.
- 5.6 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. 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 refuse permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report

7. RECOMMENDATION

- 7.1 That planning permission is GRANTED.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

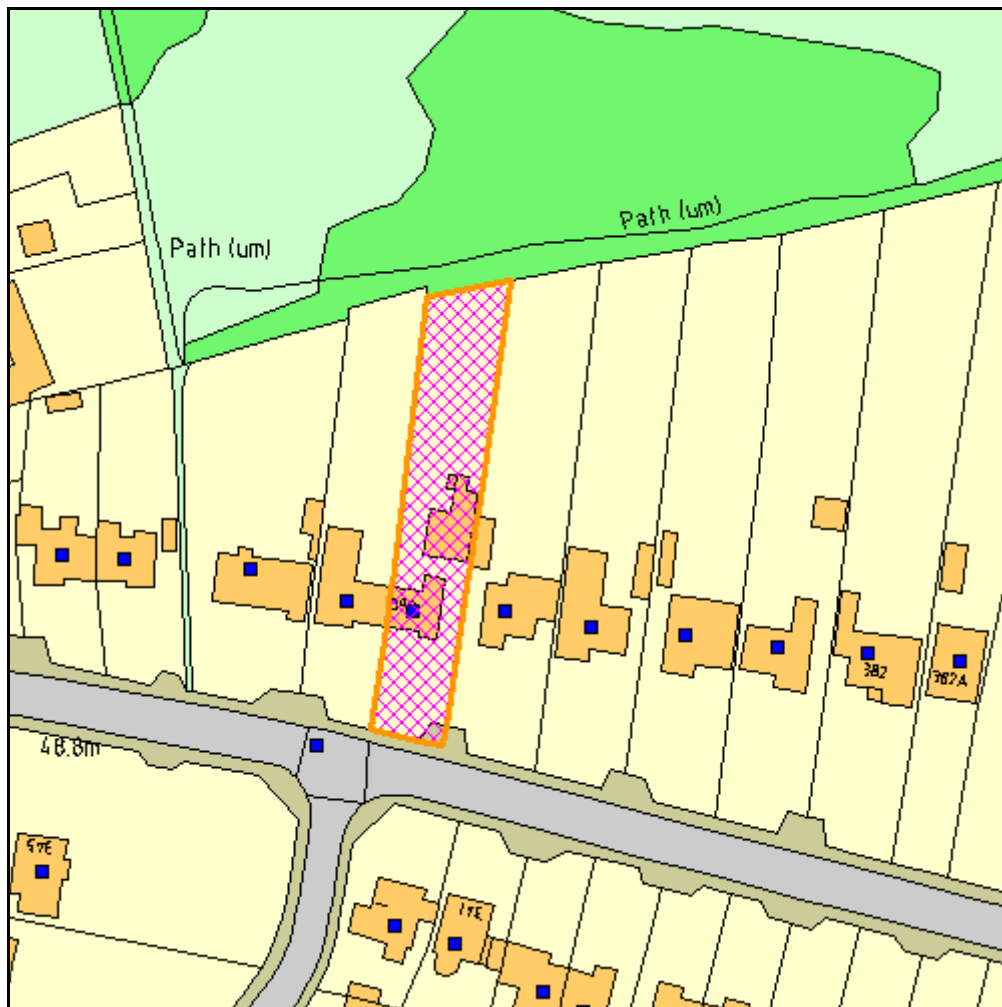
2. The tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

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. 48/19 – 29TH NOVEMBER 2019

App No.:	P19/16076/F	Applicant:	Mr And Mrs Bernard And Helen Surdyk And May
Site:	392 Church Road Frampton Cotterell Bristol South Gloucestershire BS36 2AB	Date Reg:	5th November 2019
Proposal:	Erection of front porch. Raising of roofline and installation of 1no. rear dormer to facilitate creation of first floor and erection of single storey rear extension to form additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366544 182049	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	26th December 2019



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

REASON APPLICATION IS REFERRED TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as there is an objection raised by Frampton Cotterell Parish Council where the officer recommendation is one of approval.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for erection of front porch, raising of roofline and installation of 1no. rear dormer to facilitate creation of first floor and erection of single storey rear extension to form additional living accommodation.
- 1.2 The host dwelling comprises a one storey semi-detached house located at 392 Church Road, Frampton Cotterell.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2006

3. RELEVANT PLANNING HISTORY

- 3.1 N7713
Erection of a single storey extension to provide enlarged kitchen.
Approved: 01/10/1981

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

The Local Planning Authority received an objection from the Council. Below are the summarised comments:

- Concern about the discrepancies in the number of storeys for proposed extension in the submitted plan and the application.
- Unacceptable impact on neighbouring property through being overbearing.
- Loss of amenity, loss of privacy, loss of light, overshadowing.
- Request for a site visit before application determined.

4.2 Other Consultees

Sustainable Transport

It has been noted that the proposed development would increase the number of bedrooms within the dwelling from 2 to 3. It has also been noted that adequate off street parking is available within the site boundary and as such there are no transportation objections.

Other Representations

4.3 Local Residents

Application received a total of 1no. objection. Comments summarised below:

- Size of proposed extension too large;
- Proposed extension overbearing, overshadowing;
- Loss of sunlight, loss of privacy;
- Increased energy demand;
- Concern about residential amenity standards;
- Loss of outlook;
- Misleading application;
- Misleading proposed plans;

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design and Visual Amenity

The proposal seeks to erect a front porch, raise the roofline and install 1no. rear dormer to facilitate creation of first floor. It also seeks to erect a single storey rear extension to form additional living accommodation.

5.3 Frampton Cotterell Parish Council objected to this application with concerns summarised in section 4.1. Based on the submitted plans the roofline of the proposed development would match the roofline of the neighbouring property (planning permission was granted in 2003; ref: PT03/1572/F). The proposed alterations to the rear of the property would also be more in character with the neighbouring property, and as such more aesthetically pleasing.

5.4 Both the neighbour objection comment and the Parish Council objection comment mention that the application is misleading and in fact would be a two storey extension instead of a one storey. According to the Planning Application Summary there would be 1no. rear dormer installed in order to facilitate the creation of first floor and erection of the single storey rear extension. This proposal is reflected on the submitted plans and therefore considered not misleading by the Officer.

5.5 Regarding the concern that raising of roofline will not match adjoining property as plans suggest. If planning application is granted the proposed development must be carried out according to the submitted plans.

5.6 Regarding the concern that the proposed development is too large. The width of the proposed rear extension would be approx. 8.2m, the depth approx. 4m and the height approx. 2.8m (from ground level to the eaves). Overall it is not considered to be too large taking into the account the overall size of the existing dwelling, size of the plot and sizes of the neighbouring properties.

5.7 Overall, it is considered that the proposed alterations would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and are considered to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the Policies, Sites and Places Plan.

5.8 Residential Amenity

Policy PSP38 indicates that proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling. Policy PSP8 outlines the types of issues that could result in an unacceptable impact.

Several issues regarding residential amenity were brought up by Frampton Cotterell Parish Council. Following the site visit it is clear that at present the neighbouring property is slightly bigger in size due to the mentioned PT03/1572/F in section 5.3. It does not appear to be overbearing nor does it appear to have any other negative impact on the neighbouring property. Based on the submitted development plans the property would match the roofline of

the neighbouring dwelling, as well as be of similar appearance to the rear. The proposal has been carefully assessed and has found to be in compliance with Policies PSP38 and PSP8.

- 5.9 Regarding the concern that the proposed extension is overbearing. Even though the proposed extension would be in the close proximity to the common boundary, overall size and scope of the proposed development is not considered significant enough to be overbearing, oppressive or intrusive to the neighbouring property.
- 5.10 Regarding the loss of sunlight to the neighbouring property. Officer acknowledges that if proposed development takes place there will be loss of sunlight. But given the size of the proposed development the level of the loss of sunlight that would occur is not significant enough to refuse the planning application on that basis.
- 5.11 Regarding the loss of privacy to the neighbouring property. Officer acknowledges that if proposed development takes place there will be loss of privacy. But given the size of the proposed development the level of the loss of privacy that would occur is not significant enough to refuse the planning application on that basis.
- 5.12 Regarding the failure of residential amenity standards. Residential Amenity Standards is a guide and every planning application assessed individually. The objection comment mentions 45 degree rule and 25 degree rule (both relating to the loss of daylight) which were addressed in section 5.10. Also, not meeting separation distance standards is not considered significant enough for a refusal of this particular planning application. It must be noted that there are no side windows present on the plans for the proposed development which would be facing the adjoining property directly.
- 5.13 Sustainable Transport and Parking Provision
The proposed development would increase the number of bedrooms within the dwelling from 2 to 3. At present there is adequate off street parking available within the site boundary. There is no need for creation of additional parking spaces, and as such there was no objection for the proposed development from Sustainable Transport – Transportation DC.
- 5.14 Private Amenity Space Standards
According to the submitted plans it appears that the number of bedrooms would increase from 2 to 3. As per Policy PSP43 the private amenity space in this case should be at least 60m². After careful assessment it has been determined that the minimum standards would be met.
- 5.15 Other Issues
Increased energy demand. This does not fall under material consideration when determining this type of application.

5.16 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the application be **APPROVED** subject to the conditions attached to the decision notice.

Contact Officer: Mykola Druziakin
Tel. No. 01454 868764

CONDITIONS

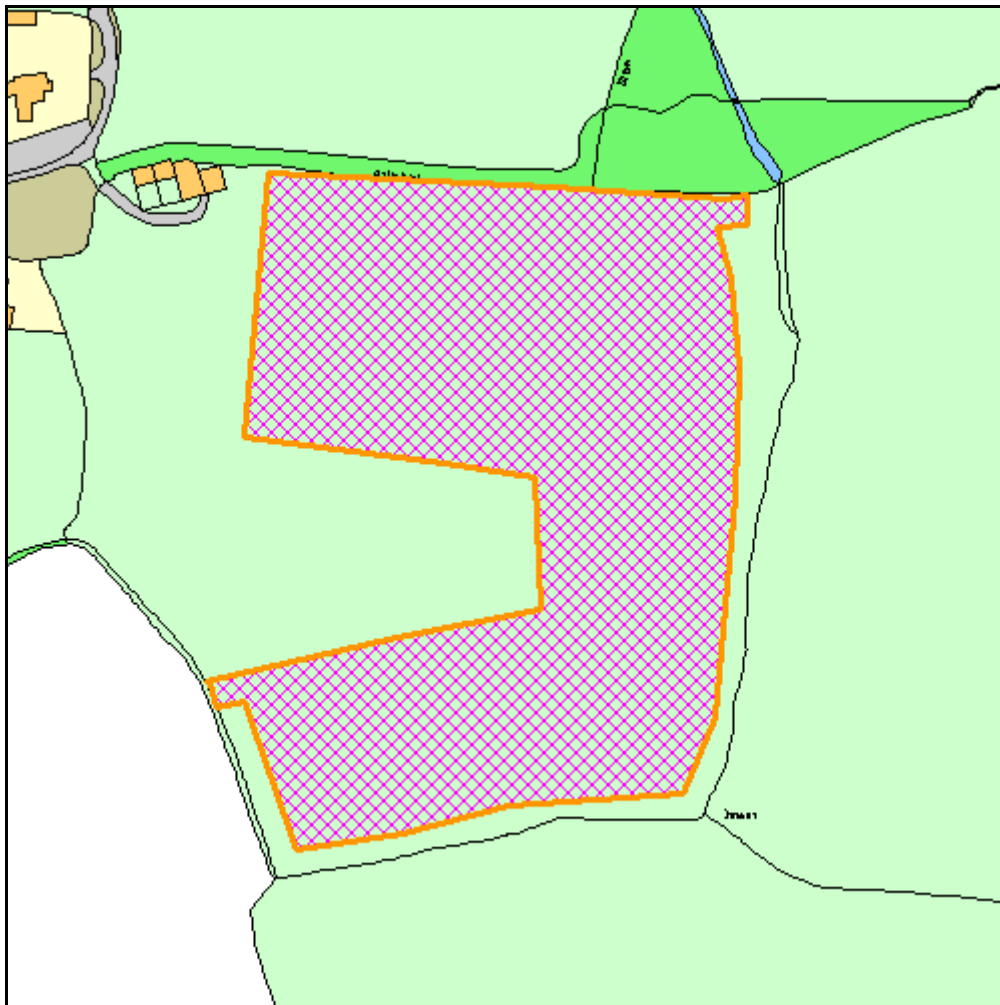
- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 48/19 – 29TH NOVEMBER 2019

App No.:	PK17/4155/RM	Applicant:	Mr Joshua Ashwin Persimmon Homes
Site:	Parcels 18, 20A And 20B Emersons Green South Gloucestershire BS16 7FX	Date Reg:	25th September 2017
Proposal:	Erection of 114 no. dwellings and construction of associated earthworks, roads, infrastructure, landscaping and parking. (Revised plans include land raising works across the site (the majority of the land raising work has already been carried out and is being applied for retrospectively), additional land adjacent to Lyde Green Common within the site boundary (including proposed banks to accommodate land raising works and a proposed sewage pumping station), and setting back the building line of the houses a further 1-2m approximately from Lyde Green Common).	Parish:	Emersons Green Town Council
Map Ref:	367709 177459	Ward:	Boyd Valley
Application Category:	Major	Target Date:	24th November 2017



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

REASON APPLICATION REFERRED TO THE CIRCULATED SCHEDULE

The application has been placed on the Circulated Schedule due to concerns raised by the Town Council.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters approval for 114 dwellings with associated garages, parking, landscaping and other associated works on Parcels 18, 20a and 20b on the Lyde Green/Emersons Green East development. The reserved matters, which comprise access, appearance, landscaping, layout and scale should be read in conjunction with outline planning permission PK04/1965/O (varied by P19/09100/RVC). The whole site has the benefit of an approved Detailed Masterplan and Design Code.
- 1.2 Parcels 18, 20a and 20b are in the southern character area of the site, as defined by the Lyde Green Design Code. To the north, Parcel 20a adjoins Lyde Green Common, and is separated from this by a hedge line.
- 1.3 The 114 dwellings are a mix of 1-5 bedroom units between 2 and 3 storeys high. Twenty two affordable homes are proposed. Four Informal Home Zones are proposed, although one of these already has reserved matters approval (see below). They are proposed to be finished in a mix of reconstituted stone, red brick and render, with red and brown roof tiles.
- 1.4 As well as the above, the application seeks to regularise unauthorised land raising works that have taken place across these parcels, and seeks approval for additional land raising works and the creation of associated banks that are proposed along the northern edge of Parcel 20a. Combined, the retrospective and proposed land raising works result in the height of the land being raised between 1 metres and 1.8 metres from its original level. The banks proposed along the northern edge of Parcel 20 are proposed to have a gradient of between 1:6 and 1:3.5 and these banks will be adjacent to Lyde Green Common.
- 1.5 The site boundary has been revised since the application was submitted to include the land required for the creation of the banks to the north of Parcel 20a. This also incorporates the site of the sewage pumping station and turning head approved as part of infrastructure application ref. PK17/4484/RM. As a result of this a retaining wall around the platform for the pumping station is included in this application. The road leading to the turning head and the road connecting these parcels to those in the

south, including the Informal Home Zone, have also already been approved as part of application ref. PK17/4484/RM.

- 1.6 It should also be noted that unauthorised land raising works have also taken place on Parcel 19, which is to the north west of this site, but this parcel and these works are not included within the site of this reserved matters application.
- 1.7 A statement of compliance with the approved Design Code has been submitted with this application.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013:

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS29 Communities of the East Fringe of Bristol Urban Area

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP37 Internal Space and Accessibility Standards for Affordable Dwellings
PSP43 Private Amenity Standards
PSP47 Site Allocations and Safeguarding

2.3 Supplementary Planning Guidance:

Design Checklist SPD Adopted August 2007

Affordable Housing and Extra Care SPD Adopted May 2014

South Gloucestershire Waste Collection: Guidance for New Development SPD
Adopted January 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/1965/0- Urban extension on 99 hectares of land comprising of residential development of up to 2550 dwellings. Up to 100,000m² of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m² of small scale A1, A2, A3, A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavilion (Class D1) and health centre. Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. Outline with means of access to be determined. Approved 14th June 2013.
- 3.2 On 15th February 2013, the Development Control East Committee approved the detailed masterplan associated with outline planning permission PK04/1965/0 at Emersons Green East.
- 3.3 PK15/1380/RM- Construction of roads 1B, 6 (part) and 7 together with associated drainage and services. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK14/2705/RVC, formerly PK04/1965/O). Approved 30th October 2015.
- 3.4 P19/09100/RVC- Urban extension on 99 hectares of land comprising of residential development of up to 2550 dwellings; up to 100,000m² of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m² of small scale A1, A2, A3 A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavilion (classD1).Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. Outline with means of access to be determined. Further (third) variation of Condition relating to trigger for construction of Tiger Tail on M32 attached to approved outline application. Approved 16th October 2019.
- Laying out of public open space and provision of play areas associated with Phase 5; including a Neighbourhood Equipped Area for play (NEAP), a number of Local Areas for Play (LAP), informal open space, bridges, landscaping and all associated works. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK15/4232/RVC (formerly PK04/1965/O). Approved 13th June 2017.
- 3.6 PK17/4484/RM- Approval of Reserved Matters to be read in conjunction with outline planning permission PK04/1965/O (partial) for approval of construction of

roads 6 and 8, including carriageway and footway, together with associated drainage, including the construction of a sewage pumping station. Approved 21st February 2018.

- 3.7 P19/7483/RM- Construction of flow control structures and overflow channel reprofiling of the Parkfield watercourse with associated works (Approval of Reserved Matters with appearance, landscaping, layout, scale to be determined, to be read in conjunction with Outline permission PK04/1965/O superseded by P19/09100/RVC). Approved 28th November 2019.
- 3.8 Environmental Impact Assessment was carried out for the outline planning permission for this development and it is not considered that any revisions are required to this as a result of this reserved matters application.

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council: Members have noted and support the comments of the South Gloucestershire Council Conservation Officer with regards to further consideration being given to a softer and more open look to the Common. Members have concerns that the raising of the land may cause drainage issues and would seek the approval of the South Gloucestershire Council drainage Officer. Members also have concerns that waste material may have been deposited without planning permission.
- 4.2 Arts and Development Officer: No comment. Public art for the main Lyde Green site has been delivered as part of the new Community Hall.
- 4.3 Conservation Officer: On an earlier version of the plans, commented that the northern edge of this site overlooks Lyde Green Common and from the original masterplan it appeared to show a set-back in the building line to the east side. This avoided a strong, continuous line of roofs overlooking the Common and gave a little relief to this edge. The layout appears to have changed and a much more continuous line of dwellings are proposed on this northern edge which could affect the open character of the Common and increase the perception of encroachment generally. It is recommended this area of the site be considered further to give a softer, more open edge to the Common but have no comments on the remaining parcel.
- 4.4 On revised plans has commented that there has been a very subtle change to the northern edge of this development, but makes the observation that the setback shown in the masterplan is not reflected in the proposed alignment of houses. The masterplan showed a c33m setback from the hedge line at the eastern half, compared to a c12m setback in the western half. As noted previously, this provides a broken edge to the development overlooking the Common, allowing an area for additional landscaping to act as a buffer to soften the built edge and avoiding the perception of a continuous building line. On the latest version of the plans, has advised that there is no further comment to be made.
- 4.5 Drainage Officer: Following revised plans, has no objection in principle to this application. The MicroDrainage model(s) match the proposed drainage plan. The

model has been run with surcharged outfalls at the respective 1:100yr plus an allowance for climate change 2 day event. Note minor flooding (15m³) is indicated in a few locations in Network SWS 3 and SWS 4 in the extreme rainfall event 1in100yr + 30%. Agree with the assessment by the applicant's drainage consultant that the flooding at these locations will be directed to Pond C5 along the highway avoiding property. Notes that Manhole TW03 on Network SWS 3 appears to be at a low point (54.05m), water will have to pool to a depth of 150mm (54.2m) before it can get round the corner to the pathway to Pond C5. Recommends a condition for the details of the non-return flaps to be added to the outfalls.

- 4.6 Environmental Protection Officer (contaminated land): No objection, but recommends the information outlined below is considered:
- 4.7 The description of the proposal includes reference to "land raising proposals across the site". No additional information appears to have been supplied with the supporting documents in relation to the quantity of material required; the potential source of the material and whether the material would be imported under the CL:AIRE Definition of Waste Code of Practice; a Waste Exemption; or a Permit.
- 4.8 Understands from earlier correspondence that the land raise has already been completed. Has previously reviewed Hydrock letter report dated 5th October 2018 Ref C10383/0085. The objectives of this report are stated as to (i) investigate the provenance of the material; (ii) comment on the potential impact on the groundwater regime. These comments relate purely to objective (i).
- 4.9 The fill was reportedly placed in October 2016. The material tracking documents are reported by Hydrock as being insufficient to conclusively demonstrate the reported provenance of the material as being from the wider site. Hydrock carried out some trial pits and based on the tests undertaken, Hydrock concluded that the soils were consistent with what would be expected of natural arisings from the wider development. They concluded that the fill material was clean and suitable for the proposed development end use.
- 4.10 Based on the information provided there would appear to be no potential risk of contamination to the proposed new end use (residential dwellings with gardens).
- 4.11 Any potential non-compliance with waste legislation (CL:AIRE Definition of Waste; Permits etc) would need to be investigated by the Environment Agency Waste and/or Permitting teams.
- 4.12 Environmental Protection Officer (noise): No adverse comments. Has provided standard advice.
- 4.13 Highway Structures Officer: Standard advice given.
- 4.14 Housing Enabling Officer: Following the submission of revised plans, has commented as follows:
- 4.15 Written confirmation is required prior the determination of this reserved matters application that the proposed affordable homes will fully comply with Life Time Home (LTH) standards in terms of all internal and external areas associated with the

affordable homes. Please note that the Local Authority will not grant any waivers regarding non LTH compliance unless in exceptional circumstances and therefore the onus is on the developer to ensure that the units will fully comply.

- 4.16 Should RM approval be granted a revised Affordable Housing Schedule must be submitted.
- 4.17 Five-bedroom Property: Property designed over 3 floors has compromised the ground floor living space for 9 people. The ground layout is similar to a 3 or even 2 bed property. Although the proposed 5 bedroom property house type hasn't been revised this wouldn't warrant refusal of the application however the proposed design may be of concern for an RP.
- 4.18 2x1-bedroom flats: If external staircase is to remain would want to see it as a masonry construction and in particular would require a canopy to provide protection. This house type has been revised and now includes a porch/canopy.
- 4.19 Car Parking Provision: Enabling defer to the Planning Officer to consider the acceptability of some of the proposed car parking spaces allocated to the affordable housing in terms of their siting e.g. plots 51 & 52.
- 4.20 On the wheelchair accommodation, the Occupational Therapist has commented that there is no provision for a through floor lift aperture, therefore a disabled parent may be unable to access the first floor to parent children. This must be addressed.
- 4.21 It is noted that only one car parking space is proposed for this 3 bedroom property which is assumed falls below the car parking standards for a 3 bedroom property?
- 4.22 Landscape Officer: There remain a number of locations where prominent boundaries face the public realm and which need brick walling in place of the proposed timber fencing, particularly in relation to the rear parking courts, e.g. plots 1,2 and 3, 21/24,42/43. The use of sage green render in combination with the iron stone finish is still proposed on a number of units. This colour combination has been shown on previous phases to be unsatisfactory and should be changed for one of the other render colours. Planting areas which lie alongside car parking or stick out into the road way need protecting from over running or parking with a full height kerb. Trees within the public realm need to be planted as a 16-18cm girth which is more robust than the 12-14cm girth proposed. Planting of trees within rear gardens should be undertaken in larger garden-fruit trees are acceptable. There are a few occasions in the shared streets where responsibility for trees, planting and grass are unclear. Where planting does not clearly form part of a domestic curtilage, management should be the responsibility of a management company to ensure the long term retention of these important elements of the design.
- 4.23 No planting is shown on the north facing embankment beyond the screening of the pumping station. Native tree and shrub planting should be undertaken on the embankment slope including larger scale trees such as oak and lime. There are two planting plans covering the area of the pumping station which differ in detail. The detail of the retaining wall is now acceptable but is not shown correctly on plan 25572/rg/l/12 which still shows the previous gabion wall. Bin collection points are still shown within the northern POS. This is unacceptable and needs removing.

- 4.24 In respect of the slopes on the northern boundary, has commented that the 1:3.5 slopes proposed should be stable and capable of being planted, though they have an engineered appearance. Shallower slopes with a more varied profile would obviously fit better into the landscape. From a wider landscape impact the concern is particularly from the corner of Howsmoor Lane where both the embankment and the housing would be prominent.
- 4.25 Public Rights of Way Officer: Public footpath LPU/3 runs across part of Lyde Green Common to the immediate north of this site. In order to ensure sustainable transport links for the residents of this proposed development a link must be provided into the path for pedestrians and appropriate user types. This was requested in previous comments but cannot see if such a link is now shown. There is a light grey line shown at the north of the external works layout plan, but as this is not in the key it is unknown what this line represents. Requests that a clear pedestrian link is shown on the plans to ensure compliance with PSP 10, active travel routes and local and national aspirations for sustainable travel. There are flooding problems that have arisen on the path route of LPU/3 following groundworks on site so also requests that the developers offer a solution to the water ingress arising from the works.
- 4.26 Transport Officer: Auto-track detail submitted with this scheme includes the use of a wrong type of refuse vehicle. The applicant is advised that SG Council uses 3 axle - 11.3m long vehicle and not 4 axle as submitted. No auto track has been submitted for a turning space that is located opposite plot no. 30 -31 off a private drive – this turning space seems too small for refuse wagon. Suggests a suitable bin storage area near the public highway for plot nos. 52- 54.
- 4.27 Plot 49, 53, 54- parking spaces for these are along an access road. Although the access road serving these plots are private, it is considered that management of these spaces may prove to be difficult. This is not a refusal reason but on plot parking is advisable. Visitor parking- suggests minimum of one visitor's parking to be accommodated along the private drive serving plot nos. 45 – 50.
- 4.28 Should provide a 'composite plan' showing the location of street lighting columns, gullies location relative to the position of any trees along the highway boundary. Such a plan could be submitted for written approval at the later date of full detail design stage associated with the s38 agreement stage.
- 4.29 The Plan that shows the adopted areas needs to be agreed by colleagues at s38 agreement stage – this may vary from the current plan depending on the location of lamp columns particularly along shared surface roads.
- 4.30 Waste Officer: The general layout is fine with just the bin presentation point (if identified correctly) near plot 32 being too far down the cul de sac and no presentation point showing for plots 52 to 54.
- 4.31 Crime Prevention Design Advisor: Parcel 18 – Plot 55, Parcel 20A – Plots 28, 31, and 39, Parcel 20B – Plot32 have identified parking areas in front of garages, whilst accepting that the vehicles should be parked in the garage, reality seems to indicate that they will be parked in front. Because these areas are between buildings this

creates an area which is likely to be in the dark, depending upon the levels and positioning of the street lighting. Evidence suggests that this is an area vulnerable to crime, theft, damage, and potentially personal safety. It would be advantageous to either provide additional light in the area and/or ensure that the buildings have habitable rooms overlooking the area;

- 4.32 The area in front of Plots 42-51 is shown as not being adopted and as such under normal circumstances would not have Council maintained street lighting. This same area has a large proportion of car parking for the adjacent properties, and is the main approach to 12 or so properties. The area is likely to be only illuminated from light spill from the properties and as such the light levels would be below the recommended levels for personal safety and prevention of crime. It is strongly recommended that the applicant considers ensuring that the light levels in this area are maintained at levels as recommended by the appropriate British Standard 5489:2013.
- 4.33 Plots 3-8 have two footpaths located between buildings leading to the rear gardens. Research nationally studying the distribution of burglary in terraced housing with open rear access footpaths has shown that up to 85% of entries occurred at the back of the house. In South Gloucestershire 66% of burglaries are via a rear ground floor window or door.
- 4.34 It is preferable that footpaths are not placed to the back of properties. If they are essential to give access to the rear of properties they must be gated. The gates must be placed at the entrance to the footpath, as near to the front building line as possible, so that attempts to climb them will be in full view of the street. Where possible the street lighting scheme should be designed to ensure that the gates are well illuminated. The gates must have a key operated lock, operable from both sides. The gates must not be easy to climb or remove from their hinges and serve the minimum number of homes, usually four or less.
- 4.35 It seems strange that gates are not included by the applicant for these properties as properties of similar design on other parts of the development have gates shown on the plans.
- 4.36 In order to fully comply with the safety and security requirements of the National Planning Policy Framework and the South Gloucestershire Core Strategy the applicant is advised to consider the above comments.
- 4.37 Highways England: Offer no objection, and no comments to make on amended proposals.
- 4.38 Environment Agency: The Environment Agency has no objection to this reserved matters application, as their interests have been covered at the outline stage, however wish to make the following comments: request a copy of the detailed Operation and Maintenance manual for the Lyde Green Watercourse and ponds including full details of the appointed management company. South Gloucestershire Council as the Lead Local Flood Authority should review the surface water drainage proposals for the development including plans for ground raising of the site.

Other Comments

4.39 Representations have been received from one neighbour objecting to this application. The concerns raised are summarised as follows:

- Large areas of this site have been raised by up to 1.5m by the dumping of soil from other areas of the site, causing flooding of the neighbouring land;
- The plan F7016/pdf/PK17_4155_RMFLOOD_EXCEEDENCE_ROUTING, shows a storm water outfall downstream of entrance the newly cut channel to the south of the neighbour's land. This means that un-attenuated flood water will flow into the Parkfield Watercourse and into neighbouring land;
- The hydraulic plan has not been implemented because the developer does not own all of the watercourses running through the site, this application should not be granted until agreement has been reached regarding the Section 106 drainage plan.
- The revised description does not advise that the land raising is retrospective and unlawful, and that an enforcement investigation is ongoing. Concerns that the further revised description is still "misleading" as it does not provide enough detail of what has happened;
- Concerns the Town Council and Environment Agency were unaware the land raising works had already been undertaken;
- The large amount of material dumped on this site should not be part of a reserved matters application, as the original application made no provision for this;
- The site location plan covers the area that has been raised, but the contours on the map represent the levels prior to the material being dumped, so are inaccurate;
- The site location plan (PK17_4155_RM-SITE_LOCATION_PLAN-5711073) covers the area that has been raised; the contours on the map represent the levels prior to the material being dumped so are inaccurate. The above plan has now been marked as superseded but no replacement plan has been posted;
- Given the works do not have planning permission, why is enforcement action not being taken?;
- Plan 296-P19-111 is marked for approval and states that it has been prepared for parcel 19. Further it indicates that the new topographic survey was only undertaken in September 2018;
- Condition 43 states that: *"A strip of land 8 metres wide adjacent to the top of the banks of all watercourses fronting or crossing the site must be kept clear of all new buildings and structures except where approved by any reserved matters permission, (including gates, walls, and fences). Unless otherwise agreed in writing by the Council, ground levels must not be raised within such a strip of land."* Land levels have been raised within 8 m of the Parkfield watercourse and the Lyde Green Watercourse, and the council has found the raised levels have breached planning laws so it must follow that no written permission was requested or given. So the present situation places the developer in contravention of condition 43 and of the hydraulic plan that was part of the Section 106 agreement;
- A document entitled PRELIMINARY DRAINAGE STRATEGY was lodged as a revised plan but does not include the raised levels. This document clearly shows

the old land levels over the area, leading to concerns the new raised land levels were not considered in the drainage strategy for PK17/4155/RM;

- The Storm Sewer Design Criteria documents were prepared and posted on the 12 April 2018 leading to concern they do not take account of the raised levels and that the conclusions are questionable as the new topographic survey was only undertaken in September 2018;
- A channel has been cut to divert surface runoff from raised levels near the boundary with neighbouring land. Plan PARCEL 19 (INDICATIVE PLAN) – PROPOSED LEVELS DESIGN PARAMETERS shows this channel. This is transferring flood water onto the common and onto neighbouring land, which is a nuisance and unlawful. The water is heavily contaminated with iron and sediment. It appears that the developer considers this a permanent solution, SGC cannot legally accept this as a solution and it is contrary to the approved drainage plans;
- The above plan also indicates a pond in that area, the water is becoming discoloured with iron stained water and sediment. Each year there has been large amounts of frog spawn in the pond. This year there is none;
- The developer to provide evidence of where the material dumped onto the site originates and trial pits dug to verify the material used;
- If stone has been processed (crushed) and transported to this site it becomes waste and should only be moved under an EA permit. The dumped material is stone that is rich in iron, the water coming from this site is heavily contaminated with iron and it is draining onto the common and is contaminating a pool which has a rich aquatic life this will be decimated by this pollution;
- It was understood a new hydraulic plan was to be produced for the site so where is it?
- The details issued for the re- re-consultation of planning application No: PK17/4155/RM on 7th March 2019 are still misleading. There is still no acknowledgment that the land rising of up to 2m in places is unlawful and is the subject of an enforcement investigation.

5. ANALYSIS OF PROPOSAL

Principle of Development:

- 5.1 The principle of the development has been established with the approval of outline planning permission under application PK04/1965/O, which covers a substantial part of the Emersons Green East (EGE) development. The outline planning permission reserved all matters for future consideration, except the means of access off the Rosary roundabout, which has been approved in detail. The key matters of consideration here are whether the land raising works and drainage arrangements that are applied for as part of this development are acceptable and the design and landscaping of the site.

Land Raising Works

- 5.2 The land across Parcels 18, 19 and 20 has been raised by between approximately 0.5 metres and 1.4 metres in relation to original ground level. This is through waste rubble and earth being tipped on the land. The cut and fill strategy approved in discharging condition 24 of the outline planning permission (ref. PK04/1965/O) showed that the majority of the land was to be “cut”. The works that have taken place are therefore

unauthorised works. Having raised this with the applicant, during the course of this application, the submission has been revised so the application applies in retrospect for these land raising works.

- 5.3 In addition to the land raising works that have already taken place on this site, further works are applied for along the northern edge of Parcel 20a, with associated banks. These works will result in the land being 1 metre to 1.8 metres higher across the parcels subject of this application than the original ground level. The extension of these land raising works to the northern edge of Parcel 20a appears to be proposed to maximise the extent of the development plateau.
- 5.4 The applicant has argued that the land raising works are necessary for ensuring the drainage of this part of the site works. Although it is acknowledged that due to the levels of the development on adjoining areas that have already been built out and the levels of the drainage attenuation basin already constructed some land raising works would have been required, it is not accepted that the levels have to be at the height shown throughout this part of the site. It is considered that alternative drainage arrangements could have been used that would allow the land to be graded downwards towards the north-west. However, the applicant was unwilling to consider this alternative and therefore the application has to be determined on the basis of the details submitted. The main issues in determining whether the land raising works are acceptable are impacts on drainage, and visual and neighbour amenity.

Visual and Residential Amenity

- 5.5 In respect of the visual impacts of the proposed development, the main issue is the impact of the land raising and banks on Lyde Green Common. That the land will be raised between 1 metre and 1.8 metres at the edge of the Common results in houses along the northern edge having the potential to loom over the Common causing a detrimental impact to its setting.
- 5.6 However, the developer has revised the plans to set the proposed dwellings further back from the Common to reduce their impact and has regraded the proposed banks so the steepest banks will be 1:3.5 (apart from the development platform and surrounding retaining wall required for the sewage pumping station). This gives the opportunity to landscape the northern boundary of the site and provide a softer edge to the Common. A plan has been submitted showing tree planting along this northern bank to provide this softer edge.
- 5.7 In addition, the road layout has been redesigned along the northern boundary since the application was submitted so that it is not a through road "loop" arrangement for traffic, and instead is partially private drives which just allow for walking and cycling between them.
- 5.8 It would have been preferable and would have had less visual impact on the Common if the housing was provided at the original ground level. However, while it is considered that other drainage options could have been explored on the site to reduce the levels from those proposed, it is accepted that in order to deliver housing on this site some land raising works would be required. The revisions made to the banks to provide them at a maximum of 1:3.5 gradient have allowed for tree planting to landscape the northern boundary and the housing layout proposed in this row is well-

spaced with driveways between the houses to break up the appearance of the row of buildings.

- 5.9 Revised landscaping plans have now been submitted showing tree planting on the northern boundary. The Landscape Officer has confirmed that the proposed tree planting is acceptable.
- 5.10 Given these factors, on balance the visual impact of these works is considered acceptable. It is not considered that these works raise significant issues of in respect of visual amenity when viewed from elsewhere on the site nor in terms of their impact on neighbours.
- 5.11 However, it is acknowledged that land raising works carried out and proposed on Parcels 18, 20a and 20b impact on the ground level of Parcel 19, which is not part of this application, which in turn could impact on the way this parcel is developed in the future.
- 5.12 Indicative levels and sections through the banks for Parcel 19 have been submitted at the request of Officers to consider the impact of the levels proposed for Parcels 18 and 20, (particularly Parcel 20a) on Parcel 19. While there are still some outstanding queries over the clarity of the plans, these do show there will be additional land raising to create banks around the boundaries of Parcel 19, similar to that proposed as part of Parcel 20a. The land on the western side of Parcel 19 shares a boundary with a residential property known as Vale Wood (shown as Shangri-La on some maps). Parcels 18 and 20 are a minimum distance of 50 metres away from this property.
- 5.13 However, it is reiterated the levels and sections submitted for Parcel 19 are indicative and this parcel is outside the site boundary subject of this application. The impacts of the land raising works that have both taken place and are further proposed on this parcel will be subject to consideration through a further reserved matters application for Parcel 19 in the future. Therefore it is not considered that refusal of this reserved matters application for Parcel 18 and 20 on the grounds of any neighbour amenity impacts that could be caused by Parcel 19 would be reasonable, as these will be more appropriately assessed as part of the reserved matters application for Parcel 19. This matter is currently being considered further through a pre-application enquiry for housing development on Parcel 19.

Drainage

- 5.14 In respect of the flood risk and drainage impacts of the land raising, a neighbour to the development has raised concerns that the land raising works have caused flooding off-site, including to his land. The immediate impacts of the land raising works have been considered through the planning enforcement process, and the key issue for this reserved matters application in respect of drainage is whether the drainage arrangements proposed will be acceptable to drain the raised land and residential development once the site is developed.
- 5.15 While the Drainage Officer did not object to the principle of the drainage arrangements shown on the plans, the site wide Flood Risk Assessment and Drainage Strategy for the wider Lyde Green development did not include the land raising works subject of this application. In addition, following inspection of the Parkfield Watercourse Overflow

Channel, it was found that remediation works needed to take place on this in order for the channel to function as envisaged. This impacts on Parcel 18 as this is proposed to drain westwards into the Parkfield Watercourse upstream of the Overflow Channel. It is considered that additional flows from Parcel 18 into the Parkfield Watercourse prior to the remediation works taking place would cause additional flood risk.

- 5.16 Reserved matters approval has now been given for the remediation works on the Overflow Channel (P19/7483/RM) and a revised Flood Risk Assessment and Drainage Strategy for the wider Lyde Green site has been submitted to take account of the land raising and works to the Overflow Channel. While the drainage strategy has not yet been approved, it is considered that this reserved matters approval is actually the more appropriate mechanism for considering whether the land raising works proposed are acceptable as it allows for the full site design and layout to be considered alongside this. Given this and that the works to the Overflow Channel have now been approved, it is not considered this matter should hold up the determination of these reserved matters any further.
- 5.17 However, it is not considered that Parcel 18, which comprises 15 dwellings out of the 114 included in this application, should be developed until the works approved for the Parkfield Watercourse Overflow Channel by P19/7483/RM have been completed. The developer is required to do so within twelve months of the date of the Decision Notice for the works to the Overflow Channel. A condition requiring those works to be completed prior to the development of Parcel 18 is recommended below.
- 5.18 The Drainage Officer has confirmed that the drainage information submitted, including additional information to answer some minor queries on the operation of the existing Pond C5 (into which Parcel 20 discharges), is acceptable subject to the provision of non-return valves on the outfalls. A condition is recommended in respect of the outfalls.
- 5.19 In respect of the flooding issues identified by the Public Rights of Way Officer, the applicant has commented that the road along the northern boundary is proposed to have a kerb and drainage gully which would ensure all run-off from the road is picked up within the drainage ditch and discharged into the attenuation pond, and therefore there should be limited run-off from the site. The Council's Drainage Consultant has advised that any flooding is likely to be a temporary problem and that preventing excess run-off on this boundary has been taken into account in the drainage design.
- 5.20 Given the above, the drainage arrangements proposed for the site when developed are considered acceptable.

Design and Landscaping

- 5.21 As well as the visual and landscape impacts of the proposal due to the land raising works and the impact that these have on the Common, some more general concerns have been raised on this proposal during the application process regarding the design and landscaping, and lack of compliance with the approved Design Code and Master Plan. However, revisions have been submitted to attempt to overcome the concerns.
- 5.22 These include the inclusion of additional Informal Home Zones, a Safe Route to School, a reduction in the amount of parking to the front of dwellings, provision of

additional windows to the sides of dwellings where they face public areas, and addressing more specific concerns about the design and layout of particular plots.

- 5.23 It would have been preferable for fences to the rear of parking spaces to be replaced with brick walls, trees to be provided in rear gardens and larger street trees to be provided as recommended by the Landscape Officer, as well as larger street trees. However, it is not considered that the lack of these warrant the refusal of this reserved matters application.
- 5.24 In respect of other concerns raised by the Landscape Officer in her comments, the discrepancy between the planting around the sewage pumping station shown on the Landscaping Plan and the Pumping Station Landscaping detail has been addressed. The concern regarding the use of the sage render in combination with reconstituted stone can be addressed through a materials condition. The concern about the use of raised kerbs on build outs can also be addressed through a condition. Relevant conditions have been recommended below.
- 5.25 The applicant has stated that landscaping in the public realm will either be conveyed to plot purchasers or adopted by the Council. They have also stated that the landscaping on the northern bank will be managed and maintained by a Management Company.
- 5.26 A number of the plans suggest that the retaining wall around the platform for the sewage pumping station will be a gabion retaining wall. However, it has been agreed with the developer that a solid pennant-stone faced retaining wall is more appropriate and a condition is recommended to avoid doubt that this will be provided.
- 5.27 The bank along the northern boundary is discussed above. Two bin collection points are proposed along this bank. While it would be preferable for these to be moved, it is not considered that they will have a significantly adverse visual impact.
- 5.28 In respect of the Conservation Officer's comments regarding providing a softer edge to the Common, it is acknowledged that dwellings in the north east corner of the site are proposed closer to the edge of the Common than shown on the approved Masterplan. However, the Masterplan also made provision for an electricity termination tower in this location, which is no longer required and by its presence would have required a greater set-back for the dwellings from the edge of the Common. Additional tree planting proposed on the bank will soften the appearance of the development from the Common. The impact of the proposed development on the Common is described in more detail above, but is considered to be acceptable.

Environmental Protection

- 5.29 Approval to retain the material that has been deposited on the land to raise the levels, is sought as part of this reserved matters application. The Environmental Protection Officer has been consulted and does not consider that this material poses a risk to the residential development proposed.

Town Council & Neighbour Comments

- 5.30 The views of the Council's Drainage Officers have been sought and taken into account in reaching a recommendation on this application and are discussed in more detail above.
- 5.31 In respect of concerns regarding the material that has been deposited on the land to raise the levels, this matter has been discussed above.
- 5.32 The concerns raised regarding providing a softer edge to the Common are addressed above.
- 5.33 The owner of Vale Wood, which shares a boundary with Parcel 19, has submitted detailed objections to the proposed development. His main concern is the land raising works that have taken place and the impacts these have. The comments made are addressed as follows:
- 5.34 It is acknowledged that the land raising works were carried out without an appropriate planning consent and this has been subject of a separate planning enforcement investigation. These works have been included in this reserved matters application in retrospect. It is appropriate that these are considered as part of the reserved matters for the site, and one of the key considerations in this is whether these works are considered satisfactory. This is considered in detail above.
- 5.35 Following concerns raised that that the description did not clarify the works were "unlawful" and that certain consultees were unaware that land raising works had already taken place, the description was altered. It is not considered the purpose of the description of the development to pass comment on whether works are lawful or not. However, it was made clearer that consent was being sought for land raising works in retrospect and a reconsultation was undertaken on this basis.
- 5.36 As set out above, the drainage arrangements for the site are considered satisfactory, subject to the works required to the Parkfield Watercourse approved under P19/7483/RM being undertaken prior to the development of Parcel 18.
- 5.37 There is scope to allow works within 8 metres of a watercourse under the relevant planning condition where they are considered appropriate. In this case the drainage arrangements shown are considered to have an acceptable impact on adjacent watercourses, subject to the works above being carried out prior to the development of Parcel 18.
- 5.38 The site location plan is considered acceptable as its purpose is to identify the site boundaries only, rather than the site levels. Some plans have also been withdrawn from the application as they refer to reserved matters application PK17/4484/RM for site infrastructure, which has now been approved.
- 5.39 As stated above, the levels shown for Parcel 19 are outside the site boundary, are indicative only and will be considered through a separate reserved matters application

for this parcel at a later date. The channel along the boundary of Parcel 19 that has been cut is outside the site boundary for this application and is there as a temporary measure to resolve any issues with water run-off that are occurring now, prior to development of this land taking place. It is not part of the drainage arrangement proposed for this development and therefore is not relevant to the consideration of this planning application.

- 5.40 The material that has been deposited on the land is discussed above. The concerns regarding where the material may have come from are matters for the Environment Agency and permitting process to address on a separate basis.

Other Matters

- 5.41 The comments of the Public Rights of Way Officer in respect of a link between these parcels and the Public Right of Way to the north are noted. However, it is considered that a link to the Public Right of way would be more appropriate through the route of the existing field gate to the north-west corner of Parcel 19. This will be considered as part of future reserved matters application for Parcel 19.
- 5.42 In respect of the Transport and Waste comments, revised vehicle tracking has been received showing the correct refuse vehicle. No further comments have been received from the Transport Development Control Officer. No tracking has been received for the turning space opposite plots 30-31, but the applicant has advised that this is not intended to be used by a refuse vehicle, and it is intended the vehicle will reverse 12 metres from the adopted highway and then the refuse collectors will walk the rest of the distance. This means that the walking distance for the refuse collectors is longer than recommended in the SPD. However, there is scope to move the bin collection point and it is considered that the most suitable location for the collection point is a relatively minor matter that the Waste Team can resolve with the developer on a separate basis if necessary.
- 5.43 It has been noted that minor realignments need to be considered for some of the roads due to tracking showing that the bin lorries will potentially overrun the kerbs in some areas. It is considered this can be accommodated in the current layout and this matter can be addressed through a condition.
- 5.44 A bin collection point has now been provided outside plot 52.
- 5.45 The parking for plots 51 and 52 are still provided on-street and no visitor parking space has been provided in this location. However, this is on a private drive which only provides for the access to four houses and this matter is therefore not considered to warrant the refusal of the application. While it would have been preferable for there to be less parking in front of dwellings, generally the number of parking spaces and their location for each plot is considered acceptable.
- 5.46 A condition for a street lighting plan has been recommended below.
- 5.47 In respect of the Housing Enabling Officer's comments, no confirmation has been submitted to demonstrate that the development will comply with the Lifetime Homes Standard, and the applicant is not willing to do this until reserved matters approval is given. While the Housing Enabling Officer considers this matter should ideally be

addressed prior to determination of the application, she is prepared to accept this matter being addressed by a condition.

- 5.48 In respect of the Occupational Therapist's comments on the proposed wheelchair accommodation, the relevant revised house types do contain space set out for the provision of a lift if required.
- 5.49 The three bedroom dwelling with one parking space referred to by the Housing Enabling Officer now has two parking spaces in accordance with current parking policy.
- 5.50 It is considered that it would be more appropriate for a revised Affordable Housing Schedule to be produced separately to this reserved matters application. An informative note will be added to the Decision Notice advising this is required.
- 5.51 The Designing Out Crime Officer has raised concerns regarding lighting for private areas and drive, and that gates should be positioned appropriately on pathways. It is considered that the provision of these can be addressed through a condition.
- 5.52 The documents requested by the Environment Agency have been forwarded to them.

Consideration of likely impact on Equalities

- 5.53 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.
- 5.54 With regards to the above this planning application it is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. RECOMMENDATION

7.1 Reserved Matters Approval is granted subject to the following conditions.

Contact Officer: Helen Winsall

Tel. No. 01454 865911

CONDITIONS

1. This decision relates only to the plans below:

PL-01 Rev B Site Location Plan
PL-02 Rev B Context Plan
PL-03 Rev M Planning Layout
PL-04 Rev E Materials Layout
PL-05 Rev D Areas for Adoption
PL-06 Rev B External Works Layout (roads not shown as tarmac)
SE-01 Rev B Site Sections
SS-01 Rev B Street Scenes
HT-EmGr 2B-01 Rev B 2 Bed House
HT-EmGr 3B-01 Rev A 3 Bed House
HT-WP4620-02 Rev B House Type WP4620A
HT-WP5720-01 Rev B House Type WP5720
HT-2BWC-02 Rev B House Type 2 Bed WC
HT-2BWC-03 House Type 2 Bed WC
HT-2BWC-04 House Type 2 Bed WC Plan
HT-3BWC-01 Rev A House Type 3 Bed WC
HT-3BWC-02 Rev A House Type 3 Bed WC
HT-3BWC-03 House Type 3 Bed WC Plan
HT-1BedF-01 Rev B 1 Bed Flat
HT-Morden-01 House Type Morden
HT-Morden-02 House Type Morden
HT-Moseley-01 Rev B House Type Moseley
HT-Moseley-02 Rev A House Type Moseley
HT-Moseley-03 Rev A House Type Moseley
HT-Hanbury-01 Rev B House Type Hanbury
HT-Souter-01 Rev A House Type Souter
HT-Souter-02 Rev A House Type Souter
HT-Hatfield-01 Rev B House Type Hatfield
HT-Hatfield-02 Rev A House Type Hatfield
HT-Hatfield-03 Rev C House Type Hatfield
HT-Clayton-01 Rev B House Type Clayton
HT-Greyfriars-01 Rev A House Type Greyfriars
HT-Greyfriars-02 Rev A House Type Greyfriars
HT-Greyfirars-03 Rev A House Type Greyfriars
HT-Chedworth-01 Rev A House Type Chedworth
HT-Chedworth-05 Rev A House Type Chedworth
HT-Chedworth-06 Rev A House Type Chedworth
HT-Rufford-01 Rev B House Type Rufford
HT-SGAR-01 Single Garage
HT-SGAR-02 Single Garage
HT-DGAR-03 Double Garage

P0231 Rev E Figure 1 Landscape Plan Parcel 18b and 20b
P0231 Rev J Figure 2 Landscape Plan Parcel 20a
296-2000-010 Rev D Preliminary Drainage Strategy
296-2000-150 Rev C General Engineering Layout
296-2000-200 Rev C Detailed Engineering Layout
296-2000-200-01 Rev A Road Longitudinal Sections
296-2000-210-01 Road Cross Sections Sheet 1
296-2000-300 Highway Construction Details
296-2000-405 Rev A Vehicle Tracking
296-5000-505 Rev A Surface Water Impermeable Areas
296-P20-203-01 Rev A Parcel 20 Cross Sections Road A19-1
296-PH6-320 Rev A Retaining Wall for Pumping Station Compound
296-PH6-321 SPS Retaining Wall Construction Details
RG-L-12 Pumping Station adjacent Parcel 20 Landscape Strategy

Reason

To clarify the plans forming this consent.

2. No development shall take place on Parcel 18 (shown as Area 18 on Context Plan PL-02 Rev B) until the works to the Parkfield Watercourse and Overflow Channel approved under reserved matters application P19/7483/RM have been completed and this has been confirmed in writing by the Local Planning Authority.

Reason

To ensure that the development is not subject to any unacceptable flood risk and to comply with Policy CS19 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP20 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

3. Notwithstanding the submitted plans, the retaining wall around the sewage pumping station shall be of a solid construction, and faced in natural pennant stone with a concrete cap, as shown in plan 296-PH6-321.

Reason

To ensure the wall is of a robust construction and acceptable in terms of visual amenity, in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policies PSP1 and PSP20 of the South Gloucestershire Local Plan Policies Sites and Places Plan adopted November 2017.

4. Notwithstanding the submitted plans, and prior to the construction of the development above Damp Proof Course (DPC) level samples of external materials including render and roof tiles and a plan showing the external finishes for all dwellings shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a high quality standard of external appearance and to accord with Policy CS1 of the adopted South Gloucestershire Core Strategy Local Plan adopted December 2013 and Policy PSP1 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan adopted November 2017.

5. Notwithstanding the submitted plans, and prior to the construction of the development above Damp Proof Course (DPC) level sample panels of stonework to be used, demonstrating the colour, texture and pointing shall be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure a high quality standard of external appearance and to accord with Policy CS1 of the adopted South Gloucestershire Core Strategy Local Plan adopted December 2013 and Policy PSP1 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan adopted November 2017.

6. Notwithstanding the submitted plans, and prior to the construction of the development above Damp Proof Course (DPC) level sample panels of brickwork, demonstrating the colour, texture, facebond and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the brickwork is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure a high quality standard of external appearance and to accord with Policy CS1 of the adopted South Gloucestershire Core Strategy Local Plan adopted December 2013 and Policy PSP1 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan adopted November 2017.

7. Notwithstanding the submitted plans, the following details shall be submitted to ensure large vehicles can manoeuvre without overrunning the kerb:

a). Prior to the commencement of the construction of Road A20a-1 a plan shall be submitted to and approved by the Local Planning Authority in writing showing the kerb opposite plots 10 and 11, 14, 55 and 56 set back to accommodate a large vehicle manoeuvring;

b). Prior to the commencement of the construction of Road A20a-2 a plan shall be submitted to and approved by the Local Planning Authority in writing showing the kerb at the junction with Road A20a-1 set back to accommodate a large vehicle manoeuvring;

c). Prior to the commencement of the construction of Road A20b-3 a plan shall be submitted to and approved by the Local Planning Authority in writing showing the kerbs at the junction of the road with Road 6 realigned to prevent a large vehicle overrunning the kerb.

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

Reason

This is required to stop a large vehicle overrunning the kerb, and to accord with Policy CS8 of the adopted South Gloucestershire Core Strategy Local Plan adopted

December 2013 and policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan adopted November 2017.

8. Prior to their construction, the highway build-outs shown on the Planning Layout PL-03 Rev M shall have raised kerbs in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The build outs shall be constructed in accordance with the approved details.

Reason

To ensure the landscaping on the build outs is protected from vehicles, and to accord with Policy CS1 of the adopted South Gloucestershire Core Strategy Local Plan adopted December 2013 and Policies PSP 2 and PSP3 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan adopted November 2017.

9. Prior to the commencement of the construction of the affordable homes, written confirmation shall be submitted to the Local Planning Authority that all affordable homes, including internal and external areas will be built to meet the Life Times Homes Standard.

Reason

To ensure the design of the affordable homes are satisfactory, in accordance with Policies CS17 and CS18 of the adopted South Gloucestershire Local Plan Core Strategy adopted December 2013.

10. No dwelling shall be occupied until details of the proposed street lighting, including details for private drives as well adoptable highways, have been first submitted to and approved in writing by the Local Planning Authority. The details shall include a composite plan showing street lighting, landscaping and the gullies and cabling required. Thereafter the development shall be implemented in full accordance with the approved details.

Reason

To ensure the preservation of visual amenity, highway safety and residential amenity and to accord with Policies CS1 and CS8 of the adopted South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policies PSP1 and PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan adopted November 2017.

11. No dwelling shall be occupied until lighting for any individual private driveways and private pathways and gates for any private pathways serving that dwelling have been installed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure safety and residential amenity and to accord with Policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy adopted December 2013 and Policy PSP8 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan adopted November 2017.

12. No dwelling shall be occupied until non-return valves have been installed on the water outlets to Pond C5, in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the drainage arrangements for the site function appropriately, and to accord with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy adopted December 2013 and Policy PSP19 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan adopted November 2017.