

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. 18/20

Date to Members: 01/05/2020

Member's Deadline: 07/05/2020 (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

| Schedule Number | Officers Deadline reports to support | Date to Members | Members deadline | Decisions issued from |
|-----------------|---|------------------------------------|--------------------------------------|-----------------------------|
| 19/20 | 12 O'Clock Wednesday 6 th May | 9am Thursday 7th May | 5pm Thursday 14 th May | Friday 15 th May |
| 21/20 | 5pm Wednesday 20 th May | 9am Friday 22 nd May | 5pm Friday 29 th May | Monday 1 st June |

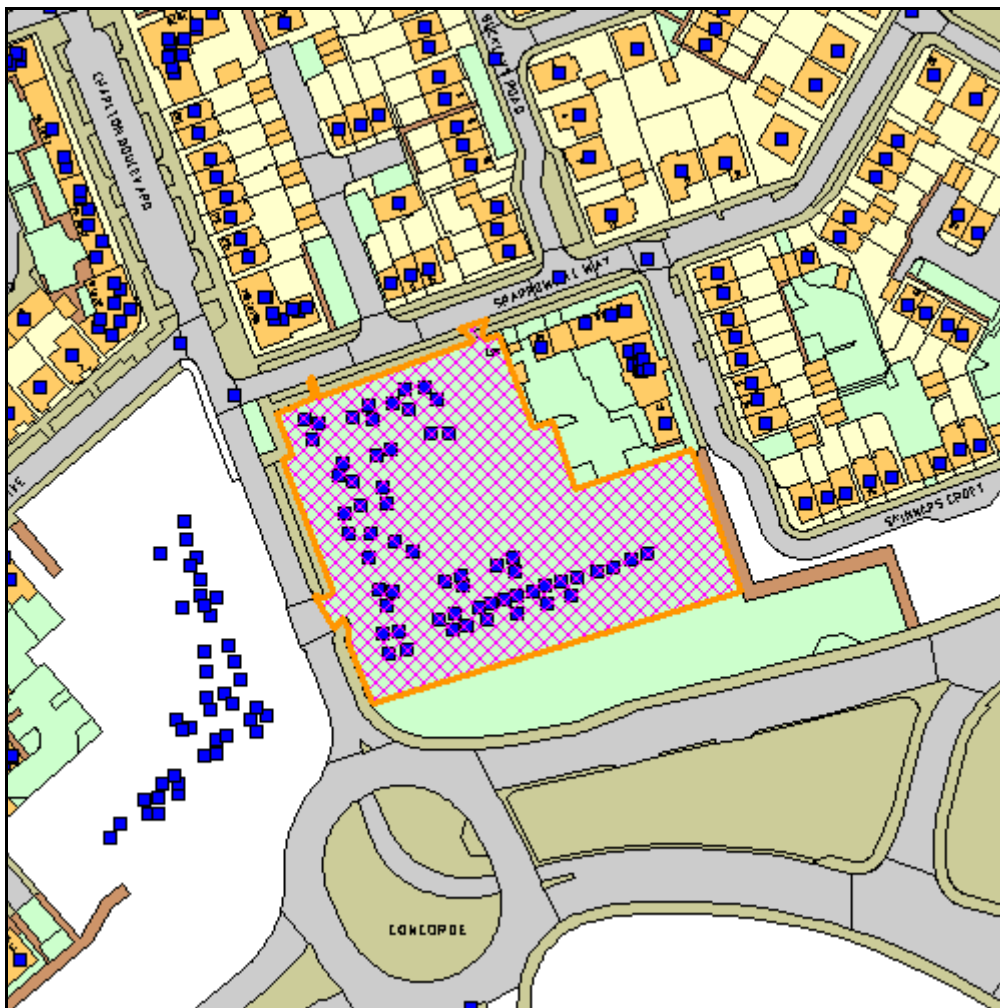
Dates and officer deadlines for Circulated Schedule May Bank Holidays 2020

CIRCULATED SCHEDULE - 01 May 2020

| ITEM NO. | APPLICATION NO. | RECOMMENDATION | LOCATION | WARD | PARISH |
|----------|-----------------|-------------------------|---|------------------------------------|------------------------------|
| 1 | P19/12563/F | Approve with Conditions | Land At MU6 Charlton Hayes Patchway South Gloucestershire BS34 5AG | Charlton And Cribbs | Patchway Town Council |
| 2 | P19/15654/F | Approve with Conditions | Asda Stores Craven Way Barrs Court South Gloucestershire BS30 7DY | Longwell Green | Oldland Parish Council |
| 3 | P20/02741/F | Approve with Conditions | Land At Wickwar Road South Gloucestershire | Chipping Sodbury And Cotswold Edge | Wickwar Parish Council |
| 4 | P20/03714/F | Approve with Conditions | Land At 26 St Davids Avenue Cadbury Heath South Gloucestershire BS30 8DF | Parkwall And Warmley | Oldland Parish Council |
| 5 | P20/04164/F | Approve with Conditions | 41 Field Farm Close Stoke Gifford South Gloucestershire BS34 8XX | Stoke Gifford | Stoke Gifford Parish Council |
| 6 | P20/04839/F | Approve with Conditions | 1 Carmarthen Close Yate South Gloucestershire BS37 7RR | Yate North | Yate Town Council |
| 7 | P20/04943/F | Approve with Conditions | Unit B1 The Badminton Centre Station Road Yate South Gloucestershire BS37 5HT | Yate North | Yate Town Council |

CIRCULATED SCHEDULE NO. 18/20 - 1st May 2020

| | | | |
|------------------------------|---|---------------------|---|
| App No.: | P19/12563/F | Applicant: | Hamberley Properties FV (Bristol) Limited |
| Site: | Land At MU6 Charlton Hayes Patchway Bristol South Gloucestershire BS34 5AG | Date Reg: | 16th September 2019 |
| Proposal: | Erection of 80no. bedroom care home (Use Class C2) and associated access works, parking, tree planting, landscaping and provision of site infrastructure. | Parish: | Patchway Town Council |
| Map Ref: | 360011 181329 | Ward: | Charlton And Cribbs |
| Application Category: | Major | Target Date: | 6th December 2019 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. P19/12563/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 circulated schedule due to 4no. local resident objections having been received which are contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of an 80no bedroom care home (Use Class C2) and associated access works, parking, landscaping and provision of site infrastructure, at the site known as 'Land at MU6', in Charlton Hayes.
- 1.2 The site relates to a parcel of land off Hayes Lane and the Concorde roundabout. It is surrounded by residential development, with 'Hamilton House' Retirement Living complex directly opposite to the west. It was covered by the original outline planning permission for the wider Charlton Hayes development. The site was identified as 'Mixed Use' within the associated Masterplan and Design & Access Statement. This is a full application and is therefore not directly related to the outline consent. Nevertheless, the Outline consent is a material consideration and as such the application has been considered against the broad principles envisaged for the site, as set out in the original Design Code approved as part of the Outline consent.
- 1.3 The site was given full planning permission for a development of 60no. Extra Care units in 2017 (ref. PT16/4965/F). At the time of writing this consent is still extant, but has not been built out.
- 1.4 The scheme was subject to pre-application advice.
- 1.5 Through the course of the application process revisions have been requested and received. Subsequently, a 14 day re-consultation was carried out. This ended on 13th January 2020.

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 and low carbon energy generation |
| 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 |
| CS15 | Distribution of Housing |
| CS16 | Housing Density |
| CS17 | Housing Diversity |
| CS18 | Affordable Housing |
| CS24 | Green Infrastructure, Sport and Recreation Standards |
| CS25 | Communities of the North Fringe of Bristol Urban Area |

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

| | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP2 | Landscape |
| PSP3 | Trees and Woodland |
| PSP6 | Onsite Renewable and Low Carbon Energy |
| PSP8 | Residential Amenity |
| PSP10 | Active Travel Routes |
| PSP11 | Transport Impact Management |
| PSP16 | Parking Standards |
| PSP19 | Wider Biodiversity |
| PSP20 | Flood Risk, Surface Water and Watercourse Management |
| PSP21 | Environmental Pollution and Impacts |
| PSP43 | Private Amenity Space Standards |
| PSP44 | Open Space, Sport and Recreation |

2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3143/O Approved – S106 Signed 15.03.2008
Major mixed-use development across 81.25 hectares of land comprising 2,200 new dwellings, 66,000 sq m of employment floor space (B1, B2 and B8), 1,500 sq m of A1, A2, A3, A4 and A5 floor space: together with the provision of supporting infrastructure and facilities including; new vehicular and pedestrian accesses to Highwood Road, new link road, public open space, primary school, community building, hotel (C1) (Outline).
- 3.2 PT12/0955/RM Approve 30.07.2013
Construction of internal roads and associated works. (Approval of reserved matters to be read in conjunction with outline planning permission PT03/3143/O).

- 3.3 PT13/4148/RM Approve with Conditions 03.04.2014
Mixed use development comprising the erection of 56 no. dwellings (including 8 no. flexible residential/employment use units) and 1 no. employment/retail units with layout, access, parking, scale and associated works. (Approval of Reserved Matters apart from landscaping and appearance to be read in conjunction with Outline Planning Permission PT03/3143/O).
- 3.4 PT16/4975/F Approve with Conditions 25.05.2017
Erection of part three, part four storey building comprising of 60no. extra care apartments (Class C2) for the elderly with associated communal lounges, restaurants, kitchen, guest room, staff accommodation, communal refuse and electric buggy stores. Landscaped gardens, sub station and car parking with vehicular access from Sparrowbill Way

4. **CONSULTATION RESPONSES**

- 4.1 Patchway Town Council
No objection
- 4.2 Sustainable Transport
No objection. The use is unlikely to materially affect vehicular movements. Originally commented that Electric Vehicle (EV) charging points should be provided. These have now been shown on revised plans.
- 4.3 Highways England
No objection
- 4.4 Conservation
No comment
- 4.5 Environmental Protection – Noise
Originally requested that an additional report was completed to determine internal noise level. This was provided and is considered acceptable. Conditions are recommended.
- 4.6 Environmental Protection – Contamination
No objection. Ground investigation and remediation have been carried out. Condition recommended in relation to unexpected contamination.
- 4.7 Housing Enabling
No objection – confirmation of C2 use class
- 4.8 Highway Structures
Recommended informative.
- 4.9 Urban Design
Originally raised an objection. No revised comments were received. Following concerns originally raised:
- In relation to sustainability and BREEAM standards. Statement is required as to how the building will achieve over building regulation standard.

- Window reveal depths should be specified
- Samples should be provided
- Large scale tree species should be introduced – provision of screening
- Trees also can be introduced to car park.

4.10 Landscape

No objection. Originally commented that landscaping provides a good level of mitigation. Some additional tree planting in car park should be introduced. Plans have been revised in accordance with these comments, and are now acceptable. Implementation condition recommended

4.11 Public Open Space

- will not be asking for a S106 contribution for this development.
- welcome applicants intention to provide an area of raised beds. Would encourage them to supply on-site sport facilities such as table tennis.

4.12 Environmental Policy

Updated energy statement was requested and received. Original comments summarised as follows:

- Layout of PV units should be provided.
- Cooling of building needs to be clarified.
- Overheating should be assessed to determine whether mitigation measures are required at design stage.
- Unregulated emissions also need to be included to comply with PSP6

There have been negotiations between the applicant and environmental policy consultee. The following summarises revised comments:

- Comments referring to location of PV – design of PV should be altered to improve yield.
- Energy table clarifies previous concerns (no further action).
- Can secure overheating risk as a condition. Recommended condition sent to officer.

4.13 Public Rights of Way

No objection

4.14 Arts Officer

Recommended that a condition is imposed on decision notice.

4.15 Lead Local Flood Authority

No objection

Other Representations

4.16 Local Residents

4no. objections have been received by local residents. Comments summarised as follows:

- Concerns whether infrastructure will be able to support this development.
- There are already nursing homes in this area
- Concerns regarding doctors' surgeries being overwhelmed, creating longer waits for appointments
- This will not benefit anyone locally
- Concerns regarding parking in neighbouring streets.
- Land should be used for something that is of benefit to community

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application seeks full planning permission for the erection of an 80no. bedroom care home (Class C2) with associated access, parking, landscaping and other site infrastructure, in part of 'Charlton Hayes' and the North Fringe of Bristol Urban Area. The key policies to consider within the Development Plan, in relation to the principle of this development are; CS5, CS17 and CS25.

5.2 The South Gloucestershire Local Plan Core Strategy 2006-2027 was adopted in December 2013. The key policies relating to this application are CS5, CS17 and CS25. CS5 directs 'most new development' to the communities of the north and east of Bristol urban area. CS17 sets out that new housing development must provide a variety of housing type to accommodate a range of different households. CS25 sets out that the specific vision for the North Fringe of Bristol Urban Area, and seeks for it to provide housing and associated local facilities which are integrated with existing communities, and to provide new accommodation for older people.

5.3 The principle of this type of development in this location is accepted in the local development plan. Further, This site was originally proposed to be the substantive part of a mixed use parcel as part of the original 'Charlton Hayes' outline consent (ref. PT03/3143/O). However, the principle of a C2 Class Use on this site was established through an extant consent for the erection of a 60no. bedroom Extra Care facility (ref. PT16/4975/F). As such, a C2 Class Use on this site is considered acceptable in principle.

5.4 Given the above, it is considered necessary to assess whether the development constitutes a C2 Class Use. The application was supported by information in relation to the form and extent of care to be provided, and how this relates to the design of the building. The applicant has described the use, and this is summarised as follows:

- *Would provide a mix of care for physically and/or mentally frail residents*
- *Three floors with individual bedrooms with en-suite to be provided. Access to communal areas.*
- *The care home will be registered with Care Quality Commission to provide a range of care services, including, residential, dementia and nursing care for adults.*
- *Care provided for adults of all ages, with conditions such as stroke, dementia, multiple sclerosis and motor neurone disease.*

- *Residents may come from hospital, respite care and some may be at the facility as part of their palliative care.*
 - *Three 'resident profiles' have been provided which give an example of the level of care needed for likely residents of the care home.*
- 5.5 This supporting information has been reviewed by the Councils Housing Enabling team. They have confirmed that the proposed development is considered to comprise a C2 Class Use on the basis that en-suite bedrooms are proposed with separate ancillary uses, (eg. Dining room, lounge, living accommodation) which are for the use of individuals in need of care.
- 5.6 The development is considered to comprise a C2 Class Use and the use is therefore acceptable in principle. Detailed matters are assessed below.
- 5.7 Design, Layout and Landscaping
The site itself is prominent; sitting at a corner plot at the junction of Hayes Way and Charlton Boulevard. In the original Design and Access Statement for Charlton Hayes, it is defined as a main frontage of the development. It is surrounded by residential development, and directly opposite Charlton Boulevard is a retirement living complex known as 'Hamilton House'. This forms a mix of 4 - 2 storeys in height with a modern appearance with render, buff brick and grey clad elevations.
- 5.8 The proposed building would comprise three storeys and would form an L-shaped design which would front directly onto Hayes Way and Charlton Boulevard. The design of the building would involve feature gables to the corner and each end of the building, these would also contain inset glazed balconies. It would have a variation in roof height and building lines which help break up the bulk of the building and contribute interest to the design.
- 5.9 Given the prominent location of the site, it is key that the care home reflects and compliments the design of 'Hamilton House' opposite. It is proposed that the highest element of the building would be at the corner of the plot, with the height dropping off slightly to the north and east. This reflects the stepped form of 'Hamilton House', and helps to define a gateway into the wider development. Further, plans show that materials would comprise render, brick and cladding which would have a similar appearance to the building opposite. It is also considered that it would integrate well with other surrounding built form in the nearby residential parcels of Charlton Hayes because of these key characteristics.
- 5.10 The site would be mainly bound by 1.8 metre metal railings, with some close board fencing to the rear. A car park is proposed to the north east of the site. Buffer planting would be provided along the western, northern and southern boundaries. An amenity area would be provided which would include lawn areas, tree planting, patio areas, a seating area and a wheelchair accessible activity area with raised planters. Through the course of the application process additional planting was requested and successfully secured to the benefit of the scheme. This planting is now shown on revised plans.

- 5.11 It is recommended that conditions are imposed in relation to details of the railings and other boundary treatment proposed, and to ensure the approved landscaping is implemented. In terms of the building itself, conditions are recommended in relation to the submission of samples of materials and compliance with window reveal depths.
- 5.12 Parking and Highway Safety
A Transport Assessment and Travel Plan were submitted in support of the application. It is proposed that the site would be accessed off Charlton Boulevard, and off the Concorde roundabout along Hayes Way. Vehicular access would be off Sparrowbill Way, to the northern boundary of the site. This has been reviewed by the Highway Authority who have not raised any concerns. They consider that the increase in the number of bedrooms (compared to the previous consent), is unlikely to generate an increase in vehicular movements to and from the site, such that a highway safety issue would arise.
- 5.13 In terms of parking, it should be noted that the residents of the care home will not own cars and therefore parking is proposed solely for staff and visitors. Concerns were raised from local residents that the development would result in parking on nearby residential streets. The Council do not have a minimum parking standard for this type of use. Plans show that 32no. standard car parking spaces, and 2no. disabled car parking spaces are proposed. A cycle store provides cycle parking for 8no. bikes. This provision has been reviewed by the Highways Authority. They consider the amount of parking sufficient for the use. Through the course of the application, Electric Vehicle charging points were requested, and are now shown on revised plans. Conditions are recommended in relation to implementation of parking.
- 5.14 The refuse store for the scheme are located within the building, and close to the bin servicing point which is also along the northern boundary on Sparrowbill Way. This reflects that approved as part of the former consent on this site (ref. PT16/4975/F).
- 5.15 Overall, the development is considered acceptable, in accordance with policies CS8 and PSP16.
- 5.16 Residential Amenity
As aforementioned, the site is surrounded by existing residential development. The development would have a smaller overall footprint than the previously approved scheme on the site (ref. PT16/4975/F), and in this way does represent some residential amenity improvements when compared to the extant permission.
- 5.17 The site layout has been designed to ensure that the built form is furthest away from the boundaries of dwellings towards the north/east the site, along Sparrowbill Way. Plans show that the parking and amenity areas would be situated adjacent to these nearby neighbours. It is acknowledged that the building would represent a noticeable change to these occupiers. A separation distance of 24-34 metres would be achieved, which is considered sufficient to avoid undue loss of privacy and adverse overbearing impacts.

- 5.18 The nearest neighbours to the care home would be the apartment building directly to the north on the corner of Sparrowbill Way/Charlton Boulevard. Plans show that there would be separation distance of 21 metres between the two buildings. It is also noted that the internal layout of the building has avoided the placement of bedrooms at this point, to minimise the likelihood to inter-visibility impacts. There would also be a separation distance of 30 metres with the retirement living complex opposite Charlton Boulevard.
- 5.19 In terms of future occupants themselves; accessible, external amenity areas are provided on site. This is considered sufficient for a use of this nature. Each bedroom would be provided with natural light and acceptable outlook.
- 5.20 Given the above, the impact on existing and proposed levels of residential amenity is considered to be acceptable.
- 5.21 Drainage
A Flood Risk Assessment and Drainage Strategy were submitted as part of the application. This has been reviewed by the Lead Local Flood Authority. They have confirmed that this would comply with the Site Wide Drainage Strategy for the Whole of Charlton Hayes, which was approved as part of the outline permission. No objection is raised to these matters, a compliance condition is recommended.
- 5.22 Sustainability
Through the course of the application process negotiations have taken place between Officers including the Environmental Policy team and the applicant. A revised energy statement has been submitted, as well as other additional information
- 5.23 Policy PSP6 sets out that all major greenfield residential development will be required to reduce CO2 emissions by at least 20% beyond current Building Regulations, through the use of renewable and/or low carbon energy measures on or near the site. Revised information includes small scale CHP and roof mounted PV to be introduced to reduce the total residual energy consumption by 20.2% beyond Building Regulations.
- 5.24 Throughout the negotiations concerns were raised in relation to overheating and cooling. Whilst additional information and analysis has been provided, the Environmental Policy team considers further assessment needs to be made. They have recommended a condition, which is considered to be an acceptable solution.
- 5.25 Public Open Space
The extant consent on this site for an Extra Care facility, where residents requires access to a range of open spaces. As such, it was requested that a Public Open Space s106 contribution was provided, as mitigation for the development

5.26 This development is a care home where residents will be severely mentally and/or physically frail, and accommodation will be provided by individual bedrooms with communal facilities. Given the nature of care required by future residents, it is considered that it would be unreasonable to require a Public Open Space in this instance. The applicant has nevertheless provided external areas which include accessible raised planters, wheelchair accessible paths and seating areas, which are welcomed.

5.27 Other Matters

A number of concerns were raised by local residents in relation to the negative impact this development could have on local GP surgeries. These concerns are understood, particularly given the nature of the use. The applicant was asked to respond to these concerns. This is set out below:

“Hamberley works closely with local GP surgeries in meeting the needs of its residents.

In Hamberley’s experience, the majority of a residents’ medical needs can be met by the registered nurses and carer’s employed in the home. This is facilitated by the provision of nurses stations on every floor of the home. Where needs cannot be met, it is often the case that this is because a particular resident requires treatment in hospital (hence the ambulance drop-off bay in the car park).

It is also Hamberley’s experience that many residents will be local, and as such are often already been registered with local GP surgeries. Where this is not the case, Hamberley works with GP surgeries to register residents and enters in to contracts directly with surgeries (to provide additional funding) where additional capacity is required to register residents. Because residents are physically and / or mentally frail, and usually unable to leave the home without significant assistance, they are unable to visit GP surgeries and so Hamberley organises specific visits so that residents can be seen all at once rather than booking individual appointments at surgeries. This provides for a more efficient arrangement that minimises the impact on GP surgeries while ensuring the needs of residents are met.”

5.28 The information submitted is considered to demonstrate that any disruption to GP Surgeries would be minimised as a result of these measures. Clearly there will be a large amount of on-site health provision. Further, many of the residents will be local and as such, often would already be registered with the local NHS trust. In this way, it is not considered that there would be a significant or unacceptable impact on local GP surgeries.

5.29 Other comments from local residents raised concern that this development would not benefit anyone locally and that the land should instead be used for something that is of the benefit to the community. The care home would provide 78no. full-time jobs which is likely to benefit the local economy, and will provide care for residents who are likely to be from the local area. This site was originally proposed to be mixed use and has extant permission for C2

class use. Therefore the proposed use of the land is considered to be acceptable, as set out in paras.5.1-5.6 above.

5.30 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.

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

5.32 Overall Planning Balance

The NPPG sets out that the need to provide housing for older people is critical. Further, Policy CS17 states that housing should be provided for a range of different households, including those suitable for older people and persons with disabilities. Accordingly, the provision of this 80no. bedroom care home is afforded significant weight in the planning balance. Other benefits of the scheme involve the short-term economic benefits of construction, as well as the long-term economic benefit of the creation of 78no. jobs. Additionally, an extant planning permission exists for C2 Class development on the site, which establishes the principle of development and therefore is afforded significant weight.

5.33 Through the course of the application process, revisions and additional information have been requested and received. Detailed matters are now considered acceptable and in accordance with policy, subject to conditions.

5.34 Given the above, and taking all matters into account, it is considered that the benefits of the development clearly outweigh any harm. Therefore, this development is recommended for approval, subject to the conditions set out below.

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. Plans

This decision relates only to the plans below:

The Location Plan
Lighting Assessment

Plans Received 6th September 2019

View from Hayes Way
Window Design
3D View
Landscaping Details
Proposed Floor Plans
Proposed Planting Plan
Proposed Site Plan
Section and Street View Plans

Plans received 20th December 2019

Proposed Elevations 1
Proposed Elevations 2
Proposed Roof Plan

Plans received 12th March 2020

Reason

For avoidance of doubt.

3. Materials

Prior to the construction of the development hereby approved beyond Damp Proof Course (DPC) level, samples of the external roofing and facing materials proposed to be used first shall be submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details.

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. Boundary Treatments

Prior to first occupation of the building hereby permitted, and notwithstanding the approved information, details of the boundary treatments proposed shall be submitted to the Local Planning Authority for approval. The development shall proceed 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.

5. Window Reveal

The development shall be implemented in accordance with the window reveal depths, as shown on the Window Design Plan (dwg no. SK004, as received by the Council 20th December 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; and the National Planning Policy Framework.

6. Parking

The off-street parking facilities (for all vehicles, including cycles and electric vehicles) shown on the plans 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.

7. Prior to first occupation of the development hereby approved, an overheating assessment shall be provided to the local planning authority for approval. The assessment shall be completed using dynamic thermal modelling using current CIBSE DSY weather data. The risk of overheating shall be assessed using the CIBSE TM52

methodology, or equivalent to be first approved by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason

To ensure the potential for overheating has been fully assessed, in accordance with Policy PSP6 of the Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

8. Drainage

The development shall be implemented in accordance with the submitted Flood Risk Assessment and Drainage Strategy (RLRE, dated August 2019).

Reason

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

9. Landscaping

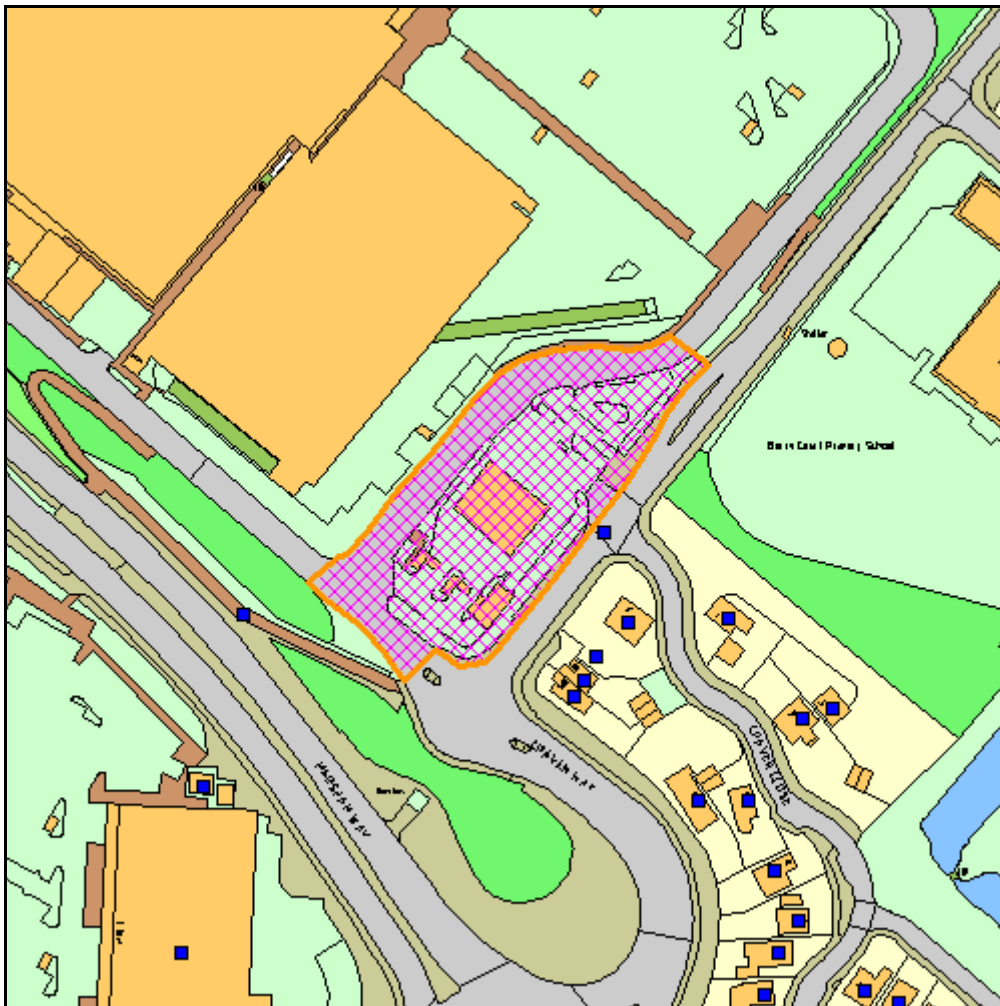
The development shall be implemented in accordance with the landscaping as shown on the Proposed Planting Plan (dwg no.201 F). The soft landscaping shall be carried out in the first available planting season following first use of the sub-station or in accordance with the programme agreed in writing with 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; Policy PSP2 of the Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 18/20 - 1st May 2020

| | | | |
|------------------------------|---|---------------------|------------------------|
| App No.: | P19/15654/F | Applicant: | ASDA Stores Ltd |
| Site: | Asda Stores Craven Way Barrs Court Bristol South Gloucestershire BS30 7DY | Date Reg: | 30th October 2019 |
| Proposal: | Erection of new eight pump (sixteen filling positions) petrol filling station, car and jet wash and associated works following demolition of the existing petrol filling station. | Parish: | Oldland Parish Council |
| Map Ref: | 365553 172241 | Ward: | Longwell Green |
| Application Category: | Major | Target Date: | 24th January 2020 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P19/15654/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 was referred to the Development Management Committee on 12 March 2020 by Councillor Toby Savage, supported by Councillor Erica Williams and Councillor Keith Burchell to allow Members to consider the issues around residential amenity, highways, visual amenity and the absence of electric vehicles charging points. However, due to the pandemic outbreak, the Committee meeting has not been held yet for Members to consider this application.

Since the referral was received, the applicant now confirmed that they will be able to offer two fast charging points allowing for four vehicle chargers within the wider store car park. They also agree that these charging points will be installed and operational within six months of the PFS opening. Therefore, this application has been referred to the Circulated Schedule again.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to demolish the existing petrol filling station and to erect an eight pump (sixteen filling positions) petrol filling station, car and jet wash and associated works at Asda Longwell Green. During the course of the application, further details were submitted regarding the installation of electric charging points at this particular location. A revised Design and Access Statement has also been submitted.
- 1.2 The application site relates to an established Asda superstore, located within an established residential and commercial area of Longwell Green. The site is not part of a Town Centre or Primary Shopping Area and should be treated as out-of-town for the application of planning policy.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

| | |
|------|--|
| CS1 | High Quality Design |
| CS4A | Presumption in Favour of Sustainable Development |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |
| CS9 | Managing the Environment and Heritage |
| CS14 | Town centres and retail |
| CS29 | Communities of the East Fringe of Bristol Urban Area |

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

| | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP2 | Landscape |
| PSP8 | Residential Amenity |
| PSP11 | Transport Impact Management |
| PSP19 | Wider Biodiversity |
| PSP20 | Flood Risk, Surface Water and Watercourse Management |
| PSP21 | Environmental Pollution and Impacts |
| PSP22 | Unstable Land |
| PSP31 | Town Centres Uses |

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

The application site has an extensive planning history, and the following planning applications are the most relevant to the determination of this application.

- 3.1 K1124/46AP Proposed superstore, covered mall etc.
Approved 1982
- 3.2 PK04/2458/F Installation of additional water chiller unit.
Approved 2004
- 3.3 PK09/1053/F Two storey front extension to form customer café and retail
and erection of decked car park.
Approved 2009
- 3.4 PK12/0673/F Erection of single storey side extension to form home
shopping unit. Erection of 3m high palisade fencing and gates.
Approved 2012
- 3.5 PK18/0456/F Erection of 1no. pod (Class A1 use) with associated works.
Approved 2018

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
The Parish Council objects to this application on grounds that certain issues require clarification:

- 1. The developer refers to a site in Rotherham and causes concern that some of the statements made may not refer to the Asda site at Craven Way.
- 2. Opening times are not clearly specified and it is felt that they should be limited in respect of the residential amenity of neighbouring properties.

3. The illumination of internally illuminated signage should be limited to hours of business in respect of the residential amenity of neighbouring properties.
4. There is no provision for electric charging points.
5. There are concerns that a more open layout may increase incidents of ASB already occurring in the main car park.

4.2 Other Consultees

The Coal Authority – no objection. It is also advised that it would not be necessary to impose condition as the applicant has submitted adequate details to address the issues.

Sustainable Transport – the Highway Officer is not wholly satisfied with the submitted information, however, the issues arising from the traffic associated with this development will remain wholly within the Asda site and not affect the public highway. Therefore no further comments are made.

Environmental Protection Team (Contamination) – no objection subject to condition seeking remediation and verification scheme in the event that any contamination is found during the course of the construction of the development.

Environmental Protection Team (Acoustic) – no objection subject to a condition to secure the construction of a wall between the development and the nearest residential receptor and a condition to restrict the operational hours of the car wash, jet wash facilities.

The Landscape Officer – advised that the proposed hedge planting be extended around the corner of Craven Way and also sought a landscape scheme.

The Ecology Officer – no objection.

Lead Local Flood Authority – no objection.

Street Light Engineer – no objection.

The Petroleum Officer – objection. The Petroleum Enforcement Authority would not want to see any customer refuelling taking place when the road fuel tanker is off-loading fuel. It is the PEA's consideration that the site should be fully closed for customer refuelling when a road fuel tanker is making a fuel delivery.

The Archaeology Officer – no comments.

Arts and Development – no comment.

The Highway Structure – no comments.

Other Representations

4.3 Local Residents

Four letters of objection or concerns have been received and the concerns are summarised as follows:

- Object to All the pumps bring automated, as many pay by case and not by card
- Automated filling stations do not accept electron cards
- Causing more pollution in the customer car journey to alternative petrol filling station.
- The submitted Design and Access Statement refer to Asda Rotherham superstore, not Asda Longwell Green.
- No reference to the opening times of the new PFS, I would suggest that the opening times should be limited e.g. closing by 22:00.
- When the signs are illuminated should be limited.
- No reference to charging points for electric vehicles, Asda should be considering electric car charging points.
- A residents who lives close to the automated Asda PFS in Bridgwater and it was suggested that Asda makes a 0.95p credit card/ debit card charge for using the PFS in Bridgwater

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The proposal is to erect a replacement petrol station at an established supermarket. The policy with the greatest relevance is Policy CS14 in the adopted Core Strategy and Policy PSP31 of the adopted Policies, Sites and Places Plan.

5.2 From the design perspective, Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved.

5.3 Retail Development

Policy CS14 of the adopted Core Strategy states that Longwell Green Retail Parks will be treated as out-of-centre and development proposals will need to satisfy the sequential test. As the proposal is to replace the existing petrol filling station within an established retail park and no additional retail units are proposed, therefore, the proposal would not cause any material impact on the vitality and viability of the local centre of Longwell Green or nearby Kingswood Town Centre. Also, given the floor area of the proposal, it would not be required to carry out a retail impact assessment on this scheme.

5.4 Coal Mining Issues

The applicant submitted documents relating the coal mining history of the site and the findings of intrusive site investigations undertaken within the application site. The Coal Authority has reviewed the submitted documents and is satisfied

with the report. Therefore, no objection is raised to the proposal and it is not necessary to impose any condition.

5.5 Visual Amenity

The proposal is to replace the existing petrol filling station with automated petrol filling station. It is also proposed to replace the existing car wash facilities, jet wash area, etc. The design of the proposed structures is simple and functional. It is noted that a solid wall is proposed to attach to the proposed canopy. Although the new wall would be taller than the existing single storey car-wash building and it would have a material impact upon the street scene, it is considered that such impact would not so significant provided that an appropriate colour would be used and landscaping scheme would be in place. Other proposed structures associated with the petrol filling station would set back from the hedges along the main road, therefore the impact would not be significant. In conclusion, it is considered that the proposal, subject to planning conditions, would comply with the adopted Core Strategy and the Places, Sites and Places Plan.

5.6 Residential amenity

The nearest residential properties to the proposed petrol filling station would be No. 101, 103 Caven Way and No. 2 Craven Close and they are located approximately 20 metres from the proposal. Whilst the location of the filling station would remain unchanged, the proposal would comprise of the construction of a solid wall as part of the structure of the new canopy. This wall is approximately 13 metres wide by 5.2 metres high. Given that there would be a reasonable separation between the front elevation of the neighbouring properties and the wall structure, it is not considered that the proposal would cause significant overbearing impact to be detrimental to the amenity of the nearby residents.

5.7 Regarding external lighting, the agent advised that no external lighting will be installed on this wall and the Council's Lighting Engineer also considered that the submitted lighting assessment is acceptable. Subject to a condition restricting external lighting, the amenity of the neighbouring residents would be adequately safeguarded.

5.8 Regarding the acoustic issue, the applicant submitted an acoustic report with the proposal. The report indicates that the equipment, such as jet wash, water, air machines, will require a condition restricting its operation hours. However, the overall noise from the service station is assessed to be acceptable, therefore it would not be necessary to impose condition to restrict the overall hours of the operation. In addition, the proposed wall structure would form an acoustic barrier to reduce the acoustic impact upon the nearby residents and the Council's Environmental Protection Team. Therefore, subject to condition restricting the operating hours of the car wash and similar activities and ensuring the wall will be constructed, there is no objection from this perspective.

5.9 Transportation

The Highway Officer has reviewed the proposal. The site is located within an urban area, hence the proposal fully complies with the requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places document. The application also submitted additional explanation regarding the demolition of the kiosks, the dwelling tines, the staff parking and the tanker tack plot. Although there are some concerns about the details of the Transport Statement and the revised calculations of the on-site vehicle stacking capacity, the Highway Officer is satisfied that sufficient information is available for the Highway Authority to reach conclusion that vehicles will not stack back onto the public highway and that any congestion occurring will remain within the boundary of the Asda Store. Therefore, there is no highway objection to the proposal.

5.10 Safety

The Petroleum Enforcement Authority 'PEA' has been consulted with the application, the Petroleum Officer is satisfied with the submitted details. The Officers advised that the site should be fully closed for customer refuelling when a road fuel tanker is making a fuel delivery. Therefore the applicant is advised to contact the PEA to discuss the matter to ensure that appropriate operational procedure will be in place.

5.11 Installation of Electric Vehicles Charging Points

The applicant confirmed that they would be able to install two fast charging points providing four vehicle chargers within the wider store car park. It is also agreed that these will be installed and operational within 6 months of the PFS opening. Whilst officers consider that the more charging points could be provided within the site, given the size of the car park, officers generally welcome the proposed installation. Therefore, there is no objection on this regard. A planning condition is also imposed to ensure that the proposed EV charging points will be installed.

5.12 Regarding the operational matters with the proposed petrol filling station, it would be the applicant's commercial and operational decision and it would be unreasonable to refuse this application because of its automation.

5.13 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. Prior to the installation of the proposed solid wall along the southeast elevation, the sample including the finish of the colour to be painted on the wall 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 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 PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the National Planning Policy Framework.

3. Notwithstanding the submitted hard and soft surfacing plan, Drawing No. 2004LG 210 05 A, within three months following the completion of the proposed development hereby approved, a detailed soft landscape works 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; implementation programme], shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape works shall be implemented in full 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 South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and LCA14 of the South Gloucestershire Landscape Character Assessment (Adopted November 2014) and the National Planning Policy Framework.

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

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the National Planning Policy Framework.

5. No car wash, jet wash, water and air machines or similar activities shall be operated on this site between 20.00 and 06.00 the following day. In addition, the solid wall attaching to the proposed canopy along the south east elevation of the site shall be constructed prior to the operation of the proposed development hereby approved.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the National Planning Policy Framework.

6. No external illuminations shall be installed on the proposed solid wall along the south east elevation of the site.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the National Planning Policy Framework.

7. The hours of working on site during the period of construction shall be restricted to
Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays.

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

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the National Planning Policy Framework.

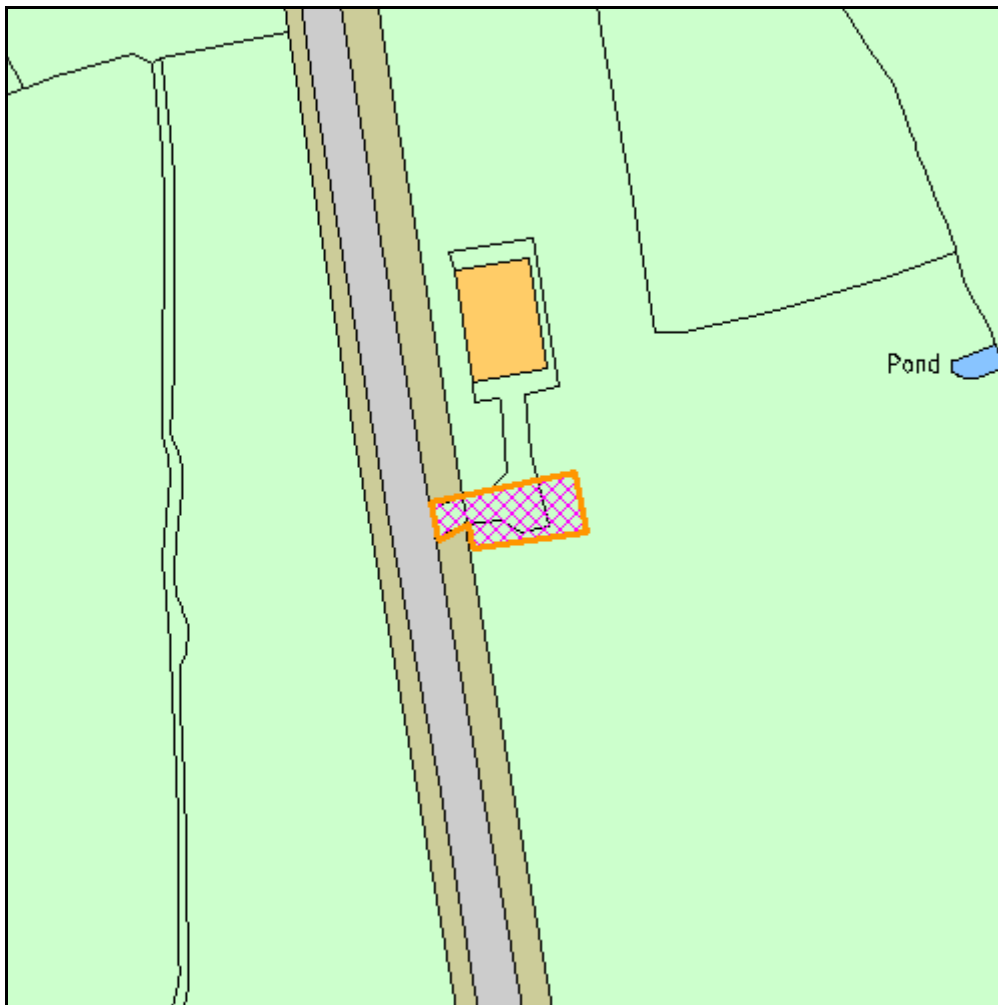
8. Within six months of the first opening of the petrol filling station hereby approved, the proposed 2 no. fast charge electric vehicles charging units of at least 7kw providing 4 vehicle chargers shall be installed, and be fully operational, within the existing car park of Asda Store Longwell Green. Development shall be maintained as such thereafter.

Reason

To reduce greenhouse gas emissions and tackle climate change and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 18/20 - 1st May 2020

| | | | |
|----------------------------------|--|-------------------------|--|
| App No.: | P20/02741/F | Applicant: | Mr And Mrs Bayley |
| Site: | Land At Wickwar Road South Gloucestershire | Date Reg: | 18th February 2020 |
| Proposal: | Erection of a temporary rural workers dwelling. | Parish: | Wickwar Parish Council |
| Map Ref: | 372816 186172 | Ward: | Chipping Sodbury And Cotswold Edge |
| Application Category: | Minor | Target Date: | 14th April 2020 |



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008. **N.T.S.** **P20/02741/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.

CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule following an objection from the Parish contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a temporary rural workers' dwelling with associated works.
- 1.2 The application site relates to land at Wickwar Road, South Gloucestershire. The site is outside any settlement boundary and therefore within the open countryside.
- 1.3 This scheme follows detailed pre-application advice that concluded the applicant needed to provide confidential financial information to support such a scheme. Appropriate details were submitted under this planning application and assessed by an independent rural assessor.
- 1.4 During the course of the application additional details regarding the proposed drainage were requested and received for consideration.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

| | |
|------|--|
| CS1 | High Quality Design |
| CS2 | Green Infrastructure |
| CS4A | Presumption in Favour of Sustainable Development |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |
| CS9 | Managing the Environment and Heritage |
| CS15 | Distribution of Housing |
| CS16 | Housing Density |
| CS17 | Housing Diversity |
| CS18 | Affordable Housing |
| CS19 | Rural Housing Exception Sites |
| CS24 | Green Infrastructure, Sport and Recreation Standards |
| CS34 | Rural Areas |

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

| | |
|-------|---|
| PSP1 | Local Distinctiveness |
| PSP2 | Landscape |
| PSP3 | Trees and Woodland |
| PSP8 | Residential Amenity |
| PSP10 | Active Travel Routes |
| PSP11 | Transport Impact Management |
| PSP16 | Parking Standards |
| PSP17 | Heritage Assets and the Historic Environment |
| PSP18 | Statutory Wildlife Protection |
| PSP19 | Wider Biodiversity |
| PSP20 | Flood Risk, Surface Water, and Watercourse Management |
| PSP21 | Environmental Pollution and Impacts |
| PSP28 | Rural Economy |
| PSP29 | Agricultural Development |
| PSP30 | Horse Related Development |
| PSP40 | Residential Development in the Countryside |
| PSP41 | Rural Workers Dwellings |
| PSP43 | Private Amenity Space Standards |

2.3 Supplementary Planning Guidance

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

South Gloucestershire Design Checklist (Adopted) 2007)

South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013

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

SPD – (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PRE19/0751 Temporary rural worker accommodation unit ancillary to site use.
Response given October 2019
Conclusion:
Robust justification would be required to demonstrate the need for a rural workers dwelling.
- 3.2 PK08/0498/F Erection of 5 stables with feed/tack room and storage.
Change of use of land from agricultural to personal equestrian use.
Construction of track and associated works.
Approved 11.4.08

4. CONSULTATION RESPONSES

4.1 Wickwar Parish Council

Objection:

Parish objects to this application on the grounds that the small holding is a hobby unit and not a viable agricultural business, and there are not enough animals onsite to warrant a temporary dwelling. Therefore Local Policy PSP41 should not apply.

Other Consultees

4.2 Transport:
Objection:
Unsustainable location

4.3 Drainage
Objection – insufficient information

Updated comments:

Following the submission of additional information, no objection – the following informative is to be attached:

Land Drainage Consent: The application involves works, and/or structures to, in or affecting an ordinary watercourse/ditch. These works may require formal consent from South Gloucestershire Council. Application forms and guidance can be obtained by emailing LeadLocalFloodAuthority@southglos.gov.uk

4.4 Highway Structures:
No objection

Other Representations

4.5 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 The application is for the erection of a temporary rural workers' dwelling. The proposal is put forward on the basis that the business is an existing activity on an established unit and it has a functional requirement for the provision of accommodation for a rural worker. The functional need as identified cannot be met by any existing dwellings on the unit and could not be met by existing accommodation in the area should there be any suitable and available for occupation.

Principle of Development

5.2 The application stands to be assessed against the above listed policies and all material considerations which includes the pre-application advice given in October 2019.

5.3 Policy tests:

5.4 National policy:
Paragraph 79 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.

- 5.5 In July 2019, the Government introduced guidance under the Planning Practice Guidance (PPG) as to how the need for isolated homes in the countryside for essential rural workers can be assessed when considering paragraph 79a.
- 5.6 Considerations could include the following:
- evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);
 - the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;
 - whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;
 - whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and
 - in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.
- 5.7 Local policy:
Policy CS5 of the South Gloucestershire Core Strategy is consistent with the NPPF in setting out that in the open countryside development will be strictly limited.
- 5.8 Policy PSP40 states that rural workers dwellings (in accordance with PSP41) are acceptable development within the countryside. PSP41 is supportive of new rural workers dwellings where the applicant can demonstrate that:
- 1) the dwelling is required to satisfy a clearly established existing functional need to live at the place of work or within the immediate area, which can't be met within the defined settlement boundaries; **and***
 - 2) the rural business has been established for at least three years, has been profitable for at least one of them, is financially sound, and has a clear prospect of remaining so; **and***
 - 3) the need could not be fulfilled by another existing dwelling or building capable of conversion on the unit, or any other accommodation or building capable of conversion in the area, which is suitable and available for occupation by the worker concerned; **and***
 - 4) the proposal(s) is satisfactorily sited in relation to the rural business and wherever possible, is sited within a hamlet or existing group of buildings*
- 5.9 In the case of new businesses, where the need and location have been established, but permanence cannot be demonstrated, the consideration will be given to temporary accommodation, whilst the business establishes. The assessment of this application therefore continues on the basis of the information presented by the applicant.

- 5.10 **Business case:**
Without strong justification to support a proposal, the introduction of new dwellings in the countryside are resisted by both national and local planning policies. This justification takes the form of a business case describing the enterprise along with the current buildings and services used. A financial appraisal establishes if the business is a profitable concern and one that is likely to continue in the future
- 5.11 Additional information was provided during the course of the application in support of the proposal and was assessed on behalf of the LPA by an independent rural assessor. The proposal is acceptable in principle and the findings of the assessor's report are discussed in more detail below.
- 5.12 Further assessment of the information submitted with the application:
- 5.13 *Functional need:*
A functional test is needed to understand what it is about the running of the business that requires someone to be present most of the time. This need must relate to the business based on the stocking and cropping requirements and not the personal needs of those running the business. The need must also relate to a full time worker.
- 5.14 Under this application although a number of farmed livestock are being kept, the main functional need is associated with the donkeys and horses as detailed in the supporting documents provided with the application.
- 5.15 The business plan indicates the number of horses and donkeys will increase by the end of the 5 year business plan to 12 horses and 5 donkeys. The functional need is therefore accepted.
- 5.16 There remains some query over the amount of stabling required to accommodate an increase in stock but this would be subject of a separate consideration.
- 5.17 Given the above there is an in principle functional justification for the accommodation. However, the nature and extent of the activities will determine whether the need justifies an on-site presence. This is discussed in more detail below.
- 5.18 *Full time need:*
In terms of labour requirements, it is calculated there is an existing need for a 1.9 full time equivalent (FTE) person. It must be noted that in calculating need, standard data does not differentiate between breeds or size of horse.
- 5.19 Given the information in the business plan submitted to the LPA, it is acknowledged that the requirement for labour will rise as the business expands. As such the need for a full time worker is accepted.
- 5.20 Overall, the functional test is therefore satisfied. It is however, necessary to examine the financial viability of an enterprise and whether the enterprise will remain viable for the foreseeable future. It is therefore, important where, as in

this case a business is seeking temporary permission, for it to be sustainable and planned on a sound financial basis.

5.21 *Financial test:*

To pass the test, it must be shown that the farm is economically viable. The applicant has provided accounts for the past 3 years and details of a 5 year business plan. Details presented indicate projected profits for this business.

5.22 On this basis the financial test is satisfied

5.23 However, it must be noted that if temporary permission is granted it will be for the applicant to prove that the business has, in fact, been planned on a sound financial basis, and this will be assessed using the trading accounts for that temporary period.

5.24 Accommodation:

It is accepted that where a functional test has been established, then the dwelling should be sited within *sight or sound or close proximity*. It is understood that there are no suitable properties for sale or rent within half a mile of the holding. Although the applicant has been managing the site whilst living away from it, the need for accommodation is based on the expansion of the business. A temporary dwelling will help the business become established.

5.25 Design and Visual Amenity:

The proposed temporary workers' dwelling would consist of a kitchen, dining/living area, 2 bedrooms and a bathroom. Details state the single storey building would be of an agricultural/ utilitarian design to fit into its stable-side location and would further blend into its location due to the materials which reflect the nature of the site. These would include walls of treated timber boarding, timber windows, artificial slate roof and black gutters and downpipes.

5.26 It is considered that the approach is sympathetic to its countryside location in terms of its scale and appearance and therefore appropriate for such a building.

5.27 Residential Amenity:

Submitted plans show a red edged area which would be occupied by the proposed dwelling, vehicle parking / turning area and an area for residential amenity. The submitted Design and Access Statement indicates *The area for the proposed unit is within an area separate to the paddocks and has existing parking provision and amenity space*. It is therefore accepted that the amenity space for the new dwelling will be contained within the submitted red edge although no specific design details have been included. As such it is reasonable to condition the submitted plans, include a condition for landscaping and remove permitted development rights. The amount of amenity space for the two-bedroomed dwelling would be compliant with adopted planning policy PSP43.

5.28 **Transport:**

It is noted that in terms of sustainable transport methods, the site is not located within a defined settlement boundary – which is the local planning authority's preferred means by which to denote sustainable locations. PSP11 sets out that residential development proposals are to be located on safe, useable walking and, or cycling routes, that are an appropriate distance to key services and facilities. Where this is not the case, the site should be an appropriate distance from a bus stop facility which connects to a destination serving key services and facilities.

5.29 In this instance the site would fail to be an appropriate distance from key services and facilities, but it is noted that the scheme has been found acceptable in regards to the introduction of a rural workers' dwelling. Both local and national planning policy is supportive of the rural economy. A balanced decision has therefore to be taken. It is acknowledged that this site has been operating as a small holding for at least 3 years (submitted financial accounts confirm this) and the applicants currently visit the site a number of times a day. The proposal therefore meets the special circumstances required for agricultural workers and the sustainability argument is diminished. On that basis no objection is raised to this scheme.

5.30 **Consideration of likely impact on Equalities**

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

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

5.32 **Planning conclusion:**

The details supplied with this application have shown that there is an established existing functional need which would require additional labour when the business expands. The accounts have shown existing profit and the business plan has indicated financial projections. From these details it is likely that the business will be a financially sound enterprise. The need for a temporary workers' dwelling is therefore accepted but will be subject to an appropriate time limited condition and that the dwelling is associated with the business use only.

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 conditions attached to the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. Temporary consent

The use hereby permitted shall be discontinued and the building removed from the site and the land restored to its former condition on or before 29.4.2025, in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason

The site is not in an area intended for residential development and the development has been permitted solely because it is required to accommodate a person working in agriculture in the interest of the agricultural business at the site, and; to accord with the provisions of the National Planning Policy Framework 2019 and Policy PSP41 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

3. Rural Workers' Tie

The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason

The site is not in an area intended for residential development and the development has been permitted solely because it is required to accommodate a person working in agriculture in the interest of the agricultural business at the site, and; to accord with the provisions of the National Planning Policy Framework 2019 and Policy PSP41 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. Development shall proceed in accordance with the following plans:

As received by the LPA on 18.2.20:

Site location plan

Block plan

Proposed plans and elevations

Reason

To ensure that the accommodation is limited to that commensurate with the established need and in the interests of the visual amenity of the area and to accord with Policy CS1, CS5 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013; Policy PSP1 and PSP2 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

5. Remove PDR

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 ensure that the accommodation is limited to that commensurate with the established need and in the interests of the visual amenity of the area and to accord with Policy CS1, CS5 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013; Policy PSP1 and PSP2 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

6. Permanent structures

No permanent jumps, fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land.

Reason

To ensure that the accommodation is limited to that commensurate with the established need and in the interests of the visual amenity of the area and to accord with Policy CS1, CS5 and CS34 of the South Gloucestershire Core Strategy

(Adopted) December 2013; Policy PSP1 and PSP2 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

7. Location of horse boxes etc.

At no time shall horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than in the area immediately adjacent to the mobile home and stable buildings.

Reason

In the interests of the visual amenity of the area and to accord with Policy CS1, CS5 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013; Policy PSP1 and PSP2 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

8. Landscaping

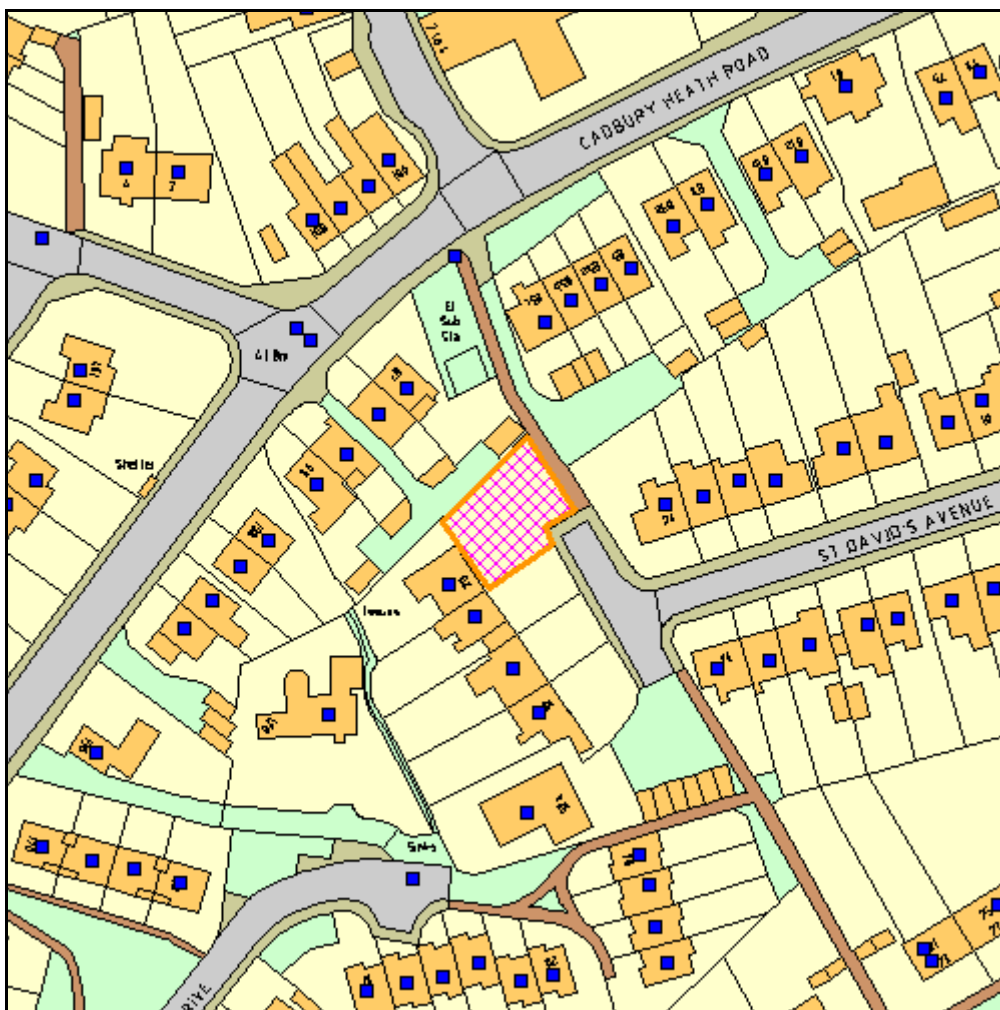
Prior to the first occupation of the dwelling, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting);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

Reason

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

CIRCULATED SCHEDULE NO. 18/20 - 1st May 2020

| | | | |
|------------------------------|--|---------------------|------------------------|
| App No.: | P20/03714/F | Applicant: | Mr Higgs |
| Site: | Land At 26 St Davids Avenue Cadbury Heath South Gloucestershire BS30 8DF | Date Reg: | 11th March 2020 |
| Proposal: | Erection of 1 no. dwelling with parking and associated works (amendment to previously approved scheme P19/5561/F). | Parish: | Oldland Parish Council |
| Map Ref: | 366396 172323 | Ward: | Parkwall And Warmley |
| Application Category: | Minor | Target Date: | 30th April 2020 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P20/03714/F**

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

INTRODUCTION

This application appears on the Circulated Schedule as a result of comments received, by the Parish Council, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection of 1 no. detached dwelling with parking and associated works.
- 1.2 The site is situated on a residential estate in the area of Cadbury Heath. The site consists of part of the front curtilage of 26 St Davids Avenue.
- 1.3 Of note, and material consideration is the granting of a previous permission, ref. P19/5561/F, also for the erection of one dwelling, with parking associated works. The main differences between this application and the existing approved proposals are a relocation of the footprint of the proposed dwelling approximately 2m towards the south west (towards the host dwelling), resulting in some amendment of the layout of the plot and the shape of the garden and configuration of the parking provision. The proposal will also now be two bedroomed (as opposed to one), facilitated by the additional of velux roof lights into the side elevations of the roofslopes.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS8 Improving Accessibility
CS16 Housing Density
CS17 Housing Diversity

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

PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development in Residential Curtilages, Including Extensions and New Dwellings
PSP43 Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 P19/5561/F - Erection of 1no. dwelling with parking and associated works.
Approved 19.12.2019.

P20/01461/NMA - Non material amendment to P19/5561/F to re-site dwelling,
revise parking arrangements and add rooflights. Withdrawn 27.02.2020

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council

The Parish Council objects on grounds that the basis of the site constraints which the applicant clearly stated in the original application limited the development to a one bedroom dwelling remain unchanged and no reasons have been given why these should not continue to be respected. In addition to upper storey windows that could impact the residential amenity of the host property, the revised car parking arrangements lead to very constrained access/exit paths not representing good design practice.

- 4.2 Other Consultees

Highways Structures

Details of excavations and the temporary support that is to be provided during construction are to be submitted to satisfy the highway authority that support to the highway is provided at all times.

Lead Local Flood Authority

Soakaways are required to be a minimum 5 metres from any structure including the public highway which appears unachievable.

Before we comment further, we therefore require an updated layout plan which states the distance of the soakaway in respect to its nearby and adjoining structures.

Sustainable Transport

We have now reviewed this planning application and note that it seeks to construct a new dwelling within the curtilage of 26 St Davids Avenue, Cadbury Heath. We understand that it is broadly a resubmission of a previous application (ref P19/5661/F) and that we did not object to that version. This was because we considered that its location conformed to the requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places document in terms of juxtaposition to necessary facilities and access by all travel modes. Moreover, we did not consider that it would have a material traffic generation or create a severe impact on the adjoining highway network. Likewise, it also conformed to the Councils minimum domestic car

parking requirements, as set out in the Residential Parking Standards SPD adopted in December 2013.

We note that there have been some internal changes have been made to this dwelling which have resulted in it now possessing two bedrooms. However, our review suggests that the number of parking spaces allocated to it has also been increased accordingly, so that it still conforms to the Council's guidelines. Therefore, we consider that this development remains broadly unchanged in highways and transportation terms. As result, we do not wish to object to this proposal either.

Public Rights of Way

No objections but recommend informatives outlining limitations and restriction in relation to the adjacent footpath (ref. POL 16).

The Coal Authority

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The applicant has submitted a Coal Mining Risk Assessment Report (Bristol Coal Mining Archives Ltd, October 2019) to support this planning application. The Coal Authority has reviewed this previously as part of planning application P19/5561/F for which this current application is effectively a resubmission of. Therefore, we provide our comments on the same basis as those previously.

Based on this review of existing sources of geological and mining information, the Report is able to conclude that all coal seams underlying the site would be at sufficient depth and such a thickness and quality not to impact on ground stability, should they have been worked. Accordingly, no specific remedial measures are considered necessary.

On the basis of the information submitted and the professional opinion of the author for the Coal Mining Risk Assessment Report (Bristol Coal Mining Archives Ltd, October 2019), The Coal Authority does not object to this planning application. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

Other Representations

4.3 Local Residents

One letter has been received as follows:

'Revised plans would appear to show proposed new dwelling closer to front of our property. Also would now appear a two storey building proposed as opposed to one storey to previous proposal which would result in occupants facing/being able to look directly into our residence at both ground and first floor level. Also being two storey more intrusive and would block out any kind of view that we may have. Also would like to reiterate comment made on previous

proposal regarding lack of parking for residents in street already which results in many residents parking anywhere free albeit not close to their own residence. Concerns this proposal in effect results in at least five residents (3 bedroom house already in situ and proposed dwelling 2 bed) parking proposed not sufficient as visitors may call etc'

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The NPPF emphasis is on sustainable growth, including boosting housing supply and building including through windfall development, except where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policy framework.

PSP38 establishes that new residential development on sites within the urban area and the curtilage of dwellings are acceptable in principle, subject to the proposal satisfying other material considerations, such as density, design, residential amenity, and highway safety. Policies CS16 and CS17 of the Core Strategy seek to achieve an efficient use of land, maximise housing supplied at locations where there is good pedestrian access to frequent public transport services, and provide a mix of housing types.

5.2 Design

The application site consists of the front curtilage of an existing dwelling, at the end of a cul de sac. The plot is a comparatively large front curtilage area. The application is essentially for a relatively modest single storey dwelling with additional rooflights to facilitate use of the roof area for the proposed two bed property. The area generally is characterised by mainly two storey semi-detached properties, and short terraces, although there are a number of detached and terraced garages/outbuildings in the area also. The dwelling proposed is single storey, detached bungalow style property. It is not considered that the addition of a detached bungalow dwelling to the area at this location in its own right would necessarily be unacceptable and may contribute to a mix of housing types. Due to the layout and orientation of the various surrounding dwellings and road pattern the proposals are not considered to materially detract from any layout, pattern or streetscene. Materials proposed consist of double roman tiles and rendered blockwork. The proposed dwelling in this case is of an appropriate standard of design and would have no material or significant detrimental impact upon the surrounding area. Materials are considered acceptable for the proposed dwelling. The density of development at the site in this location is governed by the size, shape and location of the plot and the proposals are considered acceptable in this respect.

5.3 Local Amenity

The proposals for essentially a single storey bungalow reduce the bulk and impact of the proposals and also reduce potential issues of overlooking as all facing windows will be at ground floor level. A difference between this application and the previous approval is that of the use of the roofspace as an additional bedroom, bringing the total to two bedrooms. This is facilitated by the use of velux windows in the roof slopes of the side elevations. These sloping rooflights in their own right would not be considered to give rise to material or significant issues of overlooking and further more are located on the sides of

the proposed dwelling not directly facing most of the properties in the area, and the proposed house is not directly in line with the host property. There would be no height increase in the proposed building compared to that previously approved. Existing boundary treatments, including close board boundary fencing would be retained and further help protect privacy. The proposals are of scale and location, and distance that would not be considered to give rise to material overbearing impact upon surrounding properties. It is not therefore considered that the proposals would give rise to an unreasonable or material overlooking or overbearing impact.

5.4 There would be sufficient scope for private amenity space to serve both the host dwelling which would retain its existing rear garden and the new dwelling to the front which would have sufficient amenity space for the proposals to meet the Councils private amenity space standards. Whilst the layout of the plot has changed slightly from the previous approval, it is not considered unacceptable. In terms of the additional bedroom illustrated with this application, each application must be addressed on its own merits and in this instance the site and the plot can satisfactorily accommodate the development proposed in terms of amenity space and parking without giving rise to additional material amenity impacts, in addition to this it is also of note that the conversion of loft space and the use of velux windows does not generally require planning permission in its own right.

5.5 Transportation

The site is located within a built-up residential area, and the proposals therefore comply with locational policy requirements in terms of juxtaposition to necessary facilities and access by all travel modes. It is not considered that any additional travel demand arising from this new dwelling will generate sufficient traffic to create any severe local transportation impacts. The granting of planning permission would not grant rights to unlawfully park or block accesses or pathways which would be a legal highways enforcement issue.

5.6 Furthermore, the Councils minimum domestic car parking requirements, as set out in the Residential Parking Standards SPD adopted in December 2013, relate the number of off-street parking spaces required to the number of bedrooms present in any property. This application addresses the parking requirements, of both dwellings, in accordance with the Councils adopted parking requirements. There are no objections to the proposals from the Council's Highways Officer.

5.7 Drainage

Additional drainage proposals are required to clarify in more detail the precise drainage layout. It is considered that this requirement can reasonably be conditioned and will also be addressed at building control stage.

5.8 Coal Authority

There are coal mining features in the area. Coal Mining Risk Assessment information has been provided and the Coal Authority do not object on the basis of this information. Further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

5.9 Equalities

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

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

7. RECOMMENDATION

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

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

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

Reason

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

3. Prior to the commencement of development detailed drainage proposals and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

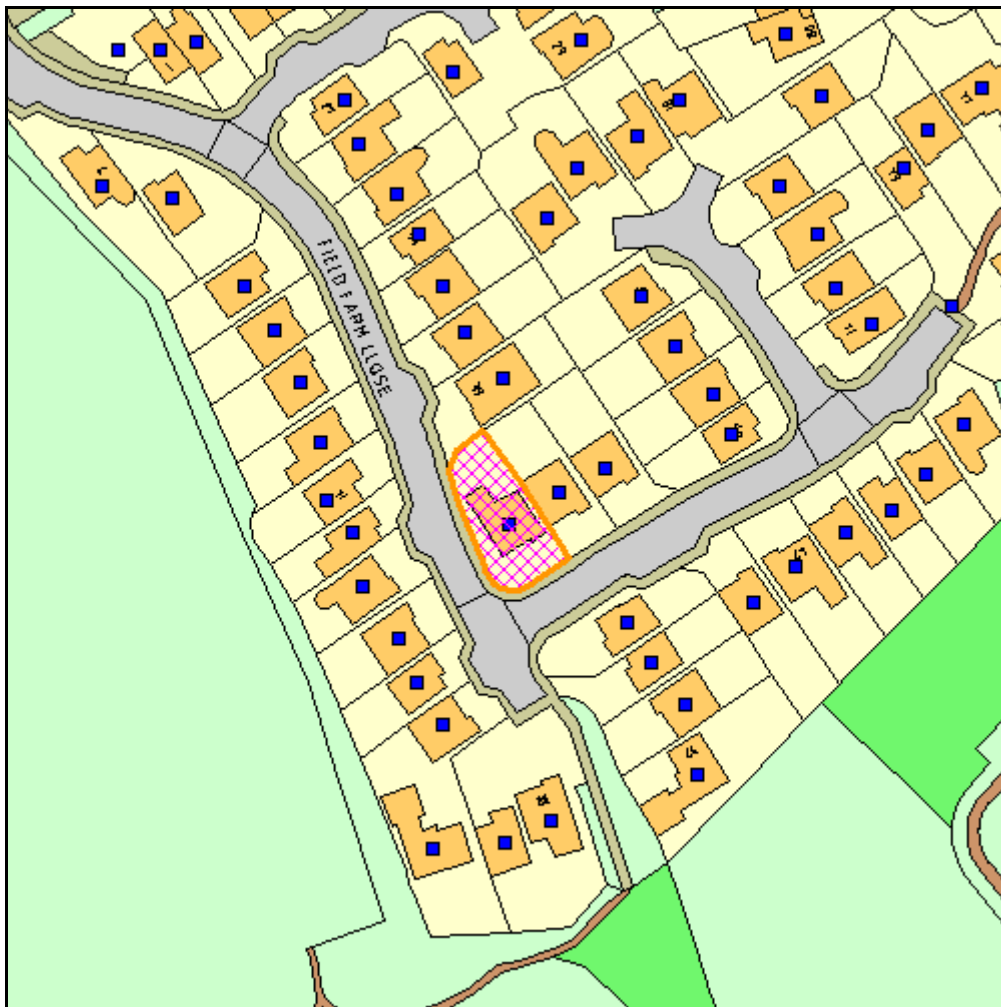
Reason

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

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

CIRCULATED SCHEDULE NO. 18/20 - 1st May 2020

| | | | |
|----------------------------------|---|-------------------------|---------------------------------|
| App No.: | P20/04164/F | Applicant: | Mr Mark Ford |
| Site: | 41 Field Farm Close Stoke Gifford South Gloucestershire BS34 8XX | Date Reg: | 10th March 2020 |
| Proposal: | Erection of front porch. Erection of a two storey side extension to form additional living accommodation. | Parish: | Stoke Gifford Parish Council |
| Map Ref: | 362780 179800 | Ward: | Stoke Gifford |
| Application Category: | Householder | Target Date: | 30th April 2020 |



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008. **N.T.S.** **P20/04164/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 THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The proposal seeks full planning permission for erection of a porch and a two-storey side extension to form additional living accommodation.
- 1.2 The original property is a two-storey detached house located at 41 Field Farm Close, Stoke Gifford.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

| | |
|------|-------------------------|
| CS1 | High Quality Design |
| CS4a | Sustainable Development |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |

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

| | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP2 | Landscape |
| PSP8 | Residential Amenity |
| PSP16 | Parking Standards |
| PSP38 | Development within Existing Residential Curtilages |
| PSP43 | Private Amenity Space Standards |

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 P19/16678/F
Erection of front porch. Erection of single storey side extension to form additional living accommodation.

Approved: 09/12/2019.

- 3.2 PT06/2679/F
Erection of single storey rear extension to form additional living accommodation.

Approved: 08/11/2006.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
Objection. Overdevelopment and not in keeping within the area.

4.2 Other Consultees

Sustainable Transport
No objection.

Archaeology Officer
Wish to make no comment.

Environmental Protection
No adverse comments.

Other Representations

- 4.3 Local Residents
A total of 1no. objection comments has been received. Key points summarised below:
- Impact of the build on the visibility when turning around the corner of the road.
 - Concern about the availability of the pavement during the works.
 - Concern about the increased traffic during the works and its impact on visibility and manoeuvring.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

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

5.3 The proposed front porch will have a depth of 1.4m and a width of 2.15m. The proposed height is 3.5m (2.4m to the eaves). It is considered that the proposed design does not appear to be unusual for a porch, and as such considered to be acceptable.

5.4 The proposed two-storey side extension will be located on the south-west (side) elevation. The ground floor element will have a depth of 8.5m and a maximum width of 2.4m. 1no. angled window will be installed to the front elevation. No other openings are proposed for the ground floor. The first floor element of the proposed extension will have a depth of 8m and a maximum width of 2.4m. The overall height will be 7.2m (to match that of the existing dwellinghouse). 1no. obscure-glazed window will be installed on the side elevation of the proposed first floor. According to the application form all the proposed materials for external works will match those of the existing dwellinghouse.

5.5 The objection comment from the Parish Council stated that their main concerns regarding this proposal are the overdevelopment and not in keeping with the character. Previously-approved application P19/16678/F (to which there were no objections) proposed single-storey side extension, which was considered acceptable. The current proposal is a two-storey, however it is not considered that its two-storey nature or the proposed design deviates greatly from the design of the original dwellinghouse or the surrounding area overall.

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

5.7 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and

dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.8 Given the location of the proposed extension and its proximity to surrounding properties it is considered that its two-storey nature will not cause any detrimental impact and that the amenity of neighbouring residents will be adequately preserved.

5.9 It is also considered that ample levels of external amenity space would be retained at the site post-development. On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impacts on residential amenity, and the proposed development therefore accords with policies PSP8, PSP38 and PSP43.

5.10 Access and Parking

A 4-bedroom house required to have a minimum of 2no. off-street parking spaces. The submitted block plan indicates the provision of 2 off-street parking spaces and as such this proposal considered to be compliant with policy PSP16.

5.11 In regards to concerns about the potential reduction in visibility of the road. It is considered that the size and scale of the proposed extension is not significant enough to cause any detrimental impact to the visibility of Field Farm Close.

5.12 In regards to concerns of the increased traffic during the works and its impact on visibility and manoeuvring. This is not a material consideration and as such it wasn't taken into the account when determining this planning application.

5.13 Other Matters

In regards to concerns about the availability of the pavement during the works. This is not a material consideration and as such it wasn't taken into the account when determining this planning application.

5.14 Consideration of likely impact on Equalities

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

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

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: Mykola Druziakin
Tel. No. 01454 868434

CONDITIONS

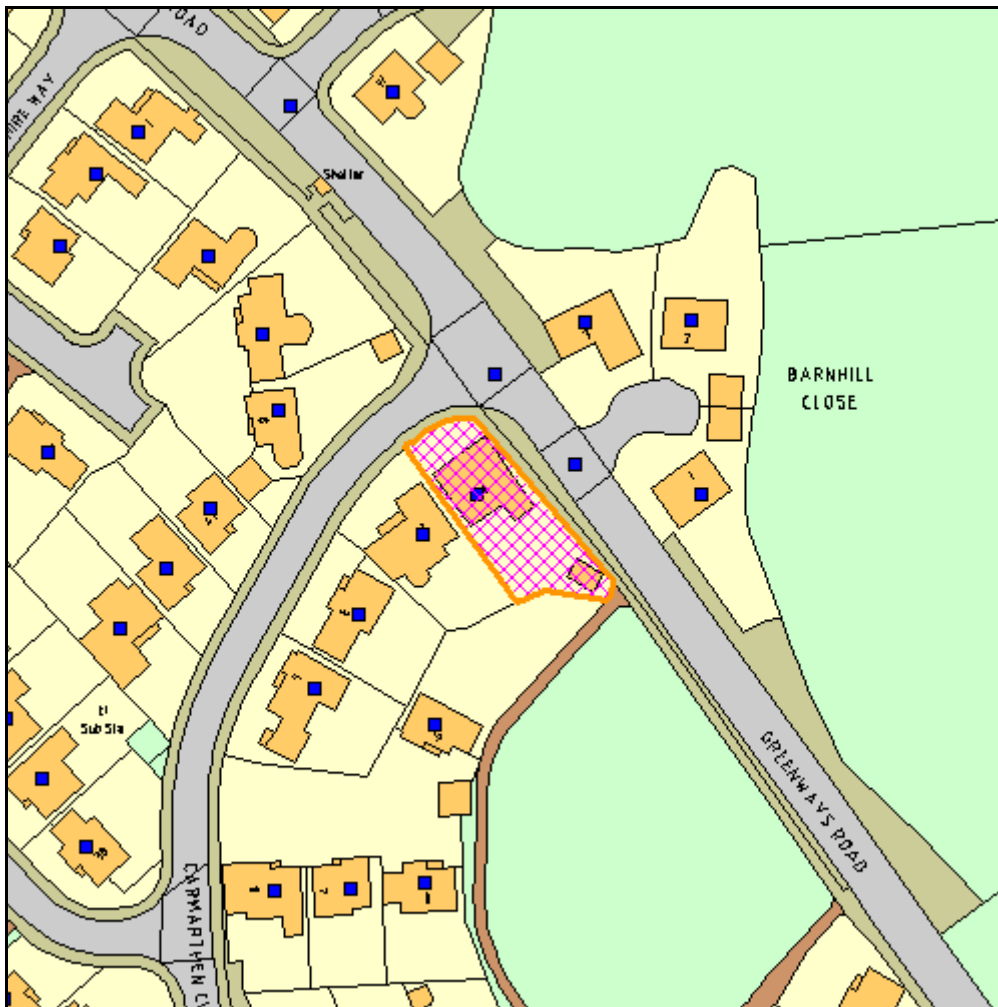
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 18/20 - 1st May 2020

| | | | |
|----------------------------------|--|-------------------------|-------------------|
| App No.: | P20/04839/F | Applicant: | Mr Ben Alvis |
| Site: | 1 Carmarthen Close Yate South Gloucestershire BS37 7RR | Date Reg: | 24th March 2020 |
| Proposal: | Erection of a two storey and a single storey rear extension to form additional living accommodation. | Parish: | Yate Town Council |
| Map Ref: | 372014 183661 | Ward: | Yate North |
| Application Category: | Householder | Target Date: | 11th May 2020 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P20/04839/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 appears on Circulated Schedule because the representation received from the Town Council is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a two storey and single storey rear extension.
- 1.2 The application site is a large, previously extended detached 1980s red-brick faced dwelling on a corner plot in a residential area of Yate, which is within a defined settlement boundary. There are no other land use designations at the site which would affect the development.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

| | |
|------|--|
| CS1 | High Quality Design |
| CS4A | Presumption in Favour of Sustainable Development |
| CS5 | Location of Development |
| CS30 | Yate and Chipping Sodbury |

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 N7584 – Approved 27/07/1981:
Erection of 57 detached houses and associated garages and roads.

- 3.2 N7584/1 – Refused 09/09/1982:
Erection of screen walls and fences 1.8m.
- 3.3 PK12/3073/F – Approved (with conditions) 13/11/2012:
Erection of first floor front extension and single storey rear extension

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Expresses concern that the additional extension might have an impact on morning light reaching next door. They already have had a front extension and a back one – this is putting an even bigger back extension and a second storey.

Supports comment raised by PROW re. the footpath adjacent to the North East boundary.

4.2 Sustainable Transport

No objection

4.3 PROW

No objection but makes applicant aware with limitations with regard to right of way in close vicinity.

4.4 Open Spaces Society

No comment received

4.5 Commons Stewardship Officer

No comment received

4.6 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 The proposal seeks to erect a single and two storey rear extension.

5.2 Principle Of Development

PSP 38 of the South Council Gloucestershire Policies, Sites and Places Plan (adopted November 2017) permits development in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standard of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. The principle of development is acceptable subject to the following consideration.

5.3 Design and Visual Amenity

The dwelling to be extended has been previously extended to the front at first floor level atop the existing garage and to the rear in the form of a single storey extension of which is approximately half the width of the rear elevation with a pitched roof.

5.4 The proposed rear extension comprises of a two storey element and a single storey element. The two storey element is of similar design and near identical scale to the front extension which has previously been deemed acceptable and is in effect the addition of a first floor to the existing rear extension, with the projection from the rear remaining approx. 3.8 metres and width of approx. 4.6 metres. A hipped roof will be used, as with the existing front extension. The single storey element then sits to the side of the two storey rear extension and spans the rest of the rear elevation with a height of approx. 2.8 metres and is to have a flat roof with coping to give the appearance more of a parapet with a lantern roof light inserted. All materials are proposed to match the existing.

5.5 The proposed extension is substantial, particularly when considered alongside the existing extension to the front. It is noted that the Town Council also raise this matter in their consultation response. However, it is important to consider the context of the case. The host dwelling is not within the greenbelt, a conservation area or other designated area which could render the proposal as unacceptable and is a large detached dwelling within a plot which can comfortably such an extension without appearing as cramped or overdeveloped.

5.6 The single storey element will be of limited visibility from the public realm due to the siting and existing boundary wall. Whilst the two storey element will be much more prominent (mainly when viewed from Greenways Road). That said, it is not considered that this will be detrimental to the visual amenity of the area nor will the proposed appear dominating or incongruous within the street scene or with respect to the host dwelling. The proposed extension maintains a suitable degree of separation/independence from the existing front extension so although cumulatively they both represent a substantial increase in massing, this is not concentrated in one place as they are mainly visible only from their respective elevations. Both extensions are only visible together when viewed in passing along Greenways Road, and even in this instance it is not considered that the addition of the rear extension will be unacceptable.

5.7 Overall, it is acknowledged that the proposed extension, in particular the two storey rear will result in an addition that is not insubstantial. However, the proposed is of a suitable design in a plot which is capable of accommodating such an extension. Subject to the appropriate condition to ensure materials match, the officer is of the opinion that the proposal is acceptable in terms of design and visual amenity.

5.8 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss

of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.

- 5.9 As is often the case with two storey rear extensions, the key issues that may present themselves are overbearing and losses of light with reference to neighbouring dwellings. As the proposed two storey extension is on a corner plot and is sited away from the neighbouring dwelling it is considered that there will not be any overbearing issues. Loss of light is also not considered to be an issue due to the siting away from the neighbouring dwelling. Concern regarding the potential impacts on morning light reaching the neighbouring dwelling as raised by the Town Council is noted. However as stated, the extension is not on the side of the site which abuts the neighbouring dwelling so impacts on light will be largely negated. Had the extension been proposed on the side abutting the neighbouring boundary then the consideration would be much different, but this is not the case. When applying the SGC residential amenity technical advice note it is evident that the proposal does not breach any of the prescribed tests. When using various online resources to track the sun's path throughout the day it is further clarified that the extension will have little, if any impact on the sunlight reaching the neighbouring dwelling and certainly not a degree which would warrant refusal.
- 5.10 The single storey, by virtue of its modest height and existing boundary treatments will not be liable to impact the residential amenities of the neighbouring dwelling. Losses of privacy/overlooking are not considered to be issues either as the only additional fenestration will overlook the rear garden and public space beyond.
- 5.11 Parking Standards
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off street parking can be provided to accommodate increase in demand.
- 5.12 The proposed development does not increase the number of bedrooms within the dwelling which remains at 5, nor does it alter the existing parking provision. As such there is no objection raised in terms of parking.
- 5.13 PROW
There is a right of way to the rear of the site but this is not within the boundary of the dwelling or the red line. Notwithstanding this, an informative will be applied reminding the applicant of the PROW and the need to keep it clear of obstruction at all times.
- 5.14 Private Amenity Space
Whilst some private amenity space would be lost, the level of private amenity space available remains appropriate for a 5 bed dwelling when referenced against PSP43, which suggests that a 4+ bed dwelling should provide at least 70 Sq Metres of private amenity space.

Impact on Equalities

5.15 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that permission is **GRANTED** subject to conditions detailed on the decision notice.

Contact Officer: Alex Hemming
Tel. No. 01454 866456

CONDITIONS

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

Reason

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

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

Reason

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

CIRCULATED SCHEDULE NO. 18/20 - 1st May 2020

| | | | |
|------------------------------|--|---------------------|-------------------|
| App No.: | P20/04943/F | Applicant: | MGPS Services Ltd |
| Site: | Unit B1 The Badminton Centre Station Road Yate South Gloucestershire BS37 5HT | Date Reg: | 23rd March 2020 |
| Proposal: | Change of Use from Storage and Distribution Class B8) to Training Centre (Class D1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). | Parish: | Yate Town Council |
| Map Ref: | 370227 182657 | Ward: | Yate North |
| Application Category: | Minor | Target Date: | 12th May 2020 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P20/04943/F**

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

INTRODUCTION

This application appears on the Circulated Schedule, as a result of a consultation response, from the Town Council, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the change of use from storage and distribution (Class B8) to a training centre (Class D1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The site is a commercial unit within the Badminton Centre, off Station Road, Yate. The site is within a safeguarded area for economic development (Policy CS12).

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
- CS5 Location of Development
- CS11 Distribution of Economic Development
- CS12 Safeguarded Areas for Economic Development

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

- PSP11 Transport Impact Management

3. RELEVANT PLANNING HISTORY

- 3.1 Various and numerous consents associated with the sites commercial use.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
We object to this application unless there is a condition requiring the applicant to bring the access road up to standard, as it is currently in a dangerous state. We understand the applicant owns this access.

4.2 Other Consultees

Sustainable Transportation

Car parking at the site is limited to 3 spaces which are likely to be used by the training staff. On street parking in the area is available but limited and controlled by double yellow line parking restrictions to ensure the access road is not obstructed. The site is in a very sustainable location in terms of proximity to public transport, however access by pedestrians from the bus stops on Station Road and the train station is less than ideal requiring a walk along narrow intermittent footways. That said The Badminton Centre is an existing collection of small storage and distribution units with trade sales and there are other b1 uses accessed from the private road leading from Station Road so drivers would be used to encountering pedestrians along the access road.

The cycle parking standard for the D1 use 1 per 2 staff / students, i.e. a minimum of 5 spaces. These could be secured by a suitable condition. There is no transport objection however it is recommended that cycle parking referred to above is required.

Economic Development Officer

No objection

Other Representations

4.3 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site falls within an area safeguarded for economic development, Policy CS12 state that proposals for change of use from B use classes to other economic development uses will need to demonstrate that the proposal would not prejudice the regeneration and retention of B use classes elsewhere within the defined employment area and where it would contribute to a more sustainable pattern of development and improve the number or range of jobs available.

5.2 The proposed training facility is modest in scale and makes use of a currently vacant site. In this respect it is not considered that it would adversely affect or imbalance from the B Class Uses and would provide for a sustainable pattern of development and range of employment opportunities.

5.3 Local Amenity

It is not considered that the proposals would have any material impact upon the amenity of the area.

5.4 Transportation

The site is located on an existing employment site with its existing and established accessibility and is in a sustainable location. It is not considered

that the change of use proposed would have a detrimental impact upon local highways. There are no highways objections to the proposals, however cycle parking requirements are recommended. The applicant has provided plans illustrating the provision of 5 cycle spaces, which meets these recommendations. The comments regarding the access road are noted. It has been stated that the individual applicants on this application for this single unit, do not own or have maintenance responsibilities for the access road. Notices have been served upon two different identified owners of land associated with the proposals. Further to this, the proposed use of the site would not materially increase use or vehicle movements, or have a greater impact than its current B8 use or indeed the remainder of the usage across the site as a whole. It is not therefore considered appropriate or proportionate, in this instance, to require wider access improvements as a condition of this particular individual application.

5.5 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is granted

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

2. The cycle parking facilities shown on the plan hereby approved shall be provided within three months of the implementation of the change of use hereby permitted, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of cycle parking facilities and in the interest of access 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.