

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. 35/19

Date to Members: 30/08/2019

Member's Deadline: 05/09/2019 (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:

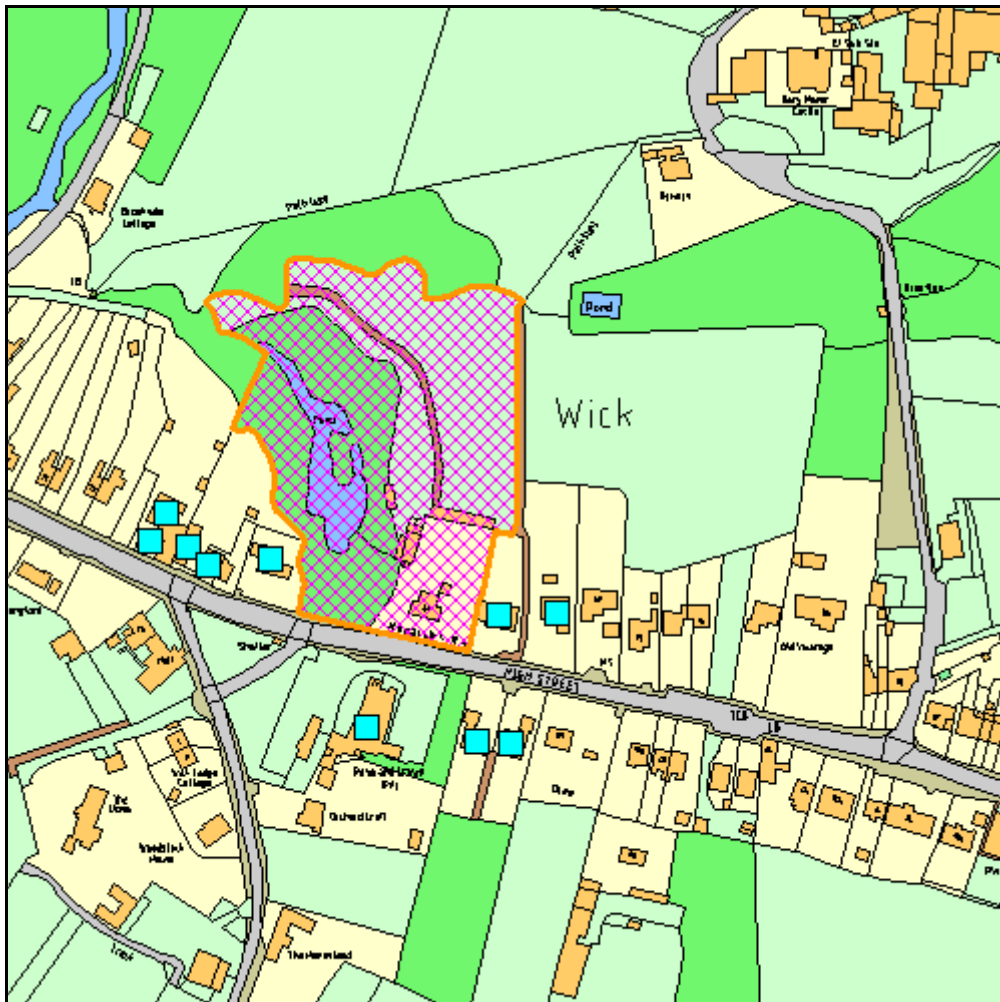
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 30 August 2019

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/4823/F	Approve with Conditions	53 High Street Wick South Gloucestershire BS30 5QQ	Boyd Valley	Wick And Abson Parish Council
2	P19/5713/F	Approve with Conditions	Lidl Uk Gmbh Kennedy Way Yate South Gloucestershire BS37 4BA	Yate Central	Yate Town Council
3	P19/6296/RVC	Approve with Conditions	Land North Of Brimsham Park Yate	Yate North	Yate Town Council
4	P19/6582/F	Approve with Conditions	5 Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8TP	Charfield	Charfield Parish Council
5	P19/7689/R3F	Approve with Conditions	Iron Acton C Of E School Wotton Road Iron Acton South Gloucestershire BS37 9UZ	Frampton Cotterell	Iron Acton Parish Council
6	PT17/5873/O	Approved Subject to Section 106	Land Off Old Gloucester Road Old Gloucester Road Hambrook South Gloucestershire BS16 1RR	Winterbourne	Winterbourne Parish Council
7	PT18/2765/F	Approve with Conditions	Orchard Cottage Bagstone Road Rangeworthy Wotton Under Edge South Gloucestershire GL12 8BD	Frampton Cotterell	Rangeworthy Parish Council
8	PT18/5848/F	Approve with Conditions	Tamariu 2 Badgers Lane Almondsbury South Gloucestershire BS32 4DE	Pilning And Severn Beach	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 35/19 – 30 AUGUST 2019

App No.:	P19/4823/F	Applicant:	Mr & Mrs Barry and Jane Gould
Site:	53 High Street Wick Bristol South Gloucestershire BS30 5QQ	Date Reg:	22nd May 2019
Proposal:	Change of use and conversion from art studios (Class B1) to 3 No. holiday lets (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with associated works.	Parish:	Wick And Abson Parish Council
Map Ref:	370471 172733	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	16th July 2019



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N.T.S.

P19/4823/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.

REFERRAL TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections having been received from the parish council and local residents, which is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use and conversion of art studios (Class B1) to 2no. holiday lets (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with associated works, at the wider site of 53 High Street in Wick.
- 1.2 The site relates to a single storey building which currently forms art studios. They have natural stone and waney edge board clad elevations. There are a number of existing openings/windows. Planning history does not show any historic permission for the art studios, however, it is clear that this is the established use. The site is just outside of the settlement boundary of Wick, in the open countryside and part of the Bristol/Bath Green belt.
- 1.3 It is noted that the red line boundary covers the entire site, including the existing dwellings and an area of paddock land to the north of the host building. This application should not be construed as granting permission for the entire site to form a C3 use. The permission relates only to the host building and associated patio/parking areas as shown on the submitted plans.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS3	Renewable or low carbon district heat networks
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS11	Distribution of economic development land
CS15	Distribution of housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP28	Rural Economy
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/2451/CLE Approve with Conditions 15.10.2007
Application for Certificate of Lawfulness for an existing use of outbuilding for ancillary residential purposes.

4. CONSULTATION RESPONSES

- 4.1 Wick Parish Council
It has been brought to the attention of Wick and Abson Parish Council that the planning application P19/4823/F at 53 High Street contains false and misleading claims. These amount to the fact that no evidence can be found that there has been any previous planning applications for change of use to residential accommodation. Due to this reason Wick and Abson Parish Council strongly object based on this application.
- 4.2 Sustainable Transport
No highway objection on balance, subject to conditions.
- 4.3 Economic Development
No objection.

Other Representations

- 4.4 Local Residents
11no. objections have been received from 10no. local residents. Comments are summarised as follows:
- Highway safety concerns with access
 - Increased use of access would result in additional hazards to pedestrians and road users
 - Access opposite pub – greater chance of accident
 - Previous road traffic accidents

- Comments regarding whether the existing holiday let benefits from planning permission
- Additional parking generation
- Will worsen situation in terms of crossing road
- Close to pre-school will increase chance of collision
- Additional cars will cause noise which will be detrimental to wildlife
- Noise pollution from holiday lets, currently peaceful and quiet
- Comments regarding proposed use of rear access track and that original permission restricted its use.
- Access goes through/past properties – increased use detrimental to residential amenity.
- Near to footpath and will result in potential danger to pedestrians
- Green belt – will be reduction in openness and comprises inappropriate development.
- Urbanisation through extension to curtilages/alter external appearance – encroachment onto green belt land
- Security risk to children having unknown people staying at holiday lets
- Would impose on existing ribbon of development along High Street.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application seeks full planning permission for the change of use and conversion of existing art studios to 3no. holiday lets within part of the open countryside and Bristol/Bath Green Belt.

Green Belt

- 5.2 Footnote 9 of paragraph 14 of the NPPF sets out that Green Belt is a specific policy which restricts development. Policy CS5 of the Core Strategy sets out that this type of development within the Green Belt will need to comply with the provisions of the NPPF or relevant local plan policies. CS34 of the Core Strategy provides the vision for rural areas, it aims to protect designated Green Belt areas from inappropriate development. Further to this, the NPPF sets out that the construction of new buildings within the Green Belt is considered to represent inappropriate development. Paragraphs 145 and 146 of the NPPF provides exceptions to this. The most relevant to this development is ‘the re-use of buildings provided that the buildings are of permanent and substantial construction’. A proviso of this is that they should preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 5.3 A number of comments received raised concerns that the development would impact the openness of the Green Belt. The application would involve minimal external alterations to the building. In terms of other aspects of the development, a small patio area would be introduced to the rear of one of the proposed units. It is noted that this would be located in part of an existing field/paddock. Given the scale of the patio it is considered that it would preserve the openness of the Green Belt. There are concerns that boundary treatments could be introduced, and as such a condition is recommended to remove permitted development rights to ensure that boundary treatments are not

introduced. Subject to this condition, it is considered that the development complies with this exception, and is appropriate development in the Green Belt.

Residential Development in the Countryside

5.4 Policy CS5 of the Core Strategy 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. Furthermore, policy CS34 of the Core Strategy seeks to protect the character of the rural areas, with residential development outside of a defined settlement resisted. Policy PSP40 allows only for specific forms of residential development in the open countryside.

5.5 PSP40 sets out that residential development within the countryside, could be acceptable in a number of circumstances. These include; rural housing initiatives, rural workers dwellings, replacement dwellings, and the conversion/re-use of disused buildings. It goes on to state that in all of the circumstances, development proposals will be acceptable where they do not have a harmful effect on the character of the countryside, or the amenities of the surrounding area.

5.6 In this instance, the most relevant is the conversion and re-use of an existing building. This is subject to the following criteria:

i). the building is of permanent and substantial construction; and

The building is of permanent and substantial construction.

ii). it would not adversely affect the operation of a the rural business(es) or working farm(s); and

The buildings do form a B1 use in the form of art studios. This can be considered to be a business use. Whilst they would be lost as part of the development, this application does propose to introduce holiday lets. This would provide some local economic value. In this way, it is considered that there would be a neutral impact.

iii). any extension as part of the conversion or subsequently is not disproportionate to the original building; and

No extension is proposed as part of the conversion.

iv). If the building is redundant or disused; the proposal would also need to lead to an enhancement of its immediate setting

The building is not redundant or disused.

5.7 The development is considered to comply with PSP40 and would form one of the circumstances where development is acceptable in the open countryside.

Summary Principle of Development

- 5.8 The development is considered to be acceptable in principle. Detailed matters are discussed below.
- 5.9 Design and Visual Amenity
Policy CS1 only permits new development where the “highest standards” of site planning and design are achieved. This policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.
- 5.10 The existing buildings have already been formally converted into art studios. In this way they have fenestrations which are not unlike a domestic conversion. This application proposes to introduce patio doors to the rear of each unit. These are fairly modest and are considered acceptable. Otherwise, no other external alterations are proposed.
- 5.11 As aforementioned, the development would involve the installation of patio area to the rear of the units. This is considered acceptable in terms of design. It would be expected that no boundary treatments/residential curtilages are introduced. A condition is recommended to this effect.
- 5.12 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties.
- 5.13 This application is for holiday lets, as such whilst it still comprises a C3 class use, it is acknowledged that they would be used differently from a traditional household. Given their single storey scale, it is not considered that there would be overlooking or overbearing concerns to and from the host dwelling, neighbouring properties or between the holiday lets.
- 5.15 As part of the consultation period, concerns were raised regarding the use of a rear access lane which runs fairly close to adjacent properties. The increased use is considered to result in harmful disturbance/noise. Whilst this is understood, given the number of units, it is not considered that the number of vehicular movements would be such to cause unacceptable impacts on these occupants.
- 5.16 Comments were also raised that the holiday lets would result in more noise than would be expected from a dwelling. Whilst this is noted, this is not certain, and cannot carry weight in the planning balance. Should noise result from the holiday lets then this would be a matter referred to Environmental Health.
- 5.17 Moving on to private amenity space, PSP43 sets out standards which is based on the number of bedrooms at a property. In this instance, the host dwellings garden would not be impacted by the development. The proposed units would each have 1no. bedroom, and as such, PSP43 expects that 40m² of private

amenity space should be provided. Plans submitted show that each unit would have a patio area. These would be under 40m². However, in this instance, it is considered acceptable. In coming to this conclusion officers are mindful that they are proposed to be used as holiday lets. Further, that extensive, enclosed residential curtilages would be harmful to the landscape/Green Belt. Given this conclusion, it is recommended that a condition will be required to ensure that the units can only be used as holiday lets.

5.18 Parking and Highway Safety

A large number of objections were raised in relation to highway safety. In particular was the increased use of the existing accesses. Comments stated that the increased use of access would result in additional hazards to pedestrians and road users, and referred to former road traffic accidents near to the site. There were concerns that the development would increase the chance of a road traffic accidents.

5.19 The site has an existing access off High Street (A420), it also has a rear access off Golden Valley Road which was permitted in 2011 (conditioned for use of the main property only). It is proposed that those using the holiday lets would enter from the A420 access and leave from the Golden Valley Road access. A number of concerns were raised with the increased use of the rear access. This was due to potential collisions with pedestrians who use a nearby footpath, as well as disturbance to nearby occupiers.

5.20 The Highways Authority have reviewed the arrangements. They consider that the existing access off A420 is sub-standard in terms of visibility. However, are mindful that this access is already used for the existing house and other buildings on the site. There would be some increase in vehicular movements but it is considered that the net increase (considering the current use of the building) would not be significant.

5.21 The transport officer has also checked the details of accidents available to the Council in this area and conclude that there has been no personal injury accidents that can be attributed to the existing access to this property namely no. 53 High Street Wick.

5.22 In terms of the use of the rear access, comments referred to a condition which was implemented on the original permission for the access track. This stated that:

The track shall be used as access to and from the residential dwelling only and shall not be used in association with any business purposes.

5.23 This condition is noted, and the comments of nearby residents are understood. However, the Highways Authority have not objected in this respect. Clearly, the holiday lets would form a type of business. But the vehicular movements are different than would be expected of such. They would likely be less than a traditional dwelling, and would be more seasonal in nature. Given the scale of the lets proposed, and that vehicles would only use this access for leaving the site, no objection can be sustained on this basis.

- 5.24 Moving on to parking provision, PSP16 sets out standards for residential units which is based on the number of bedrooms. In this instance, each let would have 1no. bedroom, and therefore would be expected to provide at least 1no. parking space. Plans submitted show that this would be provided to the west of the building, and is considered acceptable. There is also sufficient space on site for vehicles to turn/manoeuvre. As such, this considered acceptable, subject to recommended conditions.
- 5.25 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.26 With regards to the above this planning application is considered to have a neutral impact on equality
- 5.27 Other matters
Comments were raised through the consultation period that additional vehicles would be detrimental to wildlife. Whilst these concerns can be appreciated, it is not considered that there would be a significant increase in vehicular movements and therefore there would likely be a fairly neutral impact in this respect.
- 5.28 Comments received stated that there could be a security risk to children living near to the holiday lets, as the people are unknown to the occupiers. These comments are appreciated, but do not form a material planning consideration.
- 5.29 A number of comments received from local residents as well as the parish council raised concerns that the 'existing' holiday lets at the site do not benefit from planning permission. Officers have looked into the history of the site, and confirm that there is no planning permission for the conversion of this building. However, the potential unlawful nature of the development cannot be dealt with through this application. This is simply the assessing the conversion of the existing art studios to 3no. holiday lets. As such, this matter will be referred to planning enforcement.
- 5.30 Conclusions
This application has been found to be acceptable in principle. This report has identified that detailed matters are generally acceptable, subject to conditions. It is recommended that the holiday lets are conditioned as such, this assessment indicates that there would be harm arising were they to be used as a general dwellinghouse.

5.31 Given the above, this application is recommended for approval.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to conditions.

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

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

Reason

To protect the character and appearance of the area and the openness of the Green Belt, and to accord with Policies CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

3. The off-street parking facilities shown on the plan hereby approved (dwg no. AC 376-01) shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

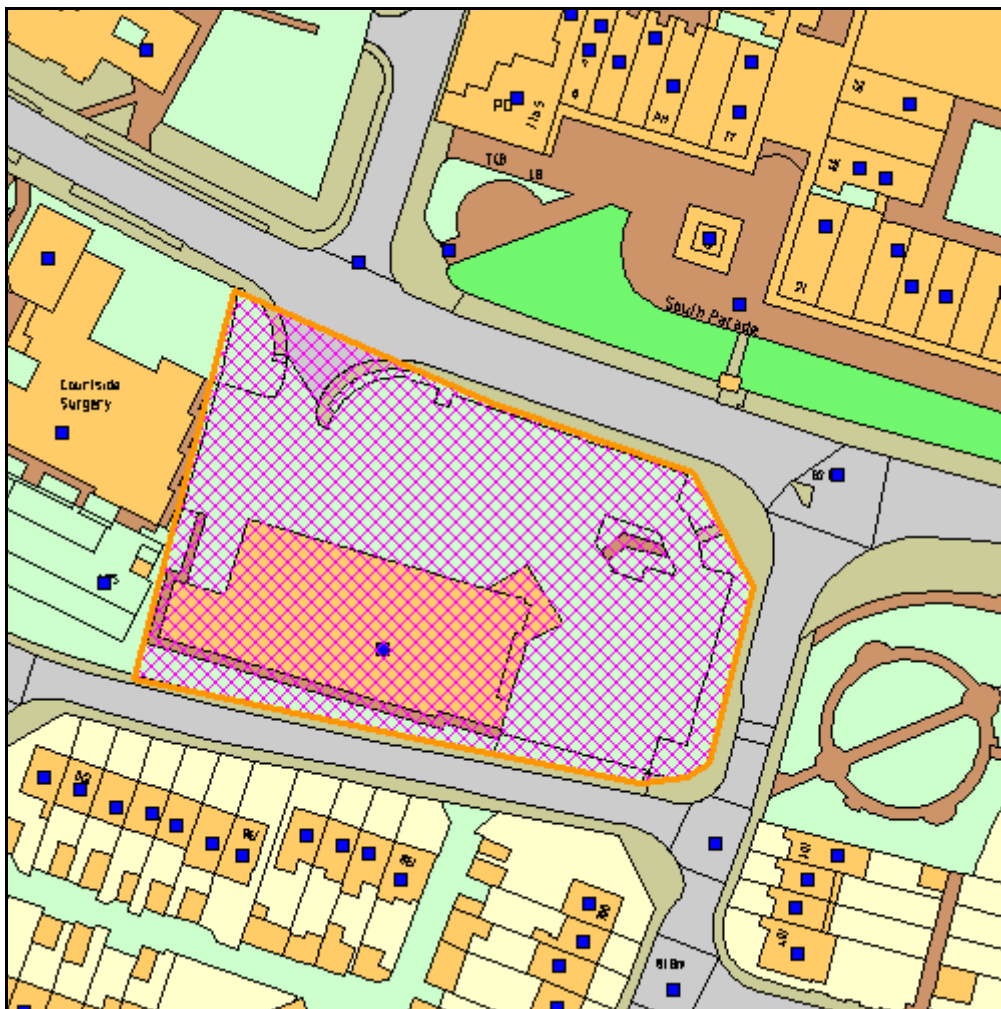
4. The class C3 units hereby permitted shall only be used for the purposes of holiday accommodation, and shall not be the primary or main place of residential accommodation for the occupant. A register of occupants shall be kept and made available at any time at the request of the Local Planning Authority, with the development occupied for a maximum of eleven months per calendar year.

Reason

The development has been permitted on the circumstances of the case, and in balancing those issues weight has been given to the intended occupancy of the unit as holiday accommodation in terms of the lack of residential amenity space and the impact on highway safety matters, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 35/19 – 30 AUGUST 2019

App No.:	P19/5713/F	Applicant:	Lidl Great Britain Ltd
Site:	Lidl Uk Gmbh Kennedy Way Yate Bristol South Gloucestershire BS37 4BA	Date Reg:	5th June 2019
Proposal:	Erection of single storey front and side extensions and alterations to roof line to form additional retail space (Class A1) with associated works.	Parish:	Yate Town Council
Map Ref:	371358 182275	Ward:	Yate Central
Application Category:	Minor	Target Date:	30th July 2019



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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following objections from the Town Council which is contrary to the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 The application proposes the erection of a single storey front extension, side extension and alterations to the roof line to form additional retail space (use class A1) at the existing Lidl supermarket on Kennedy Way, Yate.
- 1.2 The site is situated within the designated town centre of Yate, but it is not within a primary or secondary shopping parade.
- 1.3 The site is situated within an area known for coal mining in the past.
- 1.4 Amendments were received on 6th and 14th August 2019 to increase the front extension to the west and to redistribute the retail space and staff areas within the internal floor plan. As the extension increased in size, a short public re-consultation was undertaken. The total additional floor space applied for is 465sqm.
- 1.5 Additional information regarding parking at the site has been requested by officers and was received on 15th August 2019.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS7 Strategic Transport Infrastructure
CS8 Improving Accessibility
CS11 Distribution of Economic Development Land
CS12 Safeguarded Areas for Economic Development
CS14 Town Centres and Retail
CS30 Yate and Chipping Sodbury

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP6 Onsite Renewable and Low Carbon Energy
PSP11 Transport Impact Management
PSP16 Parking Standards (cycle parking standards only)
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP31 Town Centre Uses

- 2.3 Supplementary Planning Guidance
Design Checklist SPD Adopted August 2007
Waste Collection SPD Adopted January 2015

3. **RELEVANT PLANNING HISTORY**

- 3.1 There is no recent planning history at the site, except for applications for advertisement consent.

4. **CONSULTATION RESPONSES**

- 4.1 Yate Town Council
Objection.

We would comment on the revised application as follows:

1. There is a further reduction on parking spaces from 84 to 80.
2. Still no bicycle parking with no appropriate replacement shown in plan.
3. We object to any proposed loss of trees on this site.
4. There is no bus stop on Kennedy Way as reported in the revised planning application, therefore this should not be used as reasoning to reduce the number of parking spaces.
5. We are in support of the neighbours objections in regards to late night deliveries.

- 4.2 Other Consultees

Transport

No objection following further information received, subject to conditions.

Highway Structures

No comment.

The Coal Authority

No objection. Informatives recommended.

Drainage

No objection.

Other Representations

4.3 Local Residents

One letter of objection has been received stating the following:

- Lidl already breach their operating conditions by having deliveries after 11pm
- Please investigate the impact on surrounding residential properties in already noisy environment

One letter of support has been received, stating the following:

- Store has always felt a bit cramped
- Increase store size will positively add to shopping experience and be appreciated by residents of Yate

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS14 of the Core Strategy states that this Yate site is in a designated Town Centre area, where town centre uses such as retail is permitted in principle. The use is already established, and this application would increase the size of the existing retail unit.

5.2 Policy PSP31 states that proposals for retail in any location will be expected to:

- i) Positively respond to any centre specific health check or locally prepared and endorsed vision; and*
- ii) Be in proportion to the role and function of the location; and*
- iii) ensure any shopfront(s), sign(s) or advertisement(s), are of a scale, detail, siting and type of illumination appropriate to the character of the host building, wider street scene and avoids a harmful effects on amenity of the surrounding area; and*
- iv) have convenient, safe and attractive access to and from surrounding residential areas for pedestrians and cyclists; and*
- v) have appropriate provision for parking and servicing; and*
- vi) not give rise to unacceptable levels of vehicular traffic to the detriment of the amenities of the surrounding area and highway safety; and*
- vii) where possible and viable include and make positive use of upper floors; and*
- viii) demonstrate a positive contribution towards the public realm and non car circulation; and*
- ix) be well served by public transport.*

5.3 As the supermarket is existing, the development is not considered to be in conflict with any specific health check or local vision for Yate Town Centre, and the extension is modest and is not out of proportion with the existing building. The existing building does not benefit from any first floor accommodation, and so criterion vii) is not applicable here. The other criteria relate to design, amenity and transport issues and will be discussed elsewhere in this report. Subject to these considerations, the development is acceptable in principle.

5.4 Design and Landscaping

The existing supermarket consists of a single storey building with a hipped roof, and a pitched roof feature entrance on the north-eastern corner of the building. This entrance is to be removed to facilitate the front and side extension to the building. The front extension is proposed to have a flat roof, giving the building a contemporary feel with materials proposed to match and help tie in the extension to the existing building. The side extension will partially raise the roof of the existing building so that a hipped roof can be formed, matching the extant built form on site. Indicative new signage is shown on the drawing to be internally illuminated, however this would be subject to a separate application for advertisement consent.

- 5.5 Regarding layout, access to parking will be existing off of Kennedy Way and pedestrian access will be from the north-east via a zebra crossing through the car park. Parking spaces will be reduced from 92 spaces to 80 spaces. No changes are proposed to the delivery location. In terms of boundary treatments, currently the site has minimal boundary treatments although there are a few modest trees surrounding the site. Two small trees will be removed to facilitate the realigning of the parking areas, however one tree in the same cluster will remain and so the impact on the visual amenity of the site will be minimal, particularly given the urban context. The development is considered to accord with policy PSP31, PSP2 and CS1.

5.6 Amenity

The closest dwellings are on Stanshawe Crescent, immediately to the south of the site, and these will only be affected by the side extension. The impact is considered to be minimal given the highway dividing the site and the residential properties as well as its single storey height with a hipped roof, and would not be harmful to their residential amenity.

- 5.7 Concerns regarding late deliveries have been raised by a local resident and the Town Council, however the delivery hours were conditioned at the time the store was granted planning permission, and will not be altered by this development. The additional floor space of 465sqm includes increasing the warehouse, staff areas and circulation space so that the store feels less cramped, not just a direct increase in sales floor space. It is therefore not considered that there would be an increase in deliveries and the conditions on the previous planning permission are still applicable. The development accords with policy PSP8 and PSP31.

5.8 Coal Mining

A coal report has been submitted and the Coal Authority have no objection to the development, and consider the development falls within a low risk area.

5.9 Transport

The development will utilise the existing access, but proposes alterations to the customer car park including a reduction in parking spaces from 92 to 80; a reduction of 12 spaces. On request, the applicant has carried out a parking accumulation study using the TRICS database, and a maximum parking accumulation of 70 vehicles is expected for a typical weekday, and a maximum accumulation of 50 vehicles on a weekend (although the weekend baseline

data available is limited). No actual parking survey for the existing store has been provided.

5.10 That said, whilst there may be occasions where the car park may be close to the capacity of 80 spaces, this would be short term and parking off site would not pose a highway safety risk due to the parking restrictions in the immediate area. Furthermore, the site is within the highly sustainable location in Yate Town Centre, and some trips would be shared between this site and the rest of the shopping centre and wider town centre facilities. With this in mind, it is not considered that the loss of 12 parking spaces would have a severe transport impact and therefore should not be refused in accordance with paragraph 109 of the NPPF.

5.11 In addition, the applicant is offering provision of a travel plan which aims to reduce dependence on single occupancy car trips associated with the store, and a condition will ensure that this is submitted for approval prior to first use of the extension. Conditions will also ensure that vehicle parking and cycling parking areas shown on the plans will be implemented, as contrary to objections received, cycling parking is proposed on the revised plans. Subject to these conditions, there is no transportation objection to the development proposed.

5.12 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

6.2 The recommendation to **grant** 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** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 864735

CONDITIONS

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

Reason

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

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

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, to encourage sustainable transport choices and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; policies PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the NPPF.

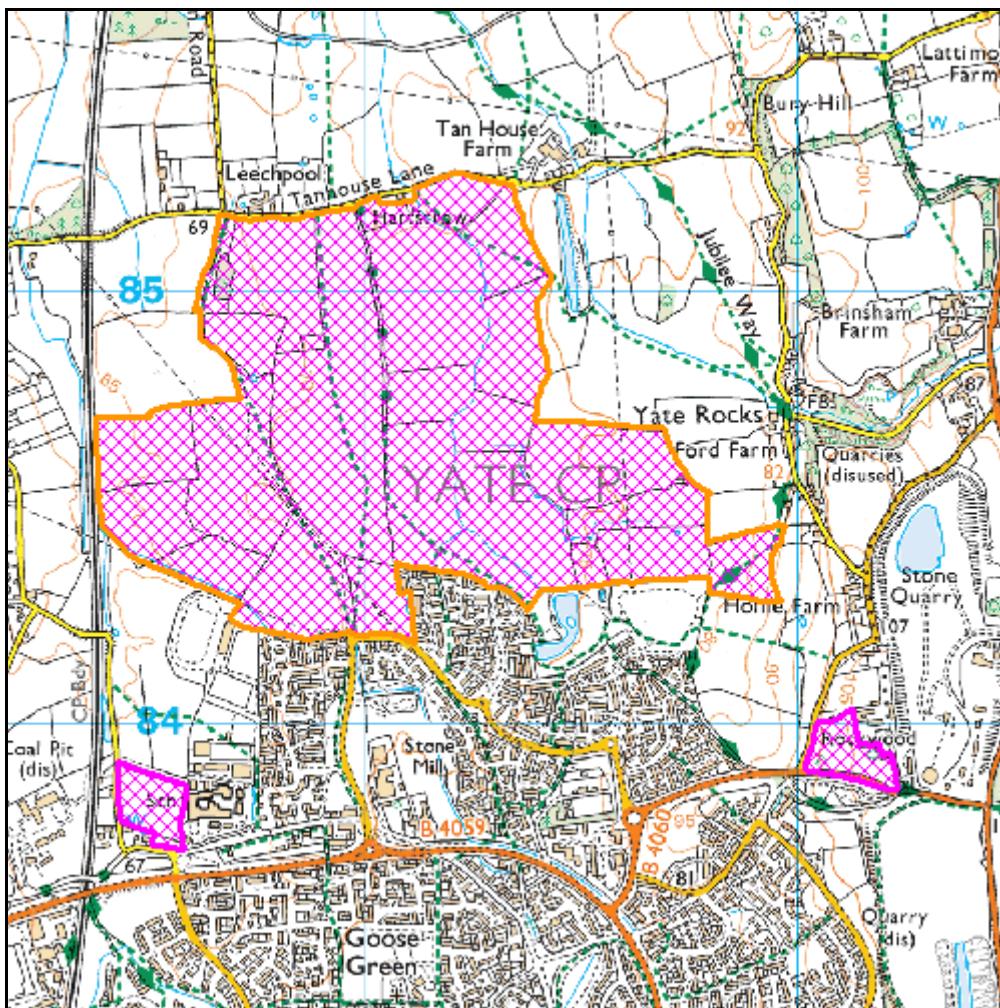
3. No part of extension to the store or use hereby permitted shall be occupied until a Travel Plan comprising immediate, continuing and long-term measures has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

Reason

In order to promote and encourage alternatives to single-occupancy car use in accordance with policies PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the NPPF.

CIRCULATED SCHEDULE NO. 35/19 – 30 AUGUST 2019

App No.:	P19/6296/RVC	Applicant:	BDW Trading Ltd
Site:	Land North Of Brimsham Park Yate Bristol	Date Reg:	5th June 2019
Proposal:	Variation of condition 19 attached to outline planning permission PK12/1913/O (as amended under applications PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA and PK17/4826/RVC) to amend the wording of the condition (19) to "There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. Construction use and residential use are deemed operational."	Parish:	Yate Town Council
Map Ref:	371209 184335	Ward:	Yate North
Application Category:	Major	Target Date:	30th August 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 CIRCULATING SCHEDULE

This application appears on the circulated schedule because an objection has been received from Yate Town Council and four members of the public contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the variation of condition 19 attached to planning application PK12/1913/O as amended by PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA and PK17/4826/RVC to amend the wording of condition 19 to "There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. Construction use and residential use are deemed operational".
- 1.2 The application site comprises the North Yate New Neighbourhood; the main part of which is partly bounded by the rear gardens of existing residential properties to the south, Tanhouse Lane to the north, and a railway line to the west. Vehicular access into the site will be from Randolph Avenue, Leechpool Way and via the Peg Hill development. Outline consent was granted originally under application PK12/1913/O for a mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), extra care housing (Use Class C2), 5.11 hectares of employment land (Use Class B1, B2) provision of local centre, two primary schools together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping. The outline application was for access with all other matters reserved.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
The National Planning Practice Guidance
Town and Country Planning Act 1990 (as amended) – Section 73
Environmental Impact Assessment Regulations 2017

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS7 Strategic Transport Infrastructure

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/042/SCO, Scoping Opinion for a proposed mixed-use site approximately 104ha in North Yate. Decided on 26th January 2011.
- 3.2 PK12/1913/O, Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Outline application including access with all other matters reserved. Approved on 17th July 2015.
- 3.3 PK15/5230/RVC, Variation of condition 41 of Planning Permission PK12/1913/O to change the proposed wording which related to the need for an Energy Statement and energy targets. Approved on 6th May 2016.
- 3.4 PK16/2449/RVC, Variation of condition 12 attached to planning permission PK12/1913/O to allow for a programme for archaeological investigations across the site. Approved on 15th August 2016.
- 3.5 PK17/0039/NMA, Non-material amendment to Condition 19 of PK16/2449/RVC (Outline planning permission for the North Yate New Neighbourhood) to reflect the updated phasing plan submitted pursuant to Condition 4. Approved on 23rd February 2017.
- 3.6 PK17/4826/RVC, Variation of conditions 12, 19 and 41 attached to outline planning permission PK12/1913/O to rationalise and validate amendments to conditions previously granted under application reference numbers PK15/5230/RVC, PK16/2449/RVC, and PK17/0039/NMA. Approved on 27th November 2017.
- 3.7 Various reserved matters applications have been approved at North Yate New Neighbourhood for residential development and supporting infrastructure.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Objection. We repeat our previous objections, this application is not complying with its own phasing-in plan and is leap-frogging the District Centre. We object

to the re-ordering of the phasing-in plan and the commencement of Phase 5, the north eastern part of the development without first putting in the road, which will mean ALL the traffic for this phase, as well as phases 2, 3, 4 and 6 will come up Leechpool. The phasing plan should be adhered to as this was agreed, for good reason, to manage traffic flows in this area.

4.2 Highways England

No objection

4.3 Sports England

The proposed development does not fall within either our statutory remit or non-statutory remit therefore Sport England has not provided a detailed response in this case. Standard advice has therefore, been provided instead.

4.4 Historic England

Thank you for your letter of 5 June 2019 regarding the above application. On the basis of the information available to date, in our view you do not need to notify us of this application under the relevant statutory provisions, details of which are below.

4.5 Natural England

Natural England currently has no comment to make on the variation of Condition 19.

4.6 Coal Authority

Condition 19 of outline planning permission PK12/1913/O to which the current variation of condition application relates is not associated with coal mining legacy or land stability matters. As such, the Coal Authority wishes to raise no objection to this planning application. We would, however, request that those conditions relating to the investigation and treatment of coal mining legacy (Conditions 28 and 29) are reimposed on any new planning permission granted.

4.7 Environmental Protection (SG)

No adverse comments

4.8 Transportation DM Officer (SG)

This proposal is considered acceptable

4.9 Public Rights of Way Officer (SG)

Objection to the west side of the development commencing until a suitable public path diversion order for Footpath/Bridleway LYA 55 is received and made. The scale and speed of this development means that the required public path orders should be well under way before any development affecting the legal line is undertaken. This is because the primary legal tests for a development diversion order is 'to enable development to take place'. This means that a development cannot be substantially complete for a diversion order to be made or confirmed. For this reason I suggest that the final length of the proposed active travel route public right of way is clearly defined and subject to a public path order application.

Other Representations

4.10 Local Residents

4 letters of objection have been received from members of the public. The following is a summary of the reasons given for objecting:

- Infrastructure in Yate cannot take any more houses;
- Infrastructure needs to be in place first before houses;
- Local wildlife and environment is gradually being eroded;
- Existing roads are full of pot holes;
- Huge amounts of litter, graffiti, vandalism, dog faeces and abandoned retail shops/businesses;
- Grass cutting in the area is insufficient;
- A safe crossing is required across Randolph Avenue to the Millside park as the road is busier with more traffic and heavy goods vehicles.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks planning permission to vary conditions attached to the previously approved permission PK12/1913/O superseded by application PK17/4826/RVC. Section 73 of the Town and Country Planning Act allows for applications for the variation of conditions attached to previously granted planning permissions. The regulations set out that when determining such applications it is only the question of the conditions attached to the approved consent which may be considered. As such, the principle and planning merit of the original scheme cannot be reconsidered under this application.

- 5.2 It is only the conditions which the original permission was subject to that may be considered. The regulations set out that the Local Planning Authority can grant planning permission with conditions differing from the original permission, or it can refuse the application if it considers that the original conditions should apply.

- 5.3 Condition 19 of application PK17/4826/RVC states the following:

“There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational.

Reason: To ensure there are appropriate transport linkages within the site and to ensure availability of alternative travel modes to the private car.”

- 5.4 The purpose of the condition, as stated by the condition reason, is to ensure that the main internal link road connecting Randolph Avenue, Leechpool Way and Peg Hill is implemented and operational before Phase 5 commences to ensure that a loop road system is provided, as required for bus services, in a timely manner. At this point, a link road between Randolph Avenue and

Leechpool Way has been constructed; and the developer that acquires promotional land to the east of the NYNN site will be responsible for providing the link to Peg Hill. The promotional land developer and master developer will not be able to develop phase 5 and subsequent phases shown on the approved phasing plan until a loop road system between Randolph Avenue, Leechpool Way and Peg Hill has been provided.

- 5.5 The application is to amend the wording of condition 19 to the following:

“There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. Construction use and residential use are deemed operational”.

- 5.6 Although the Randolph Avenue to Leechpool Way link has been constructed and is operational, Randolph Avenue is currently used by construction traffic accessing the site and is required to be for the lifetime of the build. Construction traffic access is required to build out the North Yate New Neighbourhood; and Randolph Avenue is the construction access that has been approved in the Construction Environmental Management Plan (CEMP). This S.73 application therefore, seeks to define “operational” to clarify that it includes residential and construction uses such that it is clear that the continued practical construction of the site is not in conflict with the condition.
- 5.7 The proposal will provide additional clarification to the condition - the nature and function of the condition will not materially change and it would still ensure the main linkages through the site are provided in a timely manner for bus services. Accordingly, there are no objections to the proposal. The comments made by Yate Town Council are noted; however, no amendments to the approved phasing plan are proposed under this application. The comments are therefore, beyond the scope of matters to be considered under this application.
- 5.8 In addition, a number of the objections received from members of the public relate to the impact of the development on local infrastructure, encroachment into the countryside, impact on wildlife, increase in crime etc. These impacts have already been accepted under the original planning application and are beyond the scope of this Section 73 application. The issue raised regarding the need for a crossing along Randolph Avenue to the playground to the east is noted. There are S106 obligations negotiated under the original application for financial contributions for the Council to spend on off-site highway improvement works within the vicinity of the site and off-site traffic calming works on Leechpool Way and Randolph Avenue. These contributions have therefore, been accepted as appropriate mitigation for the impact of the development on the highway and highway safety. The Council’s Highway Engineers will be consulting the public on an appropriate traffic calming scheme for Randolph Avenue in due course. The Public Rights of Way Officer’s comment is noted; an informative note is appropriate to bring to the attention of the developer the requirement for footpaths to be formally diverted if required before development on any relevant parcels is substantially complete.

5.9 Existing conditions have been reviewed, and all are considered up to date and relevant. All of the previous conditions have therefore, been copied across to the new consent.

5.10 EIA Regulations

The original outline consent (PK12/1913/O) was considered to be Environmental Impact Assessment development and an Environmental Statement was submitted with the application accordingly. The NPPG states that in this situation “Where an Environmental Impact Assessment was carried out on the original application, the planning authority will need to consider if further information needs to be added to the original Environmental Statement to satisfy the requirements of the Regulations”. Consideration has been given to the original ES submitted dated 2012, and the subsequent ES addendums dated 2013, 2014, 2015, 2016, as well as the very minor nature of the amendment proposed, which simply provides additional clarification to an existing condition. It is therefore, considered that the proposal is within the scope of the original ES and no changes or updates to the ES are required.

5.11 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. Details of the layout, scale and appearance of the buildings to be erected, and the landscaping of the site (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before development on land to which the reserved matters relate commences. Development thereafter shall be carried out in accordance with the approved details.

Reason

To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

2. Applications for the approval of the reserved matters shall be made to the Local Planning Authority before 17th July 2027.

Reason

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

3. The development hereby permitted shall be begun either before the 17th July 2020, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

4. Unless otherwise agreed in writing with the local planning authority, no reserved matters applications shall be submitted until there has been submitted to and approved in writing by the local planning authority a detailed phasing plan that is in accordance with the principles contained in the Land at North Yate Design and Access Statement June 2015. Such a phasing plan shall indicate geographical phases, and relationship to the delivery of infrastructure and facilities. It should further include the subdivision of each geographical phase into development parcels to provide a basis for reserved matters submissions. Applications for the approval of the reserved matters shall be in accordance with the phasing plan as approved, unless otherwise agreed in writing by the Local Planning Authority and the phasing plan as agreed shall be fully adhered to.

Reason: To ensure that the development is comprehensively planned, designed and phased to ensure maximum practical integration between different land uses within and beyond the site is achieved.

5. Prior to the submission of any reserved matters applications (excluding applications relating to infrastructure works) a site wide affordable housing plan and an accompanying schedule shall be submitted to and approved in writing by the local planning authority showing the distribution of 35 % of the total dwelling number across

the site in the residential land parcels shown in the approved phasing plan submitted pursuant to condition 4 above. For each development parcel, the plan and the accompanying schedule shall show:

- a) the number of affordable dwellings to be provided;
- b) the mix of dwellings (in terms of the number of bedrooms and the proportion of houses and flats, broken down between social rented affordable housing units and intermediate units in that parcel.)

The subsequent reserved matters applications that show the proposed layout of the development shall show the proposed locations of the affordable dwellings. Development shall thereafter be carried out in accordance with the site wide affordable housing plan, accompanying schedule and reserved matters approvals, unless otherwise agreed in writing by the local planning authority.

Reason

To ensure that the distribution of affordable houses assists the creation of an inclusive mixed community.

- 6. No development shall take place on land to which the reserved matter relates until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines, manholes); retained historic landscape features and proposals for restoration where relevant. Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.

Reason

To protect and enhance the character and appearance of the area and the amenities of future occupiers.

- 7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out within the first planting season prior to occupation of the final dwelling on land to which the reserved matter relates or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason

To protect and enhance the character and appearance of the area and the amenities of future occupiers.

- 8. The plans and particulars submitted in accordance with condition 1 and 6 shall include:
 - a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;

- b) details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, and an assessment of the general of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
- c) details of any proposed tree works to any retained tree or of any tree on land adjacent to the site;
- d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the RPA (root protection area) as defined in BS5837 2012 of any retained tree or of any tree on land adjacent to the site; and
- e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.
- f) details of street trees shall include specification of root protection measures, and details of street tree management to encourage high level growth and maintain a clear zone directly above sewers.

In this condition retained tree means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

All fencing to be in accordance with BS5837 2012 Trees in Relation to Construction and retained and maintained for the duration of the construction period.

Reason

To protect and enhance the character and appearance of the area, the amenities of future occupiers, and to protect adopted sewers.

9. No development shall take place on land to which the reserved matter relates until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved scheme.

Reason

To protect and enhance the character and appearance of the area and the amenities of future occupiers.

10. No development comprising any of the B1 and B2 floorspace hereby approved shall commence until an overall Travel Plan Framework covering all the B1 and, B2 floorspace hereby approved has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Framework shall set out:

- the aims and objectives of the Framework, including reducing the need to travel by car, encouraging healthy commuting and work related journeys;
- a monitoring strategy and targets for the reduction of single occupancy car related journeys over the first five years of the development;
- measures for achieving the approved aims, objectives and targets in the event that monitoring reveals that those targets are not being achieved.

The B1 and B2 development shall proceed in accordance with the approved details.

Reason

To encourage means of transportation other than the private car.

11. No more than 4882 sq m gross floor areas shall be constructed and occupied at the local centre as part of this permission of which no single retail unit (Use Class A1, A2, A3, A4, A5) shall exceed 500 square metres gross floor area.

Reason: To protect the vitality and viability of existing local centres, and to ensure that a mix of small scale local shops and services are provided in the interests of providing a variety of units, in the interests of vitality, and to minimize the need to travel by private car.

12. The development shall be carried out in accordance with the archaeological report by Cotswold Archaeology received by the Council on 17th February 2017 and approved by the Council on 22nd March 2017.

Reason

In the interest of archaeological investigation or recording.

13. Construction Waste Management Audit

No development shall take place on land to which the reserved matter relates until a Waste Management Audit has been submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:

- i. The volume and nature of the waste which will be generated through the demolition and/or excavation process;
- ii. The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc;
- iii. Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant;
- iv. The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction; and
- v. The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it in order to reduce the amount of waste sent to landfill.

Development shall be carried out in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order to reduce the amount of waste from the site going to landfill.

14. Prior to the commencement of development, details of the construction management plan shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason:

This is a pre-commencement condition to avoid any unnecessary remedial action in the future.

Reason: To protect the amenities of existing local residents, and to ensure highway safety during construction.

15. The hours of working on site during the period of construction shall be restricted to 8am-6pm Mondays to Fridays; and 8am-1.00pm on Saturdays and no working shall take place on Sundays or Public Holidays. The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the site. Any working outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To minimise disturbance to neighbouring occupiers.

16. No development shall take place on land to which the reserved matter relates, until details of wheel-washing facilities to be provided on site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to development commencing on land to which this reserved matter relates and maintained during the period of construction. All commercial vehicles shall have their wheels washed before entering the public highway.

Reason

To safeguard the amenities of the locality and in the interests of highway safety.

17. The Reserved Matters submissions shall include detailed plans showing the provision of car and cycle parking facilities in accordance with the standards set out in the adopted Development Plan and the South Gloucestershire Residential Parking SPD. The development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the associated buildings; and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area.

18. Works considered as exempt infrastructure include only those details submitted on 11th November 2015 and agreed in writing by the Local Planning Authority on 23rd December 2015.

Reason: To ensure that development can proceed in a timely fashion

19. There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. For the purposes of this condition, construction use and residential use are deemed operational.

Reason: To ensure there are appropriate transport linkages within the site and to ensure availability of alternative travel modes to the private car.

20. Not to develop more than 750 dwellings until such time as the appropriate strategic sewerage infrastructure has been completed and is operational.

Reason: To ensure that there is adequate foul drainage to serve the development and to prevent pollution of the water environment.

21. The development shall be carried out in accordance with the North Yate New Neighbourhood Surface Water Drainage Strategy to Discharge Condition 21, Issue 4, December 2016 by PFA Consulting approved by the Local Planning Authority on 20th January 2017.

Reason: To prevent the risk of flooding.

22. No development shall take place on land to which reserved matters relate until the detailed drainage design for each plot, phase or parcel of land, incorporating sustainable drainage principles, have been submitted to and approved by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the plot or parcel first occupied

Reason: To prevent the risk of flooding.

23. No development shall take place until the detailed design of the Flood Alleviation Scheme referred as Pond P4C has been submitted to and approved in writing by the local planning authority. All works undertaken must be in accordance with the agreed design and timetable.

Reason

This is a pre-commencement condition to avoid any unnecessary remedial action in the future.

Reason: To prevent the risk of flooding.

24. No development shall take place on land within the Tanhouse Stream catchment to which reserved matters relate until detailed hydraulic modelling of the watercourse has been undertaken and submitted to and approved by the local planning authority.

Reason: To prevent the risk of flooding.

25. Ground finished floor levels of all uses approved shall be set 300mm above the 1in 100 year with climate change modelled flood level.

Reason: To prevent the risk of flooding.

26. Prior to the commencement of the flood alleviation scheme and surface water attenuation features shown in the Hyder's Flood Risk Assessment dated 30 April 2012, a full operation and maintenance manual shall be submitted to and approved in writing by the local planning authority. The strategy shall identify all future land use limitations, identify the ownership, operational and maintenance arrangements for the works over the lifetime of the scheme and development shall accord with the details so agreed.

Reason: To prevent the risk of flooding.

27. A strip of land 15m wide adjacent to the Tanhouse Stream must be provided and kept clear of all new buildings and structures (including gates, walls and fences). Ground levels must not be raised within such a strip of land.

Reason: To prevent the risk of flooding.

28. The development shall be carried out in accordance with the details approved by the Local Planning Authority on 5th August 2016. If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Reason: To ensure that there is any contamination is mitigated and to prevent environmental pollution.

29. Prior to the submission of the relevant reserved matters application further intrusive site investigation works shall be undertaken with regard to historic coal mining on site. In the event that the site investigations confirm the need for remedial works to treat the mine entries and/or areas of shallow mine workings, details of any remedial works identified by the site investigation shall be submitted to and approved in writing by the local planning authority and subsequently undertaken prior to the commencement of the relevant reserved matters permission.

Reason: To ensure that the site is or can be made safe and stable for the proposed development and to prevent environmental pollution.

30. Development shall be carried out in accordance with the letter from LFAcoustic dated 16th December 2015 in relation to application PK12/1913/O.

Reason: To protect the amenities of future residents and commercial occupiers from noise disturbance.

31. The particulars submitted as part of condition 1 for the relevant reserved matters shall include details in respect of the allotments including design specification, boundary treatments, servicing and implementation. The development shall thereafter accord with the approved details.

Reason

To ensure an appropriate standard of allotments are provided in the interests of the amenity of the future residents.

32. The details for submission of condition 6 shall include details of substantive tree planting in the woodland zone, the buffer zone with Tanhouse Lane and details of the landscaping to the allotments at Rockwood House. The buffer zone to Tanhouse Lane shall include mixed leave (broadleaved) woodland planting and species rich

grassland. The details so approved shall be implemented prior to the first occupation of the relevant reserved matters permission.

Reason

To protect and enhance the character and appearance of the area and the amenities of future occupiers, and to enhance habitats of protected species found on site.

33. All development is subject to the following:
- o Outline Great Crested Newt Mitigation Strategy dated June 2015 by BSG Ecology and Figure 3.4.2 Typical Section of Wildlife Corridor Crossing
 - o Mitigation measures for dormouse contained within paragraphs 7.5.40 and 7.5.45 of Section 7 Volume 1 of the Environmental Statement dated June 2012 by LDA Design and Figure 3.4.2 Typical Section of Wildlife Corridor Crossing
 - o Mitigation Measures for lesser horseshoe bats (night feeding perches) detailed within the Environmental Addendum dated June 2015 by LDA Design
- All works to be carried out in accordance with these measures.

Reason: To protect protected species and their habitats on site.

34. All works must to be carried out exactly in accordance with the Ecological Mitigation Plan 3514_341, Ecology Strategy (Parts 1 and 2), Dormouse and Reptile Survey Report, Great Crested Newt Mitigation Strategy and associated ecological maps all received by the Council on 13th April 2016 in relation to application PK12/1913/O.

Reason: To protect protected species and their habitats on site.

35. The development shall be carried out in accordance with the Landscape and Ecological Management Plan details received by the Local Planning Authority on 13th April 2016 and approved by the Local Planning Authority on 28th April 2016.

Reason: To protect protected species and their habitats on site.

36. A suitably-experienced and/or qualified and licensed ecological 'clerk of works' shall be appointed to oversee all works relating to ecology, to include ensuring the all works accord with the provisions of the relevant or appropriate Conditions, strategies or undertakings and to act as liaison with the Council and external agencies such as Natural England

Reason: To protect protected species and their habitats on site.

37. Prior to the commencement of development, including exempt infrastructure works, that for each respective phase of development be re-surveyed for badgers immediately ahead of development commencing and a report provided to the local planning authority for approval in writing. The report should provide details of all works subject to the licensing provisions of the Protection of Badgers Act 1992 and timetabling of such works. All works are to be carried out in accordance with said report.

Reason

This is a pre-commencement condition to avoid any unnecessary remedial action in the future.

Reason: To protect protected species and their habitats on site.

38. Particulars submitted in relation to condition 1 for each relevant reserved matters shall include a lighting strategy shall be submitted to and approved in writing by the local planning authority that shall include measures to control light spillage. Development shall be carried out in accordance with the approved details prior to the first occupation of the relevant reserved matters.

Reason: In the interests of visual amenity and security and to protect the habitats of protected species.

39. Applications for the approval of the reserved matters shall be in accordance with the approved parameter plans and principles and parameters contained in the Land at North Yate Design and Access Statement June 2015 and Parameter Plans July 2015 and with the approved Design Code (Rev D-March 2017) approved by the Local Planning Authority on 12th May 2017 and Masterplan 4739-LDA-OO-XX-DR-L-0013 approved by the Local Planning Authority on 20th January 2017 for the geographical phase as shown in the approved phasing plan to which the reserved matters application relates. A statement shall be submitted with each reserved matters application, which describes how the application proposals are in compliance with the Land at North Yate Design and Access Statement June 2015 and Parameter Plans July 2015 and with the relevant detailed master plan and design code, or (where relevant) explaining why they are not.

Reason: To ensure that high standards of urban design and comprehensively planned development, designed and phased to ensure maximum practical integration between different land uses within and beyond the site is achieved.

40. Applications for approval of Reserved Matters that incorporate proposed buildings within each geographical phase identified in the approved phasing plan submitted pursuant to Condition 4 above shall be accompanied by an Energy Statement which shall set out:-

How the layout, three dimensional building envelope and landscape proposals have been designed to maximise passive solar gains and cooling as well as natural ventilation of buildings.

Measure to improve the insulation of the building envelope to reduce energy demand.
Calculation of energy demand.

The Energy Statement shall require Reserved Matters to achieve a minimum "very good" rating under the relevant Building Research Establishment Environmental Assessment Method (BREEAM) for all building types other than dwellings.

Reason

To achieve improved energy conservation, and protect environmental resources.

41. The particulars submitted as part of condition 1 for the relevant reserved matters shall include details in respect of the provision of internet connection infrastructure to serve the future residents of the development, including a timetable for

implementation. The development shall be implemented in accordance with the agreed timetable.

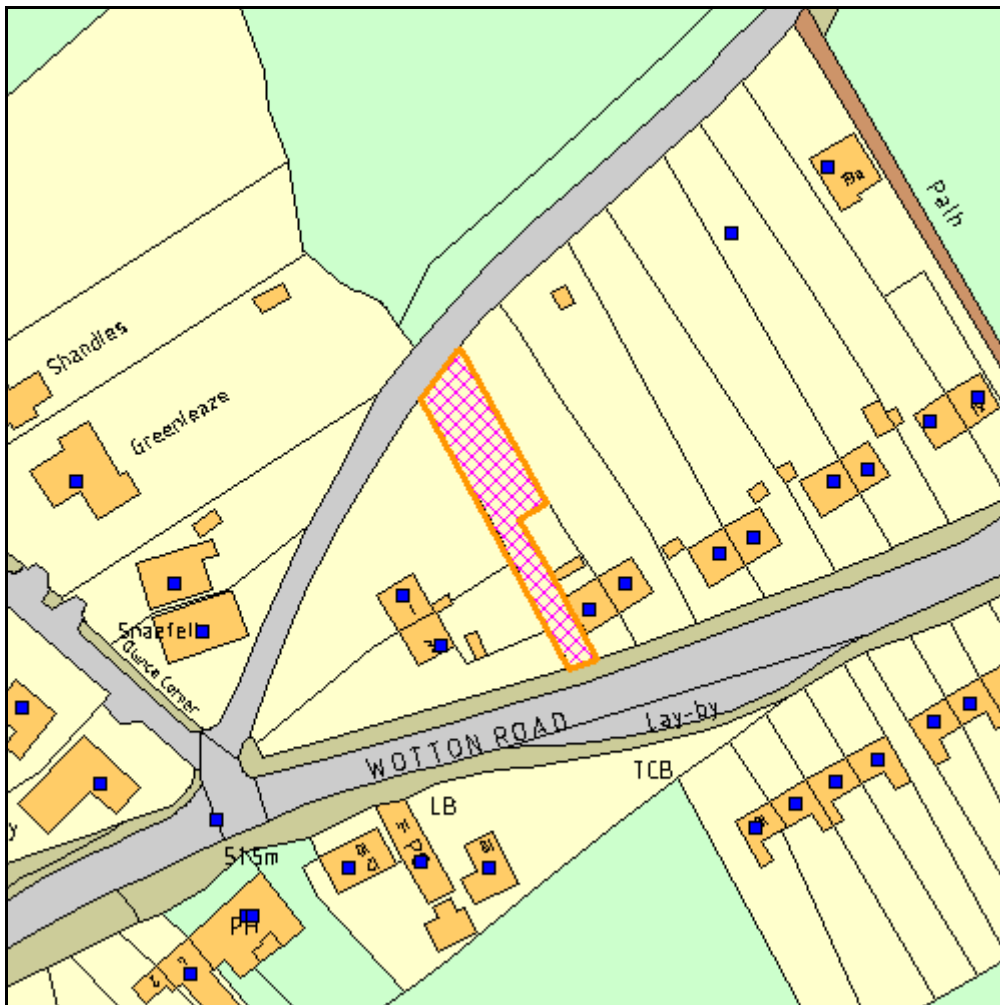
Reason: To ensure an appropriate standard of internet connection is provided, in the interests of the amenity of future residents.

42. No residential development shall take place within the development parcels shown on the phasing plan submitted pursuant to condition 4 above, within which the proposed underground cable corridor runs, as shown on the approved Land Use Parameter Plan, until a scheme, including timetabling for undergrounding the 132Kv overhead power lines and removal of pylons has been implemented or unless otherwise agreed in writing by the LPA or an amendment (to accommodate the retention of the power lines in whole or in part) to the approved Land Use Parameter Plan and detailed masterplan has been submitted to and approved in writing by the Local Planning Authority.

Reason: The approved Land Use Parameter Plan is based on the assumption that the 132Kv overhead power lines will be undergrounded. In the event that this does not happen, or only happens in part, an amended Land Use Parameter Plan and detailed masterplan which takes into account the presence of the 132Kv overhead power lines, will need to be approved before development can take place within the development parcels shown on the approved phasing plan pursuant to condition 4 above, through which runs the proposed underground cable corridor shown on the Land Use Parameter Plan.

CIRCULATED SCHEDULE NO. 35/19 – 30 AUGUST 2019

App No.:	P19/6582/F	Applicant:	Ms Heloise Trott
Site:	5 Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8TP	Date Reg:	12th June 2019
Proposal:	Erection of 1 No. detached dwelling with associated works.	Parish:	Charfield Parish Council
Map Ref:	371843 192138	Ward:	Charfield
Application Category:	Minor	Target Date:	6th August 2019



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 100023410, 2008. N.T.S. P19/6582/F

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 1no detached dwelling with associated works at 5 Wotton Road, Charfield.
- 1.2 The application site relates to a two storey, semi-detached property which is one of a row of former local authority semi-detached properties, located within the defined settlement boundary of Charfield.
- 1.3 The proposal consists of a two storey detached property which takes its design cues from existing backland development adjacent to the site.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of housing
CS16 Density of Housing
CS17 Housing Diversity
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Technical Advice Note: Assessing Residential Amenity (June 2016)

3. RELEVANT PLANNING HISTORY

- 3.1 P19/2986/F
Alteration to roofline of existing rear extension and installation of 1no rear dormer to facilitate loft conversion.
Approved: 08/05/2019
- 3.2 PT07/3625/F
Erection of two storey rear extension and single storey rear extension to provide additional living accommodation.
Approved: 31/01/2008
- 3.3 PT06/1044/O
Erection of 1 no. dwelling on 0.036 hectares of land (Outline) with means of access to be determined.
Refused: 12/05/2006
- 3.4 P94/1077
Erection of two storey rear extension to provide dining room and w c with bedroom and shower and w c at first floor.
Approved: 20/02/1994
- 3.5 P89/1109
Construction of vehicular access and hardstanding.
Approved: 08/03/1989
- 3.6 P88/2083
Construction of vehicular access.
Refused: 27/07/1988

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
Object- the site is smaller than those adjacent and the Parish consider this overdevelopment; lack of access; and potential parking problems.
- 4.2 Sustainable Transport
We note this site is located within the village of Charfield, hence we consider it broadly complies with the requirements of PSP11 of the Policies, Sites and Places Plan in terms of juxtaposition to necessary facilities and access by all travel modes. Therefore, no transportation objections in principle.

We understand that this dwelling will have 4 bedrooms and so it is necessary to provide at least 2 parking spaces. 2 spaces have been

provided and sufficient space remains for vehicles to turn to leave the site in forward gear.

Furthermore, although the applicants have not provided any information about the visibility for the proposed site access, as they intend to use the existing access on to Wotton Road, we consider this is unlikely to be a critical issue, even though the road is classified (B Class). Nevertheless, to ensure road safety is maintained for all users, it is necessary for the applicants to demonstrate that their proposed access broadly conforms to appropriate visibility requirements.

Comments following the provision of visibility splay details;

No objections.

4.3 Highway Structures
No comment.

4.4 Lead Local Flood Authority
No objection, subject to an informative.

Other Representations

4.5 Local Residents
Objection comments received from 2no local residents, summarised as follows;

- Overdevelopment of the plot.
- Loss of privacy to no.7 Wotton Road.
- Planning permission is in place and construction started for an extension to the rear of no.7 (PT18/2600/F). Following development, the separation distance would be just 16m.
- Amenity space for both the existing and proposed dwellings would be below the recommended standards.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Planning permission is sought for the erection of a detached dwelling. The site is located within the defined settlement boundary of Charfield.

Policy CS5 of South Gloucestershire Core Strategy outlines the locations at which development is considered to be appropriate; new development is directed towards the existing urban areas and defined rural settlements. As such, based solely on the location of the site, the principle of development is acceptable.

In principle, the development is acceptable under the provisions of Policy CS5 of the Core Strategy, and it is acknowledged that the provision of one additional dwelling towards housing supply would have a modest socio-economic benefit.

However, the impacts of the development proposal must be further assessed to identify potential harm. The further areas of assessment are discussed below.

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate; siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Policy CS1 is fully compliant with design guidance in the NPPF.

- 5.3 The proposed dwelling would be sited on land to the rear of no.5 Wotton Road, at the far end of the existing large rear garden. Examples of similar backland development can be found to the west of the site, of which two properties were approved by the local planning authority and one was allowed on appeal. Although these existing developments are similar in nature, it is acknowledged that the land to the rear of the properties along Wotton Road gets narrower as you move further towards the application site. It is therefore crucial for the layout of the proposed development to be carefully considered.

- 5.4 In terms of layout, the proposed dwelling would have private amenity space at the rear and parking for two vehicles to the front. The existing property would also have private amenity space at the rear with parking provision split, one space on the frontage of the property and another to the rear, adjacent to the proposed parking for the new dwelling. The proposal would utilise the existing access to the side of no.5; it would run parallel to the existing property leading to the proposed parking and turning area. Given the use of an existing access and relatively large site, the proposed layout is not considered to have a significantly detrimental impact to the character of the area and is not thought to appear overly cramped or contrived.

- 5.5 The proposed two storey dwelling would consist of a dual pitched roof design with a single storey porch positioned in the centre of the principal elevation. The materials to be used in the external appearance would include brickwork principal and rear elevations with painted render side elevations and brick quoin detail; Redland 49 roof tiles; and white uPVC windows and doors. The proposed dwelling would match the design and finish of the existing backland development to the rear of no.9 Wotton Road. As such, it is considered by the Officer that the proposed dwelling would not adversely impact the character or appearance of the surrounding area. That said, as the proposed dwelling would be visible from the access and open countryside to rear of the site, it is recommended that a condition is included to ensure that external materials are agreed in writing.

- 5.6 Having regard to the assessment above, and on balance, it is considered that the appearance and layout of the development sufficiently respects the character of the surrounding area and would not cause a material degree of harm to visual amenity in order to warrant a refusal. As such, the proposal is deemed to comply with Policy CS1 of the Core Strategy.

5.7 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development proposals will be acceptable provided they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from; loss of privacy, and overlooking; overbearing and dominant impact; or loss of light; noise or disturbance; and odours, fumes or vibration.

- 5.8 Concerns have been raised by the immediately adjacent neighbour of a potential loss of privacy by reason of the separation distance between the principal elevation of the proposed dwelling and the rear elevation of no.7 Wotton Road, for which a two storey rear extension has been previously approved. The distance between the first floor windows of the proposed dwelling and existing dwelling would be approximately 22m; the ground floor level of the approved rear extension at no. 7 would be approximately 16.8m from the front of the proposed dwelling. South Gloucestershire Council's Technical Advice Note: Assessing Residential Amenity (June 2006) states that window to window distances for 2 storey dwellings should be 20m. As such, the first floor windows are not considered to result in any substantial harm to residential amenity. Given the resulting separation distances at ground floor level the boundary treatments are key to protecting acceptable levels of privacy and should be carefully considered, therefore a condition will be included on the decision notice for boundary treatments to be agreed in writing. This, combined with the angle of the proposed dwelling in relation to the no.7 Wotton Road, is thought to sufficiently mitigate any substantially detrimental loss of privacy at ground floor level. Although it is acknowledged that the proposal may result in some loss of privacy, it is not considered by the Officer to adversely impact residential amenity to such a degree as to warrant refusal.

- 5.9 The side elevation windows of the proposed dwelling would serve bathrooms and would therefore be obscure glazed; to protect the privacy of neighbouring properties to the east, this is to be secured by condition. Given the siting and separation distances involved, the proposal is not considered to substantially harm the existing levels of light afforded to the neighbouring occupiers, nor is it considered to result in a material overbearing impact.

- 5.10 The Council has adopted minimum residential amenity space standard policy (PSP43) which is based on the number of bedrooms at a property. The submitted plans indicate that the existing and proposed dwellings would each have 4 bedrooms. Policy PSP43 states that a 4 bedroom property must provide 70m² of private and functional amenity space. The amenity space proposed for both properties would be in accordance with Policy PSP43.

5.11 Sustainable Transport and Parking Provision

The Council's residential parking standards are set out in policy PSP16 of the PSP Plan; a four bedroom property must provide 2 off-street spaces. The proposal includes three parking spaces to the rear of no.5, two of which are to be allocated to the new dwelling, and one to the frontage of the existing dwelling. The Transport Officer was satisfied that this parking arrangement provided sufficient off-street parking with adequate turning area to enable vehicles to enter and exit the site in forward gear. The

proposal would utilise an existing access adjacent to the western elevation of the existing property; it has been demonstrated that there would be adequate visibility for vehicles entering Wotton Road. Examples of comparable vehicle access to backland development can be found along Wotton Road and it has and therefore, no objections are raised in terms of transportation.

5.12 Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: James Reynolds
Tel. No. 01454 864712

CONDITIONS

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

Reason

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

2. Prior to the commencement of the relevant phases of work details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. Prior to the first occupation of the dwelling a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hard surfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details prior to the first occupation of the dwelling.

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.

4. The building shall not be occupied until the associated vehicle parking areas and manoeuvring areas have been drained and surfaced in accordance with the details approved in writing by the Local Planning Authority. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles.

Reason

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

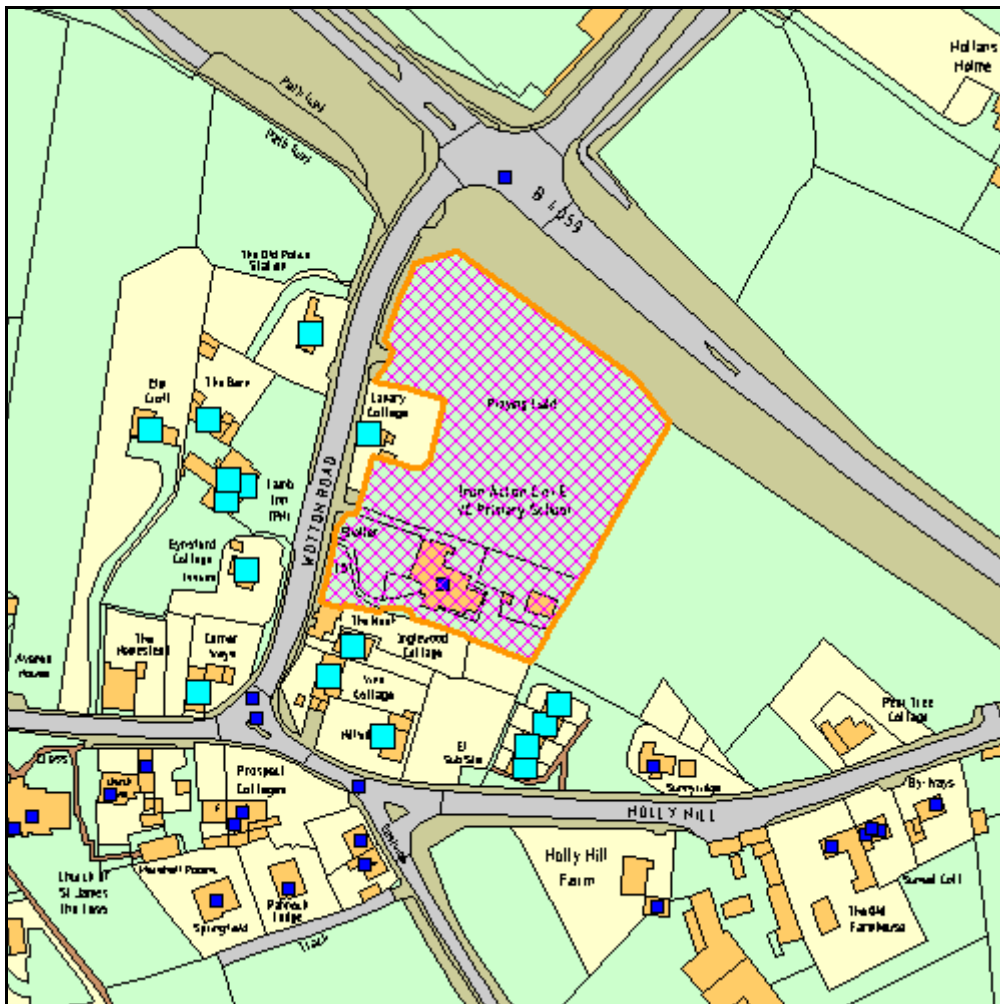
5. Prior to the occupation of the dwelling hereby permitted, and at all times thereafter, the proposed windows on the side elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed'.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 35/19 – 30 AUGUST 2019

App No.:	P19/7689/R3F	Applicant:	Mr Wayne Mathews South Gloucestershire Council
Site:	Iron Acton C Of E School Wotton Road Iron Acton South Gloucestershire BS37 9UZ	Date Reg:	2nd July 2019
Proposal:	Erection of temporary building (to be retained for a maximum of two years) with associated works to form 2 no. classrooms.	Parish:	Iron Acton Parish Council
Map Ref:	368203 183527	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	22nd August 2019



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N.T.S.

P19/7689/R3F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure because the applicant is South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a temporary Building at Iron Acton C Of E School, Wotton Road, Iron Acton.
- 1.2 The building will form 2 no. new classrooms and is intended to be in situ for approximately 6 or 7 months whilst work is carried out on existing parts of the school, although a time limit of two years is requested to allow for timescale contingencies.
- 1.3 The school is within the settlement boundary of Iron Acton, however the playing fields are just outside of the settlement boundary. Both the school building and the playing fields are within the Iron Acton Conservation Area. A number of listed buildings surround the site including The Nook, the Lamb Inn, Vine Cottage and Hillside. The school itself is a locally listed building.
- 1.4 The settlement of Iron Acton is washed over by the Bristol/Bath Green Belt.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Uses

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

PSP1 Local Distinctiveness
PSP7 Green Belt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP17 Historic Environment
PSP19 Wider Biodiversity

PSP20 Drainage
PSP44 Sport and Recreation

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Residential Parking Standard SPD (Adopted) 2013
Iron Acton Conservation Area SPD (Adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK14/4264/R3F Approved 30th Oct 2014
Erection of timber canopy area

4. **CONSULTATION RESPONSES**

- 4.1 Iron Acton Parish Council
No comment.

- 4.2 Other Consultees

Highway Structures
No comment.

Lead Local Flood Authority
Informatives recommended.

Sustainable Transport
No objection subject to a condition requiring cycle parking to be implemented.

Listed Building Officer
The justification for the proposed structure is noted and the siting is the least harmful and the resultant limited harm therefore identified above will need to be considered in the context of paragraph 196 of the Framework.

Tree Officer
No comment received.

Landscape Officer
Temporary buildings tend to end up being retained permanently – landscaping scheme recommended.

Sport England
No objection.

Police Community Safety
No comment.

Ofsted Early Years
No comment.

Environmental Protection

No objection.

Fields in Trust
No comment.

Other Representations

4.3 Local Residents

One letter of support has been received making the following points:

- We live next to the school and are most likely to see and be impacted by the proposal – we support the application.
- Location and single storey nature means it will not have any detrimental impact on the immediate area or the village
- Building is vital to support the refurbishment of classrooms
- Pleased that option B has been dismissed as this would have had a significant visual impact and we would have had concerns about ground stability.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. Furthermore, Policy PSP8 of the PSP Plan (November 2017) allows the principle of development, subject to considerations of loss of privacy, overbearing and loss of light of occupiers of nearby properties. Policy PSP17 of the Adopted Local Plan states that development within or affecting the setting of a listed building will be expected to preserve and, where appropriate, enhance those elements which contribute to their special architectural or historic interest, including their settings.

- 5.2 In assessing applications for educational/youth buildings planning policy CS23 is particularly relevant, it relates to the supporting of provision or improvement of community infrastructure such as youth and childcare facilities. Paragraph 94 of the NPPF also attaches great weight to the need to expand school facilities, and this weighs in favour of the proposal.

5.3 *Green Belt*

Although the school is situated within the settlement boundary of Iron Acton, Green Belt policy is applicable as the whole settlement is washed over by the Bristol/Bath Green Belt. Furthermore the location of the proposed temporary building is located just outside of the settlement boundary within the playing fields. The proposal is considered to meet one of the exceptions in paragraph 145 of the NPPF for development which is not inappropriate in the Green Belt; 'the extension and alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.' PSP7 considers that 'disproportionate' would be an extension over 50% more volume than the original building (or as it stood in 1948), with additions of between 30-50% would be subject to careful assessment.

5.4 No volume information has been submitted to support the application, however given the large size of the old school building it is unlikely that the small scale classroom would exceed 50% of the original volume. It is also noted that the proposed building is located just outside of the settlement boundary within the open Green Belt and would therefore have a harmful impact on the openness of the Green Belt. Notwithstanding this, the temporary nature of the classroom for a period of approximately 6 months, and certainly no more than two years, means that any impact on the Green Belt would be reversible and therefore on balance the development is considered to be appropriate development within the Green Belt, subject to a condition ensuring the building is removed in a timely manner.

5.5 *Location of Development*

Whilst the school is situated within the Iron Acton settlement boundary, the building proposed will sit just outside the settlement boundary to the north of the school and within the playing fields. Policy CS5 and CS34 of the Core Strategy direct new development to within the established settlement boundaries, although policy PSP44 allows for outdoor sports and recreation facilities outside of the settlement boundary, and this strategic approach is reflected in the existing layout of the site with the playing fields outside of the settlement boundary and the school buildings within the settlement boundary. This proposal would mean that the built form of the school would expand north of the settlement boundary for the first time.

5.6 Whilst this is contrary to the strategic aims of the Development Plan, a pragmatic approach should be taken. The building is located directly adjacent to the settlement boundary, and is within the same planning unit as the other school buildings. Furthermore, the building is temporary in nature to replace the existing Elliot modular single classroom to the rear of the main school building, whilst works are carried out to change it to a double classroom modular building on the same site. The expansion is required to accommodate the additional pupils and this permanent solution will be subject of a separate planning application.

5.7 *Loss of Playing Fields*

The siting of the temporary building will require the relocation of some sheds and planters within the site, however adequate space remains for the playing field. Sport England have been consulted and they have no objection to the proposal.

5.8 *Summary of Principle of Development*

There will be some harm to the openness of the Green Belt due to the location outside of the settlement boundary of Iron Acton, however the building is small scale and temporary in nature for a maximum of two years. The works are necessary to facilitate further development to expand the capacity of the school, and the NPPF gives great weight to the expansion of education facilities. Overall, the development is acceptable in principle.

5.9 Design and Heritage

The school to which the classroom is proposed to relate is a locally listed building located within the Iron Acton Conservation Area. The proposed building is set back within the plot to the north east of the main school building, and it is considered that in light of the siting, scale and form of the structure, views of the proposed building from outside the site would be limited. These would include only glimpses from Wotton Road, and views from Yate Road would be obscured by a belt of mature trees. The glimpses that are possible would not be positive, due to the modular nature of the building, however the level of harm would be very low, and certainly less than substantial in the context of paragraph 196 of the NPPF. When weighed against the public benefits of the scheme, the less than substantial harm to the Conservation Area is outweighed by the public benefits of expanding the school. Therefore the development is in accordance with policies PSP17 and CS9.

- 5.10 It should also be noted that whilst modular buildings are not usually considered to represent high quality design, the building is temporary in nature and is justified in order to facilitate a permanent solution of a much higher quality.
- 5.11 The Council's Landscape officer has requested that a landscaping scheme is agreed by condition, however given the aforementioned screening that exists surrounding the site already, combined with the temporary nature of the development, it is not considered that a landscaping scheme is necessary or proportionate to the development proposed. It may be more appropriate to secure a landscaping scheme to benefit the permanent building the school intends to apply for, however this will be assessed at full application stage.
- 5.12 Overall, the development is considered to be acceptable in design terms and is in accordance with policies PSP1, PSP2 and CS1.
- 5.13 Residential Amenity
The closest property to the development is Canary Cottage on Wotton Road. Given the small scale and low height of the proposal, no nearby dwellings will have their amenities harmed. The development accords with policy PSP8.
- 5.14 Transport
The proposal results in one additional temporary classroom, as although the building contains two classrooms, one of the existing classrooms on site will be un-useable during the expansion works proposed (these will be subject to a further planning application). Although the supporting information states that there will be no change to the existing staff numbers and no increase in parking spaces is proposed, it is expected that two additional parking spaces for staff are required, as well as additional demand for drop off and pick up outside of school. There are opportunities for safe on-street parking in the surrounding area, and the Transport officer is satisfied that these additional parking requirements can be accommodated in the surrounding road network, particularly as the development is temporary.
- 5.15 The Transport officer has requested a condition to secure 4 no. cycle parking spaces within the site. Although the building is temporary, these spaces will also serve the permanent solution brought forward in the future, and so this

condition is appropriate given the likely increase in staff numbers. Subject to this condition, the development is in accordance with policy PSP11 and PSP16.

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 planning permission is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 864735

CONDITIONS

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

Reason

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

- 2. The development is temporary, and the building hereby approved shall be removed from the site and the site returned to its former state no later than two years from the date the building was first occupied.

Reason 1

In order to preserve the openness of the Green Belt and to accord with policy PSP7 of the Policies Sites and Places Plan (Adopted) Nov 2017, policy CS5 and CS34 of the Core Strategy (Adopted) Dec 2013 and the National Planning Policy Framework.

Reason 2

The building is temporary in nature and does not meet the highest standards of design and landscaping. To retain it on a permanent basis would be contrary to policy CS1 of the Core Strategy (Adopted) Dec 2013, policy PSP2 of the Policies Sites and Places Plan (Adopted) and the NPPF.

3. Prior to first use of the building, details of 4 no. cycle spaces must be submitted to and approved in writing by the Local Planning Authority, with the agreed details implemented prior to first use of the building.

Reason

In order to encourage sustainable transport choices and to accord with policy PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the NPPF.

CIRCULATED SCHEDULE NO. 35/19 – 30 AUGUST 2019

App No.: PT17/5873/O

Applicant: Castel Ltd

Site: Land Off Old Gloucester Road Old
Gloucester Road Hambrook Bristol
South Gloucestershire
BS16 1RR

Date Reg: 9th January 2018

Proposal: Erection of up to 158no dwellings
together with associated infrastructure
and engineering works (Outline) with
access to be determined. All other
matters reserved.

Parish: Winterbourne
Parish Council

Map Ref: 363563 179988

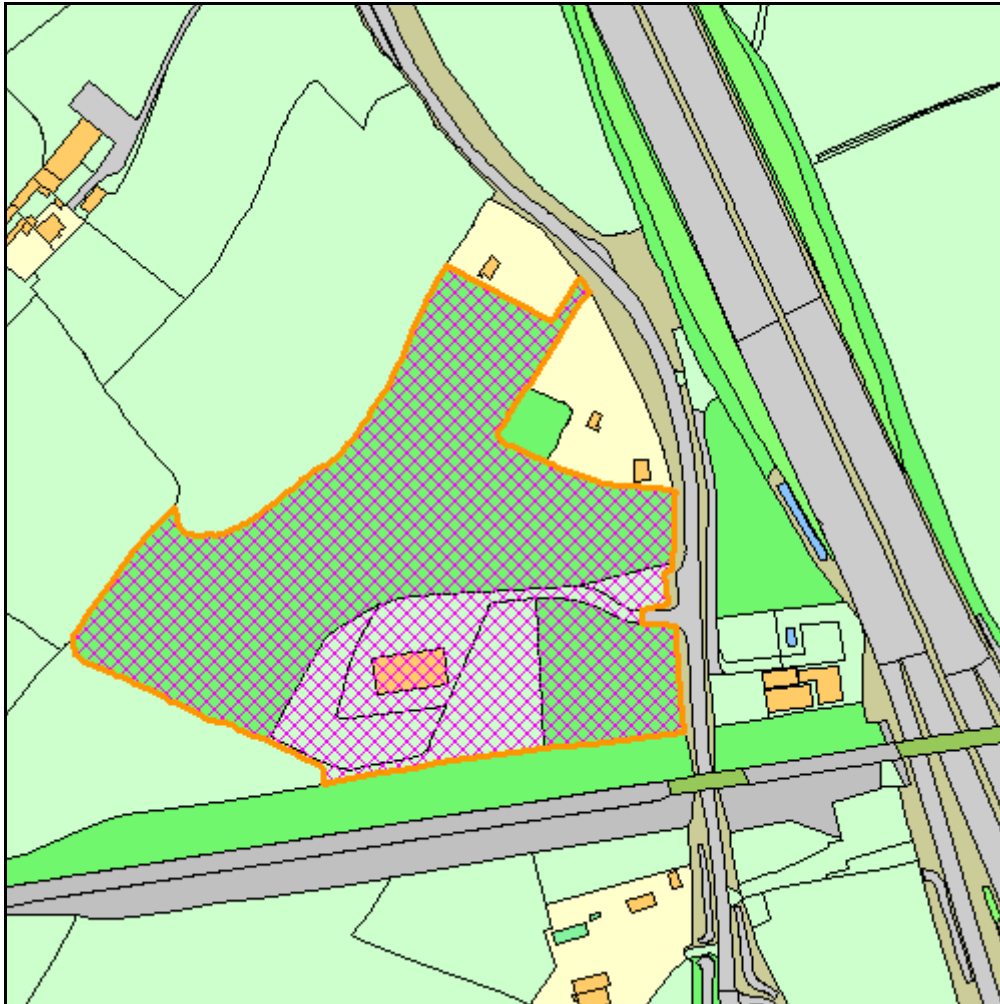
Ward: Winterbourne

Application Major

Target Date: 4th April 2018

Category:

Date:



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N.T.S.

PT17/5873/O

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 the requirement for a Section 106 Agreement.

1. THE PROPOSAL

- 1.1 Outline planning permission is sought for up to 158 dwellings on this site. The site is 4.7 hectares in size and is part of the East of Harry Stoke New Neighbourhood (EoHNN) Core Strategy allocation and it is accessed from Old Gloucester Road. All matters apart from access into the site are reserved, and the proposed access is in the same location as the existing one.
- 1.2 Environmental Impact Assessment (EIA) has been carried out for the development. A screening opinion was given that EIA was required due to the site and development being part of the wider EoHNN site and it being likely to have significant cumulative environmental effects as part of the wider development site. An Environmental Statement (ES) has been submitted that assesses impacts on landscape and visual amenity, hydrology and drainage, ecology, trees, noise and vibration, traffic and transportation, air quality and their cumulative effects. Included as appendices to this are a Landscape and Visual Impact Assessment, Tree Survey Report, Flood Risk Assessment and Surface Water Drainage Strategy, Preliminary Ecological Appraisal, Badger Survey Report, Bat Survey Report, Reptile Survey Report, Hedgerow Survey Report and Transport Assessment.
- 1.3 The site is bound by the South Wales to London main railway line, which sits on an embankment in the south, Old Gloucester Road to the east and land within the “Crest North” site of the EoHNN site to the north and west. This land beyond the site boundary rises steeply to the north and west, towards the former Mulgrove Farm and Stoke Gifford Transport Link to overlook the site. There are also two individual dwellings bordering the site in the north-east, known as Bridge Bungalow and Longmead. These are both accessed from Old Gloucester Road. Beyond Old Gloucester Road in the east is the M4 motorway.
- 1.4 The site was previously used for forestry. There is currently a 660 sq. m vacant industrial-style building on the site, which was last occupied by a lighting company. Previously forestry plantation covered much of the site. This has largely been cleared, but several trees and hedgerows do remain on the site, all of which are covered by the blanket Tree Preservation Order (TPO) covering the EoHNN site. This includes a woodland copse area in the south east corner of the site. The woodland copse is proposed to be retained, but a number of other trees are proposed to be removed within the site to accommodate the development. The Agricultural Land Classification of the site is mainly grade 3b (moderate quality), although some is grade 5 (very poor quality). The woodland, hardstanding and building on the site are classed as “non-agricultural”.

- 1.5 The site gently slopes downwards from all other parts of the site towards the north-east boundary. A watercourse currently carries water run-off from a culvert under the railway to the south of the site towards the north-east. An attenuation basin is proposed on the north east boundary of the site as part of the proposed development.
- 1.6 There is a pylon carrying a high voltage electricity cable adjacent to the woodland in the south west of the site. The cables just cross the south east corner of the site. A Public Right of Way (LBW/15/10) runs along the inside of the north-west boundary of the site, although the walked route currently lies outside the site.
- 1.7 The access details submitted show the existing access widened, the provision of a footway on the north side, a shared footway/cycle way on the south side, and a dedicated right-hand turn lane on Old Gloucester Road. Old Gloucester Road is widened at this point to support the new infrastructure.
- 1.8 Parameter Plans have been submitted with the application showing the following:

Building Height Parameter Plan: The buildings on the site will be a maximum of three storeys in height across the whole site.

Density Parameter Plan: This gives a gross density within the whole site of 33 dwellings per hectare.

Land Use Parameter Plan: This gives a “residential development area” with the site of approximately 3.4 hectares. This excludes the copse in the south east of their site, a play area adjacent to that copse, allotments and the retained trees and proposed public open space around the site perimeter. It does though include the proposed access, drainage infrastructure, a second play area and a sewage pumping station, if one is required.

Blue and Green Infrastructure Parameter Plans: This shows the different categories of open space provided. It refines the above by showing the location of the drainage infrastructure (including watercourses and attenuation basin) an indicative locations for a second play area and sewage pumping station.

Access and Movement Parameter Plan: This shows the main site access, proposed new footway and shared footway/ cycle way along the site frontage. It also shows the legal route of the Public Right of Way and proposed pedestrian and cycle links to the Crest site (ref. PT16/4928/O) along the north-west edge of the site.

- 1.9 As well as the plans and Environmental Statement, a Design and Access Statement, Supporting Statement to the application, Agricultural Land Classification Report, Heritage Statement, Archaeological Desk Based Assessment, Ground Investigation Factual Report, Ground Investigation Desk Study Report and Road Safety Audit have been submitted for consideration.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) February 2019
National Planning Practice Guidance

2.2 Development Plan

South Gloucestershire Local Plan Core Strategy Adopted December 2013:

CS1 High Quality Design
CS2 Green Infrastructure
CS4 Renewable or Low Carbon District Heat Networks
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS7 Strategic Transport Infrastructure
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS13 Non-safeguarded Economic Development Sites
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS20 Extra Care Housing
CS23 Community Infrastructure and Cultural Activity
CS24 Green Infrastructure, Sport and Recreation Standard
CS25 Communities of the North Fringe of Bristol Urban Area
CS27 East of Harry Stoke New Neighbourhood

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP5 Undesignated Open Spaces within Urban Areas and Settlements
PSP6 Onsite Renewable and Low Carbon Energy
PSP8 Residential Amenity
PSP9 Health Impact Assessment
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP13 Safeguarding Strategic Transport Schemes and Infrastructure
PSP14 Safeguarding Rail Schemes and Infrastructure
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environment Pollution and Impacts
PSP24 Minerals Safeguarding Area
PSP37 Internal Space and Accessibility Standards for Affordable Dwellings

2.3 Supplementary Planning Documents (SPD):

Design Checklist Supplementary SPD (adopted August 2007)
Affordable Housing and Extracare Housing SPD (adopted May 2014)
Revised Landscape Character Assessment SPD (adopted November 2014)
Waste Collection: Guidance for New Developments SPD (adopted January 2015, amended March 2017)
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide (adopted March 2015)
East of Harry Stoke New Neighbourhood Development Framework SPD (adopted May 2016)

2.4 Other Documents:

Specific Guidance Note 1- Planning and Noise (March 2015)
Technical Advice Note: Assessing Residential Amenity (June 2016)
Art & Design in the Public Realm- Planning Advice Note

3. RELEVANT PLANNING HISTORY

This site:

- 3.1 PT16/025/SCO- Erection of 150-200 dwellings with associated infrastructure. Decision 3rd August 2016.
- 3.2 PT16/013/SCR- Erection of 150-200no new dwellings with associated infrastructure. Environmental Impact Assessment required 6th September 2016.
- 3.3 PRE15/0306- East of Harry Stoke New Neighbourhood Strategic Masterplan.
- 3.4 PT11/0291/OHL- Notice of intention to carry out works to the electricity 33kV supply network Overhead Lines (Exemption) (England and Wales) Regulations 2009 to divert 33KV Wood Pole Line at Forest Hills Old Gloucester Road Winterbourne Bristol. No objection raised 10th March 2011.
- 3.5 P95/1665- Use of building for Class B8 storage. Construction of vehicular and pedestrian access. Construction of car parking area. Permission granted 6th December 1995.
- 3.6 P86/2420- Alterations to existing access and installation of a septic tank in association with use of land and building for forestry. Permission granted 26th November 1986.
- 3.7 A Strategic Masterplan specifically for this site was produced in September 2017 for the Council's feedback and to inform the development of the outline planning application.

Other East of Harry Stoke sites:

- 3.8 P19/7772/F- Erection of 9 No detached dwellings, creation of access, parking and associated works. Land East of Players Close, Hambrook. Pending consideration.
- 3.9 P19/4303/O- Demolition of 10 Hambrook Lane and erection of up to 54 dwellings and all associated infrastructure. (Outline) with access to be determined, all other matters reserved. 10 Hambrook Lane, Stoke Gifford. Pending consideration.
- 3.10 PT18/4999/F- Demolition of existing garage and erection of 2 no. dwellings with access, parking and associated works, The Old Farm, Curtis Lane, Stoke Gifford (full application, resubmission of PT17/2401/F). Pending decision.
- 3.11 PT17/2401/F- Demolition of existing garage and erection of 2 no. dwellings with access, parking and associated works, The Old Farm, Curtis Lane, Stoke Gifford (full application). Permission granted 21/02/18.
- 3.12 PT16/6466/RM- Erection of 5no. dwellings with garages. Approval of Reserved Matters to be read in conjunction with Outline planning permission PT16/1277/O, Players Close, Hambrook. Permission granted 06/02/17.
- 3.13 PT16/1227/O- Erection of 5no. dwellings with garages to include access layout with other matters reserved, Land to the West of Players Close, Hambrook. Permission granted 09/11/16.
- 3.14 PT16/6182/F- Demolition of single dwelling unit (Roseneath) and erection of 70 no. dwellings with access, parking, public open space and associated works, Land At Hambrook Lane, Curtis Lane, Stoke Gifford. Permission granted 21st December 2018.
- 3.15 PT16/4928/O- Hybrid planning application for the demolition of farmhouse and agricultural buildings and erection of 327 dwellings with a primary school and nursery; along with site access/spine road, car parking, public open space, landscaping, drainage infrastructure and associated infrastructure; of which full permission is sought (with no matters reserved) for a site wide earthworks strategy and drainage infrastructure together with 150 no. dwellings (of the 327 total) and associated landscaping, layout, infrastructure and access; and outline permission is sought for the erection of 177 dwellings, primary school and nursery (Use Class D1) with access to be determined and all other matters reserved, Land At The North Of The Railway, East Of Harry Stoke, Bradley Stoke. Pending Decision.
- 3.16 PT16/4782/O- Outline planning permission for mixed use development comprising up to 1,290 dwellings including an extra care facility (Use Class C2/C3); community facilities (comprising use classes D1 and D2); provision of a mixed use local centre (Use Classes A1, A2, A3 and D1) together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping with access to be determined and all other matters reserved, Land At The South Of The Railway, East Of Harry Stoke, Bradley Stoke. Pending Decision.

4. CONSULTATION RESPONSES

Winterbourne Parish Council:

- 4.1 No objection.

Archaeology Officer:

- 4.2 The proposal lies in an area with high potential for archaeological remains and therefore a programme of archaeological work, comprising trial trenching (followed by any necessary mitigation) will be required in advance of development.

Arts & Development Officer:

- 4.3 Policy CS23 - Community Infrastructure and Cultural Activity states that The Council will work with partners to provide additional, extended or enhanced community infrastructure and encourage participation in cultural activity. Developers of Major Residential Schemes, and schemes that will attract a large number of users, will be required to demonstrate how their proposals will contribute to the objectives of the South Gloucestershire Cultural, Heritage and Arts Strategies, through the provision of additional, extended or enhanced facilities and access to/or facilitation of art and cultural activities for the new residents. Policy CS1- High Quality Design requires that where the scale, location and/or significance of the new development proposals warrants it, public art should be embedded within the public realm or in a location where it can be viewed from public areas. If the application is approved, the Council should apply a planning condition for a public art programme that is relevant and specific to the development and locality and commensurate with its size. The programme should be integrated into the site and its phasing plan. This application makes no reference to public art in its Design and Access statement nor has a specific document relating to public art. Therefore, the condition should require full details and designs to be agreed as part of reserved matters. The public art programme should be devised and managed by a public art professional to ensure a high quality scheme.

Conservation Officer:

- 4.4 In light of the planning history, there are no objections in terms of the impact of the proposed development on any above ground heritage assets.

Drainage Officer:

- 4.5 No objection in principle to this application subject to the following comments:
- 4.6 A revised version of the Flood Risk Assessment & Surface Water Management Plan (Version 3- April 2019) has been prepared which takes into account comments that have been provided by this team in relation to drainage and flood risk matters at this site. This revised document satisfactorily covers these matters.

- 4.7 Surface water runoff is to discharge into the existing on site watercourse at a restricted rate using a vortex flow control device at the outlet of a basin feature. The proposed discharge rate has been set at the Qbar Greenfield Runoff Rate for all storm events as was requested in previous comments made by this team.
- 4.8 Design parameters for the proposed basin are also included in the Flood Risk Assessment & Surface Water Management Plan which confirm that the feature will have a 300mm freeboard and side slopes of a gradient of 1:4, which is welcomed.
- 4.9 It is also proposed to provide a bypass to the basin and existing on site watercourse to cater for flows that enter the site from the neighbouring Crest site. This will run to the west of the basin in the form of either an open channel or piped system. It will then flow into another existing ditch located adjacent to Bridge Bungalow land. It has been detailed that this ditch falls under the ownership of this land. The bypass will be designed to cater for the expected flows originating from the Crest site.
- 4.10 The detailed design of the surface water drainage system for the site will need to adhere to the parameters set out in the document Flood Risk Assessment & Surface Water Management Plan (Version 3- April 2019).
- 4.11 A SUDS condition is recommended for the provision of a detailed drainage design.

Ecology Officer:

- 4.12 The extended Phase 1 survey identified that the majority of the site consists of bare ground and broadleaved woodland with one large corrugated iron warehouse building set within an area of hardstanding. Several semi-mature broadleaved trees were recorded throughout the site with a small area of species-poor grassland being located in the eastern part.
- 4.13 A species-rich hedge with mature trees forms part of the north-eastern boundary with the Old Gloucester Road and an adjacent residential property. A species-poor hedgerow containing a couple of mature oak trees also comprises the north-west boundary of the site.
- 4.14 A block of semi-natural mixed (conifer and broadleaved) woodland is present in the south-east corner of the site which the Preliminary Ecological Appraisal (PEA) indicates will be retained within the development. The trees are all semi-mature and a ground flora is absent. A large patch of dense scrub is located between the woodland and the building and several smaller patches occur across the application site.
- 4.15 Both hedgerows and lowland woodland are listed as Habitat of Principal Importance for Biological Diversity under Section 41 of the Natural Environment & Rural Communities (NERC) Act 2006. Furthermore, the application also includes a hedgerow survey report dated October 2017 by Acorn Ecology identifying that the L-shaped north-eastern boundary hedge also meets the criteria for 'importance' under the Hedgerow Regulations 1997. The revised plan for the Access Arrangements, however, seems to show the length alongside the Old Gloucester Road being removed to create a visibility splay (see below).

- 4.16 Whilst this habitat will be retained within the scheme, there is nonetheless the potential for them to be damaged during the construction phase of the development. Accordingly, a Construction Environment Management Plan (CEMP) should be drawn up under an appropriately worded planning condition in order to demonstrate how all new or retained habitat will be safeguarded within the development.
- 4.17 The management of all existing and new semi-natural habitat should be delivered through a Landscape and Ecological Management Plan (LEMP) drawn up under an appropriately worded planning Condition to maximise its value for wildlife.
- 4.18 No badger setts were recorded on site within the PEA although hairs, latrines and mammal paths suggested that badgers probably foraged or commuted across the application site. A full badger survey report dated October 2017 (survey dated March 2017) by Acorn Ecology confirmed these findings and did not record any setts on site or within 10m of it. As over 12 months has elapsed since the original field work, the site should be re-surveyed for badgers immediately ahead of development. This should form the basis of an appropriately worded planning condition.
- 4.19 The PEA considered that the building on site and two oak trees within the northern boundary hedgerow should be subject to further assessment for use by roosting bats. The application included a further bat survey report dated October 2017 by Acorn Ecology.
- 4.20 The building was considered to have negligible potential for roosting bats due to its fabric (corrugated iron) and a lack of suitable roosting niches. An aerial assessment of two trees (T1 and T2, both mature oaks) did not record any bats associated with either of them. T1 was considered to have only low potential as a roost, with T2 being of high potential due to its knot holes and dead wood.
- 4.21 Bat activity surveys were a combination of walked transects and automated (fixed static) detectors. A minimum of six species were recorded - common and soprano pipistrelle; noctule; serotine; a *Myotis* species and brown long-eared – with common pipistrelle passes being most frequent. Activity was considered to be generally low, with foraging/commuting being focussed on the woodland edge and northern/eastern boundary hedges, all of which will be retained within the development.
- 4.22 Section 6.2 of the report includes a series of measures to enhance the site for bats. These provisions should form the basis of appropriately worded planning conditions.
- 4.23 Dormice were not considered to be present on site due to a lack of suitable feeding or nesting habitat and due to the fact that the site is 'landlocked' between roads, residential housing and a railway line and disconnected from any known populations or optimal core habitat.
- 4.24 The ES did not include a specific survey for breeding birds. The majority of the site is unsuitable as bird nesting and feeding habitat. The optimal areas of habitat are the mixed lowland woodland and boundary hedgerows and these will be retained within the scheme. An appropriate management regime for all areas of retained and new semi-natural habitat should be addressed within the LEMP. A scheme of nest boxes for a variety of species of birds should either form the basis of its own planning condition or be delivered through the LEMP for the scheme.

- 4.25 The application includes a reptile presence/absence survey report dated October 2017 by Acorn Ecology. There is a single record for slowworm within 1km of the site. Notwithstanding this, survey effort found no reptiles (slowworm or grass snake) associated with the application site and the report therefore considered the likelihood of reptiles being present as extremely low. Given this, it is considered that reptiles are absent from the site.
- 4.26. Great crested newts (GCN) are known to occur within the Harry Stoke agricultural landholding to the south of the railway line, primarily as a meta-population associated with a series of ponds within fields to the west near Harry Stoke. Even though the (predominantly) bare ground of the application site would offer distinctly sub-optimal habitat, given their known presence locally, the PEA recommended that the species was subject to further consideration.
- 4.27 The bare ground has been created comparatively recently and as former agricultural land could have been utilised by the species. That said, the site is some 500m away from the nearest known colony (a medium-sized population associated with a pond beneath a pylon south of the railway line) and, historically, GCN have never been recorded within ponds to the north of the application site. Given these factors, therefore, it is considered that the species is unlikely to be associated with the land north of the railway including PT17/5873/O.
- 4.28 In respect of invertebrates, whilst early succession can mean that vegetating bare ground offers suitable habitat for an assemblage of invertebrates, its recent creation means that it is unlikely to have colonised by any noteworthy species.
- 4.29 The site offers no suitable habitat for aquatic species such as otter, water vole or white-clawed crayfish.
- 4.30 No evidence of hedgehog was noted during the field surveys. The PEA notes that hedgehog is a Priority Species nationally and as well as a species included on the South Gloucestershire Biodiversity Action Plan. Given this, and that development could conceivably lead to the killing or injuring of animals when clearing suitable areas of habitat (scrub), it is considered that a mitigation strategy for the species should be drawn up and agreed with the Council. This should form the basis of an appropriately worded planning condition.
- 4.31 Due to a decline in population, the conservation of hedgehog has risen in prominence nationally over recent years. The development could usefully contribute towards this by providing suitable habitat in the semi-natural open space of the development; and features such as (13cm x 13cm) hedgehog 'passes' in the garden fence panels to enable mammals to permeate the gardens of the new properties. Whilst this could form part of the mitigation strategy under its own planning condition, if need be it could also form part of the LEMP.
- 4.32 Comparing the original indicative masterplan and the parameter plans, a number of residential units adjacent to the mixed woodland seem to have been replaced by allotments and a children's play area. This is welcomed as the proximity of houses could have placed a degree of pressure on wildlife whereas the play area and allotment will be less intrusive.

- 4.33 The parameter plans shows an attenuation basin (SUDS) in the centre north of the application site. If designed as wetland habitat to provide habitat for wildlife as well as having a drainage function, the basin would offer rich aquatic habitat to benefit local biodiversity. To do this, it is important that the water body is not merely concrete, engineered structures but genuine wetlands with reed beds, aquatic vegetation and shallow margins to provide new semi-natural habitat to benefit local wildlife. A planting plan for this new wetland should form part of the LEMP for the scheme drawn up under an appropriately worded planning condition.
- 4.34 Whilst the DAS made no mention of it, the ecological survey work identified that the north-eastern L-shaped hedgerow alongside the Old Gloucester Road was species-rich and 'important' under the Hedgerow Regulations 1997. The revised access arrangement drawing, however, seems to suggest that a sizable length of it along the highway will be removed to provide the requisite visibility splay for vehicles emerging onto the road. Whilst protecting certain 'important' hedgerows, The Hedgerow Regulations also allows for the removal of a hedge or part of a hedge to be exempt from these statutory provisions, provided that the works are for certain purposes specified under the Regulations. The exemptions include:
- To make a new opening in substitution for an existing one which gives access to land (provided the original opening is planted to compensate with a suitable mix of native shrub species); or
 - To obtain access to land where another means of access is not available or is available only at a disproportionate cost.
- Given the lack of acceptable land realistic alternatives for accessing on to the Old Gloucester Road, it would seem its removal would fit into this latter exemption under the Regulations.
- 4.35 Concludes there are no ecological constraints to granting planning permission.

Environmental Policy Officer:

- 4.36 It is noted that the applicant is unable to provide further detail on the energy saving and energy generation measures that will be incorporated into the development until reserved matters stage, and hence they have not provided the necessary calculations to demonstrate compliance with PSP6. Other outline applications have generally been able to provide the calculations, using indicative house types and mixes, for example. However, it is understood that they may not have developed the design in sufficient detail yet. The applicant is urged to fully consider how they will meet the requirements of policies CS1(8) and PSP6 in the early design stages of the development.
- 4.37 As a way forward with the outline application, it is suggested that planning conditions are applied that require the submission of an energy statement prior to the submission of a Reserved Matters application. The energy statement should demonstrate how the development will outperform Building Regulations (CS1(8)) by detailing what energy efficiency measures will be incorporated into the design of the development, and demonstrate how the 20% carbon reduction requirement will be satisfied (PSP6).

- 4.38 Also, a condition is recommended to ensure that all buildings are constructed to comply with the Building Regulations that are in force at the date that construction commences (i.e. not pre-registered).

Environmental Protection Officer (Contaminated Land):

- 4.39 The non-technical summary provides a “Summary of Findings” table on page 6. In relation to Ground Conditions/Contamination, the conclusion is given that “no significant issues identified and no significant cumulative effects”. No technical information however has been submitted to support this statement. The C J Associates ground investigation report states that the land has previously been used for growing timber and that a warehouse and hard standing exists on site. There has however been no assessment of the potential for contamination and no investigations relevant to contamination. A condition is therefore recommended, should approval be given, for a contaminated land investigation and a verification report.

Environmental Protection Officer (Noise):

- 4.40 No objections in principle but consider the information outlined below:
- 4.41 The following report has been submitted and reviewed: Corylus Planning & Environmental Ltd, Land off Old Gloucester Road, Environmental Statement, Chapter 8 - Noise and Vibration, Dated 14th December 2017. Notes on the approach and methodology are considered acceptable and in line with South Gloucestershire Council’s Planning and Noise guidance document (SGN1). It should be ensured that properties and their external areas that are nearest to the M4 and have sufficient mitigation in terms of the new guidance.
- 4.42 The report shows that data collected from the baseline survey demonstrates noise levels that are above acceptable limits of the new noise criteria: Noise Policy Planning Framework (NPPF) in terms of meeting the ‘Lowest Observable Adverse Effect Level’ (LOAEL) for properties nearest to the M4.
- 4.43 The report states that to control environmental transportation noise it will be necessary to provide noise control measures with regards to the site layout and the orientation and façade treatment of individual buildings. An indicative layout for the site has been provided which includes acoustic design to control external noise within the dwellings and gardens, however a further assessment will be required as it falls outside the scope of the outline planning application Environmental Impact Assessment.
- 4.44 It is therefore recommended that further assessment of the site is required to establish the levels of mitigation provided by housing layouts and orientation and to determine those properties where alternative ventilation would be needed to achieve internal noise levels compatible with BS8233 and local policies, as stated in the above report.

Highway Structures Officer:

- 4.45 Standard advice provided.

Housing Enabling Officer:

4.46 Affordable Housing is sought in line with National Planning Policy Guidance: Planning Obligations and other requirements under Policy CS18 of the Council's adopted Core Strategy Development Plan Document. This application generates the following Affordable Housing requirement to be provided on site at nil public subsidy and in line with the comments set out above: 35% affordable housing with a tenure split of 73% Social Rent and 27% Shared Ownership. There is no Objection subject to the provision of 35% affordable housing.

4.47 The affordable housing contribution will be sought through a Section 106 Agreement. The affordable housing contribution will meet the CIL tests as set out below:

(a) Necessary to make the development acceptable in planning terms:

Policy CS18 sets out targets relating to affordable housing and the Strategic Housing Market Assessment sets out the level and type of housing needed in the District. An appropriate element of affordable housing is therefore required on the site to meet identified need in this area of the District and to ensure that the affordable housing is genuinely affordable to those who need it, both now and in the future. It is therefore necessary that affordable housing is provided to make the development acceptable in planning terms.

(b) Directly related to the development:

The proposed development is a new housing development which is of a scale to trigger an affordable housing contribution under policy CS18 and meets the threshold set out in National Planning Policy Guidance: Planning Obligations. The affordable housing required will be constructed on site. Therefore, the obligation is directly related to the development.

(c) Fairly and reasonably related in scale and kind to the development:

The development includes the provision of 158 no. residential dwellings. In line with the targets set out in Policy CS18 and the Strategic Housing Market Assessment it is both fair and reasonable to seek 35% affordable housing which will provide a mix of house types to meet that identified affordable housing need. The level of affordable housing contribution therefore is considered fairly and reasonably related to the scale and kind to the development proposed.

Landscape Officer:

4.48 Views of the site from the wider countryside to the north around Winterbourne and Winterbourne Down are in practice limited by intervening vegetation alongside the M4 and the elevated nature of the railway and motorway embankments close to the site.

4.49 The site is affected by noise from both the M4 and Old Gloucester Road, which is constant, and the main line railway which is intermittent.

4.50 A high voltage electricity line and pylon is located at the eastern edge of the site close to the railway embankment. Two existing bungalows in large gardens lie between the site and Old Gloucester Road, limiting the amount of frontage to the road.

4.51 Until recently the site had good quality hedgerow forming the south western site boundary. The hedgerow was identified as of historic importance under the hedgerow

regulations due to its age and was associated with a bank and ditch feature thought to be of archaeological interest as a potential parish boundary. This hedgerow has been removed in its entirety recently with a slight bank still present. In addition half of the boundary hedgerow to the north western boundary has been removed. This hedge was also classed as being of importance under the Hedgerow Regulations due to its age. Both these hedges formed important landscape elements and allowed for ecological links. These hedges have been removed without obtaining permission under the Hedgerow Regulations.

- 4.52 Whilst open fields currently form the setting of the site to the north, residential development is proposed as part of the Harry Stoke New Neighbourhood. The elevated nature of the adjoining land will result in the adjoining development edge being prominent from the application site as the built edge faces south east across the site boundary. Steep embankment slopes up to 9 metres above the existing ground level will separate the two housing areas and access between the developments will be limited to pedestrian routes. Public open space and a surface water attenuation basin will adjoin the site on the west.
- 4.53 Whilst the masterplan indicates the retention of a number of the existing trees including the copse, inadequate space has been allowed around the retained trees with a number of areas where the Root Protection Area will be affected by paths and parking. The proximity of the buildings to the woodland area is a particular concern, space is required for construction, drainage and services and on-going maintenance.
- 4.54 Parameter plans which govern future development need to be provided at a scale which allows accurate interpretation, particularly in relation to site boundaries- 1:500 is suggested. Building height parameters should be specified as total height in metres rather than storey heights. Contextual cross sections or 3-D modelling should be used to illustrate the reasoning behind building height selection.
- 4.55 The revised masterplan now offsets the building area from the western side of the copse, placing children's play and allotments alongside it. This has the potential to create a better setting for the woodland though space is still tight, particularly given the requirement for surface water drainage features as well.
- 4.56 Individual trees along the north side of the copse have been identified on the survey and plans, however the development edge follows the edge of the canopies in a way that is impractical. The development edge needs to be set further north with a commensurate modification to the detail of the highway access to ensure that the access road can be constructed on an alignment and height that does not adversely impact on the trees shown to be retained. In the absence of details of the road in relation to the trees it is necessary to increase the size of the buffer.
- 4.57 Notes the proposal to include a foul pumping station on the edge of the open space close to the woodland. Questions this location in such a prominent part of the site. Its location here will undermine the quality and appearance of the open space as well as providing a potential construction conflict with the woodland as the tanks require deep excavations.

- 4.58 Levels changes are a frequent issue around existing trees and development. All of the site margins are squeezed and there is little space for good quality open space or structural landscape, this needs to be changed.
- 4.59 The highway works to Old Gloucester Road and the site entrance appear to affect the section of road side hedgerow (G87 – cat B). Development proposals need to allow for the replacement of the hedgerow back from the visibility splay where damage is unavoidable. Any retained sections of hedgerow should be protected and re-enforced. The proposal to provide allotments in close proximity to the hedge and trees along the Gloucester Road frontage prohibits the re-enforcement of this frontage.
- 4.60 The allotments should be located in a single site to allow them to be more easily managed and serviced. It is usual for allotments to be fenced and supplied with water. If the allotments were retained in this position more space will be needed to allow for space to the site frontage without conflict with the requirements of the allotments.
- 4.61 The residents require good buffering from the railway line. The unauthorised removal of some of the hedgerows to the site boundary (G14 and G18 on the tree survey) to the south west and northwest will require re planting under the requirements of the Hedgerow Regulations. The Landscape Assessment indicates that this will be undertaken, and “existing hedgerows would be actively managed to maximise their screening and ecological potential.” This would require adequate space for the re-establishment of a substantial hedge. Whilst the amended plan has removed the garden plots from the southern site edge, the margins to the hedge line are still very tight. This narrow margin which would be a road verge of 1-2m at the base of the hedge and therefore will not offer any informal recreational opportunities. It should be categorised it as natural and semi natural green space. This margin needs to be significantly wider to form any meaningful recreational function for the residents.
- 4.62 The hedgerow to the northern site boundary, identified as G82 on the tree survey and Hedgerow 2 on the ecological hedgerow survey, is identified as important under the Hedgerow Regulations. The masterplan shows the removal of the hedge apart from 2 no trees, this is therefore not supported. The vegetation should be retained and the attenuation basin re-positioned to allow for the protection of the Root Protection Area.
- 4.63 The revised plan retains a very tight boundary with the adjoining land to the north with no provision to retain and re enforce the existing boundary vegetation. This is a particular issue along the edge of the attenuation basin. Limited information submitted indicates the basin will be below existing ground level with a central low flow channel linking into a ditch on the land to the north. Further space needs to be allowed to provide for the retention/ re enforcement of boundary hedges to the north of the site.
- 4.64 The development edge is set to the edge of the Root Protection Zones of the trees and hedge on the north west boundary, however there is a levels difference through this site edge (between 1:8-1:12) compared to the centre of the site which is closer to 1:20. There is insufficient information to establish if the creation of development on the footprint shown would allow the trees and hedge to be retained without damage or incursion into the RPZ and also to allow access to and use of the open space from the housing area without steep slopes or retaining structures. Would therefore suggest that a significantly greater margin is allowed to ensure the protection of the vegetation and to provide a space of sufficient sized to be useable for recreation.

- 4.65 Whilst there is no objection in principle to the use of an open ditch feature, the current parameter plan suggests that there is the potential for the ditch to lie immediately adjacent to the road. An allowance needs to be made for a level verge between the road and the ditch without moving the ditch further into the open space. Ditch profiles next to the play area should be shallower than 1:3 in order to allow easier maintenance and self-rescue. The attenuation basin also appears to have an extensive boundary with highway. A level verge between the road and the attenuation basin will be required for safety reasons and needs to be allowed for in the parameter plans. The drainage basin cross section supplied is insufficiently detailed and incorrectly scaled to clarify the relationship of the basin to its surroundings.
- 4.66 Section 5.8 of the Landscape Assessment states that “the existing hedgerows enclosing the site would be actively managed to maximise their screening and ecological potential and absent sections of hedgerow would be reinstated.”
- 4.67 Whilst this is an essential requirement for the scheme it is not clear from the masterplan that hedges will be replaced. The plan does not allow sufficient space for the boundary hedgerows to be properly re-established and maintained. The intention of placing allotments around the perimeter of the site would conflict with this as the hedges will create shade, allotments would need to be positioned clear of the root protection area in addition.
- 4.68 The road improvements required to Old Gloucester Road to create pavements, right turning lanes, ghost islands and visibility splays 100m long will all have a significant effect on the character and appearance of Old Gloucester Road with the loss of grass verges and road side vegetation. The terraced flat block shown on the masterplan to the front of the site will therefore be more visible than indicated and the overall impact on the road will be greater than indicated.
- 4.69 The masterplan does not allow enough space for the adequate retention of the existing landscape features which are identified as important in the ES. The layout of play, open space and allotments, although better than the previous version, still has issues relating to the landscape character and quality of the site design and the potential for conflict of development with retained vegetation. In this the scheme fails to provide a high quality design in line with the requirements of Core Strategy policy CS1.

Public Open Space (POS) Officer:

- 4.70 Using current average occupancy data and the proposed number of dwellings, it is estimated the proposed development of 158 dwellings would generate a total population increase of 379.2 residents. It is reasonable to expect the future residents of the proposed development to require access to a range of open spaces. Set out below are open space comments and S106 requests based on the above dwelling mix and expected future population. Should this dwelling mix/breakdown change requirements may need to be amended accordingly.
- 4.71 The following table shows the open space requirements arising from proposed development. Provision must be delivered on site unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal.

Category of open space	Minimum spatial requirement to comply with policy CS24/CS27 (sq.m.)	Spatial amount provided on site (sq.m.) according to Blue & Green Infrastructure Parameter Plan
Informal Recreational Open Space	4,360.8	4,357
Natural and Semi-natural Open Space	5,688	7,300
Outdoor Sports Facilities	6,067.2	0
Provision for Children and Young People	948	948
Allotments	758.4	758

- 4.72 The Blue and Green Infrastructure Parameter Plan, H21/TC/2/38-4 A identifies 4,357sq.m. of Informal Recreational Open Space being provided; this is border-line policy compliant. Acceptability of design would be assessed at Reserved Matters stage. These are very minimal and peripheral green corridors around the perimeter and slivers of green space. The Natural and Semi-natural Open Space has been identified as 7,300sq.m, which would exceed minimum policy requirements.
- 4.73 Trees T24 and T25 appear to be adversely affected by the revised layout. The Public Right Of Way runs along here too and route will be very squashed with the proposed layout.
- 4.74 A minimum of 948sq.m. of equipped play is required. A wide range of play experiences and challenges to meet the needs of a range of ages and abilities should be provided. At least the minimum recommended separation distance from dwellings as recommended by Fields In Trust should be provided.
- 4.75 Three separate play areas are now shown on the plans. The southern play area particularly is narrow and layout of equipment could be compromised. In terms of proximity to dwellings, Fields In Trust guidance on separation between play areas and new dwellings may be breached. As the surrounding context has been omitted from the parameter plans is unable to assess the impact on the existing dwelling to the north-west, but the presence of the existing property must be taken into account so that their enjoyment of their property is not adversely impacted by the presence of a new play area. Access for maintenance to vegetation behind play areas would be problematic and the northern play area looks like it would cut off access to the small northern spur that currently provides an access gate.
- 4.76 Two accesses/exits are required to each play area (known as the bully gate system), to allow a child being bullied an alternative means of escape. The eastern play area is over a watercourse. No explanation of access is given.
- 4.77 A minimum of 758.4sq.m. is required for allotments. Two allotment areas are now shown but the DAS suggests this could be *potentially used for the*

“Incredible Edible” style of community grow boxes. There is no further explanation of this.

- 4.78 In respect of, outdoor sports facilities, as Crest are providing Outdoor Sports Facilities to cater for their applications on EoHSNN only, there will be no “proportionate contribution” towards these, but a contribution based on the table above will be applicable.
- 4.79 The applicant originally considered the attenuation basin should be counted as part of his policy requirement for POS but it appears the applicant has removed the SWI from POS calculations. Trees T78 and T79 are shown to be compromised by the attenuation basin. The basin shown on the indicative masterplan varies from that in the Flood Risk Assessment. In addition, the inlet also varies between the plans.
- 4.80 It is unclear whether the western section of the ditch on the site is proposed to remain or not but if it is, it may impact upon the proposal to create a play area.
- 4.81 Core Strategy policy CS24 seeks appropriate arrangements to secure the satisfactory future maintenance of any open spaces and outdoor recreation facilities (for sport, recreation and play) that are to be provided in conjunction with new development. As the applicant proposes private management of POS and surface water infrastructure the Council must be confident that the value of any service to the public is sustainable and does not create ambiguity in how people access those services should they have concerns or requests; it is important that the community receives a seamless service. Provisions to ensure suitable and secure in-perpetuity arrangements for operation, management and maintenance of all the public open spaces and surface water infrastructure (Surface Water Infrastructure within POS that is not adoptable by a statutory undertaker) will need to be incorporated into the Section 106 and the Council charges a fee (£52.00 per 100sq.m.plus £500 core service fee) to inspect the open spaces to ensure their compliance with the approved plans prior to transfer to the private management entity.
- 4.82 How the Environment & Community Services requirements for Open Spaces meet the Community Infrastructure Levy (CIL) tests:

Necessary to make the development acceptable in planning terms:

There is a planning policy requirement for sustainable development and provision of a range of good quality well connected open spaces where existing open spaces are not easily accessible or do not have the capacity to fully meet the needs arising from the proposed development. Without provision or enhancement of open spaces people living here won't have adequate access which will prevent them from developing as a healthy, socially sustainable community. Without sufficient open space to meet local need this development will lead to increased pressure on existing facilities elsewhere.

Directly related to the development:

Contributions towards off-site enhancements are only sought when there is evidence of a local shortfall in either quantity and/or quality/capacity to meet the additional demand arising from the new development and the policy requirements for open space are not being provided for on site. Provision/enhancements will be made as

close to the development as is feasible and likely to serve the future residents of the proposed development.

Fairly and reasonably related in scale and kind to the development:

Where provision in line with minimum policy standards is not provided on site, the amounts requested towards the provision and/or enhancement of off-site open space and future maintenance are directly in scale with the quantum of open space required to offset the effect of the proposed development on existing provision; this is demonstrated in calculations. All calculations are based on the expected future population of the proposed development calculated using Census data on household size and the net gain and mix of dwellings proposed. The calculator used to give costs for provision/enhancement and maintenance is regularly updated and reflects the type of spaces and facilities that the Council would expect to see delivered based on examples that have been adopted from other new developments, which have taken place within South Gloucestershire. The capital contributions are based on a range of industry costs for the provision of open space facilities, and the maintenance costs are routinely tested through APSE (Association of Public Sector Excellence). They are therefore considered reasonable and fully justified in order to ensure standards of open space meet standards of appropriate national bodies e.g. Sport England, Fields in Trust and material relating to the Green Flag quality award scheme.

4.83 Details of 2017/2018 provision/enhancement and maintenance costs for each category of open space per sq.m:

	Informal recreational open space	Natural & semi natural urban green space	Outdoor sports facilities	Provision for children & young people	Allotments
Average provision/enhancement cost per sq.m.	£25.2328	£13.9828	£50.1806	£168.1439	£9.2021
Average 15yrs maintenance cost per sq.m.	£44.4773	£23.1961	£15.1880	£176.8046	£11.7334

NB. These do not cover specialist features e.g. retaining structures, drainage structures such as underground tanks, penstock valves, hydrobrakes, etc. These figures are subject to indexation using the Updating Percentages published by the Building Cost Information Service (BCIS) for the Schedule of Rates for Grounds Maintenance 1987.

Public Rights of Way Officer:

4.84 The application will affect the legally recorded route of public footpath LWB15 but the plans show it remaining on its legal line running through open space with potential connections to the site to the north. Therefore no objections.

Self-Build Officer:

- 4.85 As part of the Section 106 Agreement the applicant will be required to agree to the provision of 8 plots for self/custom build. The applicant will be required via the S106 to agree with the Council a Delivery Statement that sets out how the proposed plots will be brought forward and how the proposed business model fulfils the Housing & Planning Act's (2016) definition of self-build and custom house building. The Delivery Statement should include consideration of distribution and phasing of the plots on the site, size and range of plots, marketing, design control and steps that will be taken in the event that plots are not taken up within the marketing period.

Transport Development Control Officer:

- 4.86 The Application is supported by a Transport Assessment (TA) which has assessed the sufficiency of the site access onto Old Gloucester Road and the suitability of walking and cycling routes to local key facilities most of which will be provided as part of the wider Policy CS27 East of Harry Stoke (EoHS) allocation and include a new Primary School, Community Centre, sports pitches and a District Centre. The assessment of the impact on the wider highway network has been carried out as part of the Transport Assessment for the whole 2,000 dwelling EoHS allocation. This has resulted in the development of an Infrastructure Delivery Plan (IDP). Transport IDP items include the Stoke Gifford Transport Link (SGTL), a Toucan crossing to the south of Parkway roundabout, new MetroBus stops, pedestrian and cycle paths along the SGTL and Old Gloucester Road, traffic calming on Hambrook Lane and cycle improvements to Beacon Lane to which this development would contribute on a pro-rata basis.
- 4.87 Access to local facilities by walking and cycling would be via a new foot/cyclepath alongside of Old Gloucester Road from the site access to link into the existing footpath to the south of Players Close and the foot/cyclepath into the main East of Harry Stoke south site accessed from Old Gloucester Road. A central island pedestrian crossing point on Old Gloucester Road would be provided at Players Close. Additional foot and cyclepaths will be provided from the south west and north east corners of the site to foot/cycle paths and designated safe routes to school on the adjacent East of Harry Stoke North site. These paths link into the wider network providing access to major employment areas, Parkway rail station and leisure facilities.
- 4.88 Access to public transport (MetroBus stops on Great Stoke Way) would be via the foot/cyclepaths leading to the East of Harry Stoke North site. All dwellings would be within 800m walking distance of the MetroBus Stops. This is consistent with the appropriate walking distances set out in SGC Policy PSP11. Provision will also be made for bus stop platforms on Old Gloucester Road outside of the site although because of the proximity of the MetroBus Service it is not proposed to provide a bus service along Old Gloucester Road at this time.
- 4.89 Site access takes the form of a Priority T junction with a right turn lane and central islands. The access arrangements have been modelled and subjected to a Stage 1 Road Safety Audit in the submitted Transport Assessment and it has been demonstrated that they will operate safely and within capacity.
- 4.90 A Travel Plan would need to be secured in a Section 106 Agreement.

- 4.91 In summary the site is part of the wider East of Harry Stoke New Neighbourhood allocation, sustainable access would be provided to key local facilities including the new Primary School, employment areas and all those facilities provided as part of the wider East of Harry Stoke New Neighbourhood including the District Centre, Sports Pitches and a Community Centre. A safe and suitable access is proposed from Old Gloucester Road. Recommends no transport objections subject to S106 heads of terms and conditions.

Urban Design Officer:

- 4.92 The text on development location, site analysis, opportunities and constraints in the Design and Access Statement (DAS) is a fair reflection of the locality and site.
- 4.93 With respect to setting appearance principles, a short character appraisal has now been provided in the DAS. PSP1 requires that the historic building stock is used to inform character appraisals and subsequent new built form. The images (page 9) of local historic building stock are welcome. Suggestions are made for alterations to the text.
- 4.94 A number of parameter plans have been provided, showing a clear developable area. This is welcome. Development originally shown is now omitted from hard against the western edge of the copse in the south-east corner of the site. This is welcome. In respect of density see comments below. It is clear that a net density of in excess of 50dph will be required to achieve the 158 dwellings. Suggestions are made for alterations to the text.
- 4.95 In respect of access to the land to the west of the site, suggestions are made for alterations to the text on the parameter plan.
- 4.96 The building heights parameter plan indicates a 'maximum of 3 storey high' across the site. No objection to this and consider within this parameter any issues of impact on amenity of adjoining landowners can be dealt with at reserved matters stage.
- 4.97 Welcomes the replacement of the previous indicative layout with a simple indicative masterplan. However, the plan is unsupported by notations as advised and still shows potential areas of inadequate back to back distances & cramming etc. The density parameter plan indicates a net density of 46dph, but including the SUDs area. The net density is thus likely to be above 50dph. Such densities, if to be achieved successfully, will require a combination of flats and predominantly terraced and semi-detached housing forms, including communal parking and garden areas etc. Does not thus concur with the DAS at 4.3 that the layout has been carefully considered, nor each dwelling is provided with its own private parking and garden space. It is also not known whether the level of parking accords with the local authority standards. Suggest the two relevant paragraphs are simply deleted.
- 4.98 Also suggests that an informative is attached to the decision stating that an imaginative high quality design solution will be required that incorporates a dwelling mix comprising predominantly flats, terraced and semi-detached dwelling forms will be required to achieve up to 158 dwellings.

- 4.99 Defers to colleagues in respect of the acceptability of the submitted blue/ green infrastructure parameter plan.
- 4.100 Suggests some alterations to the text of the DAS in respect of appearance.
- 4.101 The DAS suggests the applicant will meet PSP6 requirements in respect of sustainability full at detailed design stage. This is welcome. Therefore a condition requiring the submission of an energy statement that shows how the scheme will meet the requirements of PSP6 should be attached to the decision notice.
- 4.102 The applicant should be aware that PSP42 requiring 5% self-build plots applies to sites of over 100 dwellings.
- 4.103 Given the limited design information it is imperative that colleagues are content with the blue and green infrastructure parameter plan and that any subsequent amendments to the net development edge are made to other parameter plans to avoid confusion. Otherwise, subject to the suggested amendments as set out above being made to the DAS, application of proposed conditions and informative, has no further objection.

Avon and Somerset Constabulary Crime Prevention Design Advisor:

- 4.104 At this early stage where only outline planning is sought, it is very difficult from a crime reduction/prevention point of view to give any detailed comments as the areas to be addressed such as access, layout and detailed design would normally be decided upon at Reserved Matters stage. The application DAS as submitted does not include any information in relation to safety and security.
- 4.105 Provides observations for the applicant to consider in submitting future reserved matters applications.

Bristol City Council:

- 4.106 No comments to make on this application.

Bristol Water:

- 4.107 No objection to the development.

Environment Agency:

- 4.108 The Environment Agency has no objections to the proposed development. To prevent pollution of the water environment, during construction the following issues should be considered:
1. Site security.
 2. Fuel oil storage, bunding, delivery and use.
 3. How both minor and major spillage will be dealt with.
 4. Containment of silt/soil contaminated run-off. To include managing how soil deposits will be minimised from being deposited on the road.
 5. Disposal of contaminated drainage, including water pumped from excavations.

6. Site induction for workforce highlighting pollution prevention and awareness.
7. Measures should be taken to prevent the runoff of any contaminated drainage during the construction phase.

Highways England:

- 4.109 Recommend that conditions should be attached to any planning permission that may be granted. Highways England acknowledges that the principle of development has already been assessed and accepted.
- 4.110 Section 8.2.1 of the (Transport Assessment) TA sets out that a Travel Plan will be submitted in support of the application. In response to the two previous applications within the EoHS New Neighbourhood to which this application refers, and relies, Highways England recommended a Travel Plan be submitted and implemented. Therefore make the same recommendation in respect of the current application.
- 4.111 Similar to the above, Highway England has previously required the submission and agreement of a Construction Management plan in relation to the two applications for mixed used development on the EoHS New Neighbourhood site. Expect the same consideration of construction management practices across the wider EoHS New Neighbourhood site, and will therefore be recommending a similar condition to be applied to this application. Highways England has no objection in principle to the proposed development subject to planning conditions being attached to any consent the planning authority is minded to grant.

Natural England:

- 4.112 No comments to make on this application.

Network Rail:

- 4.113 No objection in principle to the proposal but due to the proposal being next to Network Rail land and infrastructure (culvert and pipes) and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway, require a condition to ensure they agree to any ground works within 8m of their infrastructure. Provide asset protection comments for the applicant's consideration.

Wessex Water:

- 4.114 In respect of foul drainage, the nearest public sewer is to the north of the site in Winterbourne Road. Ground levels indicate that a gravity connection may not be possible, and the applicant should ensure that provision is made within the layout for a foul sewage pumping station if required, with appropriate access arrangements and a 15 metre buffer zone to neighbouring properties.
- 4.115 In respect of surface water drainage, the applicant's surface water management plan has indicated surface water discharged to local land drainage systems which will be subject to approval by the Lead Local Flood Authority.

Environmental Protection Officer (Air Quality)

- 4.116 The air quality assessment undertaken by Air Quality Assessments Ltd. contained in Chapter 10 and the associated appendices of the Environmental Statement (ES), dated November 2017, considers the potential impacts on local air quality during the construction and operational phases of the development. The relevant pollutants; nitrogen dioxide (NO₂) and fine particulate matter (PM₁₀ and PM_{2.5}) have been considered and the assessment has been carried out using appropriate methodology and in accordance with the relevant guidance.
- 4.117 The indicative masterplan shows the proposed dwellings will be over 40m from the London – South Wales railway line located near to the site boundary so the assessment scopes out potential impacts from railway locomotive emissions. This is in accordance with Defra guidance.
- 4.118 The impacts of the operational phase of the proposed development have been assessed and the worst-case existing and future receptor locations considered. Robust sensitivity testing has been undertaken to account for the uncertainty of future emission factors for nitrogen dioxide to provide a worse-case conservative assessment of the future impacts. The cumulative impacts have also been considered through the use of 2023 baseline traffic data which assumes that all traffic from the neighbouring East of Harry Stoke new neighbourhood and other committed developments would be on the local road network, providing a robust assessment of the cumulative effects on air quality.
- 4.119 The assessment concludes that the impacts on annual mean NO₂, PM₁₀ and PM_{2.5} concentrations at the worse-case receptor locations assessed are predicted to be negligible with concentrations remaining below the relevant objectives, both with and without the development in place. Overall, the operational air quality impacts are judged to be insignificant.
- 4.120 However, the following good practice principles identified in the “Land-Use Planning & Development Control: Planning for Air Quality” guidance produced by Environmental Protection UK (EPUK) /Institute of Air Quality Management (IAQM) (January 2017)¹ should be applied to all development to reduce emissions and contribute to better air quality management:

- Where on-site parking is provided for residential dwellings, Electric Vehicle (EV) charging points for each parking space should be provided.
- All gas fired boilers to meet a minimum standard of <40mgNO_x/kWh.

It is recommended that conditions are added to this effect.

- 4.121 During the construction phase, the assessment identifies there will be a low - medium risk of dust impacts so measures to mitigate the risk of dust emissions will be required to reduce impacts on nearby sensitive receptors. The assessment considers with the appropriate mitigation measures in place, the overall impacts during construction will not be significant. The mitigation measures identified in Appendix 10.6 of the ES

should be incorporated into a Dust Management Plan (DMP) which can be integrated into a Construction Environmental Management Plan (CEMP). The DMP/CEMP should be submitted in writing to and approved by the Council prior to the commencement of any construction works. It is recommended that a condition is added to this effect.

- 4.122 In summary, there is no basis to object to the proposed development in respect of air quality subject to the recommended conditions above.

Local Residents:

- 4.123 One neighbour to the proposed development has objected to the scheme, and the concerns raised are summarised as follows:

- Concerns have still not been addressed with the issue of the drainage. The whole drainage assessment has been completed on the assumption the landowners of Bridge Bungalow agreed that their ditches and drainage system can be used for the development. The drainage was put in to stop the land flooding;
- It is not considered that revised plans have addressed any of the issues raised;
- Boundaries on the plans are not correct. The drainage and ditches shown are on the neighbour's land;
- The indicative route of the regraded and cleaned out ditch planned to carry Crest development flows belongs to Bridge Bungalow, as well as the basin overflow to minimise the flows through the Bridge Bungalow land to flow control values;
- The proposal still does not take in to account that the land needing planning permission is higher than Bridge Bungalow;
- Concern that there is still a flood risk to Bridge Bungalow.

5. ANALYSIS OF PROPOSAL

Principle of Development & East of Harry Stoke New Neighbourhood Policy

- 5.1 In establishing the principle of development, the starting point in primary legislation is Section 38(6) of the 2004 Act which requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. This is reinforced in paragraph 47 of the NPPF. Therefore this application has to be first considered in the context of the adopted development plan. For clarity the development plan includes the South Gloucestershire Local Plan Core Strategy 2006-2027 which was adopted in December 2013 and the Policies, Sites and Places Development Plan Document which was adopted in November 2017.
- 5.2 In respect of Housing Land Supply, The Annual Monitoring Report (AMR) published by South Gloucestershire Council in 2018 states that the housing supply is between 6.26 years and 6.28 years. The Council's most recent published position relating to an assessment of five year housing land supply in South Gloucestershire is set out in the evidence on housing supply matters including the Housing Land Supply Table, Housing Land Supply Trajectory and 5 year housing land supply calculations (Decision Dated 14th May 2019) in respect of appeal APP/P0119/W/17/3189592 (Land South of Gloucester Road, Thornbury) where a 5 Year Housing Land Supply was confirmed.

- 5.3 The application site is a significant sized site in the land allocated to form the East of Harry Stoke New Neighbourhood, adopted as part of the 2013 Core Strategy, under policy CS27.
- 5.4 The most important policies for determining the application are also considered to be consistent with the NPPF and up to date.
- 5.5 Given the above, the tilted balance in paragraph 11d of the NPPF is not engaged in this case.
- 5.6 Given the site is part of the New Neighbourhood allocation under Policy CS27, the principle of residential development on this site is accepted.
- 5.7 Policy CS27 requires a comprehensive and co-ordinated approach to achieve the delivery of a sustainable new community over the Plan period and sets out the infrastructure that the New Neighbourhood is required to deliver. It also states that developments should demonstrate that they are in accordance with the East of Harry Stoke SPD, that they should not prejudice the development of the New Neighbourhood and that they should meet the overall vision for development. How the proposed development meets the requirements of this policy is discussed further below.

Design and Layout

- 5.8 The NPPF (paragraph 127) sets out that planning policies and decisions should ensure that developments will function well, establish or maintain a strong sense of place, are sympathetic to local character and are visually attractive.
- 5.9 Policy CS1 requires that the highest possible standards of design and site planning are achieved, and that siting, form, scale, height, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context, and density and overall layout is well integrated with existing adjacent development and connected to the wider network of foot, cycle and public transport links.
- 5.10 The site forms part of the East of Harry Stoke New Neighbourhood (policy CS27) that requires a comprehensively planned development in accordance with the approved SPD for the New Neighbourhood. The SPD 'illustrative framework plan' shows woodland retained in the southeast corner of the site, retained planting around the site perimeter and connections to Old Gloucester Road and land to the west. These connections are critical to allow access to a new primary school planned on Crest/Council land adjacent.
- 5.11 Policy PSP1 requires development proposals to demonstrate an understanding of and respond constructively to buildings and characteristics that make a positive contribution to the distinctiveness of the area/locality.
- 5.12 An indicative masterplan layout was submitted with the planning application, to demonstrate how the site would accommodate 158 dwellings. However, there were considered to be significant concerns with this plan, including the layout of the

dwelling being too cramped for this part of the allocation, and also unlikely to be able to be implemented in some areas, the allotments being inappropriately designed and located, the location of a play area in the woodland and concern whether adequate space was left for drainage attenuation. The indicative masterplan was revised and some of the detail removed, but this was not considered to substantively address the issues raised.

- 5.13 These concerns were also matters of concern in relation to the parameter plans submitted. The parameter plans have been amended to address these concerns (see below) and no longer reflect the indicative masterplan. The indicative masterplan has therefore been withdrawn from the application to allow the scheme to be considered on its own merits in conjunction with decisions already taken for the main adjoining sites. However, as it still appears in the submitted documents, an informative note will be attached to the any decision notice approving the application making it clear that this does not form part of the approval scheme should Members support the recommendation.
- 5.14 In relation to the concerns on the now withdrawn indicative masterplan, due to the above it was not considered that the masterplan demonstrated that the 158 dwellings applied for could be satisfactorily accommodated on the site. The house types and sizes chosen for the indicative masterplan have led to the buildings appearing rather cramped, with little space between dwellings, inconsistent building lines and likely in a number of areas to have their amenity adversely impacted by the proposed buildings next door. It should be noted that the Landscape Officer, Public Open Space Officer and Urban Design Officer made their comments prior to the withdrawal of this masterplan.
- 5.15 At reserved matters stage, it considered that the dwellings proposed will need to be able to fit on the site without being detrimental to character, residential amenity, landscaping and the provision of public open space. It is therefore considered likely that if the developer wants to realise the full 158 dwellings on the site, they will have to consider a layout comprising a number of smaller units to ensure the layout achieved is appropriate. The Urban Design Officer has recommended an informative note referring to this and a note will be attached to any decision notice issued approving the development.
- 5.16 The proposal for a maximum of three storey dwelling heights across the site is acceptable in what will become the edge of the urban area. Alterations suggested to the text of the DAS by the Urban Design Officer have been made. Layout, scale and appearance are all reserved matters and subject to further consideration of these at reserved matters stage it is considered that the application is acceptable in respect of design and layout.

Environmental Statement (ES)

- 5.17 The ES has concluded the following in respect of the areas covered.

Air Quality: The ES found there to be no exceedances of target air quality pollutants as a result of the development and no significant cumulative effects.

Ecology: The ES found there to be no significant effects due to the development and that cumulative effects would be of negligible significance.

Ground Conditions/Contamination: No significant issues have been identified by the ES on site and neither have any significant cumulative effects.

Heritage: No significant effects on the site itself, nor cumulative effects have been identified by the ES.

Hydrology and Drainage: The Non-Technical Summary (NTS) accompanying the ES states that sustainable drainage is included in the proposal. No cumulative effects have been identified by the ES.

Landscape and Visual Amenity: The ES has not identified any significant effects as a result of the development. The NTS states that cumulative effects would be within the existing urban context of North Bristol and its associated built form.

Land Use and Soils: The site only has poorer quality and non-agricultural soils and that no soil loss is anticipated.

Noise and Vibration: The ES found no significant effects in respect of noise relating to the development nor cumulatively. No adverse impact was found on the site in relation to vibration and no cumulative effects were identified.

Socioeconomic Impacts: The NTS states that the proposal accords with the layout and timeframe anticipated for the development of the wider EoHNN. The ES anticipates the overall cumulative effect to be beneficial.

Transport: The ES has assessed the transport effects of the development as not significant, and the cumulative effect is of small significance.

- 5.18 The environmental effects of this proposal are considered to be acceptable. A number of these aspects of the development are discussed further below. The ES was amended through the revision of the Flood Risk Assessment and Drainage Plan, one of the appendices to the ES. These revisions were submitted on 25th April 2019 and reconsultation was carried out on 29th April 2019. The revisions were not considered to result in significant additional environmental effects.

Drainage

- 5.19 The proposed development is located in Flood Zone 1, which is low flood risk and the ideal location for development with regards to flood risk.
- 5.20 There is an existing watercourse on the site, running from a culvert under the railway embankment on the site through to the north east boundary of the site with Bridge Bungalow. An attenuation basin is proposed adjacent to the north east boundary of the site with Bridge Bungalow as this is the lowest point of the site. Surface water will discharge from the basin into the existing system of ditches that the above watercourse connects into and therefore already take surface water run-off from the site. These include a ditch that runs along the perimeter of Bridge Bungalow out to a

culvert under Old Gloucester Road, and a further ditch, which runs through Bridge Bungalow's curtilage. Relatives of the owners of Bridge Bungalow have advised that this was dug by the owners of Bridge Bungalow to prevent flooding on their land. Surface water is proposed to discharge into these ditches at a green-field run off rate.

- 5.21 A bypass is also proposed to the basin which will flow directly into the ditch running along the perimeter of Bridge Bungalow and will cater for the flows from the neighbouring development site in EoHS (Land North of the Railway Line (ref. PT16/4928/O)).
- 5.22 The Drainage Officer has asked for a number of additional details to ensure that the proposed surface water drainage strategy for the site is satisfactory. This includes further details regarding the expected ground water levels on the site to as these potentially inform the design and land-take for the basin.
- 5.23 In principle the drainage strategy is now considered satisfactory, although further consideration will be required in the design and layout of the site to ensure that the drainage strategy can be delivered, with appropriate channel and basin designs, access, landscaping, space for maintenance and off-sets from the highway. A condition has been recommended requiring that a detailed drainage design should be submitted prior to the approval of the first reserved matters.
- 5.24 It is considered that the matters the Environment Agency have raised for consideration at construction stage can be addressed through a condition for a Construction and Environmental Management Plan, which has been recommended below.
- 5.25 Wessex Water have indicated that a sewage pumping station may be required. This has been moved from a proposed location adjacent to proposed allotments and the woodland copse, which caused the Landscape Officer concern about its appearance in the public open space. A location for this has now been shown provisionally shown on the parameter plans adjacent to the attenuation basin, but will be subject to agreement with Wessex Water if required. In addition, there must be a 15 metre buffer zone between it and neighbouring properties and appropriate access arrangements as set out in Wessex Water's comments.
- 5.26 Comments have been submitted on behalf of the neighbouring owners of Bridge Bungalow in relation to site drainage.
- 5.27 In relation to the concerns that the site will use ditches on Bridge Bungalow's land, surface water from the site already discharges into the ditches referred to. This will continue at greenfield run off rate and therefore the flows through these ditches will not change and the proposal is not considered to cause an additional flood risk to Bridge Bungalow. It is not within the remit of the planning process to seek the permission of land owners downstream to allow their ditches to be used to receive surface water drainage. It is also noted that the Land Drainage Act 1991 requires that riparian owners not to obstruct the flow of water through their watercourses.
- 5.28 It is noted that the objector considers the ditches around the perimeter of Bridge Bungalow to be within Bridge Bungalow's ownership. The applicant disputes this. It is not within the remit of the planning process to settle land ownership disputes and

while the neighbour's concern has been queried, this matter will need to be resolved between the parties through other means.

- 5.29 Therefore subject to the conditions set out below, the drainage strategy proposed for the site is considered to be satisfactory.

Landscape and Visual Amenity

- 5.30 In respect of trees, all category A trees (trees of highest quality) identified by the arboricultural assessment are proposed to be retained.
- 5.31 The Landscape Officer considers that views of the site from the wider countryside are limited by intervening vegetation alongside the M4 and the elevated nature of the railway and motorway embankments close to the site. However, she still has a number of concerns regarding the potential impact of the development on the existing landscaping within the site, and the provision of additional landscaping within the new development.
- 5.32 Concern is raised that the hedgerows along the south west boundary of the site and forming part of the north-west boundary to the site have been removed. A condition has been recommended below for the submission of the details of the replacement of these hedges as part of the reserved matters submitted, to ensure they are sufficiently accounted for in the layout of the site. The Landscape Officer has concern regarding the space provided for this, providing a buffer to the railway line and space for maintenance of landscaping, but it is considered these matters can also be addressed at reserved matters stage.
- 5.33 In respect of the parameter plans, concern is raised that the development edge closely follows the edge of tree canopies, particularly to the north of the copse where the access road is likely to be located, in an impractical way, and that the buffer should be increased. It is agreed it is impractical for the development to follow this buffer precisely. However, this matter can be considered fully at reserved matters stage. This is also an issue on the north-west boundary, where the development edge is set to the edge of the RPAs of the trees and hedge. The site also slopes more steeply here than in other areas of the site.
- 5.34 Concern is raised that the site margins are squeezed and there is little space for good quality open space or structural landscape. However, the proposed development is considered to meet the space requirements for informal recreational open space and natural/semi natural green space on site (see below).
- 5.35 The highway works to Old Gloucester Road and the site entrance affect the road side hedgerow (G87), as they will require the removal of a significant amount of this hedgerow. This hedgerow has been identified as an important hedgerow under the Hedgerow Regulations in the applicant's Hedgerow Survey Report. However, the removal of hedgerow here is considered a necessity to create a vision splay and footway and therefore provide safe access to the site. A condition has been recommended for providing details of the replacement of this part of the hedgerow. If this impacts on the size of the allotment provision here, the shortfall in provision will need to be replaced to comply with the proposed Section 106 Agreement.

- 5.36 In respect of the concern that the allotments should be located on a single site rather than split over two sites as shown, while it is understood this is likely to make them easier to manage and service, the applicant is not precluded from splitting the proposed allotments.
- 5.37 The hedgerow (G82) to the north east corner of the site boundary is identified as part of the same hedgerow as G87 in the Hedgerow Survey Report (Hedgerow 2). The Landscape Officer raised concern regarding this being removed. The Blue and Green Infrastructure Parameter Plan shows the eastern section of this as remaining, with the western section being removed around the area of the proposed attenuation basin. The removal of some of this western section of hedgerow is likely to be required to accommodate the site layout at reserved matters stage as this is where the attenuation basin will be constructed. As suitable attenuation arrangements are a requirement to develop the site, this is accepted. A condition has been recommended below for the submission of a detailed drainage design with the first reserved matters. This is expected to include suitable maintenance buffers and landscaping around the basin, and this should therefore allow for the retention of some of this western part of the hedgerow along the site boundary, and/or replacement planting.
- 5.38 There is concern that the plans do not make it clear that hedgerows will be replaced, but it is considered that this matter can be addressed at reserved matters stage.
- 5.39 While it is acknowledged that concerns remain regarding the potential removal of landscaping, the adequacy of the proposed replacement and additional landscaping and the space left for this on the parameter plans, in this case landscaping is a reserved matter and these matters can be considered further at reserved matters stage. In addition, it is considered that sufficient natural/semi natural and informal recreational open space is shown as provided on the site for the development proposed. It is also considered that the conditions recommended below are satisfactory to ensure these matters can be fully considered at reserved matters stage.

Ecology

- 5.40 Although Great Crested Newts are a significant issue on both the wider East of Harry Stoke and adjacent Harry Stoke development sites, they are considered unlikely to be present on this site due to it being to the north of the railway line.
- 5.41 There are not considered to be any ecological constraints to granting planning permission, subject to suggested conditions. These have been substantively recommended below. This is with exception of a condition for compliance with sections 5.2 and 5.3 of the PEA, as the relevant parts of these sections are considered to be satisfactorily addressed by other recommended conditions.

Transport

- 5.42 The Travel Plan requested by the Transport Development Control Officer is discussed further in the "Planning Obligations" section below and is included in the recommended Heads of Terms. The Transport Development Control Officer has also stated that the site should contribute to the Transport Infrastructure Delivery Plan

(IDP) items as set out in the apportionment table for the EoHS site and this is also discussed further in the “Planning Obligations” section and included in the recommended Heads of Terms. The suggested transport conditions have been substantively recommended below.

- 5.43 Highways England have also requested that a Travel Plan and Construction Management Plan are provided. The wording of the relevant conditions below takes account of their suggested wording for these conditions.
- 5.44 The application is considered acceptable in respect of transport considerations, including the provision of site access and associated works, which part of this application and not reserved for future consideration.

Noise and Vibration

- 5.45 Clarity was sought from the applicant’s noise consultant that noise could adequately be mitigated where buildings were a maximum of three storeys in height, as a greater number of storeys would not comply with the submitted parameter plan. The consultant has stated that subject to site layout and appropriate noise mitigation measures it is feasible to provide acceptable noise levels to residents within buildings that are limited in height to a maximum of three storeys, and that a hedgerow or fence along the boundary with Old Gloucester Road would not be a necessity for the attenuation of road traffic noise.
- 5.46 The Environmental Protection Officer has no objections subject to a further assessment to ensure that the properties nearest the M4 (in the east of the site) and their external areas have sufficient noise mitigation. This will need to be considered alongside the layout for the site. A further noise assessment of the site has therefore been recommended to be provided at reserved matters stage, through a condition recommended below.
- 5.47 Subject to the condition set out below, it is considered that there are likely to be solutions to mitigate noise to a satisfactory level for a residential development on this site and therefore the development of the site is considered satisfactory in principle in respect of impacts of noise.

Air Quality

- 5.48 The application is considered acceptable in respect of its impact on air quality. In respect of the Air Quality Officer’s suggested conditions, dust management is covered by the Construction and Environmental Management Plan (CEMP) condition below and a condition for electric vehicle charging points has also been recommended. In respect of the suggested condition for a standard for an internal boiler, this is not considered to be enforceable and this condition has not therefore been recommended.

Contamination

- 5.49 In respect of contamination, the Environmental Protection Officer has advised that no information has been submitted to support the claim that there are no significant issues in respect of contamination, and has therefore recommended a condition to

address this issue. Given there is not considered to be evidence to suggest that the land is likely to be contaminated to an extent that would warrant the refusal of this planning application for residential development, it is considered that the condition recommended by the Environmental Protection Officer is satisfactory to address any potential contamination issues. This condition is included in the recommendation below.

Planning Obligations

Affordable Housing:

- 5.50 The NPPF sets out that the need for different tenures, including affordable housing, should be assessed and reflected in planning policies (paragraph 61) and that where a need is identified this is expected to be met on site (paragraph 62). Policy CS18 of the Core Strategy requires developers to achieve 35% on-site affordable housing on new housing developments.
- 5.51 The Affordable Housing Supplementary Planning Document (SPD) sets out more regarding how the affordable housing will be delivered to meet the needs of the community, including that an appropriate percentage of affordable housing will be wheelchair accessible accommodation (as determined by the Strategic Market Housing Assessment (SHMA)), clusters of affordable homes should contain a maximum of 12 homes (sites of over 100 dwellings only).
- 5.52 35% of up to 158 dwellings generates an affordable housing requirement of 55 affordable homes, to be provided without public subsidy, on-site and distributed throughout the development in clusters of no more than 12 units. It is considered that this should be split between 73% being provided for social rent and 27% being provided for shared ownership.
- 5.53 The delivery of the affordable housing will be delivered through a Section 106 Agreement and the above requirements are included in the Heads of Terms below. These also include the range of house types sought, the requirement for 8% of the affordable homes to be wheelchair accessible homes, and in addition cover design standards, delivery and ensuring affordability.

Public Open Space:

- 5.54 Policy CS27- East of Harry Stoke New Neighbourhood requires development proposals within the New Neighbourhood to positively facilitate and not prejudice the development of the new neighbourhood, and meet the overall vision for the area including well planned and integrated green infrastructure including a strategic green corridor for amenity, recreation, woodland and wildlife uses, sustainable urban drainage, allotments sports pitches and changing.
- 5.55 The East of Harry Stoke Development Framework objectives for development include the provision of Green Infrastructure.

- 5.56 Policy CS24- *Green Infrastructure, Sport and Recreation Standards* seeks provision of green infrastructure, outdoor space, sport and recreation facilities according to the following principles:
1. New developments must comply with all the appropriate local standards of provision in terms of quantity, quality and accessibility;
 2. Provision must be delivered on-site, unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal; and
 3. The functionality and usability of spaces and facilities must be suitable for their intended purposes.
- 5.57 Under this policy, environments for play are required to be delivered as an integral part of site design within both public and semi-private communal open space areas.
- 5.58 The space shown on the Blue and Green Infrastructure Parameter Plan for the different categories of open space differs from the table shown above in the Public Open Space Officer's comments and is now as in the following amended version of the table. The minimum spatial requirements are based on estimated occupancy figures:

Category of open space	Minimum spatial requirement to comply with policy CS24/CS27 (sq.m.)	Spatial amount provided on site (sq.m.) according to Blue & Green Infrastructure Parameter Plan
Informal Recreational Open Space	4,360.8	5,045
Natural and Semi-natural Open Space	5,688	6,250
Outdoor Sports Facilities	6,067.2	0
Provision for Children and Young People	948	958
Allotments	758.4	760

- 5.59 Based on the above, the open space shown on the Blue/Green Infrastructure Parameter Plan shows an overprovision of natural and semi-natural open space and informal recreational open space. The provision of space for allotments is considered to be sufficient, albeit marginal. As such the development is considered to provide sufficient amounts of these categories of open space. The provision of the spatial requirements of open space for these categories to comply with policies CS24 and CS27 is recommended to be included in a Section 106 Agreement. The Public Open Spaces Officer notes that design of these will have to be assessed at reserved matters stage.
- 5.60 The references to Incredible Edible have been dropped from the proposal due to concerns raised by the Public Open Spaces Officer regarding how this would be secured in a Section 106 Agreement. Incredible Edible is a Community-Led growing scheme which would be driven by interest from the Community. There is therefore uncertainty at this stage if this could be secured. However, if members of the new community to be created here were interested, this could be implemented outside the planning process at a later date.

- 5.61 In respect of play areas, sufficient space, albeit again marginal is provided. This needs to be equipped play. One play area within the Development Boundary as shown on the Land Use Parameter Plan is indicative in size and location. This will need to be incorporated into an appropriate site layout. Appropriate separation distances will be required to dwellings to meet Fields In Trust standards. Access to play areas and details of compliance with Fields in Trust Standards will be required at reserved matters stage, and a condition for these has been recommended below.
- 5.62 The two small play areas to the north and south that the Public Open Space Officer raised concerns regarding have been removed from the plan, and replaced by the play area in the development boundary discussed above.
- 5.63 No outdoor sports facilities are proposed on site and therefore a contribution is recommended below based on the spatial requirement and costs for provision set out above, to be provided through the Section 106 Agreement.
- 5.64 The recommendation below also includes Heads of Terms that require other categories of public open space to be provided on site, to comply with the spatial requirements set out in the above table.

Self and Custom Build Housing:

- 5.65 The NPPF (paragraph 61) requires Local Planning Authorities to plan for a mix of housing including 'people wishing to commission or build their own homes'. The Selfbuild and Custom Housebuilding Act 2015 placed a duty on local authorities to keep a register of individuals (and associations of individuals) who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects, to publicise that register and to have regard to it when carrying out planning and housing functions. South Gloucestershire Council have kept a register since the 1st April 2016, as of 1st August 2019 the total number of entries on the register was 782.
- 5.66 The Housing and Planning Act 2016 (Section 9, (1)) defines Self-build and Custom Housebuilding as "the building or completion by individuals, associations of individuals, or persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals, but it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person".
- 5.67 The Housing and Planning Act 2016 defines a serviced plot of land as a plot that has access to a public highway and has connections for electricity, water and waste water, or can be provided with those things in specified circumstances or within a specified period.
- 5.68 Policy PSP42 in the Policies Sites and Places Plan sets out the requirement for at least 5% of dwellings on sites of over 100 dwellings to be supplied for self or custom build. This would result in the provision of 8 self or custom build plots on this site.

- 5.69 It is considered that the self and custom build housing, and the related Delivery Statement and Design Code (or Brief) should be delivered through a Section 106 Agreement, and are therefore included in the Heads of Terms set out below. The Delivery Statement is expected to contain marketing details for the site, including the provision of plot passports for plot purchasers as a guide to what can be built on the plot. The Heads of Terms below also include a requirement for a contribution of 1% of the value of each self and custom build plot (minus the planning application fee) to contribute to the Council streamlining and validating the reserved matters application process for self and custom build plots.

Travel Plan:

- 5.70 All sites of a sufficient scale in EoHS are expected to provide a travel plan, to reduce car journeys, particularly single occupancy car journeys, and encourage active travel and travel by public transport. A sum of £315 per dwelling is recommended, which includes for the provision of vouchers for each dwelling as an incentive to use public transport when the occupiers arrive, with the aim of putting these habits in place for future travel.
- 5.71 There are two options for securing the delivery of the Travel Plan: either the Developer pays the Council a sum equivalent to £315 per dwelling and the Council implements, manages and monitors the Travel Plan; or the Developer implements and manages the Travel Plan and pays the Council an annual monitoring cost. It is proposed that the Travel Plan is secured through a Section 106 Agreement, and the above options are included in the recommended Heads of Terms below.

Tariff:

- 5.72 The New Neighbourhood allocations in the 2013 Core Strategy were removed from the CIL charging tariff when the Council adopted the CIL charging schedule in March 2015. These areas including the EoHSNN are therefore zero CIL charged and are subject to the traditional s106 mechanism for securing community, transport and other relevant infrastructure as mitigation for the impact of the development. As a strategic allocation, the EoHSNN has a number of different landowners within the allocation land. This posed a challenge for securing delivery of community and transport infrastructure as mitigation for the whole New Neighbourhood (at 2000 units). As such a tariff system has been developed as an appropriate means of securing infrastructure for the allocation as a whole. The mechanism involves, in its most simple terms, dividing the overall cost of delivering the required infrastructure for the allocation by the number of dwellings to be provided, to determine a “roof tariff” for each dwelling unit to be delivered.
- 5.73 Officers identified all of the infrastructure required to deliver the allocation in its entirety within an infrastructure delivery plan (IDP). This IDP was then costed by Officers to create a fully costed position from which the roof tariff was calculated.
- 5.74 As there are a number of sites likely to come forward within the allocation, with a number of section 106 agreements, pooling restrictions under the CIL Regulations would not allow all applications to simply pay an overall amount towards the overall infrastructure package. Therefore, the total sums required from the roof tariff are to be

designated to specific infrastructure projects within the infrastructure package, also referred to as “apportionment”. The roof tariff calculated is £12,871 per dwelling, and the total infrastructure package is £25,742,648, excluding the items described separately above.

- 5.75 The infrastructure package and the apportionment of this has already been presented to Committee in the consideration of the planning applications for land north and south of the railway (PT16/4782/O and PT16/4928/O), which propose up to 1,617 dwellings and thus the bulk of the dwelling numbers on the site. Both of these applications now have a resolution to grant planning permission and Section 106 Agreements are being progressed on the basis of the roof tariff calculated and the apportionment exercise carried out. It is therefore considered appropriate and consistent that this work should be used as the basis for contributing towards infrastructure provision for this application.
- 5.76 The apportionment exercise has identified that this proposal should contribute towards the following infrastructure items through a Section 106 Agreement:

Building the primary school to be located on site on land north of the railway line- Officers have assessed that the proposed EoHSNN allocation would generate the need for 2.3 forms of entry (FE) primary school. However, it is not practical to build a primary school at the 2.3 FE generated by the allocation. As such Officers have proposed to round up the figure to a 2.5FE school. A 2.5FE primary school would generate a contribution of 525 (places) x £16,293 (cost of providing each place) = £8,553,825. This sum has therefore been included in the IDP.

The provision of secondary school places off site- There is a shortfall of secondary school places in the local schools. Officers have assessed that the allocation would generate a pupil yield of 247 secondary school places, calculated as £20,977 each to provide. The sum of £5,181,319 has been added to the IDP for the allocation.

The provision of a community development worker- This has been identified as being required for the allocation in the Council Wide Infrastructure Delivery Plan (March 2014).

The provision of a Police Community Support Officer post- This has been identified as being required for the allocation in the Council Wide Infrastructure Delivery Plan (March 2014).

The extension to the Stoke Gifford GP surgery (or an alternative to this)- Additional GP provision has been identified as being required for the allocation in the Council Wide Infrastructure Delivery Plan (March 2014).

The provision of pitches for the Gypsy and Traveller Community- Two pitches are identified as being required in the SPD for the allocation. It is likely these will be provided off-site.

The provision of the Stoke Gifford Transport Link- This has been constructed and was considered to be required to provide appropriate transport links, including for the MetroBus, to bring forward this allocation.

Constructing a shared footway/cycleway along Old Gloucester Road, as far as the proposed traffic island crossing to Players Close- This is part of the access works to the site from Old Gloucester Road. It will connect with a shared footway/cycleway to be provided by the development of the land south of the railway to the south, and also a traffic island to be provided by a development already constructed at Players Close (ref. PT16/1277/O) to access the existing footway on the other side of Old Gloucester Road. This is considered necessary to ensure the safety of pedestrians and cyclists accessing the site and also to provide active travel links for occupiers of the site to encourage travel by means other than the car.

Community Infrastructure Levy Regulation 122 ("Three Tests")

- 5.77 The NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Furthermore, planning obligations will be given weight where they meet all the following statutory tests:
1. Fairly and reasonably related in scale and kind to the development;
 2. Directly related to the development;
 3. Necessary to make the development acceptable in planning terms.
- 5.78 In the case of the planning obligations set out above, and as set out in the Heads of Terms below, it is considered that they are appropriate mitigation, necessary to make the development acceptable in planning terms, directly related to the development and in scale and kind to the development. As such all planning obligations set out in the heads of terms are considered to have passed the CIL Regulation 122 tests.

Other Matters

- 5.79 A condition for an energy statement, as recommended by the Environmental Policy Officer has been recommended. The Environmental Policy Officer recommended that this was submitted prior to the submission of reserved matters applications. However, it is considered sufficient that this is submitted at reserved matters stage.
- 5.80 The condition recommended by the Environmental Policy Officer in respect of ensuring that a development complies with Building Regulations at the time of building (rather than pre-registering) has not been recommended as this is considered beyond the remit of the planning process.
- 5.81 In respect of public art, given the size of the development site and that it will be part of the overall New Neighbourhood, it is considered reasonable to require a scheme of public art to promote local distinctiveness and interest. A condition in this respect is therefore recommended below.
- 5.82 The high voltage electricity cable and pylon in copse in the south east corner of the site is not considered to impact on ability of the developable areas shown on the parameter plans to come forward for residential development. There is a further electricity cable on the southern boundary of the site, but Western Power have confirmed that this is not in use and that it is their intention to remove it.

- 5.83 In respect of Network Rail's comment that they require a condition to agree groundworks within 8 metres of the boundary, this is considered unnecessary. Any ground works will need to be considered as part of a reserved matters application and Network Rail will be consulted again on such an application.
- 5.84 The condition suggested by the Archaeology Officer has been recommended as requested.
- 5.85 Concern raised by the Landscape Officer that larger scale parameter plans (1:500 requested rather than 1:1000) and that building heights should be expressed in metres rather than storeys are noted. However, the parameter plans are considered of a sufficient scale to consider the principle of the development, and storey heights are an acceptable way of assessing the scale of the development in principle at this outline stage.

Consideration of likely impact on Equalities

- 5.86 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.
- 5.87 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 outline planning 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 That authority be delegated to the Director of Environment and Community Services to grant outline planning permission, subject to the conditions set out below and the applicant first entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

Affordable Housing:

1. 35% of dwellings to be delivered as affordable housing, as defined by the NPPF.
2. Tenure split of 73% social rent (213 units) and 27% shared ownership to meet housing need as identified by the Wider Bristol Strategic Housing Market Assessment 2015.
3. A range of affordable unit types to meet housing need based upon the findings from the Wider Bristol Strategic Housing Market Assessment 2015 as shown below:

Social Rent:

Percentage	Type	Min Size m ²
15%	1 bed 2 person flats	50
15%	2 bed 4 person flats	70
28%	2 bed 4 person houses	79
34%	3 bed 5 person houses 2 storey	93
8%	4 bed 6 person houses 2 storey	106

Shared Ownership:

Percentage	Type	Min Size m ²
8%	1 bed 2 person flats	50
16%	2 bed 4 person flats	70
35%	2 bed 4 person houses	79
41%	3 bed 5 person houses 2 storey	93

4. 8% of affordable units to be provided as wheelchair accessible homes to meet Part M of the Building Regulations accessibility standards M4(3).
5. Affordable housing is to be delivered without any public subsidy.
6. Affordable housing shall be distributed across the site in clusters of no more than 12 units.
7. Where provided as flats, no more than 6 Affordable Homes shall share an entrance and communal area.
8. Affordable housing is to be built to the same high quality design standards and be visually indistinguishable from the market units and in addition, be built to Part M of the Building Regulations accessibility standards M4(2), Part 2 of Secured by Design, and comply with the Registered Provider Design Brief.
9. South Gloucestershire Council is to refer potential occupants to all first lettings and 75% of subsequent lettings.

10. First preference for delivery shall be through South Gloucestershire Council's list of Approved Registered Providers. In the event of the developer choosing a Registered Provider from outside the partnership then the same development and management standards shall be adhered to.
11. Affordable housing shall be built out with the market housing on site in line with agreed triggers within the Section 106 Agreement.
12. Each reserved matters application submitted in relation to the outline planning permission shall include a percentage of affordable housing that reflects the proportion and mix of units set out above.
13. Social Rent homes shall be let at Target Rent (Rent Standard Direction 2014).
14. Shared Ownership homes shall be sold at no more than 40% of market value, and annual rent on the equity retained by the Registered Provider shall be no more than 1.5%.
15. Service charges shall be capped at £650 per annum (April 2016 base and linked to RPI) to ensure that all housing costs are affordable to future occupants.
16. Social rented dwellings shall be retained as affordable housing in perpetuity. Right to Acquire does not apply where no public subsidy is provided.
17. Capital receipts on intermediate housing shall be recycled as capital expenditure on approved affordable housing schemes in South Gloucestershire, with subsidy levels to increase by any capital appreciation.

Infrastructure Delivery:

18. A sum of £12,871 per dwelling to be delivered will be required to pay for infrastructure delivery for the wider East of Harry Stoke New Neighbourhood in line with Policy CS27 and the adopted EoHS Framework SPD 2016. This contribution will be directed to provision of the following infrastructure items:
 - Contribution towards building the primary school;
 - Contribution towards providing secondary school places off site;
 - Contribution towards the provision of a community development worker;
 - Contribution towards a Police Community Support Officer post;
 - Contribution towards the extension to the Stoke Gifford GP surgery (or an alternative to this);
 - Contribution towards the provision of pitches for the Gypsy and Traveller Community;
 - Contribution towards the provision of the SGTL;
 - The provision of the shared footway/cycleway along Old Gloucester Road, as far as the proposed traffic island crossing to Players Close.

Public Open Space:

19. Informal Recreational Open Space- a minimum of 4,360.8 square metres on site provision (with private maintenance);

20. Natural and Semi Natural Open Space: a minimum of 5,688 square metres of on-site provision (with private maintenance);
21. Open Space Provision for Children and Young People- a minimum of 948 square metres of equipped on site provision (with private maintenance);
22. Allotments- a minimum of 758.4 square metres of on-site provision (with private maintenance);
23. A contribution of £396,604 (calculated at 2017/2018 costs, with the current cost to be indexed on the basis of the BCIS standard) towards the provision or enhancement of off-site outdoor sports facilities, in lieu of on-site provision and maintenance.
24. The developer shall engage with the management companies being used by other developers within the East of Harry Stoke New Neighbourhood to manage open space and use best endeavours within this engagement to secure co-ordinated and comprehensive management of open spaces within the New Neighbourhood.

Self and Custom Build Housing:

25. The application will be required to provide 5% of the total number of dwellings delivered as self and custom build units in accordance with the definition in the Housing and Planning Act 2016, including a financial contribution of 1% of the sale value of each self and custom build plot (up to a maximum value of £1,000 per plot), minus the planning application fee for the relevant reserved matters application.
26. A Delivery Statement will be required which sets out how the proposed self and custom build plots will be brought forward and how the proposed business model fulfils the Housing & Planning Act's (2016) definition of self-build and custom house building.
27. A Design Code/Brief will be required which sets out as a minimum the subdivision of plots, building line, scale and boundary treatments of the self and custom build housing.

Travel Plan:

28. Either:

A contribution of £315 per dwelling will be paid to the Council to implement the Travel Plan;

Or:

The developer will implement the approved Travel Plan and make an annual contribution of £1,000 to the Council for the life of the Travel Plan to pay the cost incurred by the Council in monitoring the performance of the Plan.

- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- 7.3 Should the agreement not be completed within 12 months of the date of this Circulated Schedule that delegated authority be given to the Director of Environment and Community Services to refuse the application if an extension of time to complete the agreement is not agreed.

Contact Officer: Helen Winsall
Tel. No. 01454 865911

CONDITIONS

1. Details of the layout, scale and appearance of the buildings to be erected, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before development on land to which the reserved matters relate commences. Development thereafter shall be carried out in accordance with the approved details.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. All applications for the approval of the reserved matters shall be submitted to the Local Planning Authority before the expiration of 3 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).

3. The development hereby permitted shall be begun either before the expiration of 2 years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

4. This decision relates only to the plans below:

H21/TC/2/06 Location Plan

H21/TC/2/31 Site Survey

H21/TC/2/44-1 Rev B Building Height Parameter Plan

H21/TC/2/44-2 Rev B Density Parameter Plan

H21/TC/2/44-3 Rev B Land Use Parameter Plan

H21/TC/2/44-4 Rev D Blue and Green Infrastructure Parameter Plan

H21/TC/2/44-5 Rev B Access and Movement Parameter Plan

H21/TC/2/54 Application Area

Reason

To clarify the plans forming this consent.

5. Applications for the approval of the reserved matters shall be in accordance with the approved Parameter Plans, and the principles and parameters set out in the Design and Access Statement. Where additional space or revisions to the space are required for infrastructure to that shown on the parameter plans, this shall be provided from within the residential development area shown on the approved parameter plans.

Reason

For the avoidance of doubt, and to ensure satisfactory provision of landscaping, open space and other infrastructure to accord with policy CS24 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013).

6. Prior to the submission of the first reserved matters, details shall be first submitted to and approved in writing by the Local Planning Authority demonstrating how foul sewage will be disposed of, including details to demonstrate whether a foul sewage pumping station is required on site and if it is required, where it is proposed to be located. The development shall be implemented in accordance with the approved details.

Reason

To ensure satisfactory arrangements are made for foul sewerage, and to accord with policy CS24 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policies PSP8 and PSP21 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

7. If a foul sewage pumping station is required on site, it shall be provided on site prior to the occupation of the first dwelling and shall comply with the following:
 - (i) The foul sewage pumping station shall have a 15 metre buffer zone between its boundary and the boundary of the curtilage of any dwelling;
 - (ii) The foul sewage pumping station shall include suitable access arrangements for the operation and maintenance of the pumping station.

Reason

To ensure any pumping station is constructed to a suitable standard, and to accord with policy CS24 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policies PSP8 and PSP21 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

8. Prior to the approval of the first reserved matters, a noise assessment of the whole site layout, including details to establish the levels of mitigation provided by housing layouts and orientation and to determine those properties where alternative ventilation would be needed to achieve internal noise levels compatible with BS8233:2014 and the South Gloucestershire Specific Guidance Note 1- Planning and Noise (or any subsequent amendments to these documents), shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

In the interest of residential amenity and to accord with policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policies PSP8 and PSP21 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

9. The reserved matters shall include the following details for the play areas:
- (i) Landscaping;
 - (ii) Fencing;
 - (iii) Site levels;
 - (iv) A buffer between the play areas and the nearest dwellings to comply with the following (from Fields in Trust (October 2015), Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard):
 - o Local Area for Play (LAP)- 5 metres between the activity zone and the boundaries of dwellings;
 - o Local Equipped Area for Play (LEAP)- 20 metres between the activity zone and any dwelling façade containing habitable room windows;
 - o Neighbourhood Equipped Area for Play (NEAP)- 30 metres between the activity zone and the boundaries of dwellings;
 - (v) Access to the play areas for both pedestrians and maintenance vehicles;
 - (vi) The play equipment to be installed within the play areas.

The play areas shall be implemented in accordance with the approved details.

Reason

To ensure satisfactory provision of open space, to accord with policy CS24 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013).

10. The reserved matters shall include appropriate vehicular access and parking for the allotments. The allotments shall be provided in accordance with the approved details.

Reason

To ensure satisfactory provision of open space, to accord with policy CS24 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013).

11. Prior to the approval of the first reserved matters, the surface water drainage infrastructure for the site, and the detailed design for this, including a detailed development layout showing surface water and SUDS (sustainable drainage) proposals shall be first submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- (i) A clearly labelled drainage layout plan showing the pipe networks and all attenuation features;
- (ii) Drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer);
- (iii) Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates

during a 1 in 100 year plus an allowance for climate change storm event (winter and summer);

(iv) The drainage layout plan shall also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding (where applicable);

(v) The plan shall also show any pipe node numbers referred to within the drainage calculations;

(vi) A manhole / inspection chamber schedule to include cover and invert levels;

(vii) Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as attenuation features and flow control devices where applicable;

(viii) Sufficient access arrangements and space to allow for the maintenance of the attenuation basin and associated channels, and landscaping along boundary of the development site;

(ix) Details of landscaping of the attenuation basin.

The development shall be implemented in accordance with the approved details.

Reason

To ensure satisfactory drainage, and to accord with policies CS1 and CS9 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP20 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

12. Prior to the approval of the first reserved matters a report of a site-wide investigation carried out by a suitably qualified person into the previous uses and contaminants likely to affect the development shall be first submitted to and approved in writing by the Local Planning Authority. Where potential contaminants are identified, the report shall include an investigation carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development and how any unacceptable risks will be mitigated. The report shall set out the findings of the investigations and what mitigation measures are proposed to address these. Thereafter the development shall proceed in accordance with any approved mitigation measures. If works have been required to mitigate contaminants, prior to occupation of the first dwelling a report verifying that all necessary works have been completed satisfactorily shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

13. Prior to the approval of the first reserved matters a scheme of Public Art (including timescales and triggers) for the whole site to be implemented within the development shall be first submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note. Thereafter the artwork/s shall be installed in accordance with the approved details and retained as such.

Reason

To ensure public art is appropriately included within the scheme in the interests of the visual amenity of the development and to accord with policies CS1 and CS23 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013).

14. The reserved matters shall be accompanied by an Energy Statement detailing the energy saving measures that will be incorporated into the design of the development, including layout and orientation, massing and landscaping, and how the development will reduce carbon dioxide emissions by at least 20% through on-site renewable and/or low carbon energy generation. Development shall be carried out in accordance with the approved Energy Statement.

Reason

To ensure the development is sustainable, in accordance with Policies CS1 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP6 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

15. Prior to the approval of the first reserved matters a plan showing an area where the self-build and custom build housing will be located and how the area will be accessed and divided into plots shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

To ensure adequate provision can be made for self-build and custom build housing, in accordance with Policy PSP42 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

16. Prior to the approval of the first reserved matters details of a site-wide pedestrian and cycle movement strategy identifying existing and predicted desire routes, safe routes to school and connections to the adjacent residential development shall be first submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with this strategy.

Reason

To ensure appropriate pedestrian and cycle access across the site and to accord with Policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

17. The reserved matters shall include details of carriageways, footways, cycleways and shared surfaces widths and surface materials. The development shall thereafter be implemented in accordance with the approved details.

Reason

To ensure the reserved matters layout provides safe and suitable access to all dwellings and to accord with Policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

18. Prior to the approval of the first reserved matters a method statement and accompanying plans showing the following in relation to the existing trees and hedge

along the boundary of Old Gloucester Road shall be first submitted to and approved by the Local Planning Authority in writing:

- (i). The root protection areas for any trees and hedgerows to be retained;
- (ii). The trees that are to be felled to construct the access and footway;
- (iii). Cross-sections showing the proposed access and footway works and adjacent trees to remain at a recognised scale;
- (iv). Methods of construction proposed to ensure the trees to remain are not adversely impacted by the works;
- (v). Replacement trees for those to be felled to accommodate the construction of the access and footway.

The development shall be implemented in accordance with the approved details.

Reason

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

19. Prior to the commencement of development, protective fencing shall be installed around the hedgerows and trees to be retained to accord with BS5837:2012 (or any subsequent amendments to this). The fencing shall remain for the duration of the build.

Reason

To protect the trees and hedgerows, and to accord with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and Policy PSP3 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017).

20. The reserved matters shall contain details of the reinstatement of the boundary hedgerows on the north-west and south west boundaries of the site including planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. The planting shall be implemented in accordance with the approved details.

Reason

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

21. 21. The reserved matters shall be accompanied by a method statement and accompanying plan(s) showing the following:
- (i). The root protection areas for any trees and hedgerows to be retained;
 - (ii). Any development or works to be taking place within or adjacent to those root protection areas, including below ground works;
 - (iii). Methods of construction proposed to ensure the trees are not adversely impacted by the works;

- (iv). Routes to allow for maintenance of the trees both during and after construction.

The development shall be implemented in accordance with the approved details.

Reason

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

22. The reserved matters shall include full details of both hard and soft landscaping works in the area applied for. These details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines indicating lines, manhole); retained landscape features, including trees and hedgerows and proposals for restoration where relevant. Soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason

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

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

Reason

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

24. The principal windows of all proposed dwellings shall be at least 20 metres from those of existing dwellings on the boundary of the site, unless it can be demonstrated as part of a reserved matters application that measures have been implemented, as set out in South Gloucestershire Council's Technical Advice Note: Assessing Residential Amenity (June 2016) (or any subsequent amendments to this) to prevent a lesser distance adversely impacting on the amenity of residents.

Reason

To protect residential amenity, in accordance with Policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and Policy PSP8 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

25. The reserved matters shall show details of facilities for charging electric or other ultra-low emission vehicles at each dwelling applied for with an adjacent garage or parking space. The approved facilities shall be provided prior to occupation of each relevant dwelling.

Reason

To promote sustainable transport choices and to accord with CS Policy CS8 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013).

26. Prior to the commencement of development, a site specific Construction Environmental Management Plan (CEMP), shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Highways England. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall address the following matters:

- (i). Measures to control the tracking of mud off-site from vehicles;
- (ii). Measures to control dust from the demolition and construction works approved;
- (iii). Adequate provision of fuel oil storage, landing, bunding, delivery and use, and how any spillage can be dealt with and contained;
- (iv). Adequate provision for the delivery and storage of materials;
- (v). Adequate provision for contractor parking;
- (vi). A Lorry routing schedule;
- (vii). Temporary access arrangements for construction traffic;
- (viii). Details of Main Contractor including membership of Considerate Constructors scheme;
- (ix). Site Manager contact details;
- (x). Processes for keeping local residents informed of works being carried out and dealing with complaints;
- (xi). Site security;
- (xii). Containment of silt/soil contaminated run-off. To include managing how soil deposits will be minimised from being deposited on the road;
- (xiii). Disposal of contaminated drainage, including water pumped from excavations;
- (xiv). Site induction for workforce highlighting pollution prevention and awareness;
- (xv). Measures to prevent the runoff of any contaminated drainage during the construction phase;
- (xvi). Site working hours;
- (xvii). How all semi-natural habitat and species of fauna will be safeguarded from development during construction.

Reason

This is a pre-commencement condition as this plan needs to be in place to ensure appropriate management of works on site. In the interests of highway safety, the safe and efficient operation of the Strategic Road Network and preventing pollution, protecting biodiversity and to accord with and to accord with policy CS9 of the adopted

South Gloucestershire Local Plan Core Strategy (December 2013) and Policies PSP11, PSP19 and PSP21 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

27. Prior to the commencement of development, including any groundworks, geotechnical works or remediation works, a programme of archaeological work and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, shall be first submitted to and approved in writing by the Local Planning Authority. Thereafter the approved programme of work and mitigation measures and method of outreach and publication shall be implemented in all respects.

Reason

This is a pre-commencement condition that is required to ensure that archaeological interests are not prejudiced by construction works on the site and in the interests of archaeological investigation, recording and mitigation and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy adopted December 2013.

28. The affordable dwellings shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2), with the exception of 8% of these affordable dwellings, which shall be constructed as wheelchair accessible homes to meet Part M of the Building Regulations accessibility standard M4(3)(2)(a).

Reason

To ensure inclusive design access for all in accordance with Policy PSP37 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan.

29. 29. No dwelling shall be occupied until the following highway works have been implemented in full in accordance with drawing no. T178-100 Rev K:
- (i). Site access;
 - (ii). Bus stop platforms;
 - (iii). Shared foot/cyclepath from the site access to the central island refuge at Players Close;
 - (iv). Refuge island on Old Gloucester Road at the junction with Players Close and footway link to Players Close;
 - (v). All associated street lighting, signing, lining and drainage.

Reason

In the interest of highway safety and to provide a safe and suitable access to the site for all modes of travel and to accord with Policy CS8 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

30. No dwelling shall be occupied until the highway linking that dwelling to the existing public highway has been provided with street lighting, completed to base course level for the carriageway and surface course level for the footway or shared surface. These details shall be first submitted as part of the reserved matters.

Reason

In the interests of highway safety, to ensure all dwellings are provided with a safe and suitable access and to accord with Policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

31. No dwelling shall be occupied until car and cycle parking has been provided for that dwelling. These details shall be first submitted as part of the reserved matters.

Reason

In the interest of highway safety and to accord with Policy PSP16 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

32. No dwelling shall be occupied until a site-wide Travel Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with Highways England, which shall include incentives for occupiers to use modes of travel other than single occupancy car journeys. The Travel Plan shall be implemented in accordance with the approved details.

Reason

To promote sustainable travel, in the interests of the safe and efficient operation of the Strategic Road Network and the reduction on the reliance of the private vehicle, and to accord with Policy CS8 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

33. Prior to the approval of the first reserved matters, a Landscape and Ecological Management Plan shall be first submitted to and approved by the Local Planning Authority in writing. The Plan shall include:

- (i) Details of the existing habitat to be safeguarded (trees, hedges);
- (ii) Any new habitat to be created, including the SUDS scheme, and its management;
- (iii) A programme of monitoring of all works for a period of 5 years;
- (iv) A scheme of bat tubes/boxes and bird nest boxes. The scheme shall include details of the type and location of boxes and be suitable for a variety of species of birds such as house sparrow and starling;
- (v) A mitigation strategy for hedgehog.

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

Reason

To protect and enhance biodiversity on the site, and to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP19 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

34. Prior to the approval of the first reserved matters, the site shall be re-surveyed for badger and a report shall be first submitted to and approved in writing by the Local Planning Authority. The report shall provide details of any and all works subject to the licensing provisions of the Protection of Badgers Act 1992. All development shall be carried out in accordance with the approved details.

Reason

To protect any badgers using the site, and to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP19 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

CIRCULATED SCHEDULE NO. 35/19 – 30 AUGUST 2019

App No.: PT18/2765/F

Applicant: Mr M Taylor

Site: Orchard Cottage Bagstone Road
Rangeworthy Wotton Under Edge
South Gloucestershire
GL12 8BD

Date Reg: 19th June 2018

Proposal: Demolition of existing dwelling.
Erection of 2no detached dwelling and
1no detached garage. Creation of new
access and associated works.

Parish: Rangeworthy Parish
Council

Map Ref: 368838 187636

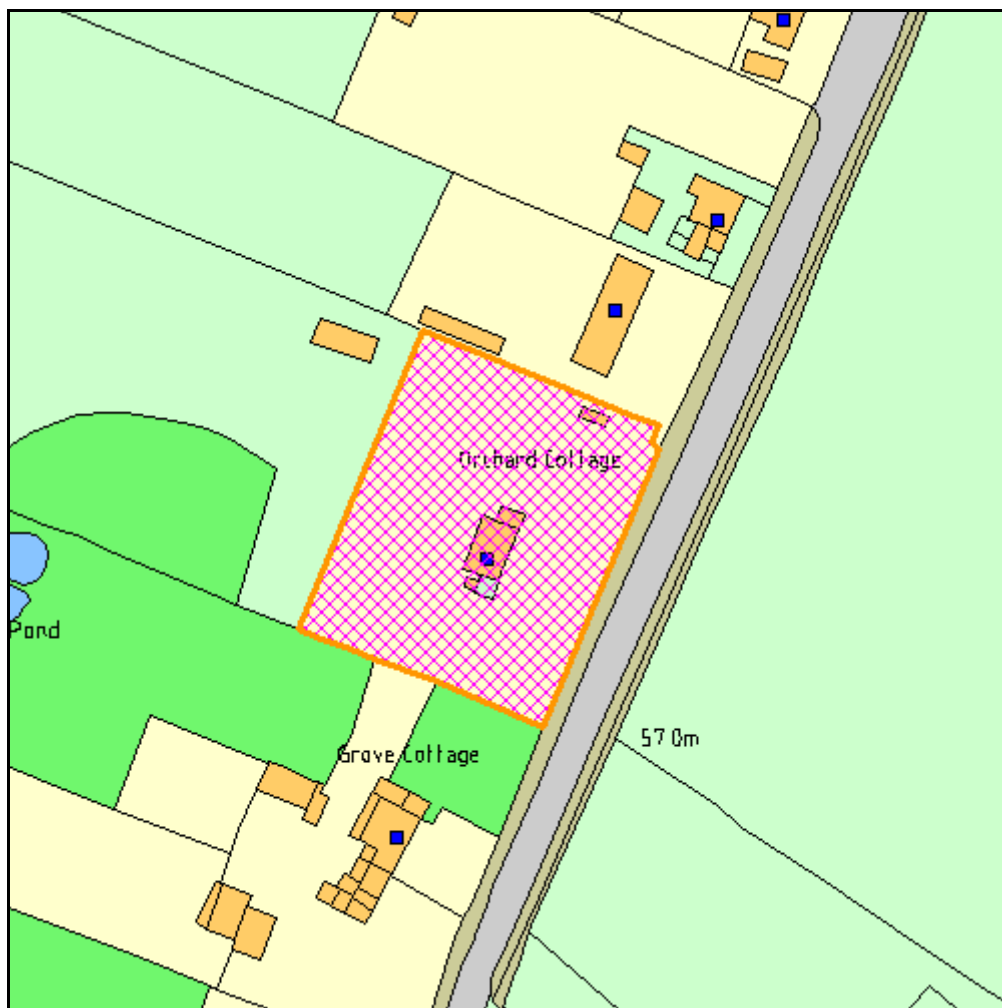
Ward: Frampton Cotterell

Application Minor

Target 13th August 2018

Category:

Date:



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PT18/2765/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 has been referred to the Circulated Schedule due to the receipt of objection from Rangeworthy Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of the existing dwelling and the erection of two dwellings and a detached garage on this 0.2 Ha site at Orchard Cottage, Bagstone. Access to the site is currently gained directly from Bagstone Road and it is proposed to relocate this vehicular access to 'House Two' and an additional vehicular access will be formed via the existing pedestrian access to 'House One'.
- 1.2 The site is situated within a hamlet of Bagstone and it is not subject to any land-use designations, such as Green Belt, an Area of Outstanding Natural Beauty, or conservation areas. The existing dwelling is not statutorily or non-statutorily protected and the existing trees are not subject to any Tree Preservation Order. In accordance with the Environment Agency Flood Map, the site is not subject to any high risk of flooding.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework February 2019

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in favour of sustainable development
CS5	Location of development
CS6	Infrastructure and developer contributions
CS8	Improving accessibility
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS34	Communities of the rural Areas.

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

PSP1	Local distinctiveness
PSP2	Landscape
PSP3	Trees and woodland
PSP8	Residential amenity
PSP11	Transport Impact management
PSP16	Parking standards
PSP20	Flood risk, surface water and watercourse management

PSP21	Environmental pollution and impacts
PSP37	Internal space and accessibility standards for dwellings
PSP38	Development within residential curtilages
PSP43	Private Amenity space standards

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Supplementary Planning Document)
 Adopted 2007
 South Gloucestershire Council Affordable Housing Supplementary Planning
 Document (Adopted) September 2008
 Residential Parking Standards Supplementary Planning Document adopted
 December 2013.

3. **RELEVANT PLANNING HISTORY**

- 3.1 None

4. **CONSULTATION RESPONSES**

- 4.1 Rangeworthy Parish Council
 Objection. Rangeworthy Parish Council wishes it to be noted that during the
 Policies, Sites and Places consultation the SGC Strategic Planning Team were
 adamant they wished Bagstone to remain with a rural aspect, with no
 development or in-filling; the Parish Council noted that biodiversity is generally
 higher in gardens than in farmland and the loss of land to housing in this way
 would be detrimental for the future; the development is outside of the
 development boundary; the proposed development is in close proximity to flood
 zone 3b; more importantly, the entrance to the
 development is on a very dangerous stretch of the B4058, a place where there
 have been numerous vehicle accidents requiring the attendance of emergency
 vehicles and the Police.

- 4.2 Other Consultees

The Coal Authority

No objection subject to pre-commencement conditions seeking an undertaking
 of a scheme of intrusive site investigation, a report of findings and the
 implementation of remedial works.

Sustainable transport

No objection subject to condition securing the implementation of the traffic
 construction management plan

Lead Local Flood Authority

No objection subject to pre-commencement condition seeking surface water
 drainage details.

The Ecology Officer

No objection subject to conditions securing the implementation of ecological
 mitigation measures, seeking details of lighting strategy and restricting the
 demolition period to safeguard the wildlife habitat.

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 together with the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 form the adopted local development plan. Policy CS5(c) of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013 states that, outside the greenbelt and in villages and other settlements without defined settlement boundaries, new development will be strictly controlled. Policy PSP40 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 states that development proposals for residential development in the open countryside, outside the settlement boundaries, will be acceptable for:

- (1) Rural housing exception initiatives
- (2) Rural workers dwelling
- (3) The replacement of a single existing dwelling, where it is of a similar size and scale to the existing, within the same curtilage, and of design in keeping with the locality, and minimises visual intrusion in the countryside
- (4) The conversion and re-use of existing buildings for residential purposes.

- 5.2 Bagstone is a small hamlet between Rangeworthy and Cromwall. The application site is located to the western side of Bagstone Road situating within a group of residential properties sharing a linear development pattern. The proposal is to demolish the existing dwelling and to erect 2 no. 3-bed detached dwellings and 1 no. detached garage. The site would be subdivided into 2 plots. 'House 1' and its garage would replace the existing cottage and 'House 2' would be an additional dwelling. Both new properties would be situated within the existing residential curtilage of Orchard Cottage. A vehicular access will be repositioned as part of the proposal. In terms of the site layout, both new dwellings would follow the linear development pattern of this hamlet by fronting Bagstone Road and remaining a reasonable sized of private garden at the rear. In terms of its scale, the new dwellings would still be two-storey structure and have a traditional and simple design under a pitched roof. Regarding the proposed garage, it would be single storey structure adjacent to 'House One'.

- 5.3 Firstly, there is no objection to the demolition of the existing cottage given its lack of architectural or historic interest. With regard to the proposed new dwellings, officers are satisfied that one of these new dwellings can be considered as a replacement dwelling given its appropriate scale and design. The proposed garage would also be acceptable in principle as the existing dwelling would still benefit from household's permitted development including Class E (building incidental to the enjoyment of a dwellinghouse). In term of its location, both of these dwellings would be located in-between the existing

residential properties and officers consider that their appropriate scale and traditional appearance would effectively integrate with the existing development, as such, they would not be out of character in the wider context of this hamlet. Paragraph 78 of the NPPF states 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities... Where there are group of smaller settlements, development in one village may support services in a village nearby.' Paragraph 79 of the NPPF also states 'Planning policies and decisions should avoid the development of isolated homes in the countryside'. In this particular case, officers are satisfied that the proposal would not create isolated homes given that they would be located at the heart of this hamlet and a bus stop is also available near the site. The proposed development also presents a high quality of design. Having considered all of these elements, officers considered that the proposal would meet the characterisation of 'strictly limited' development, which can be supported in accordance with Policy CS5, as such, the development is acceptable in principle; subject to the detailed consideration set out below.

5.4 Design

The site is located amongst other houses along Bagstone Road where there is a mix of ages, styles and forms of residential properties and in a variety of materials. The proposed site layout is acceptable as they would follow the linear development pattern of the adjacent properties with a reasonable sized garden at the rear. Additionally, the design of the house with a dual pitched roof would integrate well into the street scene. The houses are proposed to be finished with stonework on the front elevation and lime washed roughcast render to the side elevations under double roman clay roofs. The fenestration details are also well in proportion to the scale of each dwelling. Solar panels are also proposed on each dwelling as shown on the submitted elevations. Overall, it is considered that the proposal has achieved the highest possible standards of design and site planning by reflecting the linear development pattern of the neighbouring properties, promoting a well-proportional fenestration design, using traditional building materials and installing energy efficient technology wherever possible. As such, the design approach is considered acceptable and can be fully supported.

- 5.5 In terms of density, Policy CS16 states that housing development is required to make efficient use of land. The proposal is for 2 no. 3-bed houses, but given the location of the site and the neighbouring properties, the access requirements and its location some distance from town centres, the proposed limited density of 8.6 dwellings per hectare is considered acceptable.

- 5.6 Overall the redevelopment of the site from a cottage would lead to positive enhancement of the overall site and as such is afforded modest weight in favour of the development.

5.7 Affordable Housing and Housing Diversity

Policy CS17 of the Core Strategy seeks to create a wide range of housing, including affordable and market housing. In this case, Policy CS18 of the Core

Strategy would not be applicable given that the proposed development would fall below the threshold and it is not situated within any rural designated area including National Parks and Area of Outstanding Natural Beauty. In terms of housing diversity the site is too small to require a significant range of property scales/sizes within the site. Nevertheless, the scheme would provide 2 no. modest size 3 bed dwellings, instead of large executive houses, to the range of existing housing within Bagstone, Officers therefore support the proposed diversity and this is afforded a modest weight.

5.8 Residential amenity

The nearest neighbouring residential properties would be Grove Farm and Ladden Brook House. The submitted block plan shows that the proposed new dwellings would be sufficiently set back from the side boundary by at least 5.6 metres to the northern boundary and 8.3 metres to the southern boundary. Given the reasonable separation and its linear siting, it is considered that the overbearing impact would not be significant. In terms of overlooking, all new openings on the first floor side elevation would be secondary windows, such as bathroom windows or secondary bedroom window. Subject to planning conditions seeking the obscured level and no further openings in the first floor elevation, the privacy for the existing and future residents would be adequately protected. Further, in terms of residential amenity for the future residents, each dwelling would have a reasonable size garden and parking spaces to satisfy the wider residential needs of the houses. Overall, it is considered that the residential amenity of the proposed development would deem to be acceptable.

5.9 Landscape Character

The site occupies a dwelling which is to be demolished. The submitted landscaping plan shows that the existing hedges to be retained and new hedges to be planted to subdivide the plot. A number of existing trees along Bagstone Road, including a Silver Birch, Sycamore and Walnut would be retained. The existing trees within the garden, such as, 2no. apple trees, a Fir tree and a Willows, are also retained. The plan also shows the details of hedge planting. Officers considered that the proposed landscaping scheme is generally acceptable. Subject to a planning condition seeking details of any boundary treatment (if any), there is no landscaping objection to the scheme.

5.10 Transportation

This site on the Bagstone Road is located on a straight bit of road with good visibility, the speed limit is 40mph, but from observations on site vehicles are often exceeding this speed. That said visibility from the proposed access points in excess of the requirement for the posted speed limit is achievable. Regarding the existing access, this access point need to be permanently closed prior to the first occupation of either of the new dwellings. The applicant has submitted a drawing showing the existing vehicular access to be permanently closed with hedged planted, the structural details of how the ditch crossing to be achieved and a Construction Traffic Management Plan (CTMP). The Highway Officer are satisfied with these details. Given the volume of traffic on the adjacent highway (especially during peak hours) delivery times to/from the site should not be within the peak traffic hours. A planning condition is therefore imposed to restrict the delivery hours during the construction period. In addition

to this, a planning condition is imposed to ensure that no gates will be constructed within 5m of the edge of the carriageway, with any gates either sliding or opening inwards. Subject to these conditions, there is no transportation objection to this proposal.

5.11 Flood Risk and Drainage

The site is not subject to any high risk of flooding. Regarding the proposed drainage, the Council's Drainage Engineer has no objection to this proposed residential scheme, subject to a planning condition seeking details of surface water drainage incorporating sustainable drainage detailing. As such, there is no objection from flood risk and drainage perspective.

5.12 Coal Mining

The application site falls within the defined Development High Risk Area, and the Coal Authority previously objected to the proposal. To address the concerns, the applicant submitted a Coal Mining Risk Assessment Report. The Report made appropriate recommendation for the carrying out of intrusive ground investigations in order to establish ground conditions and the depth and condition of shallow coal seams, and to inform any necessary remedial measures. The Coal Authority has reviewed the report and is satisfied with the submitted details. As such, subject to condition securing an undertaking of an intrusive site investigation, a submission of a report findings and the implementation of remedial works, therefore is no objection from the coal mining perspective.

5.13 Consideration of likely impact on Equalities

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

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

5.14 Planning balance

Modest weight in favour of the scheme is found from the provision of one additional a 3-bed family dwelling within the hamlet of Bagstone, although it is noted that Bagstone currently has not have its own settlement boundary. In particular, the scheme has demonstrated a high quality of design and site layout incorporating an installation of energy efficiency technology. In terms of other planning matters, such as, highway safety, wildlife habitat, residential amenity, planning conditions are imposed to safeguard these accordingly. On balance, it is considered that there would be very limited harm weighing against

the proposal and this does not significantly and demonstrably outweigh the other benefits of the application.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission be granted subject to the following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

1. Time limit for Implementation

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. Approved Plans

The development shall proceed in accordance with the following approved plans:
Site and location plan with Construction Traffic Management Plan, Drawing No. 2415/05/2018, revision D, received by the Council on 2 November 2018.

Proposed Plans and Elevations (House Two), Drawing No. 2415/01TWO/2018 revision B, and

Proposed Plans and Elevations (House One), Drawing No. 2415/01ONE/2018 revision B, and

Proposed Garage, Drawing No. 2415/12/2018 revision B, and

Proposed Landscaping Plan, Drawing No. 2415/15/2018 revision A, received by the Council on 11 June 2018

Proposed Vehicle Crossover Detail, Drawing No. 2415/20 revision B, received by the Council on 27 August 2019

Reason

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

2013; Policy PSP7 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

3. Removal of Permitted Development Rights

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, and E) 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 Policy CS1 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.

4. Tree Protection Details (Pre-commencement condition)

Prior to the commencement of the development, a detailed tree protection plan and an arboricultural method statement shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the landscape character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP7 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework. This is a pre-commencement condition to ensure that the existing trees are adequately protected before any works or site clearance start on site.

5. Surface Water Drainage Details (Pre-commencement condition)

Prior to the commencement of the development, surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt we would expect to see the following details when discharging the above conditions:

- i) A clearly labelled drainage layout plan showing the exact location of any soakaways.
- ii) Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal
- iii) Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
- iv) Sp.Note; - Soakaways must be located 5 Metres from any structure including the Public Highway
- v0 Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP20 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2018, and the National Planning Policy Framework. This is a pre-commencement condition to ensure that adequate drainage details are fully agreed and to avoid any unnecessary remedial works in the future.

6. Coal Mining Investigation (Pre-commencement condition)

Prior to the commencement of the development hereby approved, the following investigation and its report need to be submitted to the and approved in writing by the Local Planning Authority.

- i) The undertaking of a scheme of intrusive site investigations which is adequate to properly assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity and the recorded off-site mine shaft;
- ii) The submission of a report of findings arising from the intrusive site investigations and a scheme of proposed remedial works for approval; and
- iii) The implementation of those remedial works.

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

Reason

To ensure that adequate measures have been taken to ensure the site is safe, stable and suitable for the proposed development and will remain so, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP 22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework. This is a pre-commencement condition to avoid any unnecessary remedial works in the future.

7. Material Details

Prior to the commencement of the relevant part of the development, details/samples/sample panel of all roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

8. Ecological Mitigation Measures

The development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 5 of the Bat and Bird Survey Report (Elite Ecology, June 2019).

Reason

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

9. Demolition Period

The demolition of the building shall be completed in the non-active period for bats to make sure no bats are injured or killed during works. If this cannot be undertaken during this period a bat licenced ecologist shall need to present during works.

Reason

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

10. Lighting Strategy

Prior to the first occupation of either dwelling hereby approved, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. Any proposed lighting shall be designed sensitively to minimise light spill and potential impacts on bats in accordance with best practice, as outlined in Bats and Lighting in the UK (Stone, 2013). This includes:

- i) The creation of a dark corridor along towards nearby woodland;
- ii) Light restricted to selected areas by fitting hoods, cowls or shields which direct the light below the horizontal plane, to avoid light spillage;
- iii) Reducing the height of light units to keep the light as close to the ground as possible and reduce the volume of illuminated space. The angle of light fittings should preferably be less than 70 degrees above the horizontal line to avoid any upward light spill; and
- iv) Blue/white light should be avoided, or if mercury lamps are installed, these should be fitted with UV filters.

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

Reason

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

11. Ecological Enhancement Features

Prior to the first occupation of either dwelling hereby approved, evidence of the installation of the ecological enhancement features recommended in the Bat and Survey Report (Elite Ecology, June 2019) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to bird boxes, bat boxes and native planting.

Reason

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

12. Provision of Parking

The dwellings hereby approved shall not be occupied until its access and garage or car parking have been provided in accordance with the submitted Site and Location Plan, Drawing No. 2415/05/2018 Revision D.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) 2013; Policies PSP11 and PSP16 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

13. Electric Charging Point

The dwelling shall not be occupied until facilities for charging plug in or other ultra-low emission vehicles has been installed or provided within the respective plot. Development shall be maintained as such thereafter.

Reason

To encourage means of transportation other than the private car, to promote sustainable transport choices and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Residential Car Parking Standards SPD (Adopted) 2013.

14. Boundary Treatment

Prior to the first occupation of either dwelling hereby approved, a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

15. Implementation of Landscaping Scheme

All hard and soft landscape works shall be carried out in accordance with the Landscaping Plan, Drawing No. 2415/15/2018 Revision A. The proposed planting shall be carried out within the first planting season following the occupation of any part of the development hereby approved.

Reason

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

16. Construction and Delivery Hours

No deliveries in the morning and evening network peak hours ie 7:30 - 9:00 am and 16:00 - 17:30 pm during the period of construction. In addition, the hours of working on site during the period of construction shall be restricted to

Monday - Friday.....7:30am - 6:00pm

Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the provisions of the National Planning Policy Framework.

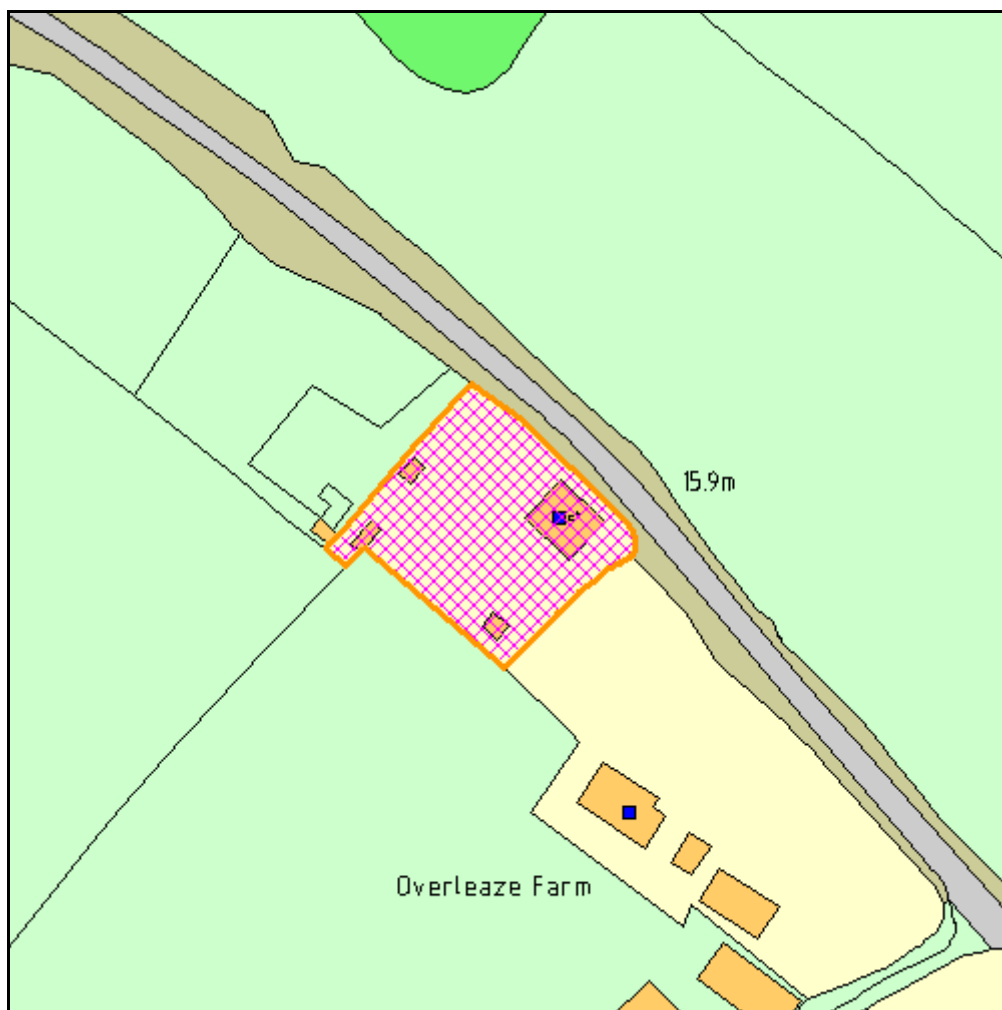
17. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevation of property hereby approved. The glazing on the first floor side elevations shall at all times be of obscured glass to a level 3 standard or above.

Reason

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

CIRCULATED SCHEDULE NO. 35/19 – 30 AUGUST 2019

App No.:	PT18/5848/F	Applicant:	Mr And Mrs Lillis
Site:	Tamariu 2 Badgers Lane Almondsbury Bristol South Gloucestershire BS32 4DE	Date Reg:	9th January 2019
Proposal:	Demolition of existing dwelling and erection of 1 No. detached dwelling and associated works.	Parish:	Almondsbury Parish Council
Map Ref:	358462 182923	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	5th March 2019



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

REFERRAL TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to an objection being received from the parish council which is contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the demolition of the existing dwelling and the erection of 1no. dwelling and associated works at the site known as 2 Badgers Lane, in Almondsbury.
- 1.2 The site relates to an existing detached, modest cottage which is situated close to the road (Badgers Lane). It is formed of natural stone elevations and a slate roof. The plot is large and rises to south west. Trees/vegetation and stone walling bound the plot. It is located in a pocket of buildings along Badgers Lane, which are otherwise surrounded by open fields.
- 1.3 In terms of the context of the site, it is outside of a settlement boundary and within the open countryside. It is also within part of the Bristol/Bath Green Belt. It is within Flood Zone 1.
- 1.4 Throughout the course of the application revisions have been requested and received. These now show that the proposed dwelling would be reduced in scale, as well as other alterations, which will be discussed within this report.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
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PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 PRE18/0458 Enquiry Complete
 Demolition of existing property and erection of one new dwelling.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
 Objection. Comments as follows (and based on original submission)
 - Incorrect policies listed
 - substantially bigger than the current dwelling
 - Green Belt
 - aesthetics of proposal does not fit with surrounding area
- 4.2 Sustainable Transport
 No objection
- 4.3 Highway Structures
 No comment
- 4.4 Archaeology Officer
 No comments received
- 4.5 Landscape Officer
 No comments received
- 4.6 Lead Local Flood Authority
 No objection in principle
- 4.7 Ecology Officer
 No formal comments submitted.

Other Representations

- 4.8 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application seeks planning permission for a replacement dwelling within the open countryside and part of the Bristol/Bath Green Belt.

Green Belt

- 5.2 Footnote 9 of paragraph 14 of the NPPF sets out that Green Belt is a specific policy which restricts development. Policy CS5 of the Core Strategy sets out that this type of development within the Green Belt will need to comply with the provisions of the NPPF or relevant local plan policies. CS34 of the Core Strategy provides the vision for rural areas, it aims to protect designated Green Belt areas from inappropriate development. Further to this, the NPPF sets out that the construction of new buildings within the Green Belt is considered to represent inappropriate development. Paragraphs 145 and 146 of the NPPF provide exceptions to this. The most relevant to this development is 'the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces'.
- 5.3 Through the course of the application the development has been substantially reduced in scale. The proposed dwelling would be located at a similar position to the existing, but toward the north of the site. The dwelling would replace the existing dwelling as well as 3no. existing outbuildings. Plans show that the dwelling would be 3 metres wider and 1.1 metres higher than the existing dwelling. The proposed dwelling would also have dormer windows to the rear elevation. Its design would be fairly simple to the front.
- 5.4 Materially larger is not defined in the NPPF, however, PSP7 provides guidance for what volume increase would be considered appropriate in the Green Belt, in relation to additions to an existing building. It is considered appropriate to utilise this guidance when considering whether a replacement building is materially larger.
- 5.5 PSP7 sets out that, as a general guide, an addition resulting in a volume increase up to 30% of the original building would be likely to be proportionate. Additions that exceed 30% volume increase will be carefully assessed, with particular regard to whether the proposal would appear out of scale and proportion to the existing building. The larger a building becomes in excess of 30% over and above its original size, the less likely it is that the new extension(s) will be considered proportionate. Additions resulting in a volume increase of 50% or more of the original building would most likely be considered a disproportionate addition and be refused as inappropriate development.
- 5.6 In this instance, the agent has supplied volume calculations. These indicate that when taking into account the removal of existing outbuildings at the site, the increase in volume would amount to 34% over and above the existing. Given the guidance above, and the proposed design and siting of the dwelling, it is considered that the replacement dwelling would not be materially larger. It

therefore complies with this exception and can be considered appropriate development in the Green Belt. Given the increase in volume proposed, it is recommended that permitted development rights are restricted in relation to volumetric additions.

Residential Development in the Countryside

- 5.7 Policy CS5 of the Core Strategy 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. Furthermore, policy CS34 of the Core Strategy seeks to protect the character of the rural areas, with residential development outside of a defined settlement resisted. Policy PSP40 allows only for specific forms of residential development in the open countryside.
- 5.5 PSP40 sets out that residential development within the countryside, could be acceptable in a number of circumstances. These include; rural housing initiatives, rural workers dwellings, replacement dwellings, and the conversion/re-use of disused buildings. It goes on to state that in all of the circumstances, development proposals will be acceptable where they do not have a harmful effect on the character of the countryside, or the amenities of the surrounding area.
- 5.6 PSP40 sets out that the replacement of a single dwelling is acceptable, where it is of a similar size and scale to the existing dwelling, within the same curtilage, and of a design in keeping with the locality, and minimises visual intrusion in the countryside.
- 5.7 It has been established that the dwelling would be of a similar size and scale to the existing. It would also be within the same curtilage. The design of the dwelling is fairly simple to the front and would comprise natural stone elevations and a slate tiled roof. These materials reflect the existing dwelling and the vernacular more generally. It is therefore considered that the design can be considered in-keeping with locality. In terms of its impact on the countryside, the dwelling would be set close to the road (and a similar position to the existing). It would have a un-imposing design and it is considered that it minimises visual intrusion in the countryside.
- 5.8 Accordingly, the development is considered to comply with PSP40 and would form one of the circumstances where development is acceptable in the open countryside.

Summary of Principle of Development

- 5.9 The development is considered to be acceptable in principle. Detailed matters are discussed below.
- 5.10 Design and Visual Amenity
Policy CS1 only permits new development where the “highest standards” of site planning and design are achieved. This policy requires that siting, overall

layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.

- 5.11 The dwelling would be set into the topography of the site, such that the front elevation would be two storey and the rear elevation. It would have a simple pitched roof design to the front elevation and to the rear would have a large amount of glazing and 2no. dormer windows. Its materials would comprise nature stone elevations and a slate tiled roof. These reflect the existing dwelling and considered acceptable. A parking area would be formed off Badgers Lane.
- 5.12 The scheme is considered acceptable with regard to design and visual amenity. Conditions are recommended to ensure that details of materials in relation to the dwelling and the proposed retaining wall are provided.
- 5.13 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties.
- 5.14 The nearest neighbour to the site is to the south and over 35 metres away. The proposed dwelling would be located further away from this property. It is not considered that detrimental impacts would occur.
- 5.15 In terms of the proposed dwelling itself, the main living areas would have sufficient outlook and natural light. In terms of private amenity space provision, PSP43 sets out standards which are based on the number of bedrooms at a property. In this instance, the proposed dwelling would have 4 bedrooms and therefore should be provided with at least 70m² of private amenity space. Plans submitted demonstrate that the dwelling would have well in excess of this, and as such no objection is raised in this regard.
- 5.16 Parking and Highway Safety
There is an existing access off Badgers Lane which currently leads to an informal parking area. It is proposed that this access would be formalised and a larger parking area provided. PSP16 sets out parking standards for residential units, this is based on the number of bedrooms at a property. In this instance, the property would have 4 bedrooms and as such, at least 2no. parking spaces should be provided.
- 5.17 The proposed parking area would provide in excess of 2no. parking spaces, and as such, the development is acceptable in this respect. The Highways Authority have reviewed the access arrangements and have not raised any concerns. Conditions are recommended to ensure the parking is in place prior to occupation of the proposed dwelling.
- 5.18 Trees
There are a number of trees on and surrounding the site. An arboricultural report has been submitted alongside the application. This indicates that one tree would be removed as a result of the development. The report sets out a

number of mitigation measures, including the planting of two trees to mitigate for the removal of the tree. These details are considered acceptable, it is recommended that a condition is imposed to ensure the development proceeds in accordance with this report.

5.19 Ecology

A bat assessment and survey was submitted alongside this application. The findings state that there is a small common pipistrelle summer day roost in the main cottage and no roost in the outbuilding, from the descriptions both are highlighted as suitable for roosting bats. Therefore it is recommended in the report that works to the cottage proceed under a bat licence (either European Protected Species mitigation licence or Bat Mitigation Class Licence) and appropriate mitigation is undertaken. A number of other mitigation measures are proposed. Subject to a compliance condition ensuring that these mitigation measures are carried, no objection is raised.

5.20 Equalities

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

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

5.22 Conclusions

This application has been found to be acceptable in principle. This report has identified that detailed matters are generally acceptable, subject to conditions. Given the above, this application is recommended for approval.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions below.

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

2. 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 and E) other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In the interests of the visual amenity of the area and to protect the openness of the Bristol / Bath Green Belt and to accord with Policy CS1, CS5 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013; PSP7 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

3. Prior to the relevant stage of development details of the roofing, external facing, and retaining wall materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

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

Reason

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

5. The development shall proceed in accordance with the submitted Arboricultural Constraints Report, Impact Assessment and Method Statement (Greenman Environmental Management, dated May 2019)

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.

6. The development shall proceed in accordance with the submitted bat assessment and survey report (Seasons Ecology, dated July 2019), this includes the mitigation measures as set out within 6.2 of the report.

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.