

# 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: 40/20**

**Date to Members: 02/10/2020**

**Member's Deadline: 08/10/2020 (5.00pm)**

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2020. 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. You may also wish to refer to the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

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

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

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

- a) Be made in writing using the attached form by emailing [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The 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 You may wish to consider the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

If would be helpful if you could indicate if you:-

- Have discussed the application(s) with the Case Officer and/or Development Manager
- Have discussed the application(s) with ward Member(s) if the site is outside of your ward
- Consider the site would benefit from a visit by the committee, setting out the reasons

Valid referral requests will be considered by the Committee Chair, in consultation with the Spokes, against the criteria given in the Members' Planning Code of Good Practice in the Council's constitution and you will be notified of the Chair's decision. Applications which are not referral, or where the referral request is not agreed by the Chair, will be determined by officers under delegated powers

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

### **Additional guidance for Members**

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

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?

6. Do you feel a site visit is required or can issues be addressed by other means e.g. further information in the report, additional presentation material, video etc.

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

### **Date:**

To be emailed to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk)

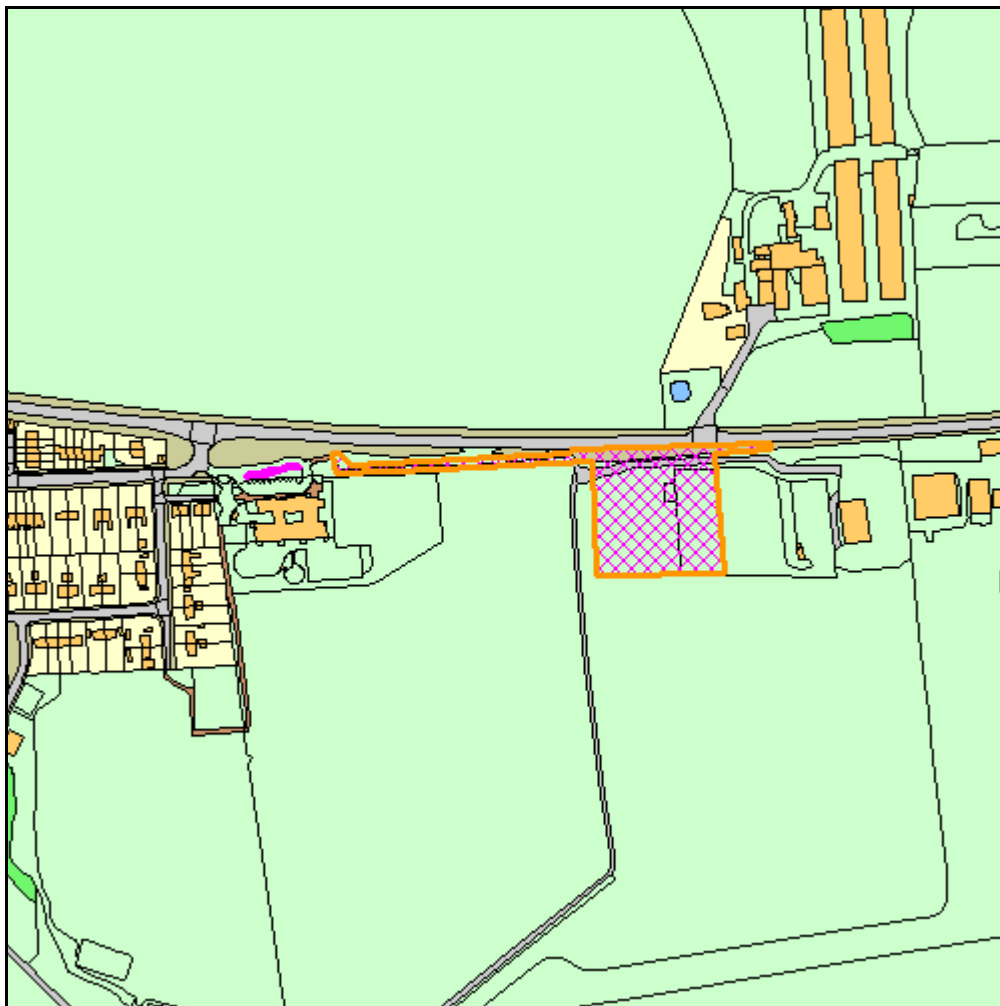
# CIRCULATED SCHEDULE - 02 October 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/19778/F	Approved Subject to Section 106	Land West Of Garston Farm Marshfield	Boyd Valley	Marshfield Parish Council
2	P20/00903/F	Approve with Conditions	5 Quaker Lane Thornbury Bristol South Gloucestershire BS35 2AD	Thornbury	Thornbury Town Council
3	P20/08429/F	Approve with Conditions	Unit 8 And 9 Britannia Road Patchway South Gloucestershire BS34 5TA	Charlton And Cribbs	Patchway Town Council
4	P20/08857/F	Approve with Conditions	96 Bath Road Willsbridge South Gloucestershire BS30 6EF	Bitton And Oldland	Bitton Parish Council

**CIRCULATED SCHEDULE NO. 40/20 -2nd October 2020**

<b>App No.:</b>	P19/19778/F	<b>Applicant:</b>	Mrs Christine Eden Marshfield Community Land Trust
<b>Site:</b>	Land West Of Garston Farm Marshfield	<b>Date Reg:</b>	13th January 2020
<b>Proposal:</b>	Erection of 18 no. dwellings with associated landscaping and highways works including new road access to Chippenham Road (A420).	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	379117 173825	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Major	<b>Target Date:</b>	13th April 2020

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N.T.S.

P19/19778/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

On 7<sup>th</sup> May 2020 a report was included on the Members Circulated Schedule relating to the erection of 18 no. dwellings with associated landscaping and highways works including new road access to Chippenham Road (A420). The report was referred in accordance with the Council Constitution as a total of three objections were received that are contrary to the Case Officer's recommendation. The application was not referred to the Development Management Committee.

At the current time therefore there is a resolution in place to grant consent for the development subject to conditions and the signing of a S106 agreement. It is understood that the signing of the agreement is imminent.

This is a short report to request delegated authority to allow the changes discussed below (for reference the earlier report is set out below – **Appendix 1**):

### 1.0 Matters to Consider

- 1) An additional month to 31<sup>st</sup> October to allow for the signing of the S106 legal agreement
- 2) It has been decided that the 3 no. units at the site allocated to the landowner will be constructed at a later date than the rest of the development. To allow these homes to be built safely while still allowing access to the parking bays on the west of the site, the (by then) completed block D is to be moved by 1 metre to the west. The public open space plan has been updated but given a surplus of semi-natural open space in Marshfield there is no modification of the terms of the S106 agreement required.
- 3) Condition 5 attached to the decision notice requires ecological mitigation to take place prior to the occupation of the development. The condition will be amended to reflect the above phasing of the development (shown on Drawing 1811(00)109 P01), allowing the enhancements to take place with the two phases.
- 4) Condition 7 (plans) will be amended as follows (changes in bold):

Drawing	Previous revision	Final revision
1811(00)001	P01	P01
1811(00)002	P09	<b>P10</b>
1811(00)050	P04	P04
1811(00)100	P14	<b>P15</b>
1811(00)101	P09	<b>P10</b>

1811(00)102	P11	<b>P12</b>
1811(00)109	<b>P01</b>	
1811(00)130	P02	<b>P03</b>
1811(00)160	P03	P03
1811(00)250	P06	<b>P07</b>
1811(00)251	P06	<b>P07</b>
1811(00)252	P06	P06
1811(00)360	P03	P03
1811(00)361	P03	P03
1811(00)362	P03	P03
1811(00)370	P03	P03
1811(00)371	P03	P03
1811(00)372	P03	P03

## 2.0 Consideration

- 2.1 Given that the signing of the legal agreement is imminent but the 6 month authorisation (see 7.2 in the original report) is also imminent it is considered reasonable to allow an extension until 31<sup>st</sup> October 2020.
- 2.2 The change to the site layout which involves moving block D by 1 metre to the west is not considered to have any significant material impact upon the development having regard to all the material planning considerations considered previously. The changes to the plans (condition 7) reflect this change and are considered acceptable
- 3.3 The phasing of Condition 5 is considered acceptable by the Council Ecologist who has viewed Plan 1811(00)109 P01.

## 3.0 Recommendation

- 3.1 That the above changes are accepted

## Appendix 1

### 1. THE PROPOSAL

- 1.1 This application is for the erection of 18 no. dwellings to the east of Marshfield. The development is made by the Marshfield Community Land Trust and will comprise 12 units of affordable housing (10 units being made available for Social Rent and 2 for Shared Ownership), 3no. Units that will be retained by the landowner with 3no. Units being sold as outright sale (it is indicated that these will help fund the development).
- 1.2 Access to the site is located midway on the northern elevation. Visibility splays are to be provided each side of the entrance. It is proposed to construct a new pedestrian and cycle path on the southern edge of the layby that runs



alongside the A420 to give access to the village and in particular the school. 35 parking spaces are indicated, the majority of which will be located at the northern edge of the site.

- 1.3 The development will comprise largely barn style structures which while two storey are designed to sit low in the landscape (almost appearing single storey when viewed from the wider landscape. These buildings are set around a central courtyard. In contrast a cluster of three units (those to be retained by the landowner) will be located at the south-eastern corner and these appear more in keeping with the tradition form of a rural farmhouse with their own courtyard in a farmyard style. The development therefore comprises four groups of dwellings.
- 1.4 The site is situated beyond the eastern boundary of Marshfield on 0.83 hectares of land. The site is farmland situated to the immediate south of the A420 and is surrounded to the west, south and east by further farmland. Immediately to the west of the site lies a farm track (which is a public right of way running south into the Doncombe Brook Valley), with Marshfield Primary School lying a further 100 metres away. A small Airstrip lies approx. 260 metres to the south used for limited recreational flying. To the east lies further farmland and approximately 40 metres from the site lies a hedgerow and the first farm buildings associated with Garston farm. To the north lies the A420 separated from the site at present by a low rise bund and hedgerow. A rough roadway runs parallel to the A420 between the site and the school to the west.

In terms of topography the site is relatively flat albeit with a slight slope from east to west (the fall is indicated as being 2 metres).

- 1.5 The application site is situated outside of the settlement boundary of Marshfield within the Area of Outstanding Natural Beauty (AONB) and the Green Belt. The application is submitted as a Rural Affordable Housing Exception Site. There are no other constraints.
- 1.6 In support of the application, in addition to the Design and Access Statement and Plans, the following documents have been submitted; Affordable Housing Needs Survey Report, Affordable Housing Statement, Landscape Visual Impact Assessment, Aboricultural Report, Geophysical Survey, Drainage Strategy, Ecological Impact Assessment, Transport Statement and Energy Statement.

## **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development

CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
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
PSP5	Undesignated Open Spaces
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Landscape Character Assessment SPD (Adopted) November 2014

CIL and S106 SPD (Adopted) March 2015

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

**3. RELEVANT PLANNING HISTORY**

3.1 There is no relevant planning history

**4. CONSULTATION RESPONSES**

**Please note, some of the consultation responses, given their length are set out in summary form. The full comments are on the South Gloucestershire Website.**

4.1 **Marshfield Parish Council**

Marshfield Parish Council strongly supports this small-scale housing scheme on an 'exception site' within the current settlement boundary, led by a community initiative, which delivers a small number of local requirement homes to meet the identified need. These 18 new homes will be secured in perpetuity for local people and for this reason MPC favours the inclusion of rented accommodation.

MPC strongly approves of the design which is in keeping with the rural/agricultural landscape along with the sustainable and energy efficient approach to the design and build.

## 4.2 Other Consultees

### Sustainable Transport Team

Initial Comments (summary)

The development is considered to have two key material planning considerations. Firstly whether the site is in a sustainable location and secondly whether there will be an adverse impact upon the surrounding highways network.

Sustainability

The site is within the vicinity of local services inc a primary school, doctors surgery, two convenience stores, community centre, post office and two pubs. Public Transport facilities meet the criteria although there is no Sunday service. The minimum criteria of walking distances to services exists subject to the provision of the footpath to the front.

Highway Impact

Visibility is considered appropriate at the access. The applicant has agreed to the provision of the extension of the 50mph limit further to the east of the site entrance. Also the provision of a footway to link the site to the village and school. There is a need for a “right turn” facility to avoid waiting traffic on the A420, this has been identified by the safety audit officer and must be provided.

Parking provision meets the Council standard.

Conclusion

1. Whilst, we transportation development control have no in-principal objection to a residential development on this site, we request that the developer reviews its junction design and to provide right turn lane facility all in compliance with safety auditors' recommendations.

2. We would also recommend that all works in relation to the new junction is secured under an appropriate legal agreement.

Following the submission of revised details the following comments have been received:

The applicant has now submitted a revised plan showing a revised junction layout - this incorporates provision of a right turn lane facility all designed in line with the highway design standards. In view of the revised plan then, there is no objection to the proposed access.

Other highway works associated with this scheme would involve the creation of a new footway/cycle link connection between the new site and Marshfield. Construction of a footway/cycleway link is essential if the development is to be made sustainable site in respect of access being available on foot and by cycling to all those existing facilities within Marshfield including accessing the Marshfield primary school nearby off

Chippenham Road. Proposed footway /cycleway link should be minimum of 2m wide.

Other highway works proposed with this involves a review of the speed limit on the main road. Safety Auditor has recommended that the current speed limit outside the site is to be reviewed from currently being de-restricted to 50mph passing the new site and this is something that the Highway officers support too.

All highway works as outlined above ought to be secured under an appropriate legal agreement. In this respect, we recommended that the works are covered under a s106 legal agreement.

Conclusion - In view of all the comments made previously, and within this response then, there is no highway objection to this application subject to the applicant first entering into a s106 legal agreement to secure the junction and all associated works, the footway and the speed limit review (to 50 mph).

A condition is required to ensure that all the parking and manoeuvring areas on the approved plans are completed and retained as such thereafter.

**Environmental Protection**

No objection subject to a condition to a Construction Environmental Management Plan condition and advices.

**Public Open Space**

Initial Comments:

It is unclear whether public open space is being provided on site. If it is not the contribution to community infrastructure would be as follows:

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount provided on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space	470.4	0	470.4	£12,955.10	£22,835.62
Natural and Semi-natural Open Space	Adequate existing supply of Natural and Semi-natural Open Space within the settlement boundary of Marshfield				
Outdoor Sports Facilities	633.6	0	633.6	£34,702.34	£10,503.25

Provision for Children and Young People	84	0	84	£15,415.86	£16,209.90
Allotments	Adequate existing supply of Allotments within the settlement boundary of Marshfield				

### Wales and West Utilities

The applicant is advised that there are gas pipes in this area and that no plant or apparatus can be built over.

### Waste Engineer

Initial Comments:

Confirmation is required regarding waste collection arrangements in line with the SPD.

This information has now been supplied and is acceptable.

### Environmental Policy Team

Initial Comments (summary):

The overall approach is welcome however the following points are raised:

- The developer is encouraged to consider designing and constructing the scheme to PHI Low Energy building standard as a means of enhancing and certifying the quality and energy performance of the scheme
- Thermal bridging needs be explained
- How will air tightness be assessed?
- Details of MVHR units required
- Ground source heat pumps strongly supported. Recommendations made re the detailed arrangements
- Energy table calculations (regulated and unregulated emissions) need to be checked – appear low
- PV encouraged to be on all units including market sale
- Measures to prevent overheating recommended, use of green infrastructure
- Applicant encouraged to provide 100% of parking spaces with ECV points

The applicant has submitted a detailed Energy Statement that covers the above points. The Environmental Policy Team now state that the development meets the objectives of PSP6 and recommend the following condition:

*The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the Energy Statement (Energy Statement, Adam Sims, Energy Compliance Ltd, April 22nd 2020) prior to occupation.*

*In accordance with the approved Energy Statement a total 41% reduction in carbon dioxide emissions (based on the DER and TER) beyond Part L 2013 Building Regulations shall be achieved, and a 20.20% reduction in carbon dioxide emissions below residual emissions (that is regulated and unregulated emissions) through renewable technologies shall be achieved.*

#### Ecologist (summary)

The impact of the site is assessed as being site to local level of ecological importance. The main constraints are bats, birds, reptiles, hedgehogs and dormice. Though no further dormice surveys were considered needed, because of their presence in the surrounding habitat a check will need to be completed as part of bird nesting checks and reptiles checks to confirm absence of dormice by a suitably qualified ecologist.

The strimming of the grass to a lower level included in the reptile mitigation is to be supervised by a suitably qualified ecologist.

As badgers and hedgehogs could be using the site, any excavations must be covered at night and a means for escape should be installed such as a ramp should an animal become trapped. The excavations should be also checked on a daily basis. These informatives should form part of the LEMP.

No objection subject to conditions to; ensure that all works take place in accord with the mitigation strategy in the EIA report; the submission of a lighting design strategy; installation of ecological enhancement features, bird boxes, bat boxes, permeable fencing (hedgehog highways) and native planting; the submission of a landscape and ecological management plan.

#### Arts Officer

No comment

#### Housing Enabling Officer (summary)

This application to build 18 homes on a rural exception site meets the required criteria under CS19 of the Council's adopted Core Strategy Development Plan Document. The Strategic Housing Enabling Team support this proposal for Affordable Housing in Marshfield.

Recommendation: No Objection.

#### Lead Local Flood Authority

Initial Comments (summary)

The proposed drainage strategy has been reviewed. There are questions that must be resolved.

- Treated effluent cannot be discharged to ground via a soakaway after being through the treatment plant. The applicant must gain an Environment Agency permit to allow discharge

- Surface water disposal via soakaways throughout the site is acceptable however infiltration tests need to be complete
- Some soakaways are located close to tree roots and need to be located elsewhere as they need to be accessed for maintenance

### Police

The proposal is not acceptable in its current form. For the following reasons:

Footpaths lie to the rear of the two blocks of terrace housing; gates should have a key lock; there is excessive permeability throughout the site.

Following the submission of amended details subject to the inclusion of 6.8mm laminated glass on the ground floor windows and doors, this objection is removed.

### Highway Structures

No objection subject to informative

### Landscape Officer

#### Initial Comments

The site is within the AONB, and Greenbelt and is close to the village of Marshfield, a conservation area, with multiple listed buildings. The proposed site is outside the settlement boundary, with views towards Marshfield, and is close to sites of nature conservation interest, and a registered Park, garden and battlefield. Given the designation of the site, views into and out of the site are of importance to the wider landscape and the landscape character of the area.

The Landscape Design and Detail to be conditioned and to include the following. All rear gardens to have fruit trees, all rear gardens to have hedgerows running along the length of the proposed chain link fence, the proposed boundary fence to be stock fence, with the proposed native species hedgerow with hedgerow trees, all walls to be permeable for hedgehog, reduce the number of Hedera helix, Sorbus torminalis to be included in hedgerow trees and include Oak trees within the planting plan.

Further comments have been received following further correspondence with the applicant's agent (summary – full comments on website):

It is considered that the application is acceptable with regard to landscape and compliant with our current landscape policies. The submission of a revised planting plan as a condition of planning is considered appropriate.

### Urban Design Officer

No objection. A question over whether sufficient parking is provided. The proposed materials are to be welcomed. A condition should be applied that secures details of pavers, access surfaces, kerbs, self-bound gravel, window frames, doors/garages, lintels and sills, fibre cement tiles/sheet, facing bricks, stone cladding, mortar,

guttering. A condition should also secure a palette of materials to show the principle facing materials including brick, stone cladding and fibre cement cladding.

### Cotswold Conservation Board (summary)

The provision of affordable housing is an important consideration as evidenced by the Housing Needs Survey. The scheme is proportionate to the existing settlement

The Board is concerned that the development has the potential to have a significant adverse impact on the purpose of the AONB designation which is to conserve and enhance the natural beauty. There is concern that the proposed development is physically detached from the settlement boundary (this is incompatible with the landscape characterised by a very open and exposed nature).

The Landscape and Visual Impact Assessment (LVIA) is not sufficient in failing to assess the effect of the development on the landscape character. Great weight should be given to this impact, also the site is in the Green Belt. A detailed assessment of the LVIA is included in an annexe (details can be seen on the website).

If consent were to be given the percentage of affordable housing should be increased to at least 75% (15 out of 18) or (12 out of 16).

The farmstead design concept is welcome particularly given the immediate context. If permission is granted the building materials should include locally quarried limestone rather than just yellow brick.

### **Other Representations**

#### 4.3 Local Residents

2 letters of objection has been received. The grounds of objection can be summarised as follows:

- This will set a precedent for future development in Marshfield  
The proposal will add to existing traffic problems in Marshfield High Street
- The site is located within an extremely sensitive location and the proposals would not conserve and enhance the scenic qualities of the AONB. The proposed development would therefore not be compliant with paragraphs 172 of the NPPF, policy CS9 of the Core Strategy, and policies PSP 2 and 3 of the Local Plan. The proposed development would result in demonstrable harm to the character, appearance and special qualities of the AONB and these considerations should not be overridden by virtue of the proposals being for affordable housing. As such, the proposed development should be refused on landscape and visual grounds.

79 letters of support have been received. The grounds of support can be summarised as follows:

- The site is ideally placed for facilities.
- Easy access to the school, playing field and Community Centre



- Low cost affordable housing is much needed in Marshfield which is expensive place to live
- Marshfield needs more housing especially smaller units
- It is a good scheme because it includes a large element of social housing
- People who view Marshfield as home can remain (too many individuals and young families forced to relocate to neighbouring towns)
- The proposal meets the requirements for a Rural Exception
- The design is appropriate for the rural context
- Delivers on the localism agenda
- The proposal follows inclusive local consultation and represents feeling in the village
- Good low energy design
- Will enhance the village
- Will help the school which has low numbers
- Planning condition should secure the footpath to the front of the site
- Marshfield residents should get first priority
- This is a valuable addition to the local community

## 5. **ANALYSIS OF PROPOSAL**

The application proposes the erection of 18 no. dwellings with associated landscaping and highways works including new road access to Chippenham Road (A420).

### 5.1 Principle of Development

In considering the principle of development, the application site is situated outside of the settlement boundary of Marshfield in the open countryside. Furthermore the site is situated within the Bristol/Bath Greenbelt and the Cotswold Area of Outstanding Natural Beauty (AONB).

### 5.2 *Locational Strategy*

The locational strategy for the District is set out in policy CS5 and, in this instance, CS34 of the Core Strategy. Under these policies, new residential development is directed to the strategic housing allocations, existing urban areas, and defined rural settlements as shown on the proposals maps. In rural areas, new residential development outside of a defined settlement is strictly controlled and would have to comply with the provisions of policy PSP40.

This application proposes development outside of a defined rural settlement, however policy PSP40 indicates that development will be acceptable for rural housing exception initiatives which accord with Core Strategy Policy CS19 (Rural Housing Exception Sites).

CS19 states that:

*Proposals for permanent affordable housing to meet an identified local need (including a small element of market housing where this will facilitate the successful delivery of the affordable housing) will be permitted as an exception on sites where market housing would not normally be acceptable.*

*Proposals should be:*

- *Supported by an approved housing needs survey*
- *Well related to a rural settlement*
- *Modest in scale and in keeping with the form and character of the settlement and the local landscape setting; and*
- *Supported by the appropriate Parish Council*

*The permission will be subject to conditions, or a legal obligation to ensure that the affordable housing is reserved in perpetuity for those in local affordable housing need.*

In association with the South Gloucestershire strategic housing enabling team, corporate research team and Marshfield Parish, a housing needs survey was carried out between July and September 2018. There was a response rate of 34.4% to this survey which concluded that 17 households were in need of Affordable Housing of which 13 required affordable rented accommodation. These findings are supported by and endorsed by Marshfield Parish Council.

The design and access statement indicates that a thorough site selection process was undertaken, with the site being chosen for a number of reasons. These reasons include: proximity to the village and the services/facilities that it can offer future residents; topography – it is relatively level; the site is able to accommodate sufficient affordable and market housing; there are no on site constraints such as archaeology and lastly the site is available on reasonable terms. The form and scale of the development is considered acceptable. The provision of a footway linking the site to the remainder of the village (to the school) will ensure that although there is a degree of separation from the settlement boundary, the relationship is considered acceptable. A more detailed assessment of the impact upon the landscape is set out in the body of the report below.

It is therefore considered that the proposal meets the criteria set out in Policy CS19 and thus can be considered a Rural Housing Exception Site, thus fulfilling criteria 1 of PSP40.

It is important to note that PSP40 also requires that:

*In all circumstances, development proposals including any alterations, extensions or creation of a residential unit, will be acceptable where they do not have a harmful effect on the character of the countryside or the amenities of the surrounding area.*

This is considered in detail below however subject to this assessment the proposal is considered acceptable in these terms.

### 5.3 *Green Belt*

The site is located within the Green Belt. Among other criteria, the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open, to preserve the setting and special character of historic

towns and to assist in safeguarding the countryside from encroachment. The essential characteristic is their openness and permanence.

For the above reasons the forms of development deemed appropriate in the Green Belt is strictly limited.

Para 145 (f) of the National Planning Policy Framework does however indicate the following as an exception to the general rule that the construction of new buildings in the Green Belt should be treated as inappropriate:

*Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)*

As set out above in 5.2, the site is considered to meet the criteria for a Rural Housing Exception Site that are set out in Policy CS19 of the Core Strategy and it therefore follows that the development is deemed to be an appropriate form of development in the Green Belt.

#### 5.4 *Area of Outstanding Natural Beauty*

The site is situated within the Cotswolds Area of Outstanding Natural Beauty where, in accordance with guidance in the NPPF, great weight should be given to conserving landscape and scenic beauty. To this end, policy PSP2 seeks to resist proposals that would have an adverse impact upon the natural beauty of the AONB. The NPPF is more specific; with regard to development in designated areas such as AONBs it states that 'major' development that would affect the AONB should be refused unless it is in the public interest.

The protection of the Cotswold Area of Outstanding Natural Beauty both in terms of the protection of its character and appearance is also set out within Policy CS9 of the Core Strategy as well as the aforementioned PSP2 and also PSP3.

No definition of major development is given in the NPPF. This has been a matter of contention across the country however in *R (Trevone Objections Group) v Cornwall Council [2013] EWHC 4091* the judge concluded that the definition of 'major' development in the AONB should be a matter of planning judgement rather than defined in the Development Plan. The judge in *Aston v SSCLG [2-13] EWHC 1963* stated that there is no uniform meaning to the phrase 'major development' in relation to the AONB and each should be assessed in its context.

In this case given the number of units and location it is considered reasonable to conclude that the proposal constitutes major development.

The NPPF indicates that consideration of such major applications should include an assessment of:

- a) *The need for the development, including in terms of any national considerations and the impact of permitting it or refusing it upon the local economy*

- b) *The cost and scope for developing outside the designated area or meeting the cost in some other way*
- c) *Any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated*

As set out above there is a demonstrable need for the development. This need is specific to Marshfield and thus the development has to be within the parish boundary. This need is recognised and the development supported by the Parish Council. Other sites have been examined but this is a site which has become available and would allow for the delivery of the development meets all the requirements needed within the confines of the Marshfield Parish.

In terms of criteria C, that considers whether the proposal would have a detrimental effect on the environment, the landscape and recreational opportunities (and extent to which the impact can be moderated) the following assessment is made.

#### *Landscape (existing) Considerations*

An objection has been received that contends that the proposal would demonstrably harm the character and appearance and special qualities of the AONB and that the proposal would not be in accord with its management plan. The objection contends that *“landscape protection considerations should not be overridden simply by virtual of the proposals being for affordable housing within a rural exception site”*.

The Case Officer completely concurs with the sentiment expressed in this objection and considers that it is for this reason that the NPPF has been written as it has with three distinct and separate criteria that must be **all be satisfied, thus any benefit from the provision of the Affordable Housing cannot outweigh any impact upon the environment and landscape of the AONB.** To reiterate the three criteria are: *The need for the development, including in terms of any national considerations and the impact of permitting it or refusing it upon the local economy; the cost and scope for developing outside the designated area or meeting the cost in some other way; any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.*

**The impact upon the Cotswold AONB in these terms goes to the heart of whether the application is acceptable in principle. The extent of that impact and whether it is detrimental and the extent to which it can be moderated is however a matter of planning judgement.**

An objection as set out above has been received from the Cotswold Conservation Board (CCB). This objection is available on the website in its entirety. The CCB recognises the benefits of the proposal in terms of the provision of affordable housing and considers the development proportionate in scale to the existing settlement. In the event the scheme is given approval it is considered that the percentage of affordable housing should be increased and

a different choice of materials used in part. Notwithstanding this it is considered that the scheme will have a detrimental impact upon the landscape given its nature and separation from the settlement. The supporting Landscape Visual Impact Assessment is also criticised for underplaying the impact and technically not supporting its conclusions in the submission.

The Council's Landscape Officer has assessed the impact of the proposal, and notwithstanding the comments received from the Cotswold Conservation Board, has made that assessment based upon her professional opinion and interpretation of the information that has been supplied. The assessment set out below is made having regard to criteria C as set out above that major development must consider "*any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated*". The assessment has full regard for the site's context within the AONB and the sensitivity of the site having regard to the designation of the site, views into and out of the site in particular are of importance to the wider landscape.

The site is within LCA2 'The Marshfield Plateau' as identified in the Landscape Character Assessment SPD. In terms of its attributes, the landscape is identified as being gently sloping, open, and agricultural in nature.

It is considered that views of the site will be largely in passing from the A420, from the footway alongside the site or more distant views from land to the south. The applicant has indicated that a number of measures have been taken to mitigate the impact upon the landscape. These include management and replanting of hedgerows, recessive building materials, clustering of buildings, tree planting, avoiding hard surfacing, keeping dry stone walling. It is noted that the design of the terraced buildings which although two storey appear as single storey from the outside of the site due to the roof form design.

A detailed Landscape Visual Impact Assessment (LVIA) has been submitted which demonstrates a limited impact from the proposal. This acknowledges sensitivity to change. This LVIA was produced following detailed discussion between the Council Landscape officer and representatives of the applicant. It should be noted that a total of 46 viewpoints were considered following Zone of Theoretical Visibility modelling and a number of more distant southerly views were ruled out as the site was not visible from these locations. A selection of representative viewpoints were then agreed with the applicant to form the basis of the LVIA.

Concerns that the assessment is not sufficient or broad enough are noted, in particular that the site would be visible from a considerable distance and also that an existing nearby waste management site should be taken into account. The assessment of the impact has been made having regards to the degree of separation of the site from the Marshfield village boundary and its position in the landscape however the Guidelines for Landscape and Visual Impact Assessments (GLVIA 3 2013) require the assessment to be proportionate to the scale of the development. Notwithstanding the objection received, it is the professional view of your officers that the LVIA provides a suitable level of

information and accords with the guidance in the GLVIA being considered sound for the purposes of assessing the scheme.

The conclusion of significance of impact has been calculated with regard to the high level of landscape mitigation proposed. It is noted that concern has been expressed that the site currently has no physical boundaries and is in an exposed position within an arable field, however the Landscape Strategy within the Marshfield Plateau landscape character area is ; “to *“provide a positive enhancement to the current landscape and biodiversity and ensure the conservation and enhancement of the diverse habitats within this character area, to ensure their connectivity via informal broadleaf tree planting and native species hedgerows’.*

It is considered that the landscape proposals are in accordance with this strategy requirement and furthermore, additional planting has been secured, as including trees to rear gardens and hedgerows to divide rear gardens, bird and bat boxes, minor amendments to tree species and additional tree planting within the southwestern boundary of the site. It is considered that the planting proposals are appropriate and provide a good level of mitigation and biodiversity enhancement. A revised planting plan incorporating these additional improvements to the scheme will be submitted as a condition of planning

Concern has been raised that the approval of this application and subsequent development, would leave the area of land between this site and the primary school vulnerable to development. It is not considered that this is a matter that can be considered in detail here as each application must be assessed on its own merits. In this case however any such application would have to meet the same very stringent policy considerations that this application is assessed against not least whether it meets those criteria above that define a “rural housing exception site”.

Overall, if permitted the development would be unlikely to have a significant or demonstrable impact on the landscape character of the area. While the aim of the AONB is to preserve land to protect natural beauty, the development would not notably detract from the character of the AONB or degrade the natural beauty of this location within the AONB.

Great weight should be attached to the preservation of the landscape in the AONB in accordance with national guidance, however while there would be some landscape impact, this impact is limited in nature and as a result would not have a significant adverse impact.

## 5.5 *Principle of Development (summary)*

It is concluded that the application is acceptable in principle. The remainder of this report will considered the detailed material planning considerations.

## 5.6 Landscaping (proposed)

The impact upon the existing landscape, forms part of the assessment of the principle of development given the location in the Area of Outstanding Natural Beauty.

In terms of the future landscaping of the site itself, this needs to be carefully considered.

A balance needs to be struck between the need to provide a boundary around the site and the need to ensure that the site blends into the existing landscape in a natural way (as indicated above the landscape is generally open). Careful consideration needs to be given to the treatment on the southern boundary in particular. For occupiers of the site, the view across this landscape and the south facing aspect is clearly an important consideration, so it is considered by officers that a dense and high tree belt would not be appropriate either as a response to the landscape character or in terms of the amenity of the occupiers. Against this consideration needs to be given to security and a boundary to the site. Given the prevailing winds perhaps a more substantial cluster of trees is appropriate at the south-western corner of the site. Along the southern boundary a native hedge is appropriate with trees of a suitable size and species at intervals.

In addition officers would like to see all rear gardens to have fruit trees and to have hedgerows running the length of the chain link fence. A stock fence on the boundary is considered appropriate to the rural character (along with the native species hedgerow and hedgerow trees discussed above). Walls should be permeable for hedgehog and oak trees should be included in any planting plan.

It is considered appropriate to attach a condition to the decision to secure a detailed landscaping plan (as indicated elsewhere in the report a condition will also be included to secure a Landscape and Ecological Management Plan).

## 5.7 Ecology

Policy CS9 of the Core Strategy and Policy PSP19 of the Policies, Sites and Places Plan indicate that development should conserve and enhance the natural environment, avoiding or minimising impacts upon biodiversity. PSP19 in particular indicates that where appropriate biodiversity gain will sought proportionate to the size of the scheme.

An Ecological Impact assessment has been submitted with the application, which has been viewed and agreed with by officers.

While the site is not within a designated site for nature conservation, it is within an area that would have the potential to impact upon the St Catherine's Valley SSSI, however it is considered given the scale of the development that this would not in fact be the case. Turning to those species that are protected under the habitat regulations:

### *Bats*

There were no trees or other features on the site that were found to provide roosting sites. Some activity has been recorded within the northern hedgerow but this is limited given the proximity to the main road and regular hedge maintenance. It is concluded that the low level of activity is present and the ecological value for bats is low.

#### *Great Crested Newts*

There is a lack of suitable waterbodies and these are unlikely to be found although some areas of the site may be used by toads.

#### *Dormice*

Due to intensive agricultural practices it is considered that while the site potentially could offer a suitable habitat these are unlikely to be present.

#### *Birds*

The site provides a suitable habitat for ground nesting birds

#### *Reptiles*

Notwithstanding the fact that the site largely comprises arable farmland, the margins in particular the stone wall and rougher grassland/scrub may provide habitat however it is considered that the site is unlikely to support a population.

#### *Badgers*

No signs of badgers were recorded although they may cross the site.

#### *Hedgehog*

The site provides suitable sheltering and hibernation habitat for hedgehogs within the areas of dense scrub, field margins and hedgerow bases.

#### *Invertebrates (e.g. noble chafer)*

No notable invertebrates were recorded during the survey and the habitats are considered to be of sub-optimal quality for invertebrates due to the agricultural management and species poor hedgerows and field margins.

It is concluded that the site would have a local level of ecological importance with the main potential being with regards to bats, birds, reptiles, hedgehogs and dormice.

The proposal is considered acceptable in ecological terms subject to conditions to ensure that all works take place in accordance with the recommendations set out in the "Mitigation Measures" section of the submitted Ecological Impact Assessment report and a condition to secure a detailed lighting design strategy (bats, badgers and hedgehog). Also a condition will be attached to ensure that the ecological enhancement features that are set out in the Ecological



Appraisal are installed prior to the first occupation of the development, these features should include but not be limited to bird boxes, bat boxes, permeable fencing and native planting. Lastly a condition will be attached to the decision notice requiring the submission of and implementation of a landscape and ecological management plan (LEMP).

## 5.8 Affordable Housing

As set out in the section above (5.1 to 5.5), the provision of a Rural Housing Exception Site through this proposal allows for the development of affordable housing in a rural location where because of planning policy the provision of market housing would not normally be acceptable. Policy CS19 states;

Proposals for permanent affordable housing to meet an identified local need (including a small element of market housing where this will facilitate the successful delivery of the affordable housing) will be permitted as an exception on sites where market housing would not normally be acceptable.

Proposals should be:

- Supported by an approved housing needs survey
- Well related to a rural settlement
- Modest in scale and in keeping with the form and character of the settlement and the local landscape setting; and
- Supported by the appropriate Parish Council

The permission will be subject to conditions, or a legal obligation to ensure that the affordable housing is reserved in perpetuity for those in local affordable housing need. Taking the above criteria in turn:

### *Proposals should be Supported by an Approved Housing Needs Survey*

In April 2018 Marshfield Parish Council (MPC) asked SGC's Housing Enabling Team to conduct an Affordable Housing Needs Survey (AHNS) as the previous one had come to the end of its 5-year shelf-life.

Following discussions with MPC, survey questions and distribution method were agreed and the survey was conducted during the summer, closing in mid-September 2018.

Subsequent analysis took several months but the final consultation report was published in January 2019 and concluded the housing need as set-out below:

Affordable Housing	
<b>Social rent tenure</b>	<b>13 households</b>
<b>Shared ownership (40% or 50% product)</b>	<b>4 households</b>
Total	17 households

The survey also offered further detail on the house-types required:

10 x 1-bed, 5 x 2-bed and 2 x 3-bed

Table 2 provides a summary of the number of affordable homes needed by tenure and bedroom size.

Table 2: Affordable Homes needed by tenure and size			
Tenure	1bf	2bf or 2bh	3bh
<b>Social rented</b>	7	4	2
<b>Shared Ownership</b>	3	1	
Total	10	5	2

In association with the South Gloucestershire strategic housing enabling team, corporate research team and Marshfield Parish, a housing needs survey was carried out between July and September 2018. There was a response rate of 34.4% to this survey which concluded that 17 households were in need of Affordable Housing of which 13 required affordable rented accommodation. These findings are supported by and endorsed by Marshfield Parish Council.

It is therefore considered that the above evidence demonstrates that there is a genuine need for affordable housing within Marshfield from those with close connection to the parish.

*Proposals should be Well Related to a Rural Settlement*

By definition exception sites are outside of the village's development or settlement boundary, as is the case with this application. This site is situated just outside the settlement boundary where a footpath to the front of the site will provide access to the facilities that Marshfield is able to provide. Although there is a gap top the settlement boundary it is considered that the site relates well to the village.

*Proposals should be Modest in Scale and in Keeping with the Form and Character of the Settlement and Local Landscape Setting*

The impact of the design and layout of the proposal upon the local landscape setting is discussed elsewhere in this report in detail. The proposal is considered to meet this criteria.

*Proposals should be Supported or Initiated by the Appropriate Parish Council*

Marshfield Parish Council outlined their position in January 2016 when they endorsed South Gloucestershire Council's stance for an 'exception site' where this would allow a small-scale development, under local control, to potentially come forward. Officers of the Housing Enabling Team note that the Parish Council have supported the work of Marshfield Community Land Trust and endorsed the finding of the housing needs survey at a meeting on 5<sup>th</sup> March 2019. The Parish have also shown their support for the proposal in their response to this planning application (see 4.1 above)

It is proposed to provide the following as part of the development:

### **Social Rent**

<b>Quantity &amp; Type</b>	<b>Min Size m<sup>2</sup></b>
4 x 1 bed 2 person flats	50
4 x 2 bed 4 person houses	79
2 x 3 bed 5 person houses 2 storey	93

### **Shared Ownership**

<b>Type</b>	<b>Min Size m<sup>2</sup></b>
2 x 2 bed 4 person houses	79

The remainder of the units i.e. 6 dwellings will help subsidise the affordable element.

In terms of the design, delivery, rent levels, these have been set out and with one exception meet the requirements of the SPD. The one exception is that in this case it is considered that the provision of one wheelchair accessible unit can be waived. This judgement has been made in association with the occupational therapist on the basis that:

1. As a semi-rural location, its geography can make access to facilities, public services & retail challenging.
2. Public transport can be challenging or infrequent and this may cause isolation for the disabled person.
3. Commissioning care from Care agencies is challenging in semi- rural communities.

In terms of the design the affordable units are to be built to the same high quality design standards and will be visually indistinguishable from the market units and in addition, Part M of the Building Regulations accessibility standards M4(2), Secured by Design Silver, Part Q Building Regulation standards and compliance with the RP Design Brief;

- i. All rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels;
- ii. All properties to have vinyl/tiles on floor in all ground floor rooms;
- iii. Ceiling height tiling to 3 sides of bathroom to be provided;
- iv. Provide wall mounted shower (either electric or valve and kit);
- v. Provide gas and electric points to cooker space (where gas is available);
- vi. Painted softwood curtain battens to each window (where construction is traditional as opposed to timber frame)

In terms of the delivery and phasing the applicant has confirmed that should permission be achieved, the development will proceed over one development phase.

The Council to refer potential occupants to all first lettings and 75% of subsequent lettings. As a rural exception site a local lettings policy will be agreed between SGC, and Marshfield CLT.

Affordable housing on rural exception sites will be subject to a condition or legal obligation, which limits occupancy to those with the local connection, (defined in CS19, paragraph 10.55). Should dwellings remain unoccupied for a period of time a cascade approach to widen the area of connection will come into effect. The cascade approach will be defined in a legal agreement, together with details of how the dwellings will be reserved as affordable in perpetuity.

In terms of the rent levels and affordability Social Rent homes to be let at Target Rent (Rent Standard Direction 2014). Shared Ownership homes to be sold at no more than 40% of market value, and annual rent on the equity retained by the RP should be no more than 1.5%. Service charges will be capped at £650 per annum (April 2016 base and linked to RPI) to ensure that all housing costs are affordable to future occupants.

The Affordable Housing provision will be secured through a planning obligation as set out in Section 7(a) below, both in terms of the quantity, tenure and details set out above.

#### 5.9 Environmental Protection

Policy PSP 21 states that proposals for development on land which may be affected by contamination will be acceptable where adequate remedial measures are taken. Officers note the current use as arable land and that the chance of contamination is low however it is considered appropriate to apply a precautionary condition to require the reporting of any contamination found during construction and to secure measures to deal with this if it is found. Subject to this condition the development is considered acceptable in these terms.

#### 5.10 Transportation

Policy CS8 of the Core Strategy considers the location of new development and encourages new development that is sustainably located where development can secure access to facilities and services by means other than the private car. PSP11 in more detail requires development to have an acceptable impact on highway and road safety.

In support of the application the applicant has submitted a Transport Statement.

#### *Sustainability*

The application site is situated just beyond the settlement boundary by approximately 260 metres, the nearest development being the Marshfield Primary School and its grounds. The access profile for Marshfield shows a dedicated community centre, post office, two public houses, there are also two

convenience stores. Unusually for a rural settlement there is a Doctors surgery (Three Shires Practice Back Lane) approximately 800 metres from the site.

Within the settlement there is a small safeguarded employment area (Listed under Policy CS12 as the Sungard Vivista Premises). As indicated above the settlement has a primary school with walking and cycling distance.

Marshfield lacks facilities such as a library, pharmacy, dentist, large food retail store, secondary school and major employers. MJ Church is approx. 2km from the site further to the east along A420 but is not considered to be accessible easily/safely by anyone wanting to walk or cycle so is discounted.

In terms of Public Transport, a Service (No.53) runs between Kingswood and Marshfield. PSP11 sets out the accessibility criteria for bus services, indicating that this should have at least one service arriving before 9am and at least one that returns after 5pm. The criteria indicates that on Saturdays there should be one service that arrives before midday and returns after 3pm. The above service meets these criteria. There are no public transport connections on a Sunday.

In terms of distances to facilities for walking and cyclists from the entrance onto the A420, these are as follows (the appropriate standard set out in Policy PSP11 is included in brackets :

Primary School	260m (3200m)
Post Office	930m (1200m walking/800 cycling)
Community Centre	600m (800m)
Local Shops	1100m (1200m)
Lord Nelson (nearest Public House)	790m (800m)
GP Surgery	790m (800m)
Bus Stop (Chippenham Road)	360. (400m)

In summary it is considered that there is a mixed picture. The principal transport mode will be the private motor car. For a rural settlement the available facilities can be considered appropriate and those available although likely to be accessed by car, all fall within the minimum criteria in PSP11 for walking and cycling.

#### *Highway Safety – Site Access*

The single vehicular access to and from the site is in the form of a simple “T” Junction. Visibility is considered acceptable. A safety audit undertaken made three recommendations; the provision of a new footway between the site and the access road serving the school (where connection exist to the remainder of the settlement); the extension of a 50mph speed limit between the site and a point to the east on the A420 and lastly a right turn facility from A420.

The applicant has agreed to the provision of the above through a S106 agreement (see Section 7 below). Considerable negotiation has taken place to

secure an appropriate design for the right turn facility but that is now agreed. Officers consider the number of likely traffic movements justify this facility on Highway Safety grounds. The footpath is absolutely critical in ensuring connectivity to those facilities available.

### *Parking*

South Gloucestershire Council residential parking standards are set out in PSP16 and in the Supplementary Planning Document (SPD) adopted in 2013. The standards are described as minimum provision, plus visitor allowance. For this proposed development consisting of 4no. 1-bed and 6no. 2 bed and 8no. 3-bed the minimum parking requirement is 33 including 4 visitors' spaces. The submitted details show a total of 36 car parking spaces. This therefore exceeds the minimum standards and as such is considered acceptable.

In summary subject to the signing of a legal agreement to secure the above provisions and a condition to secure the provision of the parking spaces prior to first occupation the development is considered acceptable in transportation terms.

## 5.11 Urban Design

Policy CS1 (and PSP1, of the Policies, Sites and Places Plan) of the Core Strategy indicates that development will only be permitted where *“the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that siting, form, scale, height and massing, detailing, colour and materials are informed by, respect and enhance the character distinctiveness and amenity of both the site and its context.”* Integration with the landscape such that it is integral to the design, safety and security are all considerations.

The design of the proposal is as set out above in 5.1 to 5.6, one of the considerations in considering the principle of development in so far as this is a factor both in terms of consideration of the AONB where the development must make a positive contribution but also in terms of meeting the tests of meeting the definition of a Rural Housing Exception Site i.e. being *“Modest in scale and in keeping with the form and character of the settlement”*.

The site has an unusual context as it is effectively a “stand-alone” rural development where there is a degree of separation from Marshfield. The context is therefore largely open farmland.

The applicant has set out that the scale, massing and layout of the proposal is considered to respond to the various aspects of the context by minimising the visual impact of the development. The development is set out as a courtyard development with largely linear barn like structures that are set around shared communal space. The exception to this is a cluster of three buildings at the south-east corner to be used by the farmer. These have the appearance of standard farmhouses. Buildings will be two storey and avoid north facing elevations. They are set back from the road and an area of car parking is

provided back from the northern edge, although smaller areas of parking can be found within the site.

The buildings while two storey, given the pitch of the roof appear as single storey when viewed from long views into the site. This reduces the impact of the development upon the landscape significantly. The “taller eaves” i.e. where the building appears two storey face onto the communal space and thus are view from much closer. The three dwellings at the south east corner are detached but connected at the ground floor by stone walls. This to a degree ensures that this part of the site reads as a single unit.

In terms of materials, the linear barn like structures will be of light-weight materials of a similar type to agricultural buildings. Fibre cement roofs and gable ends with the longer elevations front and back being clad in yellow brick which is said to replicate that to be seen on stone walls. The three dwellings situated at the south east corner are to be clad in masonry with the garden walls that attach the properties to each other at ground floor level to be of buff stone. The fibre cement will match that on the other buildings.

The access/internal roads are to be privately maintained. There will be a communal bin store for the 4 no. flats and each house will be provided with an individual store. There was a concern in relation to the provision of waste storage at the south-east corner of the site as this exceeded the distance to which refuse storage would be collected. As a result a bin storage area is now provided to the west of the earlier location such that it is accessible for the users and collectors within the distance limitation of 25m set out in the Council’s waste standards. Cycle storage is provided with one store per house (to allow storage of 2 no. cycles), with the flats have a separate communal cycle store.

The scheme is not of a scale that would warrant the provision of public art.

Initial concerns were raised by the police with respect to the security of the site. These concerns related to the footpaths to the rear of the properties and natural surveillances, and the preference of gates to these footpaths. The applicant has agreed to add gates to the ends of these footpaths to make clear that this is private or public space. Fence heights have been increased closer to the road. The Case Officer however accepts the view of the applicant following submitted evidence that open areas are overlooked. There are only two access points for the occupiers of the site, one vehicular and one pedestrian and the main public area is overlooked at the centre of the development and anyone not from the site would be visible. The applicant is also showing on the plans the use of thickened laminated glass at ground floor level. The police are now satisfied with the proposal from a safety/security perspective.

Subject to appropriate conditions to secure the submission of details of materials and a specific condition to secure the provision of a sample palette in situ of the facing materials the proposed development is considered acceptable in design terms.

## 5.12 Climate Change/Environmental Policy

PSP6 in line with the NPPF requires local planning authorities to adopt proactive strategies to mitigate and adapt to climate change.

PSP6 requires all development proposals to be encouraged to minimise end user energy requirements over the current building regulations. In addition all major greenfield residential development will be required to reduce Carbon Dioxide emissions further by at least 20%. This proposal falls within this category.

An initial Energy Statement was submitted with the proposal and as set out above (consultation response), further information was requested. Following a few further revisions the energy statement has been accepted by officers.

The applicant intends to build the scheme to Passive House Standards and to use a consultant during the construction phase of the development. The following key areas are to be used:

Low thermal fabric u-values go far beyond the guidance set out in Part L 1A.  
Highly efficient Kensa Shoe Box Ground Source Heat Pump heating system to supply both heating and hot water.

Low u-value TRIPLE glazed windows and highly insulated entrance doors.

High levels of thermal bridging performance/efficiency.

Low air permeability

Highly Efficient MVHR (mechanical ventilation with heat recovery) ventilation systems.

100% LED lighting

The submitted information states that a 20.2% Carbon Dioxide saving can be achieved. Furthermore Passivhaus methodology will allow the opportunity to assess overheating as summer temperatures increase. Electric vehicle charging points are to be provided. The Environmental Protection Team is satisfied with the proposed statement and a condition will be attached to the decision notice to ensure that all work is carried out in accordance with the recommendations held within it.

## 5.13 Drainage

Policy CS9 of the Core Strategy requires that development should be firstly located away from areas of flood risk and secondly should reduce and manage the impact of flood risk through among other criteria the use of Sustainable Drainage Systems (SuDS). PSP20 more specifically considers flood risk and surface water management.

The application site is located in Flood Zone 1 where there is the lowest risk from flooding and where vulnerable development such as that proposed should be located in the first instance.

Notwithstanding this fact, it is requirement that development proposals should reduce surface water discharge from the site area. This is a greenfield site and



it is a requirement that discharge is restricted through a controlled outflow to minimise surface water both within the site and to minimise off-site flood risk. Initial draft proposals were deemed inappropriate primarily because of inappropriate means of discharge from a package treatment system for foul rather than surface water.

It is now considered that it is possible to address this issue satisfactory subject to a condition to secure full details of a surface water and foul water sewage scheme ensuring flood prevention, pollution control and environmental protection, bearing in mind that no public sewer connection is possible in this location. The condition will specify the level of detail required including the exact location of any soakaways and details of a new sewage package treatment plant and method of disposal.

Subject to this condition the development is considered acceptable in drainage terms.

#### 5.14 Public Open Space

Policy CS6 of the Core Strategy recognises that new development of a sufficient scale (and this proposal as a development of 18 no. dwellings falls within the thresholds specified in the National Planning Policy Guidance (NPPG), will add to the overall demand upon existing infrastructure. The policy states that the development will be required to provide on-site provision but also where the provision cannot be provided on site “financial contributions will be sought and may be pooled to secure the necessary off-site infrastructure investment”.

Within the supporting text (6.19), the provision of Green Infrastructure to include Open Space, play and outdoor sports facilities is included as a facility or service that a development may be required to contribute towards. The provision of a full range of open spaces is recognised as a key element in the delivery of sustainable communities supporting the residents’ health and social well-being.

It is predicted that an additional dwellings would result in a population increase of 39.6 people. An audit of existing provision has demonstrated a shortfall of Informal Recreational Open Space and provision for Children and Young People. There is a reasonable quantity of outdoor sports facilities however Withymead Playing Field has been identified in the SGC Playing Pitch Strategy as needing improvements through better maintenance. There is an adequate supply of Natural and Semi-natural Open space and allotments within the settlement boundary of Marshfield. Withymead Playing field is well connected to the site by footpaths either to the south or via the front of the site and to the side of the school (this puts emphasis on the importance of upgrading/providing this link to the front of the site).

It is considered that if informal recreational open space is provided on site then this is sufficient to meet the required amount. This will be maintained privately by the developer.

There is adequate existing supply of natural and semi-natural open space within the settlement boundary of Marshfield as well as Allotments. It is noted however that the submitted landscape plans indicate on-site provision of 510sq.m of Natural and Semi-natural Open Space and 314sqm of Ancillary Space and the Heads of Terms of the S106 will include this and the requirement for its inclusion in the future maintenance arrangements by the private management entity.

There is a requirement however for both outdoor sports facilities and equipment/facilities for children and young people as well as its future maintenance to be provided off-site and as indicated above this will be provided at nearby Withymead Playing Field. This is included in the S106 Heads of Terms set out in Section 7 below.

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount provided on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Outdoor Sports Facilities	633.6	0	633.6	£34,702.34	£10,503.25
Provision for Children and Young People	84	0	84	£15,415.86	£16,209.90

#### 5.15 Residential Amenity

Given the scale and the location of the proposed development and the relationship with the nearest residential properties, the proposed development will not result in any loss of amenity to existing residential occupiers.

Turning to the development itself the proposed development adopts a layout/inter-relationship that ensures that the amenity of future occupiers is protected in terms of privacy and outlook. In addition adequate private amenity space is provided for the future occupiers to accord with Policy PSP43 of the Policies, Sites and Places Plan.

#### 5.16 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty

came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

## 6. **CONCLUSION**

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

## **RECOMMENDATION**

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

a) **Affordable Housing**

- 12 dwellings to be delivered as affordable housing, as defined by the NPPF
- Tenure split as follows:

### **Social Rent**

<b>Quantity &amp; Type</b>	<b>Min Size m<sup>2</sup></b>
4 x 1 bed 2 person flats	50
4 x 2 bed 4 person houses	79
2 x 3 bed 5 person houses 2 storey	93

### **Shared Ownership**

<b>Type</b>	<b>Min Size m<sup>2</sup></b>
2 x 2 bed 4 person houses	79

- In all other respects the development shall comply with the requirements as set out in para 5.8

Reason:

To accord with Policy CS19 of the South Gloucestershire Core Strategy 2013 and the Affordable Housing and Extra Care SPD 2014

b) Transportation

- The construction of a new junction off the A420 Marshfield Road in accordance with the details as shown in principal on drawing title 'REVISED HIGHWAY IMPROVEMENT SCHEME' plan (i.e. drawing no. SK004 rev A) together with all associated works.
- The construction of a new footway/cycleway (minimum 2m wide) link between the site and existing footway outside Marshfield Primary school off Chippenham Road together with all associated works as shown in principal on plan title 'SITE PLAN PROPOSED' ( i.e. Drawing 1811 (00) 002 rev P09.
- The Council's reasonable costs towards promoting a 50 mph speed limit along the development frontage on the A420 through an application for a Traffic Regulation Order (TRO) at this location.

c) Public Open Space

- On-site Informal Recreational Open Space shall be provided as shown on Drg. No 1811 (00) 130 P01 Public Open Space Plan (for the avoidance of doubt this is 1089sq.m). This Informal Recreational Open Space shall be made accessible to the public at all times.
- The on-site provision of 510sq.m of Natural and Semi-natural Open Space as shown on Drg. No 1811 (00) 130 P01 Public Open Space Plan and its future maintenance by the private management entity.

The provision of 314sqm of Ancillary Space as shown on Drg. No 1811 (00) 130 P01 Public Open Space Plan and its future maintenance by the private management entity.

- The Council charges a fee (£52.00 per 100sq.m.plus £500 core service fee) to inspect the open spaces to ensure their compliance with the approved plans prior to transfer to the private management entity.
- A contribution of £34,702.34 towards the provision of Outdoor Sports Facilities and £10,503.25 towards its future maintenance
- A contribution of £15,415.86 of provision for children and young people and £16,209.90 towards its future maintenance

Reason:

To accord with Policy CS24 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013)

- 7.2 That should the agreement not be completed within 6 months of the date of the Committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

**Contact Officer: David Stockdale**

### **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. Mitigation Measures (Ecology)

The development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 3 of the Ecological Impact Assessment (Clarkson & Woods, December 2019) this shall include the further monitoring recommended for bats.

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

3. External Lighting Design

Prior to commencement of above ground works, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) Identify those areas/features on site that are particularly sensitive for bats, badgers and hedgehog and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;

b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

c) All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained/retained thereafter in accordance with the strategy (no further external lighting shall be installed without prior consent from the local planning authority)

For the avoidance of doubt the strategy/plans shall prevent light spill over bat commuting/foraging habitat created or retained as open space (European Protected Species), most particularly along the northern boundaries. The lighting plan should concord with BCT/ILP Guidance Note 08/18 'Bats and Artificial Lighting in the UK.

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

A pre-commencement condition is required in order to avoid the need for remedial action.

#### 4. Landscape and Ecological Management Plan (LEMP)

A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence managements.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

#### 5. Ecological Enhancement Measures

Prior to first occupation of the two areas identified on Drawing No.1811 (00) 109 P01 (Proposed ecological enhancement areas received 30th September 2020) , evidence of the installation of the ecological enhancement features recommended in the Ecological Appraisal (Clarkson & Woods, December 2019) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes, permeable fencing (hedgehog highways) and native planting

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

6. Land Contamination

Any contamination found during the course of construction of the development 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 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 the development will not be affected by existing contamination and to accord with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Nov 2017.

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

Received 24th December 2019

1811(00)001 P01 SITE LOCATION PLAN

Received 10th January 2020

1811(00)050 P04 EXISTING SITE PLAN/TOPOGRAPHICAL SURVEY

1811(00)160 P03 TYPICAL UNIT PLANS

1811(00)252 P06 SITE WIDE SECTIONS\_PROPOSED SHEET 2

1811(00)360 P03 ELEVATIONS PROPOSED BUILDING A FLATS

1811(00)361 P03 ELEVATIONS PROPOSED BUILDINGS B AND D BARNES

1811(00)362 P03 ELEVATIONS PROPOSED BUILDING C 'FARMHOUSES

1811(00)370 P03 ELEVATIONS PROPOSED BUILDING A FLATS COLOUR

1811(00)371 P03 ELEVATIONS PROPOSED BUILDING B & D BARNES COLOUR

1811(00)372 P03 ELEVATIONS PROPOSED BUILDING C 'FARMHOUSES  
COLOUR

Received 12th March 2020

1811(00) 100- GATES, PERIMETER BOUNDARIES AND LOCKABLE GATES

1811(00) 100- OVERLOOKING/PASSIVE SURVEILLANCE

Received 30th September 2020

1811(00)002 P10 SITE PLAN PROPOSED

1811(00)101 P10 FIRST FLOOR PLAN PROPOSED

1811(00)100 P15 GROUND FLOOR PLAN PROPOSED

1811(00)102 P12 ROOF PLAN PROPOSED

1811(00) 109 P01 PROPOSED ECOLOGICAL ENHANCEMENT ZONES

1811(00) 130 P03 OPEN SPACE PLAN

1811(00)250 P07 ELEVATIONS\_PROPOSED SHEET 1

1811(00)251 P07 SITE WIDE SECTIONS\_PROPOSED SHEET 1

Received 12th March 2020

1811(00) 100- GATES, PERIMETER BOUNDARIES AND LOCKABLE GATES

1811(00) 100- OVERLOOKING/PASSIVE SURVEILLANCE

1811(00)050 P03 EXISTING SITE PLAN/TOPOGRAPHICAL SURVEY

1811(00)102 P09 ROOF PLAN PROPOSED

1811(00)251 P05 SITE WIDE SECTIONS\_PROPOSED SHEET 01

Reason:

For the avoidance of doubt

8. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hard surfacing 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.

A pre-commencement condition is required in order to avoid the need for remedial action.

9. Materials

Prior to the commencement of above ground works details of the following materials shall be submitted to an approved in writing by the Local Planning Authority:

Pavours

Access Surfaces

Kerbs

Self-bound gravel

Window frames doors/garages

Lintels and sills

Fibre cement tiles/sheets

Facing bricks

Stone cladding

Mortar

Rain Water goods

The 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 and the National Planning Policy Framework.



A pre-commencement condition is required in order to avoid the need for remedial action.

## 10. Samples

Prior to the commencement of above ground works panels of the facing materials shall be provided on site for inspection. The panels shall include the brick, stone cladding with mortar and fibre cement cladding

### 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.

A pre-commencement condition is required in order to avoid the need for remedial action.

## 11. Drainage

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

For the avoidance of doubt we would expect to see the following details when discharging the above condition:

A clearly labelled drainage layout plan showing the exact locations of any soakaways and new sewage package treatment plant and method of disposal to be utilised.

A copy of the approved discharge consent from the Environment Agency (EA) in relation to treated effluent disposal from the sewage package treatment plant.

Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal

Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.

It is important to note that Soakaways must be located 5 Metres from any structure including the Public Highway

### Reason:

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2018.

A pre-commencement condition is required in this instance in order to avoid the need for future remedial action.

## 12. Car Parking/Manoeuvring Area

Prior to the first occupation of the development the car [vehicle] parking area and manoeuvring area as shown on the approved plans shall be provided and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

### Reason

To ensure the satisfactory provision of the parking facilities and manoeuvring area, 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.

## 13. Construction Environmental Management Plan (CEMP)

A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of development. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall address the following matters:

- (i) Measures to control the tracking of mud off-site from vehicles.
- (ii) Measures to control dust from the demolition and construction works approved.
- (iii) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- (IV) Adequate provision for the delivery and storage of materials.
- (V) Adequate provision for contractor parking.

### Reason

In the interests of highway safety and environmental protection, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2013 and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development as it relates to the construction period.

## 14. Energy and Sustainability

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the Energy Statement received April 23rd 2020 (Energy Statement, Adam Sims, Energy Compliance Ltd, April 22nd 2020) prior to occupation.

In accordance with the approved Energy Statement a total 41% reduction in carbon dioxide emissions (based on the DER and TER) beyond Part L 2013 Building Regulations shall be achieved, and a 20.20% reduction in carbon dioxide emissions

below residual emissions (that is regulated and unregulated emissions) through renewable technologies shall be achieved.

Reason

To ensure that the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies CS1 and PSP6, and reduces regulated and unregulated emissions in accordance with policy PSP6.

15. Accessibility

The Affordable Dwellings, identified as A01, A02,A11, A12, B01,B02, B03, B04, B05, D02, D03 and D04 in the Design and Access Statement and on Drawing No. 1811(00)100 P14 GROUND FLOOR PLAN PROPOSED, shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2)

Reason:

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

**POLICIES CONSIDERED IN THE DETERMINATION OF THIS APPLICATION:**

**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.**

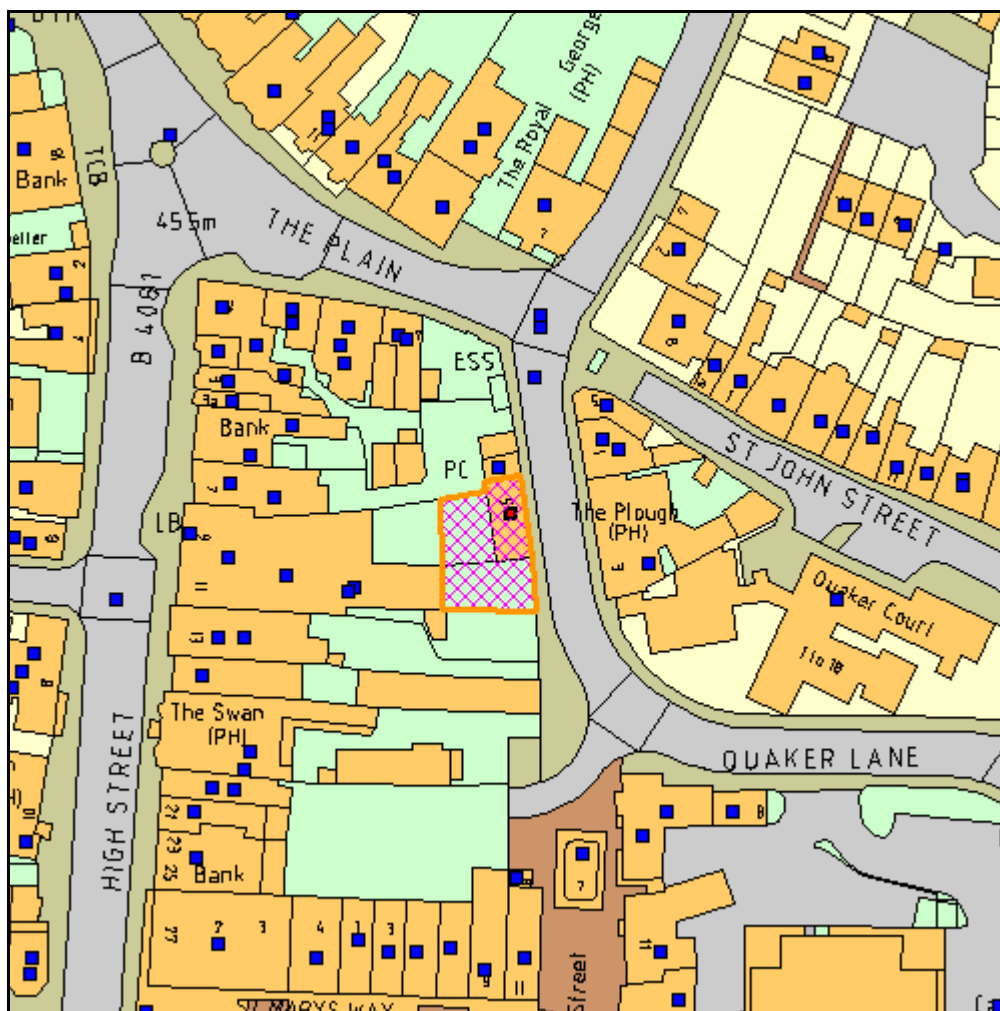
**POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: The LPA has worked with the applicant to ensure that the development can be considered sustainable development and the decision has been issued in a timely manner.

**Case Officer: David Stockdale**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 40/20 -2nd October 2020**

<b>App No.:</b>	P20/00903/F	<b>Applicant:</b>	Mr J Robins Robins Homes Ltd
<b>Site:</b>	5 Quaker Lane Thornbury Bristol South Gloucestershire BS35 2AD	<b>Date Reg:</b>	20th January 2020
<b>Proposal:</b>	Change of use from redundant shop (Class A1) and erection of three storey rear extension to form 5 no. flats (Class C3) with associated works.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	363736 190124	<b>Ward:</b>	Thornbury
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th March 2020



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N.T.S.

P20/00903/F

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

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the circulated schedule due to the receipt of objection from Thornbury Town Council.

### **1. PROPOSAL AND SITE DESCRIPTION**

- 1.1 This application seeks planning permission for the change of use of a redundant shop (Class A1) and the erection of three storey rear extension to form 5 no. flats (Class C3) with associated works at No. 5 Quaker Lane, Thornbury. During the course of the application, a revised proposal was submitted to address the planning concerns in relating to the design and parking facilities. Besides, an updated Arboricultural report was provided.
- 1.2 The site is situated within the conservation area of Thornbury and within the setting of a grade II listed building Plough Inn II. Although the site is situated within the town centre boundary and primary shopping area of Thornbury, it is not situated along the Primary Shopping Frontage.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework February 2019

National Planning Practice Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

#### **2.2 Adopted Development Plans**

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

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS32	Thornbury

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP21	Environmental Pollution and Impacts
PSP31	Town Centre Uses

- PSP39 Residential Conversions, Sub-Divisions and Houses in Multiple Occupation
- PSP43 Private Amenity Space Standards

### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007  
 Residential Parking Standard SPD (Adopted) December 2013  
 South Gloucestershire SPD: Thornbury Conservation Area  
 South Gloucestershire Waste Collection: guidance for new development SPD (Adopted) January 2015

## 3. RELEVANT PLANNING HISTORY

The site has been subject to a number of planning applications in the past, and the following applications are the most relevant to the determination of this application:

- 3.1 PT10/1387/F Erection of two storey extension to form additional ground floor retail space (Class A1), restaurant area (Class A3) to the first floor and storage in roof. Change of use of first floor from Retail (Class A1) to Restaurant (Class A3). Approved 02.08.10
- 3.2 PT15/3941/F Renovation and extension of existing building to a use falling within Class A2 (Financial and Professional services) of the Schedule to the Use Classes Order at ground floor level (2 units) with residential accommodation at first and second floor levels (Class C3). Approved 29.01.2016

## 4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council – Objection. The Town Council believes that unlike many towns, there is a demand for retail space in Thornbury. At the last Town Partnership meeting, there were no vacancies in St. Mary's Shopping Centre. It is also felt that a retail unit should be retained in this location. The Council also support all comments made by the Conservation Officer.

### Other Representations

#### 4.2 Local Residents

2 no. letter of support and the local residents raised the following comments:

- This building has been in a dilapidated state for many years
- The building is in huge disrepair
- The view from my flats is one of a falling down building and litter all over the garden land.
- A complete eye sore
- The barn is full of pigeons which has led to rats
- The design as from the road view keeps the existing building which is in character of the lane,
- The rear extension that incorporates flat roofs, which is again in keeping The proposal to convert into flats seems sensible and a good use of space
- There is parking for most of the owners

#### 4.3 Consultee's responses

Sustainable Transport – no objection

The Ecology Officer – no objection subject to conditions

Highway Structure – no comment

Conservation Officer – advised no further objection as a similar extension was allowed in the past

Archaeology Officer – no comments.

Drainage Engineer – no objection

Arboricultural Officer – no objection subject to condition for an Arboricultural watching brief for the installation of the mini piles takes place.

### 5. ANALYSIS OF PROPOSAL

#### 5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular importance is the perceived loss of shop (Class A1) and the impacts on character and appearance of the conservation area and the setting of the listed building, and the highway safety.

#### 5.2 Loss of retail unit

The Town Council's concerns regarding the loss of retail units are noted. Whilst the site is located within the Town Centre of Thornbury and its primary shopping area, the site is not situated within any primary or secondary shopping frontage. Policy CS13 sets out that such proposals must clearly demonstrate that all reasonable attempts to secure a suitable economic development re-use have failed. To address this particular policy, the agent has submitted a supporting statement to demonstrate that 2 no. vacant units at St. Mary Shopping Centres and 3 no. vacant shop units at Thornbury High Street, 5 no. vacant shop units at the Plain (pre Covid-19).

5.3 Paragraph 85 (f) of the NPPF states that planning policies should recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites. As such, although the proposed change of use would represent a loss of retail unit, given that the site would be located at the rear of High Street, there are no immediately shops along this section of Quaker Lane, it is considered that the proposed residential development at this site would be appropriate and would have positive impact to support the retail function of the area. Therefore, it is considered that the proposal would not undermine the relevant policies.

#### 5.4 Design and Heritage consideration

Officers acknowledge the poor condition of the existing building and also agree that the building is a typical functional outbuilding, cart shed or workshop, which



is likely to see on the back lanes or secondary streets, such as Quakers Lane. Its significance can therefore be considered to comprise on not only its historic standing fabric but its aesthetic appearance reflects an historic street pattern. Surrounded by more formal buildings, it is the interest of both its construction and style that can be considered to comprise its historic value and subsequent contribution to the street scene and wider conservation area. To put it another way, how its contrasts with its surroundings by reason of its form, design and materials can be considered to make a significant contribution to a sense of local distinctiveness.

5.5 Officers raised concerns regarding the design of the alterations and the scale of the proposal. To address these concerns, a revised scheme was submitted to introduce a pitched roof to replace the original proposed flat roof at the rear extension, and to remove the dormers from the proposed front elevation. In addition, the existing opening on the side south elevation would also be retained and utilised. As the proposed rear extension would set back from the side elevation, it would distinguish the old from the new structure. Your case officer therefore is satisfied with the design approach. The Conservation Officer's concerns are noted, Officers are mindful that a similar roof design extension was previously approved in 2016. It is therefore considered that the proposal would not be harmful to the character of the existing building, the Thornbury Conservation Area and the setting of a listed building. Notwithstanding this, given that the site is situated within a conservation area, external material and detailed design of the fenestration, gutter and downpipes, and new boundary walls or boundary treatment, need to be subject to further consideration. As such, there is no objection from the heritage perspective, subject to conditions seeks details of external material and detailed design of the proposed detailed works.

5.6 Access and Parking

The application consists of 3 x 2-bed flats and 2 x 1-bed flat with a total of 3 no. on-site parking spaces and 10 no. cycle parking. In accordance with the Council's Residential Parking Standards, a minimum of 6 no. parking spaces should be provided. It is also noted that the 2011 ONS census data for Thornbury town centre indicates an average of just below 1 car per flat with two or more residents over the age of 17 and an average of just below 0.4 cars per flat with one resident over the age of 17. Based on that ONS data, the parking demand for the development is likely to be between 3 and 5 cars. 3 spaces are proposed on the site leaving a possible demand of between 1 and 2 cars on the surrounding highway network.

5.7 The site is located in a sustainable location with good walking access to all location with good walking access to all local facilities including the employment area at Midland Way. Also, bus services are available close by for journeys further afield to the north fringe of Bristol where there are larger employment areas. Results of a parking survey have been included in the submitted Transport Statement which indicate that 5 and 7 spaces are available within 200m between 22:00 and 23:00hrs on a Tuesday and Wednesday night respectively last September. The location of these spaces has not been submitted, nevertheless, the officers are satisfied that the 1 or 2 cars likely to require off-site parking can be accommodated on the surrounding highway

network which is controlled by TRO parking restrictions, or within the town centre car parks which are free of parking restrictions in the evening and on Sundays. Regarding the access and on-site parking, access to the 3 proposed on-site car parking spaces is via an existing dropped kerb. Adequate visibility exists for vehicle to safely enter and leave the site. Pedestrian and cycle access is via a delineated path to the side of the nearest car space. The spaces abut a stone wall, and the revised drawing shows the parking space would be 5.5metres, which is acceptable. Electric vehicle charging points should be provided for these spaces. The proposed cycle store is large enough for 5 cycles. Subject to a condition securing an installation of electric vehicle charging points on each parking spaces, there is no highway objection.

#### 5.8 Residential Amenity

The proposal is to erect a three-storey extension at the rear to facilitate a residential conversion. The proposed extension would be approximately 7.92 metres deep, and its ridge would match that of the host dwelling. There are 4 no. rooflight on the rear elevation and 1 no. bedroom window on the first floor rear elevation. The building fronts onto Quaker lane, a disused public toilet attached to the side north elevation of the host building. A 2.6 metres high stone wall lies to the southern boundary of the site and there is a hard-standing parking area beyond the stone wall. At the rear to the west of the application is No. 9 High Street, which is a supermarket with 2-storey office at the rear. Given its urban location and the use of the surrounding properties, it is considered that the proposal would not cause unreasonable adverse impact, in terms of the overlooking or overbearing impact upon the neighbouring properties.

- 5.9 The development would result in 3 no 2 –bedroom and 2 no. 1-bedroom flats and the submitted plans show that the flats would not be allocated with any private amenity space. Whilst this does not accord with the PSP43, it is not unusual for flats to have no private amenity space, particularly in town centres. Furthermore, Officers note that there are playing field within 6 minute walking distance. Accordingly, the lack of private amenity space is therefore balanced against these nearby facilities.

#### 5.10 Ecology consideration

A building inspection report (Abricon, January 2020) and bat survey report (Abricon, May 2020) was submitted with the application. The site will not adversely affected any designated sites.

Bats - It was identified during the survey that the barn has a low potential for roosting bats and further surveys are required including an emergence and week-long internal remote monitoring process to establish whether bats are utilising the barn for night roosting purposes. If bats are found to be using the barn a further two emergence surveys will be needed in order to inform a Natural England licence. The bat survey found no bats emerging from the property and the static detector placed in the building found no calls suggesting that the building is absent of roosting bats.

Great crested newt (GCN) - There is sub-optimal habitat for reptiles and amphibians within the scrub vegetation and patches of grassland beside the

barn, there are also suitable hibernacula features in the form of rubble piles. The area used to be hardstanding and as the site is isolated from nearby habitat that could support reptiles and amphibian populations due to boundary walls and areas of hardstanding it is considered unlikely that they have taken up residence on site and are considered to be likely absent from the site.

Birds - A carrion crow was identified within the barn during the survey, though not enough evidence was collected to suggest that crows may be using the barn for nesting. If they are using the building for nesting it is considered that it is at most of a low value to this species. Nine pigeons were observed using the building, in addition six dead pigeons were found within the building along with a vast number of droppings. Evidence suggests that the pigeons are currently using the building for nesting purposes. As they nest throughout the year there may not be a time within the year that pigeons are not utilising the barn. As the barn is in a state of disrepair and there are public safety concerns with regards to its risk of collapsing it is considered necessary to apply for a licence to remove pigeons from the barn for the purpose of preserving public health.

Given the above, there is no ecological objection subject to conditions securing appropriate measures take place.

#### 5.11 Arboricultural consideration

An arboricultural report including arboricultural impact assessment, tree protection and an arboricultural method statement have been submitted. Officers are satisfied with the details of the report, therefore, subject to condition securing the implementation of the submitted details and BS: 5837:2020, there is no arboricultural objection.

#### 5.12 Equalities

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

5.13 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 (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

## 7. **RECOMMENDATION**

7.1 That planning application be approved subject to the following conditions:

**Contact Officer: Olivia Tresise**

### **CONDITIONS**

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to conserve the character and appearance of the Conservation Area and the setting of the listed building, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the National Planning Policy Framework.

3. Prior to the commencement of the relevant works, the following items shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in the agreed details:
  1. Detailed design of all windows and doors,
  2. Location and details of gutter and downpipes
  3. Materials, coursing and coping details of any new boundary treatment.

Reason

To ensure a satisfactory standard of external appearance and to conserve the character and appearance of the Conservation Area and the setting of the listed building, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the National Planning Policy Framework.

4. The development shall proceed in strict accordance with the Mitigation Measures provided in the building inspection report (Abricon, January 2020) and bat survey report (Abricon, May 2020).

Reason

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

5. Prior to the first occupation of the proposed development hereby approved, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- i. Identify those areas/features on site that are particularly sensitive for bats, and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - ii. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

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

6. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the building inspection report (Abricon, January 2020) and bat survey report (Abricon, May 2020) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes and native planting.

Reason

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

7. The proposed development, including the installation of mini piles, hereby approved shall be carried out in accordance with the updated Arboricultural report and

BS:5837:2012. In addition, prior to the installation of the proposed mini piles, an arboricultural watching brief, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**Reason**

To ensure the works are carried out in an appropriate manners, and to accord with policy PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

8. The development shall not be occupied until the car and cycle parking facilities have been provided in accordance with the submitted details, drawing no. B12085/ 01revD.

**Reason:** In the interest of highway safety, to promote sustainable transport choices and to accord with policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

9. The development shall not be occupied until electric vehicle charging facilities have been provided for each parking space in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To promote sustainable transport choices and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted November 2013).

**POLICIES CONSIDERED IN THE DETERMINATION OF THIS APPLICATION:**

IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.

POSITIVE AND PROACTIVE STATEMENT:

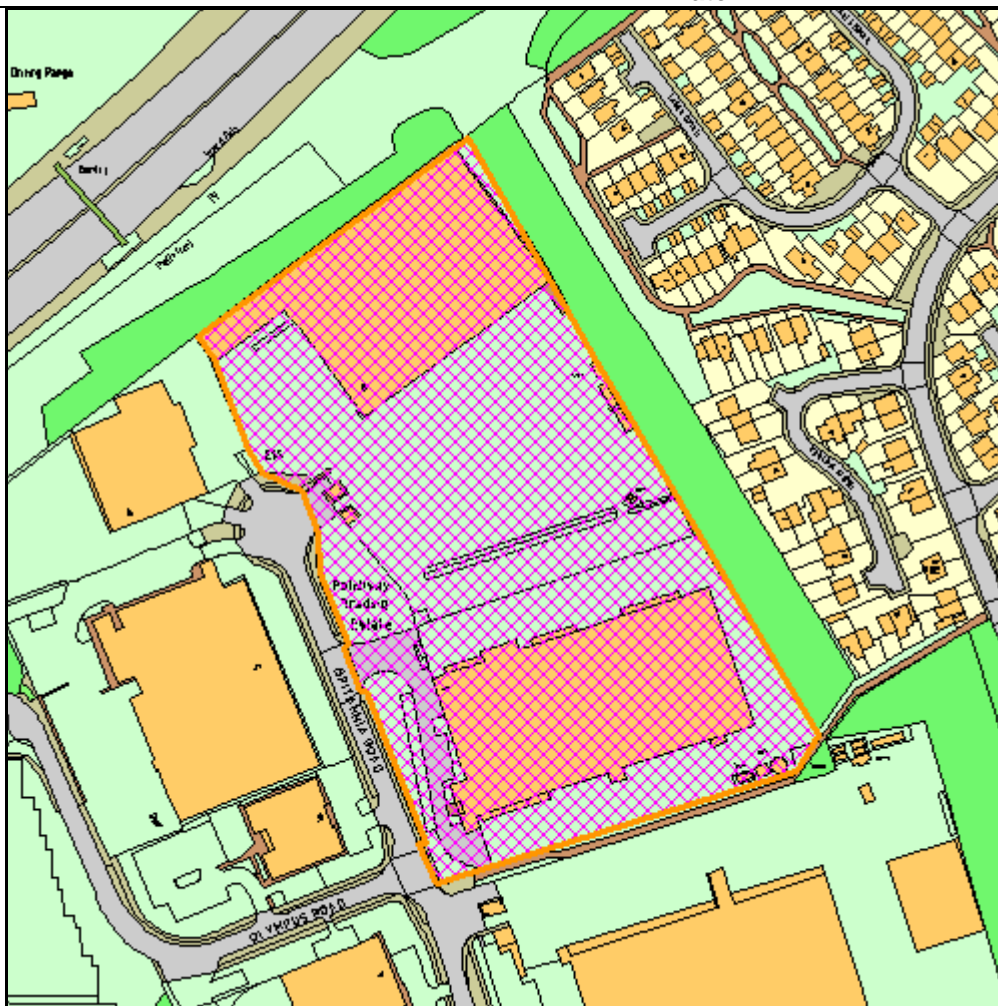
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: The applicant has been given opportunities to address the concerns, and the subsequent proposal has been determined in a positive manner.

**Case Officer: Olivia Tresise**

**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 40/20 -2nd October 2020**

<b>App No.:</b>	P20/08429/F	<b>Applicant:</b>	Coal Pension Properties Ltd Coal Pension Properties Limited c/o LaSalle Investment Ma...
<b>Site:</b>	Unit 8 And 9 Britannia Road Patchway South Gloucestershire BS34 5TA	<b>Date Reg:</b>	19th May 2020
<b>Proposal:</b>	Demolition and phased redevelopment of Units 8 and 9, comprising Phase One: 1no. new storage/distribution unit with ancillary uses (Class B8) to replace Unit 9; and Phase Two: 3no. new units for a flexible range of employment uses with ancillary uses (within Use Classes B1c, B2 and/or B8) to replace Unit 8, with new access, parking, landscaping and associated works.	<b>Parish:</b>	Patchway Town Council
<b>Map Ref:</b>	358997 181540	<b>Ward:</b>	Charlton And Cribbs
<b>Application Category:</b>	Major	<b>Target Date:</b>	12th August 2020



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100023410, 2008.

N.T.S.

P20/08429/F

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

## **INTRODUCTION**

This application has been referred to the Circulated Schedule as letters of objection were received contrary to the officers recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the demolition of 2 no. existing employment units and to provide a total of 4 no. employment units at Unit 8 and 9 of Patchway Trading Estate. Phase One: 1no. new storage/distribution unit with ancillary uses (Class B8) to replace Unit 9; and Phase Two: 3no. new units for a flexible range of employment uses with ancillary uses (within Use Classes B1c, B2 and/or B8) to replace Unit 8, with new access, parking, landscaping and associated works.
- 1.2 The site is situated within the existing employment area of Pathway and lies within the Cribbs Patchway New Neighbourhood. It is not subject to any special landscape designations. A public footway runs across the northern elevation of Unit 8.
- 1.3 During the course of the development, a revised proposal was submitted to amend the parking arrangement to the side north elevation of Unit 8 and to include an installation of sprinkler tank and pump room at the south eastern corner of Unit 9.

### **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
CS12	Safeguarded Areas for Economic Development

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 Assessment
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP26	Enterprises Areas
PSP27	B8 Storage and Distribution Uses

### 2.3 Supplementary Planning Guidance

- Design Checklist SPD (Adopted August 2020)
- Waste Collection: guidance for new developments SPD (Adopted March 2020)
- Biodiversity and planning process
- Sustainable Drainage Systems Design Guide
- Trees on development sites (Adopted November 2005)

## 3. RELEVANT PLANNING HISTORY

The site has been subject to a number of planning applications in the past, the following applications are the most relevant to the determination of this application.

### Unit 8

- 3.1 P95/1108 Erection of two storey modular office building. Approved 14.03.1995
- 3.2 PT03/2414/F Internal and external alterations to include ramp access and widening of doors. Approved 15.09.2003

### Unit 9

- 3.3 N2783/1 Erection of warehouse extension (1,042 sq.m.) and office block (54 sq.m.) Approved 04.01.1979

## 4. CONSULTATION RESPONSES

- 4.1 Patchway Town Centre – no objection

### 4.2 Other Consultees

HSE: Does not advise against the granting of planning permission on safety grounds.

Sustainable Transport – no objection subject to condition seeking a construction management plan

Environmental Protection Team – No objection subject to condition restricting the noise level.

Art and Development – recommended a condition seeking a public art programme

Listed Building and Conservation Officer - No comments.

Arboricultural Officer – no objection subject to condition to secure the implementation of the submitted tree report.

Ecology Officer – no objection subject to conditions.

PROW Officer – no objection in principle, advised that an application is required for diverting the existing footpath to rectify the current situation.

Designing Out Crime Officer – No objection.

Drainage Engineer – No objection subject to conditions

Highway Structure – no comments

Environmental policy and Climate Change – no objection.

Archaeology Officer – no comments

Landscape Officer – no objection subject to condition.

CLH Pipeline System – objected to the original plan as it appears that the proposed development is to be constructed within close proximity to CLH-PS apparatus. Such work would require consent from CLH-PS and the proposed development would restrict access to the pipeline for routine maintenance and in an emergency situation. The applicant submitted further information to address the concerns and the CLH PS has been informed. No further comments were received.

### **Other Representations**

#### 4.3 Local Residents

3 letters have been received and the comments are summarised as follows:

- Noise from lorries with engines running
- light pollution
- Noise from slamming lorry doors and sounding of horns at 3am
- The 'copse' like area is very overgrown and the area is poorly maintained.
- A very tree (over 20ft) is growing in the sloping bank, there is concern that this may fall onto the two bungalows

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy CS5 of the adopted Core Strategy identified land in the Cribbs Causeway and Patchway as having the potential to accommodate residential development and associated facilities. The site for this proposal lies within the Cribbs Patchway New Neighbourhood. Policy CS26 states that within the new neighbourhood through the preparation and adopted of a Supplementary planning Document, provision will be made for major residential development, employment land, and greater diversity of commercial uses. As such in the

- medium to long term there is an aspiration the site is developed as part of this mixed use development.
- 5.2 The site is allocated as an interim Safeguarded Employment Sites within CS12. The supporting paragraph of Policy CS12 states a priority on the safeguarded sites will be given to use which fall within the B Use Classes. Given that the proposal is to redevelop the site for employment uses, therefore there is no objection in principle to the proposal from the economic development perspective.
- 5.3 Whilst the proposal would not comply with CPNN SPD given the nature of the scheme, it is noted that the proposal would provide higher quality employment units within Use Classes B1c, B2 and B8 on site, and such development would likely make significant economic benefits to the locality. Therefore, the proposed development is considered to help the development of sustainable communities and would not undermine Policy CS26, which seeks a major mixed use development in the Cribbs/Patchway New Neighbourhood. Therefore there is no objection in principle to the proposed development.
- 5.4 Design / Visual amenity  
The proposal is to demolish the existing Unit 8 and 9 and to erect 1 no. new storage / distribution unit with ancillary uses (Class B8) to replace Unit 9 and 3 no. new units for a flexible range of employment uses with ancillary uses (within Classes B1c, B2 and/or B8) to replace Unit 8. The proposed units would be finished with curtain walling cladding systems and the profile metal roofing. The submitted Design and Access Statement has provided the material details, which are considered appropriated. The proposed new buildings would be of industrial appearance and they have been designed to meet the functional needs of the proposed uses. Given the context of the wider area and the established uses of the site, it is considered that the proposed buildings would not cause material adverse impact upon the character and appearance of the area. In addition, the buildings have been designed to comply appropriately with the crime prevention through environmental design principle, therefore there is no objection from this perspective.
- 5.5 Arboricultural and Landscape consideration  
The applicant has submitted arboricultural documents including Tree survey, constraints plan, tree protective plan and measures. The officers are satisfied with the submitted details, therefore there is no arboricultural objection subject to condition securing the implementation of the proposed protective measures.
- 5.6 From the landscape perspective, Units 8a/b and 8c appear to be some 25-30% taller than the existing Unit 8, and new Unit 9 some 40-50% taller than the existing. The submitted sections provided more clear information about the relationship of the proposed buildings and the adjacent properties. While the new buildings will be taller, Sections B and C show that the tree/vegetation planting along the bund would provide screening of the new buildings. Section D shows that the roof of Unit 9 may be visible behind the upper canopies of trees in winter months, but that the building will be largely screened from this location. A detailed planting scheme has also been submitted, the Council's Landscape Officer is satisfied with the submitted details. Subject to conditions securing the proposed hard and soft landscaping scheme and seeking further

details of the boundary treatment including retaining wall and security fences, there is no landscape objection to the proposal.

5.7 Residential Amenity

The nearest residential properties are located to the east of the site, and the proposed new units would be significantly taller than the existing buildings. However, given that the site boundary would be approximately 24 – 32 metres away from the boundary of the residential properties, it is considered that the proposed units would not cause unreasonable overbearing or overlooking impacts upon these residents. .

- 5.8 Residents' concerns are noted. In terms of acoustic issues, the applicant submitted an Environmental Noise Assessment report with the application and the Council's Environmental Protection Officer is satisfied with the submitted report and raised no objection subject to a condition restricting the noise level of the proposed units. Given that the proposal would intensify the employment use of the site and the proximity to the residential area, it is considered that it would be reasonable to impose a condition to seek a detailed operational management plan and further details including an acoustic report regarding the proposed sprinkler tank and pump room to ensure that the amenity of the residents are adequately safeguarded.

5.9 Highway and Transportation

This proposal has been subject to a pre-app consultation and the applicant has submitted adequate details. The applicant has also indicated Electric Vehicle Charging Points (EVCP) for all units, together with secure undercover cycle parking (including showers) for staff and visitors. Furthermore, a Framework Travel Plan (FTP) was also provided and it would enable the impact of this proposal to be mitigated when compared with the extant position, which has no requirement for a Travel Plan/cycle parking EVCP due to the time when they were constructed. Whilst there is an increase in usable floor space when compared with the extant situation, the increased sustainable practices that are included with this proposal are considered to offset this to a level where there is unlikely to be a severe highway safety issue to object to. The applicant also submitted a travel management plan for the demolition phase. Subject to condition seeking a Construction Traffic Management Plan that deals with the demolition and construction processes and restricting no lorries routed northward via Coniston Road and that all vehicle wheels are washed and the load sheeted in order to keep dust down, there is no transportation objection to the proposal.

5.10 Public Rights of Way

This application will affect public footpath OPA13. It is noted that the legal line of the public footpath currently passes through the site and the northern elevation of existing building 8 (and 6), however the footpath has not been legally diverted when original buildings were obstructed, and fortunately there is a well-used alternative outside the site boundary for the public to use. The applicant has indicated that Unit 9 will be firstly redeveloped and has also agreed that Unit 8 would not be rebuilt until the footpath was legally diverted. On that basis, the PROW officer has no objection in principle to the proposal. The case officer has considered if a planning condition should be imposed. Given that the application for the diversion will be considered separately under

section 257 of the Town and Country Planning Act 1990, it would not be necessary to impose such condition.

#### 5.11 Ecological Issues

A Preliminary Ecological Desktop Appraisal and Ecological Enhancement (Ecology Solutions, January and April 2020) has been submitted with the application. No designated sites will be affected by this proposal.

**Bats** - The buildings were not subjected to an internal inspection and were assessed via aerial imagery. There were assessed as being of negligible potential.

**Great crested newt (GCN)** - There are waterbodies within the local area with local records of great crested newts. Though it is unlikely that great crested newts will be within the application site due to the habitats present, disturbance to terrestrial areas will need to be under a precautionary approach.

**Birds** - There is potential for nesting birds within the buildings, and potentially surrounding vegetation. Any works to the buildings or vegetation including trees are to be undertaken outside nesting bird season, if this is not practical a suitably qualified ecologist will need to carry out an inspection immediately prior to works.

**Hedgehog** - The likelihood of hedgehogs being present is low, however precaution for all wildlife is to be adhered to.

Additional information were submitted relating to a pre-inspection of the buildings for bats and supervisory works for the removal of vegetation. Officers are satisfied with the submitted details, therefore no further work is needed. An informative will be attached to the decision to advise the applicant that if any bats or great crested newts are recorded in any part of the development, works are to stop immediately and a suitably qualified ecologist to be consulted. In addition, all excavations that are created are to be covered overnight or infilled, checked on a regular basis and installed with a ramp to ensure any animals that become trapped have means for escape. In conclusion, there is no ecological objection subject to planning conditions to safeguard the wildlife habitats and protected species.

#### 5.12 Art and development

Policy CS23 of the adopted Core Strategy states that schemes that will attract a large number of users need to demonstrate how the proposals will contribute to the objectives of the South Gloucestershire Cultural, Heritage and Arts Strategies. Whilst this application makes no reference to public art in its Design and Access Statement nor has a specific document relating to public art, officers are mindful that the proposal is to redevelop the existing warehouses to provide new buildings to meet operational requirements. Given the nature and location of the scheme, it is considered that it would not be reasonable to impose a condition seeking a scheme of public art.

#### 5.13 Response to Climate Change

The proposal has been designed to reduce emission through improvement in fabric, air permeability and roof mounted PV. In addition, EV charging points,

cycle storage are proposed. The applicant submitted further statement to address the elements that were raised by the officers. The submitted statement indicated that a hierarchical approach was followed for the energy strategy. The first step in the energy hierarchy would be energy efficiency and the aim is to reduce the energy demand through the specification of energy efficiency measures. The energy demand and CO2 emissions of the development were reduced through the specification of 7kWp photovoltaics. Due to the specification of rooflights for daylight purposes, further PV panels could not be specified. In addition, the thermal standards of the wall and roof cladding would meet and over the building regulations. The VRF units will also comply with the 2014 EU F-Gas Regulation (517/2014) which bans the use of highway GWP gases. Furthermore, cooling systems have been specified and the risk of overheating has been mitigated through the specification of low g-values and louvres and the development would also comply with building regulation limiting effects of solar gains. Officers are satisfied with the submitted details, therefore no further objection to this regards.

#### 5.14 Other matters

To address the concerns raised by the CLHP Pipeline System, the applicant clarified that the buildings and building foundations are located outside the pipeline easement zone. The foundations to the buildings will be designed by the structural engineer to ensure that they would not impose loads or surcharge the pipeline. In addition, the site layout is updated to locate parking bays rather than the roadway over the pipeline in order to mitigate impacts on site parking in the event that CPL have to access the site to carry out excavations and repairs. A protective reinforced concrete slab will be laid over the pipeline to be designed by the structural engineer, in order to ensure that loads from vehicles do not surcharge and cause damage to the pipeline. Principal drain runs and services media will not run longitudinally along the line of the easement but rather only cross it transversely, wherever practicable. Arrangements will be agreed to ensure that Fisher German have continued 24 hours emergency access rights to the pipeline. Details will be submitted to Fisher German of all construction designs and contractor's method statements for working in close proximity of the pipeline for their approval, not to be unreasonably withheld or delayed, in order to enter into a Works Consent Agreement between the Applicant and Fisher German. Given that the applicant has fully clarified the issues and the CLHP has been informed, therefore the application can be determined as it submitted.

#### 5.15 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.

### **CONDITIONS**

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

Reason

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

2. Prior to the commencement of the relevant phase of the proposed development hereby approved, other than demolition, full details of surface water drainage including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2012.

3. Prior to the commencement of the relevant part of the development hereby approved, other than the demolition of existing building at Unit 9, a detailed Construction Traffic Management Plan that deals with the demolition and construction processes and any construction compound shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, no lorries shall route northward via Coniston Road and any vehicle wheels shall be washed and the load shall be covered in order to keep the dust down. Development shall be carried out in accordance with the agreed details.

## Reason

In the interests of highway safety, and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. The proposed development hereby approved shall be carried out in accordance with the submitted Tim Pursey Arboricultural report and BS: 5837:2012.

## Reason

In the interests of the long term health of the tree, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

5. The proposed hard and soft landscape and the subsequent maintenance shall be carried out in accordance with plans and LEMP submitted on 19th August 2020, Document and Drawing No. DLA-1981-LMP-01-RevP02, DLA-1981-L-03-REVP04, DLA-1981-L-04-REVP04, DLA-1981-L-05-REVP04 and DLA-1981-L-06-REVP04.

## Reason

To protect the landscape character of the site and the area, and to accord with Policies PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

6. Prior to the commencement of the relevant part of the development a plan indicating the positions, design, materials and type of boundary treatments including any retaining walls and security fences and measures to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

## Reason

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

7. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Desktop Appraisal and Ecological Enhancement (Ecology Solutions, January and April 2020). In addition, the works to the buildings should avoid bird nesting season as per the addendum (Ecology Solutions, August 2020).

## Reason

To ensure the works are carried out in an appropriate manner and in the interests of the wildlife habitats and protected species, and to accord with Policy PSP19 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November



2017) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

8. Prior to the first occupation of the proposed development hereby approved, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- i. Identify those areas/features on site that are particularly sensitive for bats, and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - ii. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

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

9. All ground disturbance in areas of terrestrial habitat that could support great crested newts is to be supervised by a suitably qualified ecologist due to local records close to the site.

Reason

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

10. Prior to first occupation of proposed development hereby approved, evidence of the installation of the ecological enhancement features recommended in the Preliminary Ecological Desktop Appraisal and Ecological Enhancement (Ecology Solutions, January and April 2020) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes and native planting (PSP19).

Reason

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

11. The off-street parking facilities for all vehicles, including cycles and the proposed electric charging points 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 PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

12. The Rating Noise Level of any associated fixed plant/machinery shall not exceed the pre-existing LA90 Background Noise Level when measured and assessed in accordance with the British Standard 4142 as amended.

Reason

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

13. Notwithstanding the submitted drawing, No. 11023 P 003D and 11023 P 001 F, prior to the installation of the galvanised steel sprinkler tank and the construction of the pump room, full details of the said elements and an acoustic report 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 amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

14. Prior to the first occupation of the each unit hereby approved, a detailed operational management plan safeguarding the amenity of the nearby residents 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 amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the National Planning Policy Framework.

**POLICIES CONSIDERED IN THE DETERMINATION OF THIS APPLICATION:**

**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

CS8- Improving Accessibility

CS9 - Managing the Environment and Heritage  
CS12 - Safeguarded Areas for Economic Development  
CS23 - Community Infrastructure and Cultural Activity  
CS25 - Communities of the North Fringe of Bristol Urban Area

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

PSP1 - Local Distinctiveness  
PSP2 - Landscape  
PSP3 - Trees and Woodland  
PSP6 - Onsite Renewable and Low Carbon Energy  
PSP8 - Residential Amenity  
PSP10 - Active Travel Routes  
PSP11 - Transport Impact Management  
PSP16 - Parking Standards  
PSP17 - Heritage Assets and the Historic Environment  
PSP19 - Wider Biodiversity  
PSP21 - Environmental Pollution and Impacts  
PSP26 - Enterprise Areas  
SPD3 - Design Checklist SPD (Adopted) August 2007  
SPD7 - Renewables SPD (Adopted) November 2014  
SPD11 - Waste Collection SPD (Adopted) January 2015 (updated March 2017)  
NAT5 - National Planning Policy Framework  
NAT6 - Planning Practice Guidance

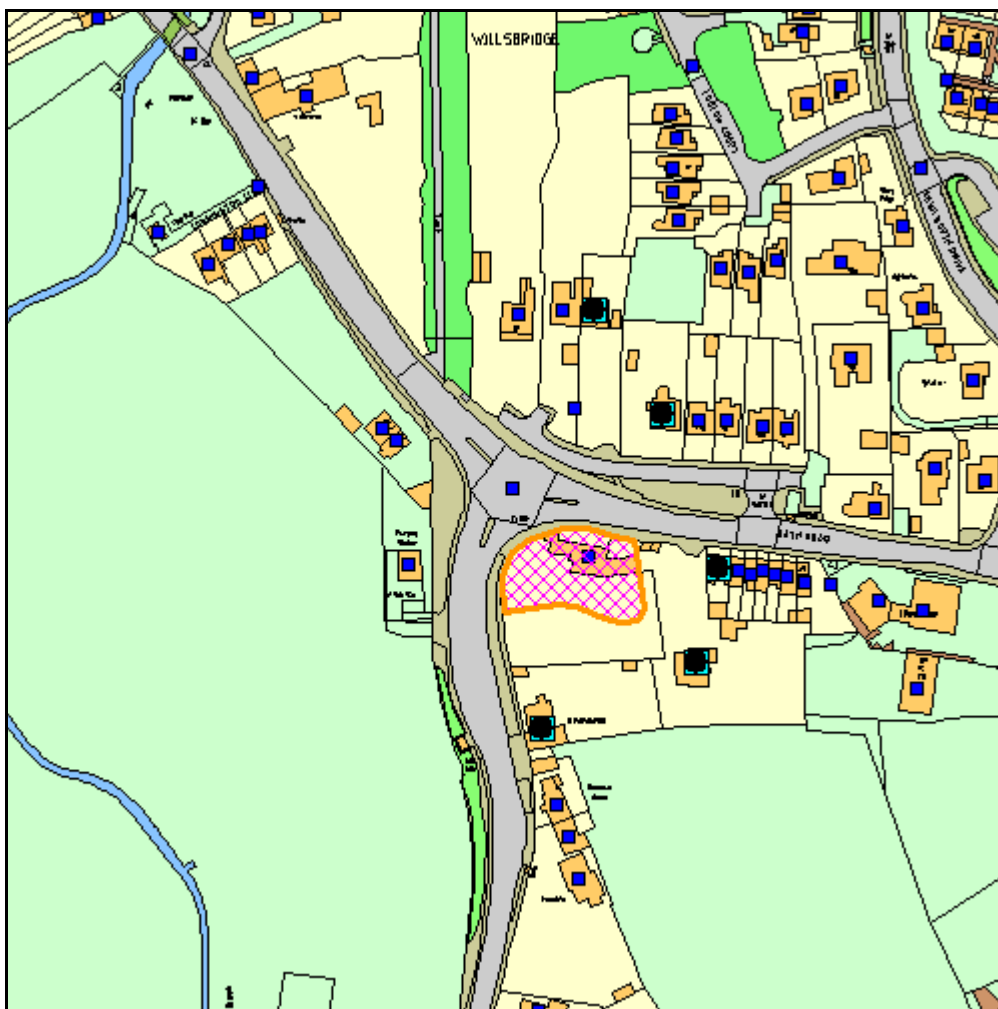
**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.  
POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: The applicant has been given opportunities to address the planning issues and the application has been subsequently determined in a positive manner.

**Case Officer: Olivia Tresise**  
**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 40/20 -2nd October 2020**

<b>App No.:</b>	P20/08857/F	<b>Applicant:</b>	J LANGDON
<b>Site:</b>	96 Bath Road Willsbridge South Gloucestershire BS30 6EF	<b>Date Reg:</b>	4th June 2020
<b>Proposal:</b>	Conversion of garage and part of existing house to facilitate no. 1 dwelling with associated works.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	366643 170335	<b>Ward:</b>	Bitton And Oldland Common
<b>Application Category:</b>	Minor	<b>Target Date:</b>	23rd July 2020



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N.T.S.

P20/08857/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 consultation responses received, contrary to Officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application is for the conversion of a garage and part of an existing house to facilitate no. 1 dwelling with associated works and the addition of double garage to the rear of the property.
- 1.2 The application site is the garage/side area of no. 96 Bath Road, Willsbridge, located within the associated curtilage. The proposals involve an existing two storey building and associated curtilage.
- 1.3 The site is located adjacent to the main Bath Road, the new garage access would via the private road to the side. A revised red line boundary plan, incorporating access to the rear of the site, was submitted and reconsulted.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework  
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
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

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

PSP8	Residential Amenity
PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP37	Internal Space and Accessibility Standards for Dwellings
PSP38	Development within Existing Residential Curtilages
PSP42	Custom Build Dwellings
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance  
Residential Parking Standards SPD (Adopted) December 2013

Design Checklist SPD (Adopted) 2007  
 Community Infrastructure Levy and Section 106 Planning Obligations Guide  
 (Adopted) March 2015

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

#### 3.1 On land to the rear:

PK14/4435/O - Demolition to part of existing dwelling. Erection of 2 No. dwellings (Outline) with access and layout to be determined all other matters reserved. Approved 24.07.2015

PK17/1389/F - Erection of 3no new detached dwellings with access and associated works. Withdrawn 02.08.2017

PK17/4250/F - Erection of 2no. detached dwellings with new access and associated works. (Re submission of PK17/1389/F). Approved 18.01.2018

### 4. **CONSULTATION RESPONSES**

#### 4.1 Bitton Parish Council

The Parish Council raise concerns with regards to the access onto a busy roundabout. The parking for the new dwelling appears to be at the rear and accessed by the lane serving a number of other dwellings. Is the lane and the access on to Bath Road suitable for extra traffic?

#### Highway Structures

No comment

#### Lead Local Flood Authority

No objection

#### Sustainable Transportation

No objection in principle, subject to amendments/conditions to provide adequate visibility and conditions to secure parking provision.

### **Other Representations**

#### 4.3 Local Residents

Three letters of objection had initially been received, with a further two, upon reconsultation, from residents that had previously responded, raising the following concerns:

- Impact of increased traffic, combined with other development currently in progress
- Increase pressure on the access at this already busy location near to a roundabout
- Potentially hazardous with more cars pulling into and out of the lane
- Impact upon car parking in the locality
- No provision for cars to turn within the site
- Concerns about visibility
- Impact of additional traffic when combined with the development occurring behind

- There is a wall that has been constructed which may impede visibility
- The amended block plan appears to include land over which applicant only has a right of way, presumably to added to demonstrate there is sufficient space for a car to access and exit
- Over intensification of development when combined with other developments in the area, other plans in the area have been reduced
- Any open aspect to the site will be lost with another double garage
- There are locally listed properties in the area and this will be out of keeping
- The block plan and location plan does not show the development of large houses to the rear, currently underway
- Concerns over further disruption during development

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

5.2 The NPPF emphasis is on sustainable growth, including boosting housing supply and building including through windfall development. The NPPF indicates a presumption in favour of sustainable development except where adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the framework indicate development should be restricted. The site is located within the defined settlement boundary, with other residential dwellings surroundings. The proposals would lead to the formation of an additional dwelling in a sustainable area and would make a modest contribution towards overall housing supply and diversity of housing in the area.

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

### 5.4 Residential Amenity

The proposals are for a two bedroomed dwelling. The key tests would be whether it can provide suitable living accommodation and associated requirements. The proposals itself would provide an additional unit in a residential area offering a relatively small alternative to larger dwellings. The dimensions are acceptable providing sufficient living space. In terms of the dwelling itself, the building is of sufficient scale with sufficient provision for room space. There is sufficient private amenity space provided, to accord with the Councils adopted amenity space standards for a 2 bedroom dwelling. Sufficient space would also remain around the host dwelling.

5.5 The use of the building itself would not give rise to any amenity issues associated with other nearby properties in terms of overbearing impact. The proposals are considered acceptable in terms of residential amenity.

### 5.6 Design

There are a variety of designs, scales and materials in buildings in the immediate vicinity and a varied streetscape. The building is existing, and the nature of the conversion would not involve such changes that would give rise to any material visual amenity concerns. The addition of the garage to the rear would not give rise to any specific visual amenity concerns in its own right. Materials are considered acceptable. The proposals are considered acceptable within the context of the existing site and surroundings.

### 5.7 Highways

The gated access to the front of the dwelling is existing, as is the access road to the side which would be used for the double garage. Sufficient provision for off-street parking is made for both dwellings, in accordance with the Council's adopted standards for dwellings. The addition of one dwelling at this location through the proposed conversion is considered acceptable. The granting of planning permission would not grant access rights over land not within the applicants control. The dog leg wall at the end of the new footway and immediately left of the new parking spaces as the site is exited may obstruct intervisibility between emerging vehicles and vehicles and pedestrians entering the private drive to the permitted dwellings located to the rear. To provide the necessary intervisibility it is recommended that this section of wall be reduced in height to 600mm. The lower height recommended is to enable pedestrians, children and other cars to be seen. A condition is therefore recommended to reduce the height of the wall next to the garages. Conditions are also recommended to secure the parking provision. There are no highways objections in principle to the proposals at this location on this basis.

### 5.8 Equalities

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

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

## 6. CONCLUSION

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



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

## 7. **RECOMMENDATION**

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

**Contact Officer: Simon Ford**

### **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 new garage and car parking area to the front of it shall not be brought into use until the adjacent wall abutting the footway has been reduced in height to 600mm in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

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

3. The off-street parking facilities shown on the plan hereby approved 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.

4. The new garage and adjacent parking area shall not be brought into use until a dropped kerb conforming to the Councils specification for vehicle crossovers has been provided at the entrance to the site from Bath Road.

Reason:

In the interests of highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan Adopted November 2017.

5. The development shall not be occupied until two covered and secure cycle parking spaces have been provided for the new dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety and to accord with Policy PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan Adopted November 2017.

**POLICIES CONSIDERED IN THE DETERMINATION OF THIS APPLICATION:**

**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.**

**POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked in a positive and proactive manner in seeking a satisfactory resolution to the application, in accordance with the relevant policies.

**Case Officer: Simon Ford**

**Authorising Officer: Marie Bath**