

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: 49/20

Date to Members: 04/12/2020

Member's Deadline: 10/12/2020 (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 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 (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:

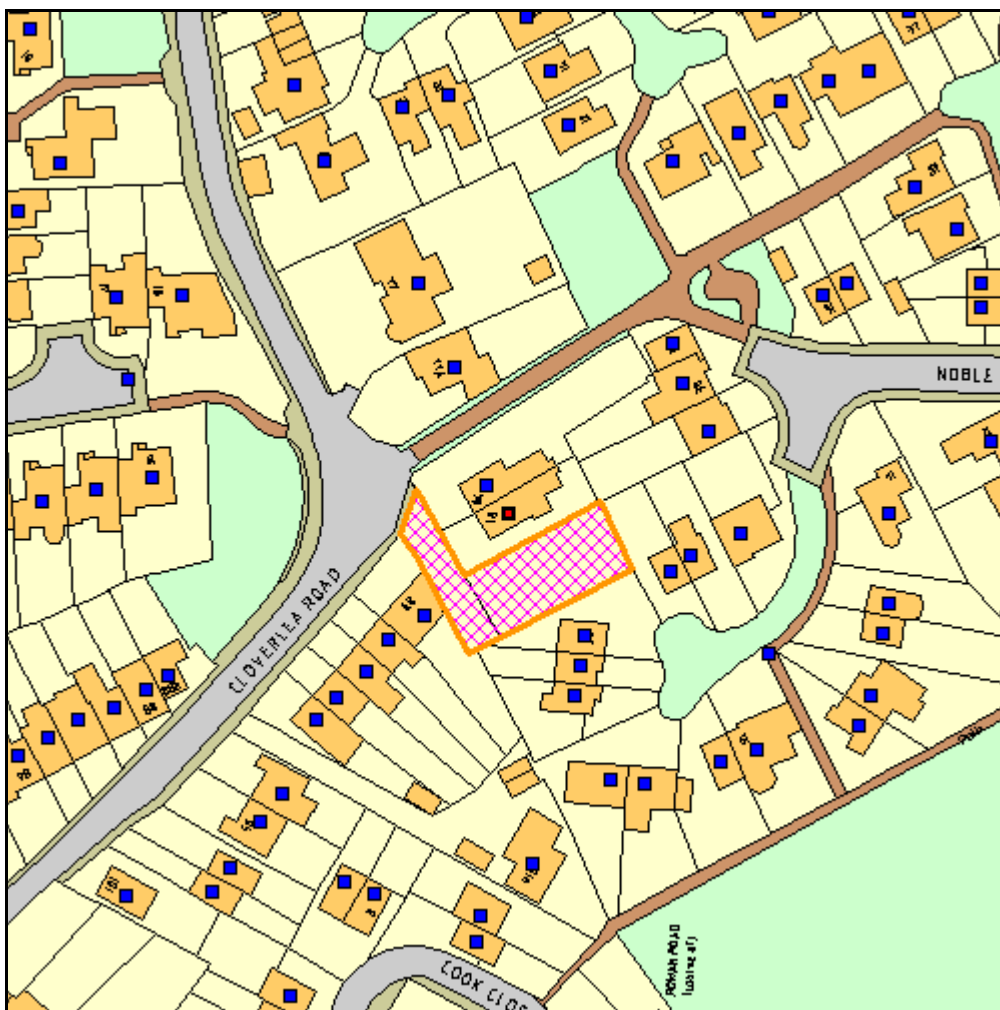
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 04 December 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/09796/F	Approve with Conditions	81 Cloverlea Road Oldland Common South Gloucestershire BS30 8TX	Bitton And Oldland	Bitton Parish Council
2	P20/11370/F	Approve with Conditions	Land On The Corner Of Soundwell Road And Ingleside Road	Kingswood	
3	P20/12921/F	Approve with Conditions	25 Salisbury Gardens Downend South Gloucestershire BS16 5RF	Staple Hill And Mangotsfield	Downend And Bromley Heath Parish Council
4	P20/13909/F	Approve with Conditions	Land North And West Of Iron Acton Substation Iron Acton South Gloucestershire BS37 9TX	Frampton Cotterell	Iron Acton Parish Council
5	P20/18074/TRE	Approve with Conditions	59 Cleeve Hill Downend South Gloucestershire BS16 6EU	Frenchay And Downend	Downend And Bromley Heath Parish Council
6	P20/18886/F	Approve with Conditions	26 Braemar Crescent Filton South Gloucestershire BS7 0TD	Filton	Filton Town Council
7	P20/20728/F	Approve with Conditions	8 Downfield Drive Frampton Cotterell South Gloucestershire BS36 2EQ	Frampton Cotterell	Frampton Cotterell Parish Council

CIRCULATED SCHEDULE NO. 49/20 -4th December 2020

App No.: P20/09796/F	Applicant: Mr B Burgess
Site: 81 Cloverlea Road Oldland Common South Gloucestershire BS30 8TX	Date Reg: 11th June 2020
Proposal: Erection of 1 no. detached dwelling and associated works.	Parish: Bitton Parish Council
Map Ref: 367364 171896	Ward: Bitton And Oldland Common
Application Category: Minor	Target Date: 31st July 2020



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 100023410, 2008. N.T.S. P20/09796/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following three objections by neighbouring residents, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 1no. detached dwelling with associated works at 81 Cloverlea Road, Oldland Common.
- 1.2 This application site comprises a semi-detached dwellinghouse and moderately sized parcel of land directly to the south. The site is located within the established residential area of Oldland Common. The site is situated within the development boundary and is not covered by any restrictive policies.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

- CS1 High Quality Design
- CS5 Location of Development
- CS8 Improving Accessibility
- CS15 Distribution of housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS29 Communities of the East Fringe of Bristol Urban Area

South Gloucestershire Policies Sites and Place Plan Adopted 2017

- PSP1 Local Distinctiveness
- PSP8 Residential Amenity
- PSP16 Residential Parking Standards
- PSP37 Internal Space and Accessibility Standards for Dwellings
- PSP38 Development within Residential Curtilages
- PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist
South Gloucestershire Residential Parking Standards

3. **RELEVANT PLANNING HISTORY**

- 3.1 Ref. PK16/4093/F. Approved 27/1/2017
Proposal: Erection of 1no dwelling and associated works.

4. **CONSULTATION RESPONSES**

- Parish/ Town Council
4.1 Bitton Parish Council - No objection.

Internal Consultees

- 4.2 Sustainable Transport – Insufficient information based on parking provision. Objection. [Officer Comment]: Revised information has been received that resolves this objection.
- 4.3 Lead Local Flood Authority - No objection.
- 4.4 Highway Structures - No comment.
- 4.5 Ecology – No objection subject to conditions.
- 4.6 Coal Authority – No objection subject to conditions.

Local Residents

- 4.6 Three letters of objection has been received from neighbouring residents, key points have been summarised as following:
- Loss of view;
 - Impact on mental health;
 - Impact on health;
 - Noise nuisance from crows;
 - The space should be kept open;
 - Too many houses and not enough open space;
 - Overlooking;
 - Loss of privacy;
 - Loss of light/ overshadowing; and
 - Result in rats.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
The NPPF emphasis is on sustainable growth, including boosting housing supply and building including through windfall development, except where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policy framework.
- 5.2 Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of north and east fringes

of the Bristol urban area. CS5 also outlines that new development will be of a scale appropriate to achieve greater self-containment, improving the roles and functions of towns, with a focus on investment in the town centres and improving the range and type of jobs. The application site is located within the defined settlement boundary of Oldland Common, and the scale of development is considered appropriate for this location. As such, based solely on the location of the site, the principle of the development is acceptable.

- 5.3 The development is acceptable in principle under the provisions of policy CS5, and it is acknowledged that the provision of one additional three-bedroom dwelling towards housing supply would have a negligible socio-economic benefit. However the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm. For this type of development at this location, the further areas of assessment are; design and visual amenity, residential amenity, and transportation.
- 5.4 Notwithstanding, a previous application for a similar proposal was granted full planning permission under reference no. PK16/4093/F. Albeit, at the time permission was granted the council were unable to demonstrate a 5 year land supply - thus the principle of development was established through paragraph 49 of the previous NPPF (2012). As the council can now demonstrate a 5 year land supply, full weight is afforded to the policies of the local development plan.

Design and Visual Amenity

- 5.4 Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Furthermore, Policy PSP1 of the Policies, Sites and Places Plan outlines that development proposal should demonstrate an understanding of, and respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area /locality.
- 5.5 The immediate surrounding area is made up of an array of building types, from terraces, to semi-detached and detached dwellings, from a range of different eras. Set-backs and amenity space form dominant features, with this section of Cloverlea Road arching around an area of open green space. The approach taken by the applicant is to produce 1 no. three-bedroom unit to sit at the end of the access lane, beyond the pair of semi-detached properties Nos. 81 and 79 Cloverlea Road. These properties are attractive stone fronted Victorian type semis with yellow brick quoin detailing. These sit at the head and to one side of the cul-de-sac, with properties of a more modern and varied style surrounding them. No. 79 benefits from a vehicular access off the main road with only its pedestrian access off the unmade up lane, whereas access for No. 81 and the proposed new dwelling would be entirely off this currently unmade up lane.
- 5.6 With respect to appearance, as the dwellinghouse would be immediately adjacent to and read as being a continuation of this small row, design should reflect and be in-keeping with these houses as much as possible. Therefore, the use of stone is welcomed, as is the bay window. It is acknowledged that the

proportions of the house in terms of its width would be larger than its neighbours, however the ridge height would be no higher than No. 81 and being located at the end of this small lane, in a relatively discrete location, the difference in size would not have an adverse impact on the street scene.

- 5.7 The property would have an east-west orientation and openings would be located in the front and rear elevations at ground and first floor with additional ground floor windows in the north elevation of the main. A single storey lean-to addition would be provided to the southern elevation. Two parking spaces would be provided for both the host and the proposed property, with an area of soft landscaping remaining to the front. In terms of its appearance, scale and style and it is considered that the proposed dwellinghouse is appropriate to the plot size and in-keeping with the character and appearance of the site and its context. However, the design incorporates extension type elements, with the side and rear projections. As such, to ensure the character and appearance of the property and its context is respected, in addition to retaining adequate levels of residential amenity, permitted development rights should be restricted upon approval. The proposed development would therefore comply with policy CS1 of the Core Strategy (Adopted 2013), and policy PSP1 of the Policies, Sites and Places Plan (Adopted 2017).
- 5.8 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.9 The proposed dwellinghouse would sit within the side garden of No. 81. Properties to the west and east are side-on to proposed dwelling with their respective rear gardens being opposite the proposed new dwelling. With regards to the property to the south at No. 25 Nobel Avenue. This property is set at an angle to the proposed new dwelling, at about 6 metres from the 2 storey element and 3.5m from the single storey side addition, and separated by fencing of about 1.8 metres in height. Whilst one window is proposed at first floor level, subject to a condition to ensure this window is fully obscure glazed and non-opening below 1.7m, the proposal would not result in any adverse impacts regarding overlooking or loss of privacy for the neighbours.
- 5.10 With regards to loss of light/ increased over-shadowing, the proposed new dwelling would be situated a sufficient distance from the neighbouring properties to not result in any unreasonable harm. Whilst acknowledged there could be some level of overshadowing to no.29, this would not be until the latter part of the day, with there being no change for the rest of the daylight hours. With regards to loss of outlook, due to the size and scale of the proposed property, it would be it would not result in unreasonable harm – nor would it be so close to the boundary to result in an overbearing impact.

- 5.11 Regarding the provision of private amenity space, over 60m² would be provided for both properties which would be sufficiently private, with a 1.8m cbf being used to define the curtilages. As such, the proposed development would comply with policies PSP8 and PSP43 of the Policies, Sites and Places Plan (Adopted 2017).
- 5.12 Sustainable Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the councils parking standards. Both the existing and proposed property would be provided with 2no. parking spaces which conform to the required size. These spaces should be made available prior to first occupation so to minimise any potential disruption to the amenities of the area.
- 5.13 In line with the councils recent declaration of a climate change emergency and central governments push towards a more sustainable future, increased weight is being afforded to the councils sustainability policies. As such, the provision of one electric vehicle charging point should be made available for the proposed dwelling prior to first occupation. Subject to this condition, the proposed development would comply with policy CS8 of the Core Strategy (Adopted 2013).
- 5.14 Coal Mining
The supporting mining reports have been reviewed by the Coal Authority, who have confirmed that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground shallow coal mining. The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.
- 5.15 Ecology
An Ecological Appraisal (Crossman Associates, November 2020) has been submitted and reviewed by the councils ecologist. It has been deemed from the information submitted that the site is of relatively low ecological value and no further surveys are required. No objections are raised subject to the recommended ecological protection and enhancement conditions as provided within the ecologist response. As such, the proposed development would comply with PSP19 Policies, Sites and Places Plan (Adopted 2017).
- 5.16 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to 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. The development hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

EXISTING BLOCK PLAN; GROUND, FIRST AND ATTIC PLANS. Received by the council on 18 August 2020. 1ST FLOOR PLAN; LOCATION SITE PLAN; PROPOSED BLOCK PLAN; PROPOSED ELEVATIONS. Received by the council on 4 June 2020.

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

3. Prior to the first occupation of the development, the proposed parking to the frontage of both the existing and approved dwelling needs to be available.

Reason

To minimise disturbance to the neighbours and to accord with Policies PSP8, PSP16 and PSP38 of the Policies, Sites and Places Plan (Adopted 2017) and the provisions of the National Planning Policy Framework.

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and private amenity space, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2 and PSP38 and PSP43 of the Policies, Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

6. The new dwelling hereby permitted shall not be occupied until at least one Electric Vehicle Charging point (or other ultra- low facility) has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable travel and to accord with SGC Policy CS8 and SGC Supplementary Planning Document on residential car parking standards.

7. No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Reason:

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to avoid remedial action, and to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

8. Where the findings of the intrusive site investigations (required by condition no7 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the

development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason:

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to to avoid remedial action, and to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

9. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Appraisal (Crossman Associates, November 2020) which includes sensitive timing to avoid nesting bird season when clearing the site, where this is not practical a suitably qualified ecologist is to carry out a pre-commencement check, a precautionary approach to vegetation cutting and clearing to ensure hedgehogs and reptiles are not harmed during the development and a precautionary approach to the demolition of the two dilapidated buildings on site.

Reason:

To ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

10. Prior to occupation, 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:
- 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
 - 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 wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

11. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the Ecological Appraisal (Crossman Associates, November 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, native planting and hedgehog highways (holes cut within any fences installed on site to allow safe passage for hedgehogs) (PSP19).

Reason:

To ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

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

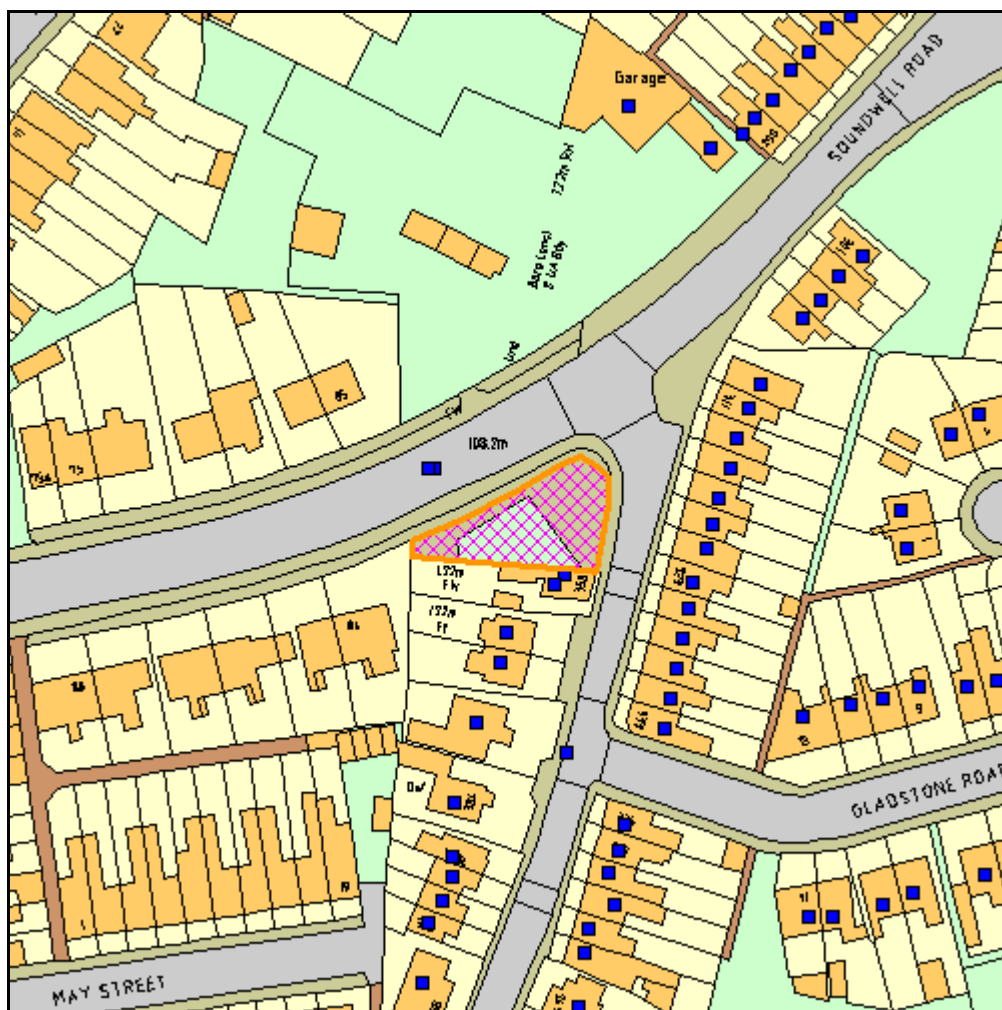
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: the application has been determined within a timely manner and amendments sought in order to provide a positive recommendation.

Case Officer: Thomas Smith

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 49/20 -4th December 2020

App No.:	P20/11370/F	Applicant:	Whitehorse Homes Ltd
Site:	Land On The Corner Of Soundwell Road And Ingleside Road	Date Reg:	2nd July 2020
Proposal:	Erection of a three storey building to form 7no self contained flats, with access and associated works.	Parish:	
Map Ref:	364492 174354	Ward:	Kingswood
Application Category:	Minor	Target Date:	24th August 2020



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P20/11370/F

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from 7no local residents which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a three storey building to form 7no self-contained flats with access and associated works.
- 1.2 The application site relates to land on the corner of Soundwell Road and Ingleside Road which is located on the boundary between South Gloucestershire and Bristol. The majority of the site falls within the defined East Fringe of Bristol Urban Area with a very small section of the site falling within Bristol City Council (BCC) on the eastern side. As a result BCC were consulted during the course of the application.
- 1.3 During the course of the application the proposal was reduced from 8 to 7 flats and subsequently a re-consultation was carried out. Amendments to the design of the building were also submitted at the request of the officer.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP11 Transport Impact Management

PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management.
PSP43	Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 P86/4579
 2 X 48 ADVERTISEMENT HOARDINGS AND 1 X 96 ADVERTISEMENT
 HOARDING (Previous ID: A372
 Advert Approval: 01/06/1987

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
 Unparished Area

- 4.2 Bristol City Council
 Comments received from transport development management, as follows;

- a small part of the parking spaces 1 and 2 look as though they are in Bristol. We have no objection to them (accesses from South Gloucestershire side).
- It is not clear what happens to the telegraph post. Whilst not primarily a planning matter it does serve Bristol residents and will need to be relocated. The presence of a tree (in Bristol) will make this more complicated. It may be that a number of consequential changes to phone lines are needed and new locations for telegraph posts have to be found.
- Parking space 1 is very close to the "Welcome to The City and County of Bristol" sign. Any works to this would need to be agreed with us but I can't see why it would need changing.

- 4.3 Sustainable Transport
 No transport objection subject to conditions.

- 4.4 Urban Design Officer
 Comments received on 11.11.2020, summarised as follows;

Positive elements

No significant overshadowing issues.
 Removal of 3 large advertising boards would be a significant benefit to the appearance of the streetscene.
 Support the creation of a 3-storey building in this location.
 General massing and height would be broadly acceptable.

Amenity Space

Possible overlooking from communal terrace.
 Lack of private amenity space.

Elevations

Not appropriate to apply traditional approach seen in 2-storey terraces houses to a 3-storey modern apartment block.

Local architecture and materials should be used as a reference.

Modern square shaped window is recommended and size increased.

Introduce balconies or other forms of private amenity space.

Remove bay window feature.

Amended roof form is welcomed and reduces the overall massing.

Very uniform across the whole of the block, raising up central section could provide some increased presence.

Materials unconvincing.

Side elevation (south) uninspiring.

Public Realm and landscaping

Lack of natural landscaping elements.

No path between parking spaces and lobby door, across communal green space.

Bins not enclosed.

Boundary treatment between building and pavement a concern.

Revised plans were submitted on 23/11/2020 in an attempt to address the points raised above.

4.5 Lead Local Flood Authority
No objection subject to condition.

4.6 Highway Structures
No comment.

Other Representations

4.7 Local Residents
Objection comments received from 7no. local residents, summarised as follows;

Design

- 3 storey building out of keeping with surrounding houses.
- Loss of green space.

Amenity

- Overlooking into bedroom windows and rear gardens.
- Loss of privacy, especially from the 3rd floor.
- Loss of natural light to surrounding houses.

Transport

- Block visibility for vehicles turning out of Soundwell Road.
- Junction already dangerous with fast moving traffic.

- Insufficient parking provided.
- Already pavement parking taking place in the area.

Other

- Construction noise and parking disruptive.
- Reduced sunlight will impact household bills.
- Will impact future re-sale of my house.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning permission is sought for the erection of a 3-storey block of 7no. self-contained flats.

Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that new development should be directed towards existing urban areas and defined rural settlements. The application site is located within the area defined as the East Fringe of the Bristol Urban Area. As such, based solely on location, the development is acceptable in principle.

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

5.2 Design and Visual Amenity

The application site sits in a prominent position on the corner of Soundwell Road and Ingleside Road; there are currently three large advertising hoardings located on the site and given its quality and location the grassed area is considered to be of little public value. The surrounding area consists of a mixture of architectural styles, from Victorian terraces to more modern development, of which the best forms use a distinctive natural stone for the walls.

5.3 The proposed building is three storeys in height and, broadly speaking, V-shaped to conform to the shape of the corner plot. During the course of the application the initially proposed hipped roof was amended to a flat roof design. This is considered by the officer to have successfully reduced the overall scale and massing of the development, resulting in a building which does not extend any higher than the adjacent property and is entirely appropriate for a modern block of flats in this location. The external materials would include natural stone rubble to the ground floor, with brickwork above which is deemed to be acceptable. However, the submitted plans reference two types of brickwork and it is therefore unclear what is being proposed; the officer's preference in this instance would be Weinberger chrome grey bricks for a more modern appearance which references the natural stone of the area well. The alternative red brick is not considered acceptable. Therefore, to ensure a satisfactory appearance in this prominent location, the proposed external materials will be secured by condition to be agreed in writing by the council.

5.4 In terms of layout, an area of hardstanding will be located to the east of the proposed building for parking with access from Ingleside Road; an additional

- single parking space would be located within a car port accessed via Soundwell Road. A communal garden would be sited to the south, infilling the V-shape of the building. The layout of the proposal is considered to be broadly acceptable given the unusual shape of the plot and would not appear overly cramped within the site. What is assumed to be low level planting has been indicated around the edge of the building and adjacent to car parking spaces 1 and 2, however no detail of proposed boundary treatments have been provided. Therefore, further landscaping details will be secured by condition.
- 5.5 Overall, the development is considered to be appropriate in size, scale and massing, and the appearance is deemed acceptable subject to the proposed conditions. As such the proposal is considered to be in accordance with policy CS1 of the Core Strategy.
- 5.6 Residential Amenity
Policies PSP8 of the PSP Plan (November 2017) sets out that development should not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties.
- 5.7 In terms of amenity space, Policy PSP43 of the PSP plan states that every new home should have access to suitable private and/or communal amenity space through, for example, one or more of the following: private gardens, communal gardens, courtyards, patios, balconies and roof terraces. The form of private amenity space will be dependent on the type of dwelling. Flats 4, 5 and 7 would all be afforded private balconies which could accommodate a table and chairs. In addition to this the proposal is providing a communal garden at ground floor level, approximately 50m² in area, and a communal roof terrace, approximately 40m² accessed from the third floor. It is acknowledged that some of the occupants would not have individual amenity space, however the communal outdoor areas are considered to be generous in size and it is therefore considered that a sufficient level of amenity space can be provided. The internal living space is also considered to be acceptable.
- 5.8 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. Concern has been raised of a potential loss of privacy and natural light from neighbouring occupiers, especially properties located on the opposite side of Soundwell Road and the rear gardens of properties to the south of the site.
- 5.9 While the proposal would be three storeys, the building has been kept to a reasonable overall height and would have an appropriate separation distance between surrounding properties as not to result in a material overbearing impact. Furthermore, given its siting to the north of adjacent rear gardens and the separation distance from properties on the opposite side of Soundwell Road, it is not thought to result in any substantial loss of light to neighbouring properties which would be so detrimental as to warrant refusal.
- 5.10 Although windows serving flats on the east elevation would be located opposite neighbouring properties, they would both be fronting the highway where privacy levels are already significantly reduced, and in built up residential areas such

- as Kingswood this is not deemed unusual. Furthermore, the proposed building would not be any further forward of the building line of the existing adjacent dwelling, no. 356 Soundwell Road. It is also not thought that any substantial loss of privacy would result from the proposed roof terrace given the careful placement of privacy screening as indicated on the proposed plans.
- 5.11 Given siting and angle of the proposed balconies on the north and north-west elevations, they not considered to result in any detrimental loss of privacy for neighbouring occupiers.
- 5.12 Sustainable Transport and Parking Provision
Policy PSP16 of the PSP plan require 1-bed flats to provides 1 parking space and 2-bedroom flats to provide 1.5 spaces, rounded down to the nearest whole number with the remainder provided as unallocated visitor space in close proximity. The application is proposing six 1-bed flats and one 2-bed flat; a total of 7 off-street parking spaces are provided within the site boundary and although it is acknowledged that there would be no visitor space allocation it is thought reasonable that this could be satisfied by the availability of on-street parking in the surrounding area. Furthermore, a cycle store would be located within the building which will promote more sustainable travel methods. Overall, the level of parking provision is considered to be adequate for the proposed development, in accordance with Policy PSP16.
- 5.13 Some concern has been raised by local residents in regards to highway safety at the junction of Soundwell Road and Ingleside Road, however the council's highways officer has indicated that sufficient visibility will be afforded to vehicles entering and exiting at both proposed access points. Furthermore, a Construction Environmental Management Plan should be submitted to the Local Planning Authority, to be agreed in writing, in order to reduce the impact on the busy junction and neighbouring residents during the construction period.
- 5.14 Bristol City Council's transport officer has highlighted the proposed parking spaces to the west of the site are located in close proximity to the 'Welcome to Bristol' sign and therefore any works to this would require permission from Bristol City Council. There is also a telegraph pole located in this area. This is not a material planning matter, however the applicant should gain any relevant permissions for its relocation.
- 5.15 Drainage
No objections are raised in principle to the proposed drainage at the site, however to ensure no remedial works are required at a later date, a condition will be included on any decision for surface water drainage details, including SUDS, to be agreed in writing by the council.
- 5.16 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.

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

5.18 Other Matters

It is accepted that there would be a degree of disruption to local residents during the construction period, however this would only be for a limited amount of time and it therefore cannot form a reason for refusal. That said, a construction environmental management plan is to be agreed in writing before the commencement of any work.

5.19 The re-sale value and household bills of neighbouring properties is not a material planning consideration and therefore cannot form a reason for refusal.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

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 samples of the external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. Prior to the first occupation of development a scheme of landscaping, which shall include details of proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

4. Prior to the first occupation of the development, the off-street vehicular parking, cycle storage and bin storage area shall be provided in accordance with the submitted plans and subsequently maintained thereafter.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety, security and the amenity of the area, and to provide alternatives to the private car to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

5. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS (e.g soakways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

For the avoidance of doubt this should include;

- A clearly labelled drainage layout plan showing the exact location of any soakaways.
- 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.

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. Information is required prior to commencement to prevent remedial works later on.

6. No development shall commence until a Construction Environmental Management Plan (CEMP) has first been submitted to and approved in writing by the Local Planning Authority. The CEMP as approved by the council shall be complied with at all times.

The CEMP shall address the following matters:

- (i) Measures to control dust from the construction works approved.
- (ii) Adequate provision for the delivery and storage of materials.
- (iii) Adequate provision for contractor parking.
- (iv) A lorry routing schedule avoiding Soundwell Road to the south of the site.
- (v) Use of a banksman for all reversing movements.
- (vi) Contact details for the Site Manager.
- (vii) Membership details of Considerate Contractor Scheme or similar.

Reason

In the interests of highway safety and to accord with Policy PSP11 of the South Gloucestershire Council Local Plan: Policies, Sites and Places Plan (Adopted) November 2017. Information is required prior to commencement as it relates to the construction period.

7. Prior to the first occupation of the development hereby permitted, and at all times thereafter, the proposed privacy screen serving the roof terrace (as indicated on the proposed floor plans) first shall be glazed with obscure glass to level 3 standard or above.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

8. Works shall be carried out in accordance with the approved Arboricultural Report and Tree Protection Plan compiled by Silverback Arboricultural Consultancy Ltd, received on 29th June 2020

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the trees, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013.

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

Received by the council on 29th June 2020;
Existing Site Plan (3223/1)
Site Location Plan (3223/6)

Received by the council on 2nd October 2020;
Proposed Roof Plan (3223/3 Rev B)

Received by the council on 23rd November 2020;
Proposed Site Plan (3223/2 Rev C)

Received by the council on 30th November 2020;
Proposed Floor Plans (3223/4 Rev C)
Proposed Elevations (3223/5 Rev C)

Reason

To define the terms and extent of the permission.

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

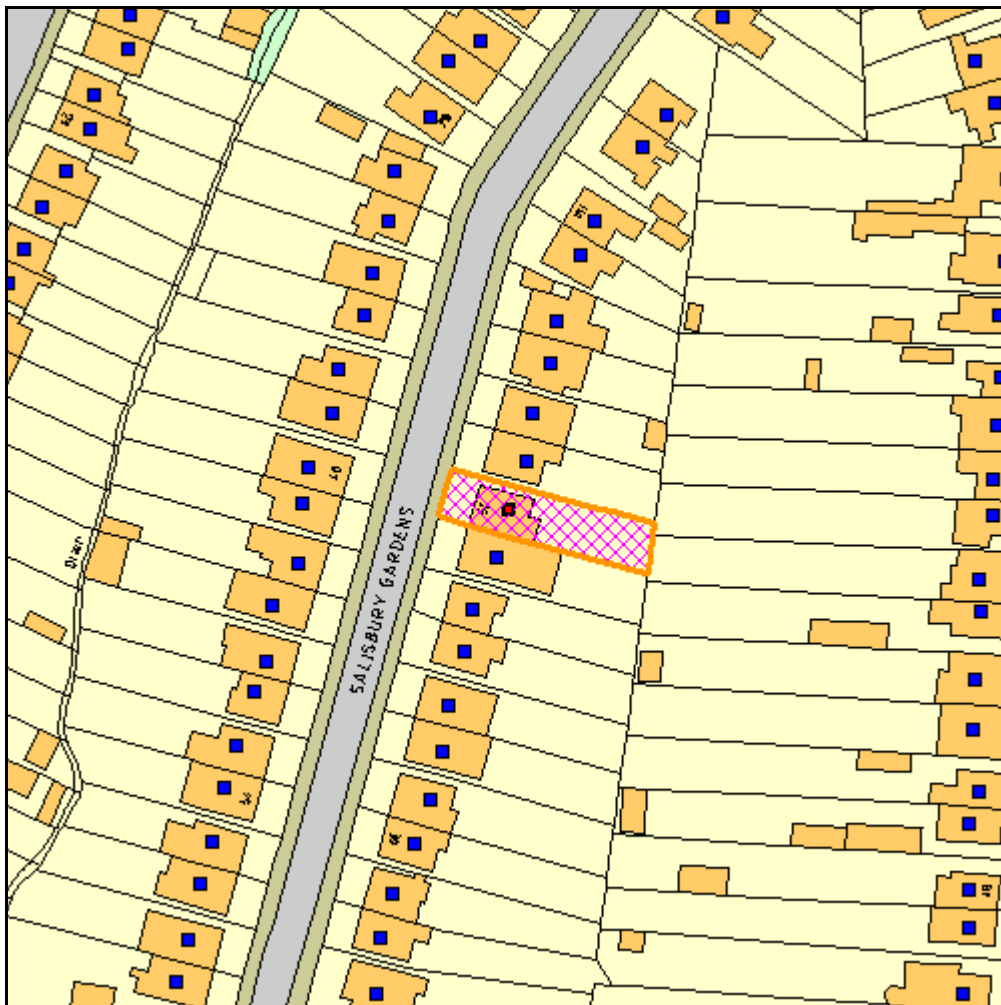
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: revised plans were accepted and considered by the officer during the course of the application.

Case Officer: James Reynolds

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 49/20 -4th December 2020

App No.:	P20/12921/F	Applicant:	Mrs Kent
Site:	25 Salisbury Gardens Downend South Gloucestershire BS16 5RF	Date Reg:	3rd August 2020
Proposal:	Erection of single storey rear extension to form additional living accommodation, installation of rear/side dormer to facilitate loft conversion.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365238 176389	Ward:	Staple Hill And Mangotsfield
Application Category:	Householder	Target Date:	25th September 2020



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

The application appears on the Circulated Schedule as there is an objection raised by Downend and Bromley Heath Parish Council where the officer recommendation is one of approval.

1. THE PROPOSAL

- 1.1 The proposal seeks full planning permission for erection of a single storey rear extension and loft conversion.
- 1.2 The original property is a semi-detached bungalow, located at 25 Salisbury Gardens, Downend.
- 1.3 Originally this proposal was also for the creation of a detached annexe, which was subsequently omitted. As such, the description of the proposal was changed to *'Erection of single storey rear extension to form additional living accommodation, installation of rear/side dormer to facilitate loft conversion'*.

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	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS29	Communities of the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

No objection to the bungalow. **Objection** to the annex, as it constitutes a separate dwelling.

Officer's note: Whilst the annexe element was removed from the proposal, the application still appears on Circulated Schedule, as the Parish Council objection formally still stands.

4.2 Other Consultees

Sustainable Transport

No objection, subject to conditions.

Other Representations

4.3 Local Residents

The Local Planning Authority received 2no. objection comments (1no. after the end of consultation period), with key points summarised below:

- Gardens were not originally meant for someone to live there.
- Concern about the annexe be rented out.
- Concern about potential noise.
- No mention of large trees at the bottom of the garden which would have to be taken down.
- This would set a trend for other home owners.
- Concern about the cleanliness of the shared walkway during and after the development.

The below assessment will only reference the concerns relevant to the current proposal, and will not reference those relating to the annexe, as it was omitted from the original proposal.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of South Gloucestershire Core Strategy states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan is supportive in principle of development within the residential curtilage of existing dwellings.

This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

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

5.3 The proposed loft conversion would involve installation of a side/rear dormer, which would allow the creation of en-suite bedroom. Whilst the proposed dormer would be visible from the public realm, the only openings would be located on the rear elevation (2no. windows). Such installations are common to the area. Something similar, albeit smaller, could be achieved under Permitted Development rights. Whilst the design of the dormer is far from ideal, given the wide variety of other dormer extensions in the immediate vicinity, it is not considered that a refusal could be substantiated.

5.4 The proposed ground floor rear extension would partly be built in place of the existing conservatory, and would measure 7.05m wide and 2.8m deep. The only proposed openings would be a set of bi-fold doors to the rear elevation, and 1no. roof lantern. The extension would incorporate a flat roof with overall proposed height of 2.8m.

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

5.6 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.7 Given the nature and scale of the proposed changes, it is considered that there would be no unacceptable impact on residential amenity of neighbouring occupiers. Also, it is considered that the remaining private amenity space would be adequate.

5.8 On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impacts on residential amenity, and the proposed development therefore accords with policies PSP8, PSP38 and PSP43.

5.9 Transport

The existing parking provision is considered to be compliant with Policy PSP16, and as such, there are no concerns with the proposal from transportation perspective.

5.10 Other Matters

Regarding '*This would set a trend for other home owners*'. Every application would be considered on its own merit.

Regarding '*Concern about the cleanliness of the shared walkway during and after the development*'. This does not fall under material planning consideration.

5.11 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

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 proposed development hereby approved must be implemented in accordance with the following plans:

Location Plan

Received by the Local Planning Authority on 24 July 2020.

Combined Plan (Drawing No. 80531, Rev. B)

Received by the Local Planning Authority on 01 December 2020.

Reason

For the avoidance of doubt.

3. Prior to completion of the works, the off-street parking provision for 2no. cars (as per Proposed Plan, drawing no. 80531, rev. B, received on 01 December 2020) must be implemented and retained for that purpose thereafter.

Reason

In order to comply with Policy PSP16.

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

POSITIVE AND PROACTIVE STATEMENT:

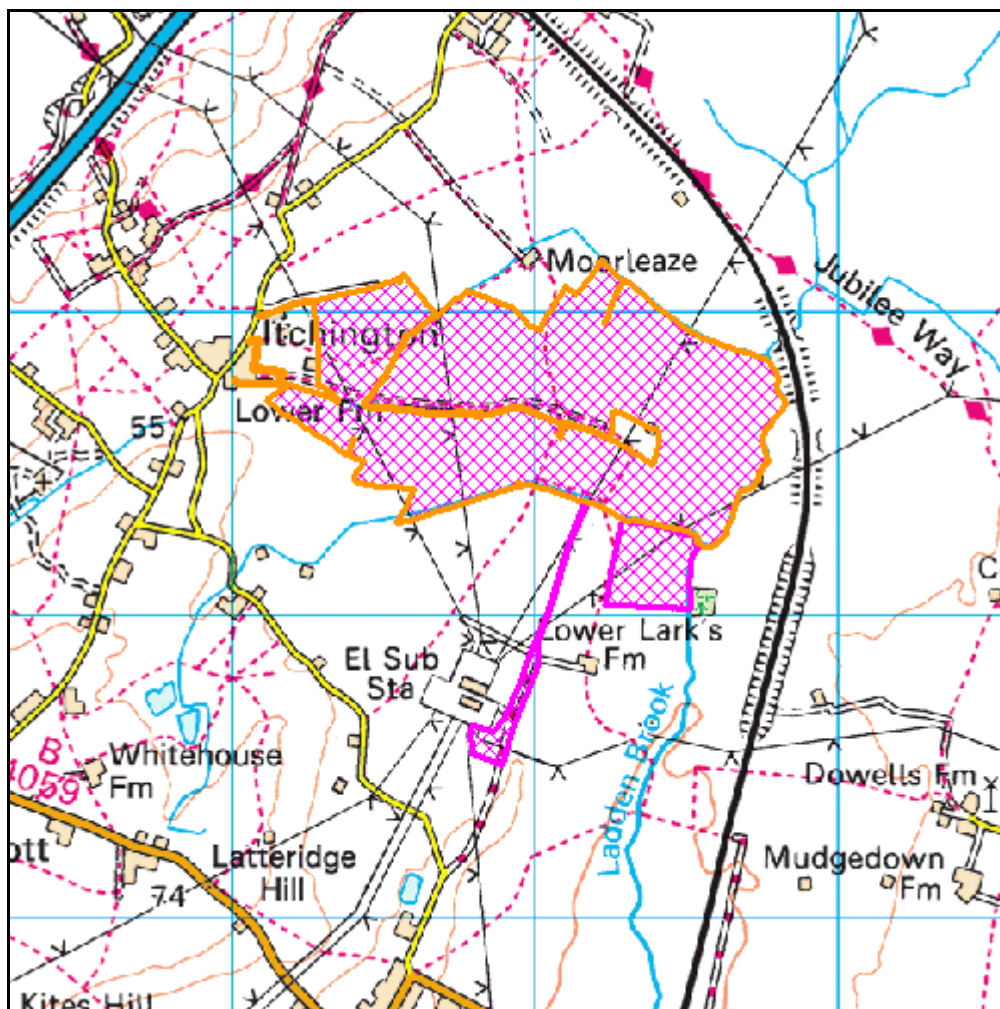
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner by conducting a thorough assessment.

Case Officer: Mykola Druziakin

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 49/20 -4th December 2020

App No.:	P20/13909/F	Applicant:	Mr Simon Wheeler IRON ACTON GREEN LIMITED
Site:	Land North And West Of Iron Acton Substation Iron Acton South Gloucestershire BS37 9TX	Date Reg:	25th August 2020
Proposal:	Installation of renewable led energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, landscaping and associated works.	Parish:	Iron Acton Parish Council
Map Ref:	367160 185828	Ward:	Frampton Cotterell
Application Category:	Major	Target Date:	20th November 2020



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

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with the Council Constitution which states that the Circulated Schedule shall always contain:

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

1. THE PROPOSAL

1.1 The proposed development comprises the installation of a renewable led energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements.

1.2 The proposed development would produce up to 49.9 MW of electricity (installed capacity) from solar power that will be fed into the national grid. The applicant indicates that this is the equivalent to providing for the energy needs of 17000 homes. The development would operate for a minimum of 35 years.

1.3 The main components of the development (full details are included in the submitted design access statement) are as follows:

Solar photovoltaic (PV) panels with an anti-reflective coating, ground mounted to a piled frame made of galvanized steel or aluminium;

The solar panels would utilise a fixed tilt system, facing south with a tilt of 15-30 degrees, at their lower edge panels would be approximately 0.8m from the ground and up to approximately 3m at their higher edge;

String combiner boxes for combining multiple strings of solar panels located underneath or adjacent to the fixed tilt structures;

17 inverter/transformer stations distributed evenly across the solar arrays housed within green metal containers;

A substation compound with 132kV transformer and associated buildings such as a control room, switch rooms, relay room, earthing' transformers, and two spare part containers for maintenance and facilities. A weather station will also be installed within the substation compound and approximately 20 battery storage containers housed in green shipping

Containers. This facilities will be sited immediately next to the existing large substation at its south-eastern corner.

Permeable access tracks to allow vehicular access between fields to the inverter stations, substation compound and battery storage facility;

2.2m and 2.4m high security deer type fencing type and gates to enclose the parameters of the Site and potentially allow sheep to graze securely.

The boundary fencing would be located inside the existing hedgerows and tree belts in order to screen the Proposed Development;

Security and monitoring CCTV/infra-red cameras mounted on fence posts 2.4m tall along the perimeter of the Site;

Underground cabling to connect the panels, inverters/transformer stations and battery storage facility to the proposed on-site substation and Control room;

Underground cable connecting the on-site substation compound to National Grid's Iron Acton substation;

Site access points utilising the existing farm access with itchington Road

Landscape planting, biodiversity enhancements and surface water attenuation measures);

Inclusion of a permissive footpath to Laden Brook; and no PROW will be stopped up or diverted (temporarily or permanently) and they will remain open to public access throughout the construction, operational and decommissioning phases. It should be noted that further enhancements to the PROW's have been secured during consideration of the application.

1.4 *Application Site*

The area of the application site measures approximately 106 hectares comprising some 24 adjoining fields. The site is generally flat with a drop of 5 metres from the west to the east. The site is classified as Grade 4 Agricultural Land and the area in general is characterised by arable and livestock grazing.

The Iron Acton substation lies 500 metres to the south of the site and will be linked to it by cabling.

The site is crossed by four footpaths (OTY/51, OTY/47 and OTY/52 cross the site from the east to the west while OTY/50 follows a route from the north to the south). There are no designated heritage assets within the site, it is not have any protected landscape designation and is not within the AONB but lies within the Bristol/Bath Green Belt.

- 1.5 The proposed development does not trigger the requirement for an Environmental Impact Assessment (a screening has been undertaken P20/012/SCR). As such the planning application is not supported by such a

document. However, the application is accompanied by comprehensive assessments of the impacts of the development on the local environment.

1.6 In support of the application (aside from plans) the following information has been submitted and considered by Council Officers:

- Planning Statement
- Design and Access Statement
- Construction Traffic Management Plan
- Landscape and Visual Impact Assessment
- Ecological Appraisal Report
- Landscape and Ecological Management Plan
- Agricultural and Land Classification Report
- Glint and Glare Study
- Heritage Impact Assessment
- Flood Risk Assessment
- Noise Impact Assessment
- Statement of Community Involvement

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework 2019
National Planning Practice Guidance (General)
National Planning Practice Guidance – Conserving and Enhancing the Historic Environment;

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS3 Renewable and Low Carbon Energy Generation
CS4A Presumption in favour of sustainable development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS34 Rural Area

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees & Woodland
PSP6 Onsite Renewable and Low Carbon Energy
PSP7 Development in the Green Belt
PSP8 Residential Amenity

PSP10 Active Travel Routes
 PSP11 Transport Impact Management
 PSP17 Heritage Assets and the Historic Environment
 PSP19 Wider Biodiversity
 PSP20 Flood Risk, Surface Water and Watercourse Management

2.3 Supplementary Planning Guidance

South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014)
 Site straddles two LCAs, namely LCA 9: Tytherington Plan (east part) and LCA 10: Earthcott Vale (west part).

Development in the Green Belt SPD 2005
 Design Guide Checklist SPD 2007
 Renewables SPD 2014

Also: Historic England's Good Practice Advice in Planning Note 2 "Managing Significance in Decision-Taking in the Historic Environment".
 Historic England's Good Practice Advice in Planning Note 3 "The Setting of Heritage Assets (2nd Edition)".

3. RELEVANT PLANNING HISTORY

3.1 The application site has been the number of applications associated with its agricultural use however for the purposes of this application only the following is relevant:

P20/012/SCR Installation and operation of a grid connected Solar Farm and Battery Storage facility - Environmental Impact Assessment is not required (9th June 2020).

3. CONSULTATION RESPONSES

The following is a summary of the relevant comments received from the general public, parish councils, internal and external consultees, full details can be viewed on the Council Website.

4.1 Rangeworthy Parish Council

Rangeworthy Parish Council has no objections to this application

4.2 Tyherington Parish Council

Support this application.

The Parish Council would like to see improvements to the surfaces of the footpaths and would welcome an upgrades to stiles. Better provision for horse riders would be welcome. Wild flowers should be sown to improve the outlook.

4.3 Other Consultees**Environmental Policy and Climate Change Team (summary)**

Initial Comments

The application is strongly supported.

The system will contribute directly to the objective of making South Gloucestershire Carbon neutral by 2030 and to local and national targets for increasing the proportion of energy generated renewably.

Additional information on the estimated generation yield per year to enable monitoring against SGC targets.

This information has now been supplied.

Wessex Water

No comment

Environment Agency

Initial Comments

An objection is raised as insufficient information has been submitted with respect to the Flood Risk Assessment. Further survey work is required as follows:

No downstream boundary sensitivity test has been included.

No calibration for the extended model and updated hydrology has been provided.

Please provide confidence limits.

Please add a model performance section into the report.

No comparison between the survey and the LiDAR has been provided. Please also clarify the year the LiDAR have been flown.

Please provide the NRFA peak flow classifications used for the data quality review.

Please provide hydrograph plots, interpretation of flood peak time series and flood event hydrographs (only tables have been provided of final results).

Please provide a data review in the method statement

Please comment on uncertainty in the design flows

Following the submission of additional information the following comment has been received:

The information in the site specific FRA is acceptable. The objection is withdrawn. The LPA will required to undertake sequential and exception tests. Conditions are recommended.

National Grid

No comment received

Lead Local Flood Authority

Initial Comments (summary)

The Environment Agency will be responsible for approving the FRA. No objection, a clear plan is required to show the location of the fences and ordinary man watercourses to ensure the 6 and 10m buffer strip for maintenance purposes. The location of the inverter stations will require then to be raised on stilts and cross-sections of the permeable sub-base within the substation compound will be required with details of the materials to be used.

Following the submission of further information no objection is raised subject to works being carried out in accordance with the submitted drainage details.

Highway Structures

No Comment

Sustainable Transport Team

No objection is raised. Conditions are requested relating to construction hours, a road condition survey prior to commencement and after, a routing agreement (to include appropriate signage for contractors) and construction management plan.

Public rights of Way Team

No objection raised in principle. There is an opportunity to improve the public rights of way.

- Existing stiles should, where no stock control issues, be replaced with BS compliant gates
- Parts of the network get very wet and improvements to surfaces should be made
- Improved provision should be made for horse riders (way through to Itchington Road) and path around the perimeter

Arts Development Officer

No comment

Avon and Somerset Police

Initial Comments (Summary)

It is important that the fencing is appropriate. There is a concern that the fencing should be a proven security fence. Fencing must be a minimum of 2.2

m around the perimeter and 2.4 around the substation and battery storage area. This should be clarified.

Little information has been supplied regarding the CCTV system, more information about the type and operation is required. The on-site equipment including batteries and panels need to be traceable in the event of theft.

Following the submission of additional information no objection is raised.

Ecologist

Initially raised an objection but this has been withdrawn following the receipt of additional information

Conditions are recommended to ensure that the development proceeds in accordance with the mitigation measures in the Ecological Appraisal Report and Landscape and Ecological Management Plan and supporting letter; to ensure that enhancements take place, to ensure a pre-commencement badger survey and to secure a Construction and Environmental Management Plan.

Listed Building Officer

Initial Comments (summary)

The Heritage Impact Assessment submitted is noted. The study area is 1km around the development although high grade assets beyond this radius is discussed. The assessment is inadequate as it needs to be done *“in light of more detailed assessment of the significance of these assets”*

The assessment in Section 6 of the Assessment that *“No harm is predicted to any designated heritage assets in the study area as a result of changes in their setting”* is not agreed with. Locally listed buildings as well as the Tytherington Conservation Area impact need to be brought within the scope of the report. The Bakehouse at Muddedown Farm needs to be referred to, this is Grade 2 listed.

Conclusion - *No designated heritage assets are physically impacted by this development however I disagree with the conclusion that the setting of listed buildings will not be harmed. Further assessment is also considered necessary to understand the impact on additional heritage assets which are either not referred to or where the assessment of significance/impact requires expansion.*

Accordingly additional information has been requested and subsequently the Listed Building Officer has commented as follows (this is a summary, the full comments can be seen on the public website).

Harm has been identified to the setting of Acton Court, Brook Farm, Tytherington, Holy Trinity Church, Rangeworthy, as well as parts of Tytherington Conservation area. Some very modest adverse impacts may arise in terms of a change to the setting of New House Farm and Mill House Farm, Tytherington and Rangeworthy Court. In all the cases identified the harm is

considered less than substantial. Acton Court is a grade I listed building. Holy Trinity and Rangeworthy Court are grade II*. (It is important to distinguish the grading for the purposes of any weighing up exercise carried out under para 193 of the NPPF.)

The application is therefore to be considered within the context of paragraph 196 of the NPPF (below), which is matter for the decision maker.

196 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Historic England

No objection. We suggest that you seek the views of your specialist conservation and archaeological advisers.

Landscape Officer (summary)

The proposed development represents inappropriate development in the Green Belt. The development will appreciably alter the character of the site and the rural landscape within which it sits. The development would represent uncharacteristic elements in views across the landscape.

However, revised landscape mitigation proposals will help to integrate the solar pv scheme into its surroundings and thereby off-set the adverse impacts. The creation of a new nature reserve along the Ladden Brook and the planted Lower Farm green corridor with enhanced planting along the northern boundary are welcome. The Landscape visual impact assessment addendum provides an appropriate description of potential cumulative landscape and visual effects.

If the recommendation is one of approval conditions are recommended.

Tree Officer

In principle there are no Arboricultural objections to this application. There are existing trees on the site which are shown as retained and allowed for within the design of the site which will add a sense of maturity to the finished development. In order to ensure the safety of the trees they will require protection in accordance with BS:5837:2012.

Therefore the applicant will be required to submit an Arboricultural report in accordance with BS:5837:2012 to include a tree protection plan and arboricultural method statement

Other Representations

4.4 Local Residents

A total of 9 letters of support for the proposed development have been received. A summary of the key points raised is as follows:

- There is a catastrophic loss of biodiversity caused by global warming
- 23000 tonnes of carbon dioxide will be displaced
- Paths and nature corridors are welcomed
- South Gloucestershire has declared a Climate Emergency
- Will power 17000 homes
- Would not impact upon landscape significantly
- Support and would like Enso to discuss with Sustainable Thornbury Group to allow local investment
- It will be a peaceful neighbour
- Enhancements to wildlife, plants and animals are welcomed
- The applicant's scheme is welcomed but community investment should take place on this and future schemes
- Information boards welcome for education purposes

5. **ANALYSIS OF PROPOSAL**

5.1 The proposed development details the construction of a 50 MW solar farm on approximately 106 hectares of land with associated access and electrical infrastructure.

5.2 Principle of Development

There is a strong national and international agenda to reduce CO2 emissions through the generation of energy from renewable sources.

5.3 *International, National and Local Position*

At a national policy level, the Climate Change Act 2008 set a legally binding, UK-wide carbon emissions reduction target of 80% by 2050 from a 1990 baseline with emission reductions divided into interim five-yearly targets. However, in its Progress Report to Parliament in June 2018, the Committee on Climate Change (CCC) found that despite progress in the power sector the UK is not on course to meet the legally binding fourth and fifth carbon budgets and 'the UK's continued claim for climate change leadership now rests on continuing the reduction in power sector emissions.

The UK is also a signatory to the 2016 Paris Agreement which aims to hold the increase in global average temperatures to well below 2 degrees above pre-industrial levels and to pursuing efforts to limit the temperature increase to 1.5 degrees above pre-industrial levels.

In June 2019, following updated advice from the CCC in its report 'Net Zero – The UK's contribution to stopping global warming', the Government amended the Climate Change Act from an 80% reduction in emissions by 2050 against a 1990 baseline, to a target Net Zero Carbon target. At a local level, more than 400 Councils, including SGC, have declared a Climate Change Emergency and agreed to work toward cutting CO2 emissions at a faster rate than the UK government target of Net Zero Carbon by 2050. SGC has also signed up to the UK100 pledge to ensure 100% renewable energy across the district by 2050, currently only 4.8% of the districts energy needs is generated renewably from within the District. There are no statutory targets set by government for reductions to be achieved in each district.

In summary European, national, and local policy encourages renewable energy developments to help mitigate the effects of climate change provided that full consideration is given to other environmental impacts. The proposed solar energy farm providing power to 17000 homes would make a significant contribution towards renewable energy production in South Gloucestershire as well as moving towards the National commitment. These benefits therefore carry significant weight in considering this planning application.

5.4 *National and Local Planning Policy Framework*

5.4.1 National Planning Policy Framework 2019

The overarching aim of the planning system is to contribute to the achievement of sustainable development i.e. “meeting the needs of the present without compromising the ability of future generations to meet their own needs”. This can be achieved through economic, social and environmental means. Moving to a low carbon economy, mitigating and adapting to climate change and using natural resources prudently fall under the environmental objective. The current proposal is considered to sit well when considered in this regard (para 8 c).

Para 148 indicates that the planning system should support the transition to a low carbon future in a changing climate through among other factors supporting renewable and low carbon energy and associated infrastructure.

Para 154 sets out that ‘when determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.’

National Planning Practice Guidance

The NPPG reiterates that addressing climate change is one of the key land use planning principles. Paragraph 1 states:

Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.

However Paragraph 5 states and this forms the basis for the assessment of the wider material planning considerations:

There are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they take into account the requirements of the technology and, critically, the potential impacts on the local environment, including from cumulative impacts. The views of local communities likely to be affected should be listened to.

Paragraph 7 indicates that in considering planning applications it is important to be clear that:

- The need for renewable or low carbon energy does not automatically override environmental protections;
- cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;
- local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;
- proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;
- protecting local amenity is an important consideration which should be given proper weight in planning decisions.

5.4.2 Local Development Framework

In considering this application, officers have been considerate of the fact that, 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.

In this case, the starting point when considering the application is policy CS3 of the Core Strategy (Adopted) and the other relevant policies as listed in section 2. Policy CS3 is supportive of such development but sets out what weight should be applied to various influences. Policy CS3 has found to be consistent with the requirements of the NPPF and therefore most weight should be applied to this policy.

The application must be determined in accordance with the requirements of Policy CS3 unless material considerations indicate otherwise. Policy CS3 states that proposals for the generation of energy from renewable sources that would not cause significant demonstrable harm to residential amenity, individually or cumulatively will

be supported. Policy CS3 sets out that in assessing proposals for renewable energy significant weight will be given to the following 4 criteria:

1. The wider environmental benefits associated with increased production of energy from renewable sources;

This report has set out above that the direction of both international and national policy is overarching desire to increase the amount of energy produced from renewable sources. The site is in the Green Belt but is not covered by any national nature designations. The large site is not immediately adjacent to residential properties.

In this instance, the proposed development would make a reasonable contribution to the South Gloucestershire Climate Change Strategy (CCS) which carries the objective of reducing the reliance on unsustainable energy generation in the interests of reducing the impacts of climate change. This is directly linked to the UK commitment to reducing the impact of climate change. It is considered that the proposed development would make a positive contribution to the South Gloucestershire CCS and would bring positive wider environmental benefits, and this should be given weight in determining this application. In assessing the application, officers have balanced the wider environmental benefits for South Gloucestershire and the UK as a whole against the impact on the more local environment.

To place the development in perspective, in September 2019 South Gloucestershire had 170MW installed renewable energy (source – *South Gloucestershire Renewable Energy Progress Report 2018-19 Regen*). Solar development makes up 91MW of this capacity.

Technology	Total electrical capacity (MW)	Total thermal capacity (MW)	Number of projects	Percentage of installed capacity
Biomass	9.3	5.3	84	8%
Energy from waste	32		1	18%
Heat pumps		3.4	343	2%
Landfill gas ⁶	7.6		4	4%
Onshore wind	8.3		12	5%
Solar PV – ground mounted	91		10	51%
Solar PV – rooftop	23		4,054	13%
Solar thermal		0.3	102	0%
Hydropower	0.001		1	0%
Total	170	9	4,610	

Within this context a 49.9MW scheme represents a significant increase in renewable energy production.

To put the value of the proposal in perspective, it should also be noted that between September 2018 and September 2019 there was an increase of only 0.7MW installed capacity from a total of 102 renewable energy projects. There have been no significant solar projects for at least four years.

The development would provide the equivalent annual electrical needs of approximately 17,000 family homes. The anticipated CO₂ displacement is around 23,000 tonnes per annum, which represents an emission saving equivalent of a reduction in 7,400 cars on the road. Also of note in 2017 27% of electricity demand in South Gloucestershire was met by local renewable energy generation. Principally due to this development that figure would rise to 33%.

It is considered that these figures put in perspective the scale of the task of producing 100% of energy from non-carbon sources by 2050.

The applicant has indicated that the proposed development also comprises the latest available technology through the use of bifacial modules which absorb irradiation from the front and rear side to generate c. 4% higher energy yield than mono-facial modules. The battery storage facility would be utilised to reinforce the power generation of the solar farm, maximising renewable energy production from the site whilst providing security of supply in accordance with Government Policy in reducing the reliance on fossil fuel.

In terms of site selection, your officer accepts that a difficult balance has to be struck between finding sites of sufficient size with good grid connection, with acceptable landscape, residential amenity, ecology, hydrology, heritage impacts. The point of connection is a significant a driver for site selection and contributing towards very special circumstances discussed below. Paragraph 006 of the NPPG advises that '*Examples of considerations for particular renewable energy technologies that can affect their siting include proximity of grid connection infrastructure and site size.*' It is of course true that a solar farm cannot be developed without a suitable grid connection.

2. Proposals that enjoy significant community support and generate an income for community infrastructure purposes by selling heat or electricity to the National Grid;

The submitted planning statement sets out the level of community engagement that has taken place. This has had to be through virtual presentations due to the current pandemic. The engagement has been with the local community with a shared presentation offered to the parish councils. Seventeen responses were received to feedback forms. The concerns were related to construction periods, traffic routing and the impact upon the footpath network. A small number of supporting comments have been received following the consultation on this application but no objections. Given the location of the site even accounting for its size, it should be noted that few properties fall within the SGC consultation regime. It is not considered that significant support has been demonstrated but nor is their opposition.

In terms of community benefit, the Case Officer has questioned the applicant and in this case unlike in some earlier schemes, when greater subsidies were available, it is not proposed to sign a community benefit agreement. This is of course optional but would be a benefit in the planning balance. In this case no weight can be given to this in the planning balance

3. The time limited, non-permanent nature of some types of installations;

The development is proposed for a period of 35 years after which the site would be returned to its current condition.

A 35 year period while obviously non-permanent in the strictest sense, is not temporary. The earlier generation of sites were usually for a 25 year period. It is not considered that any significant weight can be given to this. This said, should national, local or global situations arise, the panels could be removed and the land reverted to agriculture within a few months.

In terms of the loss of agricultural land, the NPPG guides development away from the best and most versatile land i.e. land graded between the best Grade 1 and Grade 3. The application is supported by an agricultural land classification report prepared by an independent qualified expert (Askew Land and Soil). Your officer has no reason to dispute the findings of the report. The result of this report is that the application site falls within the Agricultural Land Classification (ALC) grade 4 due to there being seasonable waterlogging (see also Flood Risk below). The definition of grade 4 land according to the Agricultural Land Classification is '*Land with severe limitations which significantly restrict the range of crops and/or level of yields. It is mainly suited to grass with occasional arable crops (e.g. cereals and forage crops) the yields of which are variable. In moist climates, yields of grass may be moderate to high but there may be difficulties in utilisation.*' This is consistent with the requirement set out in the National Planning Policy Framework.

4. The need for secure and reliable energy generation capacity, job creation opportunities and local economic benefits.

The government, in producing the Solar Radiation maps of the UK, have identified areas of the country receiving higher levels of solar radiation. South Gloucestershire is identified as falling in an area receiving high levels of solar radiation. The solar proposed solar farm is therefore considered to be a reliable source of renewable energy. In addition the battery storage element should be noted.

It is not considered due to the way solar farms operate that, with the exception of commissioning and de-commissioning, the site will generate notable local employment opportunities

In summary the application proposal is considered to carry significant beneficial weight principally due to point 1 of Policy CS3 above but also elements of point 4 in particular. Having regards to the above, the proposed solar energy farm would make a contribution towards renewable energy production in South Gloucestershire and the objectives of the CCS, as well as contributing towards the National commitment. These benefits therefore carry significant weight in considering this planning application. It is considered that the proposed development would meet the local and national policy objectives for renewable energy development and as such is acceptable in principle. However, it is necessary to weigh the policy objectives and renewable energy benefits in the balance with the impact upon the local environment.

5.5 Green Belt

The site is located within the Green Belt. Section 13 of the National Planning Policy Framework (NPPF) considers the Green Belt in relation to development proposals.

Paragraph 143 of the NPPF sets out that in the case of proposals which come forward in the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Furthermore, the NPPF also states that the fundamental purpose of the Green Belt is to preserve its openness. The proposed development does not fall within one of the defined categories of appropriate development within the Green Belt, as set out in paragraphs 145 and 146 of the NPPF.

Furthermore, paragraph 147 of the NPPF states that,

'When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.'

On this basis, it is considered that the proposed development is not appropriate within the Green Belt; and is by definition harmful to the openness of the green belt and the purpose of including the land within it. The very existence of the development would be harmful to openness through built form and most certainly the onus is with the applicant to demonstrate that very special circumstances exist so as to outweigh the defined harm. The applicant has provided a case for very special circumstances, which is explained below.

The National Planning Policy Framework sets out that in the case of renewable energy projects, 'very special circumstances' can include the wider environmental benefits which could be achieved through the development. This carries the objective of reducing the reliance on unsustainable energy generation in the interests of reducing the impacts of climate change. This is directly linked to the UK commitment to reducing the impact of climate change. It is considered that the proposed development would make a positive contribution and would bring positive wider environmental benefits, and this should be given weight in determining this application.

Paragraph 144 of the NPPF states that;

It has been long established that the test for finding very special circumstances (for allowing inappropriate development in the Green Belt) is that the substantial harm to the openness of the Green Belt must be considered in conjunction with any other harm found; such as harm to landscape character, ecology, adverse visual impact and residential amenity. Furthermore, it must be shown that the benefit of development (such as the wider public benefit in terms of renewable energy production) will clearly outweigh the significant harm to the openness of the Green Belt and any other harm.

In this instance, given the nature of the proposed development, it is considered that it is not appropriate within the Green Belt; and is by definition harmful to the openness of the green belt and the purpose of including the land within it. In particular, the NPPF

(paragraph 144) attributes 'substantial' weight to the harm, and on this basis it is clear that any special circumstances found must be of more substantial weight in order to clearly outweigh that harm. The onus is with the applicant to demonstrate that very special circumstances exist so as to outweigh the defined harm.

5.5.1 ***Very Special Circumstances***

In their submission the applicant has set out the "very special circumstances report" (VSC) considered to apply that would outweigh the harm caused. It is set out in guidance that the decision maker must consider the VSC relied upon by an applicant as a whole. The report will consider these points in turn but any judgement will consider them as a whole.

Need for Secure Renewable Energy Generation

The applicant has set out the steep trajectory that the country needs to follow in order to reach the zero carbon target by 2020. In addition renewable energy is vital to economic prosperity. The development as a renewable energy project would help ensure that the UK:

Transitions to a low carbon economy and reduces greenhouse gas emissions to address the predominant challenge of our time, climate change;

Supports an increased supply from renewables;

Continues to have secure, diverse and resilient supplies of electricity as we transition to low carbon energy sources and to replace closing electricity generating capacity;

Increases electricity capacity within the system to stay ahead of growing demand at all times whilst seeking to reduce demand wherever possible;

Delivers new low carbon and renewable energy infrastructure as soon as possible- the need is urgent.

The development as set out above will provide equivalent annual electrical needs of approximately 17,000 family homes. The anticipated CO2 displacement is around 23,000 tonnes per annum, which represents an emission saving equivalent of a reduction in 7,400 cars on the road.

This is given considerable positive weight by the Case Officer as a "special circumstance"

Climate Emergency

In 2019 the UK Parliament declared a national climate emergency as did several local authorities including South Gloucestershire (July 2019). As part of this the Council has identified five key priorities to enable the transition to a more sustainable future one of which is to enable the development of secure supplies of renewable and low carbon energy by individuals, community groups and industry. This proposal would clearly play a part in achieving emission targets at a local and national level.

This is given considerable positive weight by the Case Officer as a “special circumstance”.

High quality technology and design

The use of the battery storage facility is considered to reinforce the power generation of the solar farm. Energy will be stored at times of low demand and released when there is higher demand or when there is less power being produced in cloudy conditions. The double sided panels also produce 4% more energy than standard panels.

This is given weight.

Location

The site has been chosen following a selection procedure. It is accepted that proximity to the grid/power lines is critical and that in South Gloucestershire much of these opportunities lie in the Green Belt. National Grid connection is secure in this location.

This is given weight.

Temporary/Reversible Impact of the Development

It is proposed that the development shall operate for a minimum of 35 years. While it is accepted that the use does allow for the easier return to the current agricultural use of the land than some other uses, it is not accepted that the use is temporary. The applicant has noted that consent was given to extend the life of another site (Oakham Solar Farm Almondsbury) to 40 years however this decision was made by this Case Officer on the basis of the environmental and energy benefits of the development and in the light of the climate crisis and not due to an acceptance that 40 years can be considered temporary.

This is not given significant weight.

Biodiversity Net gain

The proposal will result, it has been calculated, in a net gain of 25% in biodiversity. This is achieved through new habitat creation and more diverse planting including native broadleaf woodland and scrub, hedgerow planting, areas of grassland and a Landscape and Ecological Plan (secured by condition). Ecological enhancement measures are also secured.

This is given some weight as a special circumstance.

Soil Regeneration

It is indicated that stopping intensive agricultural practices can benefit the regeneration of soil increasing soil organic matter.

This is not given significant weight. Notwithstanding the low agricultural soil classification (Grade 4) local agricultural production does have environmental benefits.

Improvements to Green Infrastructure

Some improvements have been secured to footpaths, and a new permissive footpath is shown. Furthermore the east-west corridor that runs broadly across the centre of the development will provide both public amenity but also will enhance biodiversity gain.

This is given weight as a special circumstance.

Farm Diversification

A farming business will be secured if the development is permitted. Also farming is recognised as a producer of greenhouse gases and as such the current proposal would reduce such impacts.

This is given some limited weight as a special circumstance

5.5.2 **Green Belt Summary/Conclusion**

As set out in the introduction to this section significant weight is given to the harm that will by definition result from this inappropriate Green Belt Development that will result in built form and to other resultant harms. The development would by definition impact upon openness.

Some harm will also result in terms of other planning considerations discussed elsewhere in the report for example in terms of landscape impact.

As set out above, some aspects of the Case put forward by the applicant carry more weight than others, however this Case Officer considers that when taken as a whole the case as discussed above is considered to amount to the “Very Special Circumstances” that outweighs the harm.

In summary therefore having regard to National and Local Policy, including consideration of the impact upon the Green Belt, the development is considered acceptable in principle. It is therefore necessary to consider the following material planning considerations in order to reach an overall conclusion and balance as to whether the development is acceptable in planning terms.

5.6 **Listed Building/Heritage Impact**

The application was accompanied by a Heritage Impact Assessment (as required by Paragraph 189 of the National Planning Policy Framework) which has been supplemented.

Historic England have been consulted on the application and have raised no objection.

5.6.1 Legislative and Policy Context

Sections 16(2), 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 place a statutory requirement on the local authority to consider the impact of development upon listed buildings and their setting. Section 66(1) states:

In considering whether to grant planning permission for development which affects a listed or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or features of special architectural or historic interest which it possesses.

For the purposes of considering this application where the development will not directly impact upon the structure of heritage assets, the potential for the impact upon setting is of relevance as will be set out in the assessment below.

Relevant guidance is set out in Chapter 16 of the National Planning Policy Framework.

Para 193 states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

This sets the important context for consideration of a development, for regardless of the degree of harm, if harm is identified that must be given considerable importance and weight. Paragraph 195 sets out the significant criteria that need to apply if development is to be allowed where substantial harm is caused. Of relevance to this proposal, given the assessment below Para 196 states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is important to stress, and this applies to the assessment of the impact of the development of each of the heritage assets in turn, that a less than substantial harm is not a less than substantial objection. Even where the harm is at the lower end of "less than substantial", it cannot be stressed strongly enough that it is nevertheless a harm and the presumption against the development is triggered. Paragraph 196 as set out above does allow the public benefits to form part of the equation in a weighing up exercise. However, unless in the weighing up exercise robust material considerations are considered sufficient to outweigh the identified magnitude of harm, the application should be refused.

Lastly within the Local Development Framework and in conformity with the National Planning Policy Framework, Policy CS9 of the Core Strategy states that new development will be expected to *"ensure that heritage assets are conserved,*

respected and enhanced in a manner appropriate to their significance". This objective is set out in more detail in PSP17 of the Policies, Sites and Places Plan.

5.6.2 In assessing whether the development is acceptable or not in these terms, it is necessary to take a clear path having regard to the above policy and legislative context.

- The identification of the heritage assets and the magnitude of the harm that applies to each in turn
- The identification of the public benefits of the development in accordance with paragraph 196 as set out above.
- A "weighing up exercise" that identifies whether the identified public benefits identified outweigh the identified harm. This assessment is made having full regard to the considerable and important weight of any harm identified.

5.6.3 *Assessment*

Acton Court (Grade I)

Magnitude of Harm

The report identifies a degree of harm to the setting and significance of Acton Court (grade I and Scheduled Ancient Monument). Acton Court is widely regarded as one of the most important Tudor buildings in the country. A moated manor house existed on the site from the thirteenth century and became the seat for the Poyntz family from 1364. In 1535 Nicholas Poyntz, a prominent courtier, built a splendid new East wing in honour of Henry VIII and Anne Boleyn's summer progress around the West Country. This period in English history marks the transition from the medieval to the modern, the 'Renaissance', with new cultural ideas including religion, science, literature and art. Buildings and art was a method of demonstrating an understanding of this modernity as well as displays of wealth and power. The surviving architecture and artistic decoration of Acton Court demonstrates the status of its owner as well as the advances in ideas and building techniques.

At the time of the royal visit in 1535 the north wing had not been built. The east wing accommodated the royal bedchamber and the large north facing window would therefore have provided the view over the formal gardens and beyond to the surrounding countryside, of woodland, large unenclosed fields and deer park to the east. In addition the light from the large window would have flooded the room, highlighting the fine decorative paintwork. The north range (now truncated) was later built by Poyntz to infill the east and west ranges, and accommodated a long gallery.

The proposed development will not affect in any way the ability to appreciate the building or its setting from the ground. The architectural and artistic interest inherent in the fabric of the building will be unaltered by the proposed solar farm, it will still be possible to appreciate the evidence of its growth and development as a manor house as well as the and later alterations. Views out from first and second floor north windows have been further assessed.

It is considered by the heritage officer that the heritage statement errs on the side of caution and concludes the development will be seen from the north facing windows at the upper levels of the building, '*The solar farm will be visible obliquely in views from the attic room, Royal bedchamber and long gallery*'.

On the basis of the information provided (including the landscape assessment and various additions to the heritage assessment that have been requested) and a site visit by the Council Listed Building Officer, it is agreed that the proposed development will be partially visible from the single small north facing attic window. As the window is small a viewer would have to be deliberately looking through this window at very close positions in order to achieve this view.

With the near and far vegetation in place as it is today (including in winter time) it is considered highly unlikely by the heritage officer that the solar farm will be visible from the first floor rooms. This is largely due to the intervening distance and the existing network of field and hedge planting, including trees in the grounds of Acton Court which also provide additional screening. While it is possible to see the upper parts of some pylons on and around the site, their lower portions (representing the 3m of the solar panels) cannot be seen. It is therefore predicted that there would not be any impact on the significance of the setting of the building with regard to these views.

The heritage addendum states:

Visibility of the solar farm in oblique views from the upper floors will result in a change to the rural character of the surroundings, however the solar farm will be seen in context with the existing pylons for the Iron Acton substation and will not extend the field of view of this 20th/21st century industrial feature within the landscape.

The level of harm identified is concluded within the heritage addendum as 'considerably less than substantial'

The Listed Building Officer concurs with this assessment that the attic view is not considered to be a particularly strong element of the significance of the site, and the alteration to the view is relatively minor. In addition there is agreement that with the level of harm identified due to the change in the landscape setting viewed from the attic level.

Public Benefits

The public benefits have been identified at length elsewhere in the report, particularly in Paragraphs 5.3, 5.4 and 5.51, but can be summarised as follows.

There are some improvements to the public footpath network and some ecological enhancements proposed however the principal public benefit relates to the contribution that the development will make to the International, National and Local effort to combat climate change widely recognised as a threat to the future of the planet.

European, National, and Local policy encourages the development of renewable energy sources to reduce the reliance on fossil fuels and thereby reduce Carbon Dioxide emissions, a key component of climate change/global warming.

The United Kingdom is a signatory to achieving legally binding targets for carbon reduction such that by 2050 the United Kingdom will be Carbon Neutral. South Gloucestershire is one of a number of councils that has declared a Climate Emergency thereby demonstrating that this is a matter of great public interest and in itself is supporting projects that will benefit the environment.

South Gloucestershire has been identified as an area of the country that receives high levels of solar radiation, making solar power a reliable source of energy, with the location chosen because of the grid connection available. The proposed solar energy farm with an installed capacity of 49.9MW would be providing power to 17000 homes or removing 7,400 cars from the road. At present 27% of electrical demand is met by local renewable energy, this proposal would increase this figure to 33%. As such the proposal would make a significant contribution towards renewable energy production in South Gloucestershire and in doing so would support the National commitment to reducing the reliance on fossil fuels and mitigating against climate change.

In summary with respect to Acton Court, it is considered that the public benefits as set out above outweigh the limited level of harm identified.

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

Rangeworthy Court (Grade II*)

Magnitude of Harm

As detailed in the submitted heritage assessment, Rangeworthy Court is significant for its well preserved symmetrical principal elevation, facing west, which includes stone mullion windows and two storey porch.

Rangeworthy Court is a particularly fine example of a high status provincial house built in the local gabled vernacular. The ability to appreciate the building from its immediate grounds will not change at all as the solar farm will not be visible from within the site, or from ground floors. From the first floors west rooms views will also be extremely limited due to the surrounding buildings and tree planting. From rooms at second floor and attic level filtered views of the solar farm around 1km in the distance through and over the trees will be possible. These floors would not have served as principal entertaining chambers in the same way as the lower two floors and views out are therefore not considered to contribute to the overall significance and understanding of the building in the same way as the lower floors.

From outside the grounds of Rangeworthy Court, it is considered that there are very few places where you would see both the house and the site together due to the heavy tree screening and surrounding walls and buildings, and not such that its significance would be affected. Due to the combination of the distance of the development, the level of intervening planting and buildings, and the lower intended importance of the upper floor views, it is not considered that the significance of this listed building will be harmed any more than a negligible amount. The proposed mitigation planting to the east of the development will further enhance the screening from the views affected.

Public Benefits

The public benefits have been identified at length elsewhere in the report, particularly in Paragraphs 5.3, 5.4 and 5.51, but can be summarised as follows.

There are some improvements to the public footpath network and some ecological enhancements proposed however the principal public benefit relates to the contribution that the development will make to the International, National and Local effort to combat climate change widely recognised as a threat to the future of the planet.

European, National, and Local policy encourages the development of renewable energy sources to reduce the reliance on fossil fuels and thereby reduce Carbon Dioxide emissions, a key component of climate change/global warming.

The United Kingdom is a signatory to achieving legally binding targets for carbon reduction such that by 2050 the United Kingdom will be Carbon Neutral. South Gloucestershire is one of a number of councils that has declared a Climate Emergency thereby demonstrating that this is a matter of great public interest and in itself is supporting projects that will benefit the environment.

South Gloucestershire has been identified as an area of the country that receives high levels of solar radiation, making solar power a reliable source of energy, with the location chosen because of the grid connection available. The proposed solar energy farm with an installed capacity of 49.9MW would be providing power to 17000 homes or removing 7,400 cars from the road. At present 27% of electrical demand is met by local renewable energy, this proposal would increase this figure to 33%. As such the proposal would make a significant contribution towards renewable energy production in South Gloucestershire and in doing so would support the National commitment to reducing the reliance on fossil fuels and mitigating against climate change.

In summary with respect to Rangeworthy Court it is considered that the public benefits as set out above outweigh the limited level of harm identified.

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

Church of Holy Trinity, Rangeworthy (grade II*)

Magnitude of Harm

In comparison to Rangeworthy Court, the Church of Holy Trinity has a much more exposed outlook and open setting. The location is open and rural and provides a sense of being relatively isolated, away from activity and close to nature. This is often an important part of a religious site and place of rest. An 'unspoilt' or unaltered setting is also often an important attribute to a historic place or site. From the church gate, lane and burial ground beyond it will be possible to view the development. Although the pylons can be seen this will add a further modern intrusion in to the landscape, resulting in a harmful impact. As described in the submitted landscape assessment '*The proposed development will represent new and uncharacteristic elements in views across the landscape, and will be most visible from northern assessment Viewpoints 4 to 6 between Itchington and Tytherington, the adjacent section of the M5 motorway, and also, from VP8 at Rangeworthy, until the proposed mitigation planting has established.*'

Although the architectural and historic interest of the church will not be affected, the ability to appreciate the building as a rural and historic site will be affected to some degree. It is accepted that the panels will not form an overly vertical intrusion in the landscape and that the mitigation planting will in time help integrate the solar PV scheme into its surroundings. The harm is not removed entirely. It is therefore concluded that, subject to the revised landscape mitigation proposals, the level of harm is considered less than substantial.

Public Benefits

The public benefits have been identified at length elsewhere in the report, particularly in Paragraphs 5.3, 5.4 and 5.51, but can be summarised as follows.

There are some improvements to the public footpath network and some ecological enhancements proposed however the principal public benefit relates to the contribution that the development will make to the International, National and Local effort to combat climate change widely recognised as a threat to the future of the planet.

European, National, and Local policy encourages the development of renewable energy sources to reduce the reliance on fossil fuels and thereby reduce Carbon Dioxide emissions, a key component of climate change/global warming.

The United Kingdom is a signatory to achieving legally binding targets for carbon reduction such that by 2050 the United Kingdom will be Carbon Neutral. South Gloucestershire is one of a number of councils that has declared a Climate Emergency thereby demonstrating that this is a matter of great public interest and in itself is supporting projects that will benefit the environment.

South Gloucestershire has been identified as an area of the country that receives high levels of solar radiation, making solar power a reliable source of energy, with the location chosen because of the grid connection available. The proposed solar energy farm with an installed capacity of 49.9MW would be providing power to 17000 homes

or removing 7,400 cars from the road. At present 27% of electrical demand is met by local renewable energy, this proposal would increase this figure to 33%. As such the proposal would make a significant contribution towards renewable energy production in South Gloucestershire and in doing so would support the National commitment to reducing the reliance on fossil fuels and mitigating against climate change.

In summary with respect to the Church of Holy Trinity, Rangeworthy, it is considered that the public benefits as set out above outweigh the limited level of harm identified.

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

Brook Farmhouse

Magnitude of Harm

Brook Farmhouse, at the southern edge of Tytherington is beyond the conservation area, but grade II listed. The far reaching views of the landscape backdrop to the south of the farm contribute an important element to the buildings setting, with the containment of the surrounding farm buildings and the narrow lane enclosed by trees in sharp contrast. In consideration of the solar farm at 1km away the heritage addendum concludes;

“Visibility of the panels at this range is not considered to materially alter the contribution that the agricultural setting of the farmhouse makes to its significance as it will still be possible to appreciate Brook Farmhouse as a village edge farm overlooking its own agricultural land”.

Officers do not concur that the significance and setting of the listed building is unaffected. Although it will still be possible to appreciate the farmhouse as an edge of village settlement overlooking agricultural land, the quality and appearance of that land will be altered. The introduction of modern, industrial features inevitably reduce the traditional rural qualities and character of the landscape, and this in turn reduces the relationship of historic buildings to the landscape. It is concluded therefore that there would be harm caused to the setting of Brook Farmhouse. Due to the distance from the site however, and the fact that a large proportion of the setting of the building will not be affected, the harm to the significance of the heritage asset is considered less than substantial.

Public Benefits

The public benefits have been identified at length elsewhere in the report, particularly in Paragraphs 5.3, 5.4 and 5.51, but can be summarised as follows.

There are some improvements to the public footpath network and some ecological enhancements proposed however the principal public benefit relates to the contribution that the development will make to the International, National and Local effort to combat climate change widely recognised as a threat to the future of the planet.

European, National, and Local policy encourages the development of renewable energy sources to reduce the reliance on fossil fuels and thereby reduce Carbon Dioxide emissions, a key component of climate change/global warming.

The United Kingdom is a signatory to achieving legally binding targets for carbon reduction such that by 2050 the United Kingdom will be Carbon Neutral. South Gloucestershire is one of a number of councils that has declared a Climate Emergency thereby demonstrating that this is a matter of great public interest and in itself is supporting projects that will benefit the environment.

South Gloucestershire has been identified as an area of the country that receives high levels of solar radiation, making solar power a reliable source of energy, with the location chosen because of the grid connection available. The proposed solar energy farm with an installed capacity of 49.9MW would be providing power to 17000 homes or removing 7,400 cars from the road. At present 27% of electrical demand is met by local renewable energy, this proposal would increase this figure to 33%. As such the proposal would make a significant contribution towards renewable energy production in South Gloucestershire and in doing so would support the National commitment to reducing the reliance on fossil fuels and mitigating against climate change.

In summary with respect to Brook Farmhouse, it is considered that the public benefits as set out above outweigh the limited level of harm identified.

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

Mudgedown Farm

Magnitude of Harm

The significance of Mudgedown Farmhouse and Bakehouse, Grade II* has now been assessed and the findings set out in the submission are agreed. Much of the significance of the buildings is derived from the architectural, archaeological and historic importance of the structures, with the setting contributing far less. Views from the buildings are not considered to form a particular aspect of their importance. The rural nature of the setting is important to the farm buildings however at 1.3km the proposed solar farm will not reduce the sense of isolation from the settlement. The Heritage assessment confirms *No glint and glare effects are predicted at Mudgedown*

Farm (Pager Power 2020:18). There is not considered to be any resulting harm to the significance of this listed building.

Public Benefits

The public benefits have been identified at length elsewhere in the report, particularly in Paragraphs 5.3, 5.4 and 5.51, but can be summarised as follows.

There are some improvements to the public footpath network and some ecological enhancements proposed however the principal public benefit relates to the contribution that the development will make to the International, National and Local effort to combat climate change widely recognised as a threat to the future of the planet.

European, National, and Local policy encourages the development of renewable energy sources to reduce the reliance on fossil fuels and thereby reduce Carbon Dioxide emissions, a key component of climate change/global warming.

The United Kingdom is a signatory to achieving legally binding targets for carbon reduction such that by 2050 the United Kingdom will be Carbon Neutral. South Gloucestershire is one of a number of councils that has declared a Climate Emergency thereby demonstrating that this is a matter of great public interest and in itself is supporting projects that will benefit the environment.

South Gloucestershire has been identified as an area of the country that receives high levels of solar radiation, making solar power a reliable source of energy, with the location chosen because of the grid connection available. The proposed solar energy farm with an installed capacity of 49.9MW would be providing power to 17000 homes or removing 7,400 cars from the road. At present 27% of electrical demand is met by local renewable energy, this proposal would increase this figure to 33%. As such the proposal would make a significant contribution towards renewable energy production in South Gloucestershire and in doing so would support the National commitment to reducing the reliance on fossil fuels and mitigating against climate change.

In summary with respect to Mudgetown Farm, it is considered that the public benefits as set out above outweigh the limited level of harm identified.

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

Tytherington Conservation Area

The heritage addendum identifies that the solar farm will be visible from the former maltings at the southern edge of Tytherington Conservation area, however it is not considered this is very likely due to the level topography and heavy band of tree screening along the railway line. Views over the surrounding landscape are possible

however from the more elevated positions on Baden Hill Road, including Boyts Farm (grade II listed building). Boyts Farm has well established formal gardens to the south, including walled gardens and there is mature tree planting in intervening views between the listed buildings and the site. It is therefore not considered that the solar farm will affect the setting of Boyts Farm. With regard to the conservation area, the views out from Baden Hill Road are towards the south east, with views directly to the south where the solar farm would be, being further south, heavily screened by intervening tree planting and built form.

There are two listed buildings at the south eastern edge of the village, just beyond the boundary of the conservation area – New House Farm and Mill House (both grade II). The rural setting to these two farmhouses is obviously important to understanding their origins, and appreciating their built form. The site forms a small portion of the overall setting of both buildings, and is not in either case a designed view or vista. However, today much of the immediate setting of Mill House is dominated by large modern farm buildings, obscuring views to the south. The backdrop is therefore land to the east, and not towards the site. Views from the garden could allow views towards the site, although much would be screened by the dense railway line tree planting and hedgerow planting within the site (northern boundary) and northern end of the Ladden Brook planting area. It is therefore considered that any change to the setting is therefore likely to be very minor.

The principal view towards New House Farm is to the north, away from the application site although the garden facing elevation faces south west. The garden, with small orchard beyond, and open fields beyond that provide an attractive and traditional setting to the farm. From these outdoor areas it may be possible to see a very modest amount of the solar farm however much will be screened by a combination of the railway line tree planting and the reinforced tree and hedgerow planting within the site (northern boundary) and northern end of the Ladden Brook planting area. Any change in the setting to Newhouse Farm is therefore likely to be very minor and not appear particularly dominant within the wide landscape setting which is experienced. It is considered that any adverse impact will be very modest.

The proportion of the conservation area affected is limited when considered as a heritage asset as a whole, and of the part affected, the setting will be only partially affected (much of the view unaffected). It is therefore concluded that the impact on the designated heritage asset to be minor and 'less than substantial'.

The public benefits of the proposal as set out in the report are considered to outweigh the identified harm.

Non designated heritage assets

Paragraph 197 of the National Planning Policy Framework states:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Less than substantial harm to the setting of the ruined house and barn at Moorleaze resulting from the development has been identified. The initial heritage assessment has been updated with respect to non-designated heritage assets.

Locally listed buildings have now been considered, the conclusion reached being that *“As a rural-industrial landscape type the solar farm would alter the appearance of the surrounding countryside but it will still be possible to appreciate all of these non-designated assets as historic buildings within a rural area, the immediate setting of the small structures will not be altered and the contribution that the rural surroundings makes to the significance of the other buildings will not be materially altered”*. The group of locally listed buildings at Itchington are given particular focus due to their proximity to the site and officers concur with the conclusions reached.

Within the wider area Officers have looked at these through a combination of the HER, mapping and site assessment. There are many locally listed buildings in the study area and the setting of many will not be affected due to intervening vegetation, buildings or level topography. Subsequently it is not considered that any locally listed building setting is affected to any degree which would cause anything other than extremely limited harm to overall significance. None are directly affected. It is considered weighing this harm against the public benefits identified in this report that the harm is outweighed in each case by the public benefits.

Conclusion

As harm has been identified, compliance with the requirements of paragraph 193 of the NPPF has not been achieved and so as established through case law and reflected in paragraph 196 of the NPPF, the finding of harm gives rise to what can be regarded as a statutory presumption against the granting of permission.

Subsequently as required by Paragraph 196 of the Framework unless robust material considerations are identified that are considered sufficient to outweigh the identified magnitude of harm, the application should be refused.

It is concluded having made the assessment(s) above that the public benefits that result from the development would outweigh the identified harms.

5.7 **Glint and Glare/Residential Amenity**

The solar panels are designed to absorb light rather than reflect it. Any glare would appear as a sheen and the solar panels take on a lighter colour for a period of time - glare would not occur in the same way as reflections off a mirror. There are few properties within close proximity however notwithstanding this it is not therefore considered that there is any significant potential harm to neighbouring dwellings by means of glint and glare.

5.8 **Landscape and Visual Impact**

Policy CS1 of the Core Strategy requires that development of a sufficient scale or significance explains how it contributes towards the vision and strategic objectives of the locality. Policy CS9 states that new development will be expected to *“conserve and enhance the character, quality, distinctiveness and amenity of the landscape”* The

landscape character is identified in the South Gloucestershire Landscape Character Assessment LCA9 Tytherington Plain - the eastern third and LCA 10 Earthcott Vale (western two thirds) that was adopted as a supplementary planning document in November 2014.

Existing Landscape

The Tytherington Plain is described as a flat, open area of agricultural land, rising gently at its boundaries, divided by a regular framework hedges and ditches, and is influenced by a number of power lines. Earthcott Vale comprises a gently undulating agricultural area, divided by a complex network of hedgerows, trees and lanes.

Detailed landscape submissions have been viewed by the Council Landscape Officer and landscape mitigation measures have been enhanced following negotiations. The submission include a Landscape Visual Impact Assessment with supporting photomontages and analysis plans.

In terms of its landscape character rises from west to east by approximately 2 metres. The site will be overlooked from the west from the Rudgeway and Tytherington Ridge, from the south from Latteridge Hill and The Marle Hills and from the east from the Wickwar Ridge and beyond that at distance the Cotswold Scarp. The site lies in the Green Belt but is 8 miles west of the Cotswold Area of Outstanding Natural Beauty (AONB). The Ladden Brook crosses the eastern edges of the site. As set out elsewhere in the report 4 no. footpaths cross the site and there is a dense network of public footpaths around the site. To the east and north of the site lies the Jubilee Way long distance path.

It is considered that the site is heavily influenced by what can be described as “man-made factors”. Four high voltage power lines are on the skyline all converging on the Iron Acton substation that lies to the south. There is a railway to the west (for quarries), there is the M% motorway to the north-west of Tytherington and Itchington which is raised on an embankment. There are also a number of wind turbines, at Earthcott and one at Wapley.

Landscape Impact and Mitigation

Officers consider that the impact of the development has been understated in the submitted information. It is considered that the development from 750m to 800m into the surrounding landscape. It is considered that there will be a large effect on the character of the application site itself given that the change is from a rural character to built environment. It is considered that the site will be most visible along the northern boundary until planting has had time to mature.

A detailed landscape mitigation strategy has been submitted and this has been the subject of amendments following negotiations between the applicant and officers. The strategy includes the introduction of hedgerow enhancement, native woodland and scrub planting, tussocky grassland, grassland enhancement, a green corridor and a nature reserve on the eastern edge of the site. The full details of the landscape mitigation strategy can be seen on line but can be summarised as follows:

Planting within the new Lower Farm green corridor, which will cross the centre of the site from W to E, will help softening the appearance of the solar PV development in some views from the public footpaths that both cross, and approach, the site. The creation of a new nature reserve along the Ladden Brook, and the planted Lower Farm green corridor, is welcomed. Priority early planting is now proposed along the eastern field boundaries/Ladden Brook corridor, and also, the proposed planting has been designed to create a more transitional habitat from west to east comprising woodland/scrub/grassland.

In addition to the previous landscape mitigation measures along the northern boundary of the site, a 10m hedgerow reinforcement planting strip is now proposed along the perimeters of several of the northernmost fields, together with a 25m depth triangular shaped wooded copse, which will be delivered as priority/early planting; this is considered a welcomed enhancement. Taller growing tree species will be also included within selected sections of hedgerow to provide a greater and more varied height of screening in views from the north/NE.

Cumulative Effects

Submitted information provides a Zone of Theoretical Visibility (ZTV) from which the proposed scheme will be seen compared to the 16.5 hectare Tower Hill Solar Farm which lies to the north of Tytherington about 1.75km to the north of the site. This has the potential to create a cumulative impact.

However, the submitted LVIA addendum concludes that there will be no viewpoint from where the two schemes will be seen simultaneous in the same view. However, both schemes will be visible in sequential views from the M5 motorway, although the LVIA reports there will be a 'sense of separation' between seeing the first and second. The gas peaking plant associated with Iron Acton Sub-station application P20/03555/F has been refused, but there is still an appeal 'window'. The upper part of the gas turbines would be seen from the SW edge of Tytherington (i.e. near LDA assessment VP 6) in conjunction with part of the application proposals, and both would be also seen in conjunction with each other in closer distance views. There would be a corresponding cumulative effect on the receiving landscape, as both the application site and gas peaking plant would lie within LCA10. None of the cumulative effects have been assessed as being significant and officers do not contest this view.

Landscape Management

The applicant has indicated that a private management company will be appointed. The report indicates that sheep grazing will take place to lightly graze the grass. While some information has been submitted on landscape management it is considered that a more detailed regime will need to be conditioned to include the following:

- Specification clause' descriptions of separate items of maintenance that will be required for each vegetation treatment, landscape/habitat feature, hard landscape/boundary treatment etc.;
- Summary table setting out the scope and seasonal/monthly frequency of all annual maintenance operations; this should also allow for watering of new planting during the

establishment period, and litter picking/dog bin emptying where public access may necessitate this (e.g. new nature reserve).

- Description of cyclical maintenance/management works that will be required every so many years to address maturing planting and grassland areas (e.g. selective thinning, coppicing, laying), as well as any dilapidation in areas of soft and hard landscape areas and boundary

Landscape Summary

The proposed development represents the introduction of new and uncharacteristic elements in a rural landscape and will be most visible from between Itchington and Tytherington (identified as Viewpoints 4 to 6 on the submitted assessment), the adjacent section of the M5 motorway and also from a point near Rangeworthy. This impact will lessen once proposed mitigation planting has established. This means that the impact will lessen after the first ten years. Mitigation has been negotiated that will significantly reduce any impact in terms of landscape and visual effects. There are a number of features that are particularly welcome including the new nature reserve along Ladden Brook.

With respect to on-site trees, there are no objections to the development. The existing trees are to be retained on site. It is considered that this will allow a degree of continuity to a landscape that will be changing. A condition will be added to the decision notice to require the submission of a tree protection plan and arboricultural method statement. The Council Tree Officer has confirmed that a pre-commencement condition is acceptable in this instance.

The proposed development will result in “a harm” therefore when considering the planning balance however that harm has been mitigated as explained above. If the scheme is to be accepted conditions will be added to secure a tree/hedgerow plan; a detailed planting plan, a detailed landscape management plan (LMP) covering enabling works and the 35 year operational period to include annual maintenance works. The Landscape Management Plan shall update and expand upon the submitted Landscape and Ecological Management Plan already submitted. Details of all boundary and hard landscaping surface treatments including levels will also be needed and secured by condition.

5.9 Public Rights of Way

PSP10 of the South Gloucestershire Council Local Plan Policies Sites and Places Plan indicates that existing active travel routes must be protected. Development that would reduce, sever or adversely affect the utility, amenity and safety of such routes will be acceptable where improved quality can be provided.

South Gloucestershire has a well-established network of footways and bridleways. This site is no exception with paths and tracks (OTY/47, OTY/51, OTY/50, OTY/52 cross the site from east to west and north to south). The site as indicated elsewhere in this report is prone to flooding and a request to the applicant has been made to improve the surface of the main east west footpath OTY/51. This has been agreed as has improved access provision through the installation of 4 no. new kissing gates replacing stiles. These requests for improvements are deemed justified when considered against the aims and objectives of PSP 10.

Subject to a condition to secure the above improvements prior to the first use of the site i.e. when the electricity is first exported, the proposed development is acceptable in these terms.

5.10 **Ecological Impact**

Policy CS9 of the Core Strategy indicates that new development will be expected to conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity and geodiversity. This requirement is set out in greater detail in PSP19 of the Policies, Sites and Places Plan indicating that where appropriate biodiversity gain will be sought from development proposals.

An Ecological Appraisal Report and Ecological Management Plan has been submitted in support of the application.

No designated sites will be affected by the proposal.

Turning to species protected under the Conservation and Habitats regulations and under the Wildlife and Countryside Act:

Bats: The hedgerows and trees will provide commuting and foraging habitats for bats, there are several trees which demonstrated potential roost features however all trees are to be retained and no lighting is planned. There are enhancements proposed to the site that will improve foraging for bats.

Great Crested Newts: These have been located in three ponds on the site and therefore mitigation is recommended and secured by condition

Dormice: The hedgerows do have suitability for dormice, however the hedgerows will be retained and no lighting is planned. If access is required within the hedgerows details will be incorporated into the Construction and Environmental Management Plan.

Otter: The streams and ditches on site are likely to support otters and water voles, appropriate mitigation has been recommended within the report with cautionary working methods and buffer zones. As indicated previously the recommendation within the report will be secured by condition.

Birds: The majority of the site offers some suitable nesting habitat for birds in the hedges and rough margins. Suitable mitigation and enhancements have been recommended.

Reptiles: The arable fields in general provide sub-optimal habitat for reptiles, a precautionary approach has been recommended and the enhancements advised will benefit local populations.

Badgers (protected under the Badger Act): There is evidence of badger using the site with signs such as badger prints and setts. Pre-commencement check for signs of badgers has been recommended and holes in the security fencing to allow passage of badgers and other animals through.

Hedgehog (NERC and Local Biodiversity Action Plan Species): The area has suitable habitat for hedgehogs and this has been mitigated for with the use of animal holes at the bottom of security fencing.

Invertebrates (e.g. noble chafer): The habitat is of low value to a wide range of invertebrates, the enhancements proposed will increase the habitat for invertebrates and therefore increase the amount of prey of wildlife using the site.

In summary the development is considered acceptable in ecological terms subject to conditions to secure the mitigation measures set out in the submitted report and management plan, installation of enhancement measures, a pre-commencement survey for badgers and the submission of a Construction and Environmental Management Plan.

5.11 **Transportation and Highway Safety/Amenity Impact**

Policy PSP11 indicates that new development should not create or contribute to severe traffic congestion or impact upon the amenities of communities on surrounding access routes.

It is considered that the proposed development will not result in significant traffic movements during the operational phase with only visits for maintenance being required.

Given the scale of the development however it is considered that very significant vehicle movements will be required during the construction phase. Details supplied by the applicant indicate that this phase is likely to last 30 weeks and for this reason it is considered appropriate to apply a “construction hours” condition.

The impact of the development upon the surrounding road network during the construction phase was raised as a concern during the consultation process undertaken by the applicant. The applicant has set out the proposed route for construction vehicles from A38 with Church Road, Earthcott Road and Itchington Road indicated. Officers agree with this routing arrangement.

It is considered appropriate to include a condition requiring a comprehensive Construction Management Plan prior to the commencement of development that will incorporate agreement of the route. It is also considered necessary for the plan to include full details of temporary road signing along the designated route to inform background traffic of the ongoing construction works and to direct construction traffic to and from the site. The signs will need to be located at key points on the route, such as junctions or in the vicinity of local businesses.

For the avoidance of doubt it is considered that the Construction Management should include the following:

- Parking of vehicle of site operatives and visitors;
- Routes for construction traffic;
- Hours of operation;

- Method of prevention of mud being carried onto highway and provision of wheel-washing facilities on site;
- Pedestrian and cyclist protection;
- Arrangements for turning facilities of site for vehicles;
- Method to prevent dust.
- Agreeing with the council the details and the location for temporary signage the agreed routing to the site.

It is also considered appropriate given the scale of the construction project that a pre-commencement road condition survey is undertaken and then a similar exercise undertaken after the event so that any highway defects resulting from construction activities are corrected to the satisfaction of the Council. Subject to the above conditions the proposed development is considered acceptable in highway terms.

5.12 **Drainage and Flood Risk**

Policy CS9 of the Local Plan Core Strategy and Policy PSP20 of the Policies, Sites and Places Plan seek to ensure that any development is not adversely affected by the existing water environment or results in an impact to the surrounding area. As stated in the Core Strategy, new development has a significant role to play in managing flood risk by minimising its own surface water run-off through the use of Sustainable Drainage Systems (Suds), this provides a means of discharging surface water in ways that prevent flooding and pollution within the site (methods such as attenuation ponds and controlling flows).

The proposed development has been considered by both the Lead Local Flood Authority and the Environment Agency. Additional information has been sought from the applicant.

Flood Risk

The application site is predominantly within Flood Zone 3b (with elements in Flood Zone 2). Submitted details show that the flood zones within the site are associated with the Ladden Brook and its various tributaries. The applicant has submitted hydraulic modelling to further define the flood risks across the site and this has been accepted by the Environment Agency who have raised no objection, (subject to conditions relating to pollution control and the development proceeding in accordance with the submitted and approved flood risk assessment), to the proposal subject to the satisfactory passing of the “Sequential and Exception Tests”.

Table 2 within the NPPF (Flood Risk and Coastal Change) sets out the different categories according to their vulnerability to Flood Risk. It is considered that this development that would be classified as “essential infrastructure” is not inappropriate subject to the passing of the sequential test and the subsequent exception test as set out in table 3 of the guidance.

Sequential Test

Paragraph 158 of the NPPF sets out that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding, with development being rejected if there are other alternative locations with such a lower risk.

The key driver for the location of the development is the connection to the national grid in the area. This is the ideal location given the electricity distribution centre in Larks Lane that is located 500m to the south. The Case Officer also notes the large scale of the development which requires about 106 hectares of land (this is within one ownership). It is not considered that there would be other sites of a similar size with the same access to the grid (and which could be appropriate having regard to other material considerations in particular landscape impact). It is therefore considered that the sequential test is passed.

Exception Test

Paragraph 160 of the NPPF states:

The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:

- a) The development would provide wider sustainability benefits to the community That outweigh the flood risk; and
- b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

With respect to “a” above, the overriding impetus behind the NPPF is to actively promote sustainable development. Several paragraphs as set out elsewhere in this report are relevant to the development of a site such as this and indicate that planning plays a key role in helping to secure radical reductions in greenhouse gas emissions supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic social and environmental dimensions of sustainable development. The NPPF is very specific when it states that to support the move to a low carbon future, local planning authorities should plan for new development in locations and ways which reduce greenhouse gas emissions”

With respect to “b”, the detailed Flood Risk assessment (available online) has been viewed both by the Environment Agency and the Council Drainage Engineers and is accepted. This satisfies the second requirement of the exception test. A condition will be added to the decision notice to ensure that all works are carried out fully in accordance with the submitted details and subject to this the development is considered acceptable in flood risk terms.

Site Sustainable Drainage

The drainage proposals submitted are accepted by the Lead Local Flood Authority and a condition will be attached to the decision notice to condition the drainage plans.

5.13 **Site Security**

The site is to be enclosed with a 2 metre high timber and wire deer proof fencing. Full details of the fence design have been submitted and considered acceptable. The fencing is similar to that found at other solar farms in South Gloucestershire.

The application also includes the introduction of CCTV cameras on poles no higher than the boundary fence. The maximum height of the camera lenses would be 2 metres above ground level to reduce their visual impact. Full details of the cameras have been submitted and deemed to be visually appropriate.

5.14 **Balancing Exercise**

In accordance with the requirements of the NPPF and the Policies of the Local Development Framework as set out above your officer attaches significant weight to the fact that the development is inappropriate development in the Green Belt. Further weight is attached to the harm caused by the development to the openness because of the presence of structures on land that is currently agricultural and free from obstruction.

The harms identified to heritage assets as set out Section 5.6 above are also taken into account although this assessment is made separately as indicated.

By definition the introduction of an urbanising development of this scale will have a degree of harm to the landscape which is currently largely natural in appearance, although it is important to note that there are a number of unnatural features in and around the site such as a substation, pylons and further away – wind turbines. The harm to the landscape as set out above will be mitigated by planting/landscaping but that mitigation would only take effect once it becomes mature. The greatest impact would be during the first few years.

In favour of the development, your officer attaches very significant weight to the need to provide additional energy from renewable sources and the considerable wider environmental benefits associated with increased production from renewable sources as set out in detail above.

Some very limited weight is given to the time limited and non-permanent nature of the installation, but the minimum lifespan of 35 years is a significant period. That said the decommissioning of the infrastructure would allow a return to a natural landscape.

Some moderate weight is also given to the ecological enhancements proposed and the improvements to the public rights of way that have been secured.

Having regard to the evidence, your officer has weighed the harms caused against the public benefits and it is concluded that the latter outweigh the former.

5.15 Other Matters

The Town and Country Planning (Consultation) (England) Direction 2009 sets out those matters that should be referred to the Secretary of State prior to the issuing of a decision by the Local Planning Authority (the decision-maker).

As set out in this report the proposed development is situated in the Green Belt and does not fall within the list of appropriate development set out in the National Planning Policy Framework. Your officer has, as set out above, accepted the “Very Special Circumstances” set out by the applicant.

Section 4 of the direction in setting out those matters that must be referred to the states:

For the purposes of this Direction, “Green Belt development” means development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which consists of or includes-

- a) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- b) Any other development which by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt

In accordance with “B” above referral to the Secretary of State is required.

6.0 CONCLUDING SUMMARY

- 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.
- 6.3 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 It is recommended that the application be **APPROVED** subject to the conditions written on the decision notice.
- 7.2 Authority is delegated to the Head of Environment and Community Services to refer the resolution to grant planning permission to the Secretary of State for Communities and Local Government.
- 7.3 Provided that the Secretary of State for Communities and Local Government does not recover the application for consideration, that Authority is delegated to the Head of Environment and Community Services to grant planning permission in accordance with the recommendation.

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. Ecology

The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Appraisal Report (BSG Ecology, July 2020) and a Landscape and Ecological Management Plan (LDA Design, July 2020) and letter dated 25/09/2020 (BSG Ecology) and Ecological Mitigation Methods during construction (BSG Ecology, November 2020) which includes monitoring and provision of evidence of the installation of ecological enhancements.

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. Security

The development shall be carried out in accordance with the details set out in the e-mail to the Police from the agents (dated 29th September 2020 and in accord with the Gate and Fencing Plan LG6.0 Rev 02 dated 25th September 2020.

Reason:

In the interests of security and community safety and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the the National Planning Policy Framework February 2019

4. Public Footpaths (improvements)

Prior to the first use of the development hereby approved, the Footpath improvements identified on Drawing No. 2037/D005 Rev v.4 shall be carried out in full.

Reason:

To protect and enhance existing travel routes and to accord with Policy PSP10 (Active Travel Routes) of the South Gloucestershire Council Local Plan Policies Sites and Places Plan 2017.

5. Dilapidation survey

Prior to commencement of development a full dilapidation survey shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt this will require agreement with the highway authority to identify any existing damage on

the existing public highway with each defect and its location being mapped on a plan for the area (one mile from the application site entrance).

A post construction condition survey will then be required across the same extent of adopted highway in order to identify and agree with the Council any remedial works reasonably attributable to construction activities. Any identified highways defects resulting from construction activities will then be corrected to the satisfaction of the Council.

Thereafter any damage arising from the development or construction traffic must be properly rectified with full construction depth and to satisfaction of the Highway Authority.

Reason:

In the interests of highway safety and to accord with Policy CS8 of the South Gloucestershire Council Local Plan Core Strategy 2013.

A pre-commencement condition is required to avoid the need for future remedial action

6. Construction Management Plan

No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. For the avoidance of doubt the statement shall include details of:

Parking of vehicle of site operatives and visitors;

Routes for construction traffic;

The Construction Hours;

Method of prevention of mud being carried onto highway and provision of wheel-washing facilities on site;

Pedestrian and cyclist protection;

Arrangements for turning facilities of site for vehicles;

Method to prevent dust.

Temporary signage and its location in relation to the agreed routing details to and from the site.

The approved plan/statement shall be adhered to throughout the construction period thereafter.

Reason:

In the interests of highway safety and to accord with Policy CS8 of the South Gloucestershire Council Local Plan Core Strategy 2013.

A pre-commencement condition is required to avoid the need for future remedial action

7. Tree/Hedgerow Protection Plan

Prior to the commencement of development an Arboricultural Report in accordance with BS:5837:2012 to include a tree (and hedgerow) protection plan and arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

In order to protect the health and amenity of the trees and hedgerows on the site and to accord with Policy CS2 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP2 and PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017

A pre-commencement condition is required to avoid the need for future remedial action

8. Planting Plan

Prior to the commencement of development detailed planting plans specifying the location, species, stock size, planting centres and quantities of all proposed tree/hedgerow/ecological structure planting and new grassland areas; supported by schedules of proposed species, and an implementation specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To 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 to avoid the need for future remedial action

9. Landscape Management Plan

Prior to the first use of the development, a landscape management plan (LMP) covering the enabling works operations/period and subsequent 35 year operational period, with schedules of annual maintenance works, and longer term cyclical works shall be submitted to and approved in writing by the Local Planning Authority. The development shall operate thereafter in accordance with the approved details. For the avoidance of doubt the LMP shall update and expand upon the submitted Landscape and Ecological Management Plan (LEMP - July 2020).

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 to avoid the need for future remedial action

10. Boundary and landscaping treatments

Prior to the commencement of development details of the proposed boundary and hard landscape surface treatments, including proposed levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To 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 to avoid the need for future remedial action

11. Time Limit

The development hereby approved is for a period of 35 operational years from the date that electricity from the development is first exported to the National Grid for commercial operation; or within 3 years of the cessation of the exportation of electricity to the grid, whichever is the sooner.

No later than three months before the cessation of the development a Decommissioning Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include the timing for decommissioning of the solar farm, along with the measures, and a timetable for their completion (to be completed within 12 months from cessation of the export of energy to the grid), to secure the removal of the solar farm equipment and all associated road, equipment and structures in accordance with the Decommissioning Method Statement.

Reason

In order to ensure that the approved development does not remain in situ beyond the projected lifetime of the equipment so installed in the interests of the visual amenity and character of the surrounding landscape; and to accord with Policy CS3 and CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)

12. Export of Electricity (Start Date)

The developer shall notify the Local Planning Authority in writing within 21 days of such time that electricity from the development is first exported to the National Grid for commercial operation.

Reason

In order to allow the Local Planning Authority to adequately monitor the time scale of the development; and conditions contained in this decision notice.

13. Flood Risk Assessment

The development must be implemented in accordance with the Flood Risk Assessment (FRA) by RMA Environmental dated 30 July 2020 (Planning Document Reference:RMA-C2068 R012) and in particular FRA Sections 3.21 to 3.24 (Design Levels)

Solar Panels must be raised 0.8m above ground or provide 100mm freeboard above the 100 year plus 40% climate change flood levels on site (whichever is greater)

The substation and battery storage facility must be located within Flood Zone 1.

Inverter stations must be raised on supports above the 100 year plus 40% climate change level.

A buffer of 10m must be in place from the top of bank of all Main River Watercourses (for fencing and any structures) as per section 3.42 of the FRA

Reason 1:

To reduce the impact of flooding to the proposed development and in accordance with Policy CS9 of the South Gloucestershire Council Local Plan Core Strategy 2013 and Policy PSP20 of the South Gloucestershire Council Local Plan, Policies Sites and Places Plan 2017.

Reason 2: To ensure operational access is retained to the Main River Watercourses, and for ecological reasons as per the Flood Risk Assessment and in accordance with Policy CS9 of the South Gloucestershire Council Local Plan Core Strategy 2013 and Policy PSP20 of the South Gloucestershire Council Local Plan, Policies Sites and Places Plan 2017.

14. Pollution Prevention

No development approved by this permission shall be commenced until a scheme for the prevention of pollution during the construction phase has been approved by the LPA.

The scheme should include details of the following:

1. Site security.
2. Fuel oil storage, bunding, delivery and use.
3. How both minor and major spillage will be dealt with.
4. Containment of silt/soil contaminated run-off.
5. Disposal of contaminated drainage, including water pumped from excavations.
6. Site induction for workforce highlighting pollution prevention and awareness.

Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

For the development shall be carried out in accordance with the approved details. For the avoidance of doubt measures should be taken to prevent the runoff of any contaminated drainage during the construction phase.

Reason:

To prevent the pollution of the water environment and in accordance with Policy PSP21 of the South Gloucestershire Local Plan, Policies Sites and Places Plan 2017

A pre-commencement condition is required to avoid the need for future remedial action

15. Sustainable Drainage

The development shall be carried out in accordance with the drainage details hereby approved and thereafter maintained in accordance with the approved maintenance schedule.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

16. Plans

The development shall be built in accordance with the following approved plans:

LG1.0 REV02 LOCATION PLAN (DATED 31.07.2020)
 LG2.0 REV10 PROPOSED SITE PLAN (DATED 06.10.2020)
 LG3.0 REV02 PV ELEVATIONS (DATED 03.07.2020)
 LG4.0 REV01 INVERTER TRANSFORMER STATIONS (DATED 15.06.2020)
 LG5.0 REV02 INTERNAL ACCESS ROAD DETAIL (DATED 14.07.2020)
 LG6.0 REV02 FENCE AND GATE ELEVATIONS (DATED 25.09.2020)
 LG7.0 REV01 WEATHER STATION DETAILS (DATED 15.06.2020)
 LG10.0 REV01 CCTV ELEVATIONS (DATED 15.06.2020)
 LG11.0 REV01 BATTERY CONTAINER ELEVATIONS (DATED 03.07.2020)
 LG15.0 REV02 SUBSTATION FENCE AND GATE ELEVATIONS (DATED 23.09.2020)
 LG16.0 REV 01 SUBSTATION SURFACING CROSS SECTION (DATED 01.10.2020)
 LG17.0 REV 03 WATERCOURSE OFF SETS PLAN (DATED 09.10.2020)
 ICS-20-4089-001 REVB SUBSTATION FLOOR PLANS SHEET 1 (DATED 29.05.2020)
 ICS-20-4089-001 REVB SUBSTATION ELEVATIONS SHEET 2 (DATED 29.05.2020)
 2037/D005 REV04 PROPOSED PROW IMPROVEMENTS (DATED 09.10.2020)

All received 4th August 2020

R008 - LANDSCAPE STRATEGY PLAN REV D (DATED 08.10.2020)
 R006 - LVIA FIGURE 1 - SITE LOCATION 7430_SK_001A
 R006 - LVIA FIGURE 2 - POLICY DESIGNATION 7430_002A
 R006 - LVIA FIGURE 3 - TOPOGRAPHY 17430_003A
 R006 - LVIA FIGURE 4 - ZTV VPS 7430_SK_009A
 R006 - LVIA FIGURE 5 - LCA 7430_005A
 R006 - LVIA FIGURE 6 - ACCESS AND PROW 7430_006A
 R006 - LVIA FIGURE 7 - REPRESENTATIVE VIEWPOINTS

R006 - LVIA FIGURE 8 - ILLUSTRATIVE VIEWPOINTS
R006 - LVIA FIGURE 9 - PHOTOMONTAGES
R006 - LVIA ADDENDUM REV1.1 7430_LVIA_02
R011 - HIA APPENDIX 2 - GEOPHYSICAL SURVEY

Received 4th August 2020

Received 7th August 2020

R011 - HIA APPENDIX 2 - GEOPHYSICAL SURVEY

Received 19th August 2020

7430_002A R006 - LVIA FIGURE 2 - POLICY DESIGNATION.
17430_003A R006 - LVIA FIGURE 3 - TOPOGRAPHY
2020 7430_005A R006 - LVIA FIGURE 5 - LCA
7430_006A R006 - LVIA FIGURE 6 - ACCESS AND PROW
7430_SK_001A R006 - LVIA FIGURE 1 - SITE LOCATION
7430_SK_009A R006 - LVIA FIGURE 4 - ZTV VPS

Received 24th August 2020

ICS-20-4089-001 B ICS-20-4089-001 - SUBSTATION ELEVATIONS
ICS-20-4089-001 B ICS-20-4089-001 - SUBSTATION FLOOR PLANS

Received 29th September 2020

LG6.0 REV 02 FENCE AND GATE ELEVATIONS

Received 9th October 2020

LG16.0 REV 01 SUBSTATION SURFACING CROSS SECTION
LG17.0 REV 03 WATERCOURSE OFF SETS PLAN
R008 REV D REVISED LANDSCAPE STRATEGY PLAN
R008 REV D LVIA ADDENDUM

Received 27th October 2020

LG2.0 REV 10 PROPOSED SITE (LAYOUT) PLAN (REVISED)
2037/D005 Rev v.4 PROPOSED PROW IMPROVEMENTS

Reason:

For the avoidance of doubt.

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

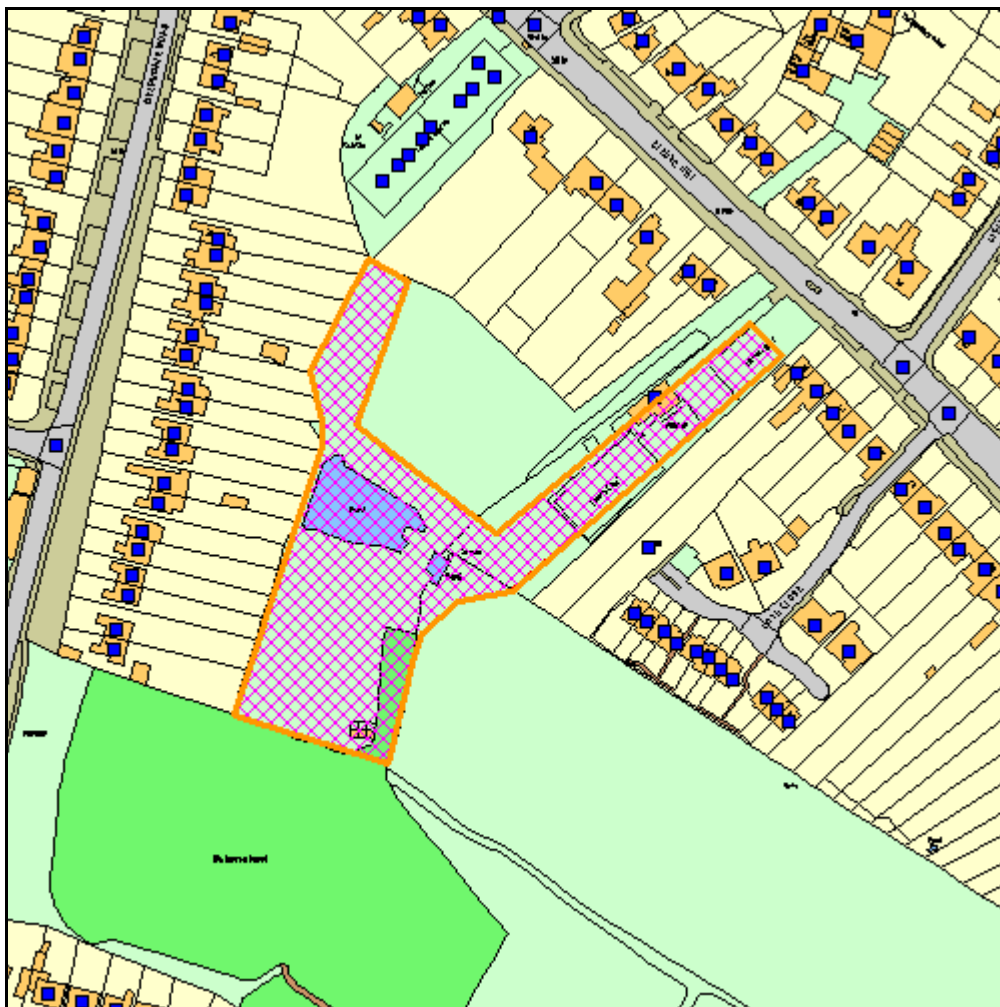
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the

following ways: Negotiations have taken place with the applicant to secure a positive outcome and the decision has been issued in a timely manner.

Case Officer: David Stockdale
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 49/20 -4th December 2020

App No.:	P20/18074/TRE	Applicant:	WrightSilverback Arb Consultancy
Site:	59 Cleeve Hill Downend South Gloucestershire BS16 6EU	Date Reg:	29th September 2020
Proposal:	Works to various trees as per the attached proposed schedule of works (section 5 of application form) received by the Council on 23rd September 2020. Trees covered by KTPO 14/88 and dated 03/07/1989.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364854 177054	Ward:	Frenchay And Downend
Application Category:		Target Date:	20th November 2020



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100023410, 2008.

N.T.S.

P20/18074/TRE

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE/COMMITTEE

This application is referred to the Circulated Schedule as comments have been received that are contrary to the Officer's recommendation.

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.

1. THE PROPOSAL

- 1.1 Works to various trees as per the attached proposed schedule of works (section 5 of application form) received by the Council on 23rd September 2020. Trees covered by KTPO 14/88 and dated 03/07/1989.
- 1.2 The trees are on a site associated with no.59 Cleeve Hill, Downend, South Gloucestershire, BS16 6EU.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/3113/TRE, Site Address: 67 Cleeve Hill, Downend, Bristol, South Gloucestershire, BS16 6EU, Decision: SPLT, Date of Decision: 01-SEP-17, Proposal: Works to Pollard by 3m 1 no. Ash tree, fell 1 no. Cherry tree, fell 2 no. Sycamore, fell 2 Ash, fell 1 no. Oak and fell 1 no. Apple tree all covered by SGTPO 22/11 dated 16th May 2012, CIL Liable:
- 3.2 P19/14082/TRE, Site Address: Land At Cleeve Hill, Downend, Bristol, South Gloucestershire, BS16 6EU, Decision: COND, Date of Decision: 06-DEC-19, Proposal: Crown lift to 4m 1 no. Sycamore, 1 no. Sweet Chestnut and group of various other trees fell 5 no Ash trees all covered by SGTPO 22/11 dated 16th May 2012 and KTPO 14/88 3rd July 1989, CIL Liable:
- 3.3 PK17/1762/TRE, Site Address: 61 Cleeve Hill, Downend, Bristol, South Gloucestershire, BS16 6EU, Decision: SPLT, Date of Decision: 12-JUL-17, Proposal: Works to various trees as detailed on the submitted schedule. Covered by South Gloucestershire Tree Preservation Order 22/11 dated 16 May 2012., CIL Liable:
- 3.4 PK15/4742/TRE, Site Address: Cleeve Tennis Club, Cleeve Hill, Downend, Bristol, South Gloucestershire, BS16 6EU, Decision: COND, Date of Decision:

17-DEC-15, Proposal: Works to crown lift to 4m various trees shown on submitted plan all covered by KTPO 14/88 dated 3rd July 1989, CIL Liable:

4. CONSULTATION RESPONSES

- 4.1 Downend And Bromley Heath Parish Council has no objection, subject to meeting South Gloucestershire Tree Officers requirements for this extensive development, provided that:
No work is undertaken without South Glos Tree Officers approval.
No work is undertaken on trees that fall within the ownership of neighbouring properties.
A site visit is necessary before work commences.

Other Representations

- 4.2 Local Residents
Comments have been received from three local residents objecting to works to trees or parts of trees within their properties. Neighbouring residents do not wish to lose screening provided by these trees.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal is to crown lift three individual trees and the component trees of two other groups. A group of 6no. Sycamore are also to be removed.
- 5.2 Principle of Development
The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.
- 5.3 Consideration of Proposal
The proposed crown lifting work is to provide clearance over an access road and footpath within the site. The work involves the removal of all or parts of branches that are below 5 metres over the access road and 3 metres over the footpath.
- 5.4 No works will be carried out to parts of the trees' crowns that are not within the site.
- 5.5 The trees that are to be removed on the eastern side of the site are low quality Sycamore and will be replaced.
- 5.6 It is not considered that the pruning works will have a negative impact on the long term health of the trees nor on the amenity that they provide.
- 5.7 One of the conditions of consent will be that a site meeting is held prior to commencement of the tree works.

6. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. A site meeting will be held between the SGC Tree Officer and the appointed Tree Surgery contractor prior to commencement of the works.

Reason

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

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

Reason

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

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

Reason

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

Case Officer: Simon Penfold

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 49/20 -4th December 2020

App No.: P20/18886/F	Applicant: Mr Quan Khau	
Site: 26 Braemar Crescent Filton South Gloucestershire BS7 0TD	Date Reg: 7th October 2020	
Proposal: Erection of two storey front and side and single storey rear extension to form additional living accommodation.	Parish: Filton Town Council	
Map Ref: 359729 178209	Ward: Filton	
Application Category: Householder	Target Date: 30th November 2020	



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

This planning application will be referred to the Circulated Schedule because the proposal has received 1No objection from Filton Town Council, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for erection of a two storey front and side and single storey rear extension, as detailed on the application form and illustrated on the accompanying drawings. The existing conservatory, garage, workshop, storage space will be demolished.
- 1.2 The application site can be found at 26 Braemar Crescent and is a two storey terrace property located in an area of residential development. It is within the established built up area of Filton.
- 1.3 As part of the assessment process of this application, the design of the proposed two storey front and side extension, and the single storey rear extension has been revised and a re-consultation has been undertaken. No new/additional comments were received as a result.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted 2013)

3. **RELEVANT PLANNING HISTORY**

3.1 None relevant.

4. **CONSULTATION RESPONSES**

4.1 Filton Town Council

1 No Objection –

- Insufficient parking;
Increased traffic generation;
- Reduction in highway safety as a result of increased traffic congestion and additional parking on the public highway;
- Increased noise and disturbance resulting from additional bedrooms and occupancy; and
Unacceptable increase in building density.

4.2 Other Consultees

Sustainable Transport - Transportation DC

No Objections.

Other Representations

4.3 Local Residents

1 No letter of comments:

Concerns over the impact of the proposed build adjacent to the property of No 28;

2 No letter of Objections:

- Design proposal not in keeping with neighbouring properties;
- Inadequate off-street car parking;
- Overlooking concerns;
- Concerns over potential maintenance;
Excessive and Overbearing development; and
Concerns of potential conversion to HMO at a later date.

5. **ANALYSIS OF PROPOSAL**

5.1 Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.

5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance

the character, distinctiveness and amenity of both the application site and its context

- 5.3 The proposal is for planning permission is for the erection of two storey front and side and single storey rear extension to form additional living accommodation. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.
- 5.4 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.5 The two storey front extension, will have an overall width of 5.67 metres, and be to a depth of 1.38 metres (not protruding the existing front façade) with 2No windows to the front elevation, both at ground and first floor level. It will integrate with the existing hipped style roof and will maintain the existing height to the eaves from the existing ground level.
- 5.6 The two storey side ground floor extension, will maintain the existing width of the existing garage, following the boundary towards to the rear, and there will be 2No small obscured glazed windows on the ground floor, to the front & side elevation, albeit subservient to the main front façade. There will be 1No further new window to the front elevation on the ground floor.
- 5.7 The first floor side extension will have an overall width to the front elevation of 2.8 meters, widening to 3.3 meters at the rear, and be to an overall depth of 6.9 meters, front to back. It will feature 3No new windows; 1No to the front, 1No to the rear and 1No to the side elevation (the side window will be obscured glazing). Overall, the two storey side extension will continue the existing hipped roof and therefore maintain the existing eaves height.
- 5.8 The additional ground floor side extension to the rear (annotated gym), has an overall width of 3.26 meters and depth of 4.29 meters and it will feature a gable end pitched roof, extending to a maximum of 2.3 metres in height to the eaves from the existing ground level. It will feature 1No window out onto the private amenity space.
- 5.9 The single storey rear extension will have an width of 7.0 metres and be to a depth of 4 metres with 1No new sliding patio door and 1No personnel door into the gym at the rear. It will have a lean to style roof with 3No velux windows, and it will extend to 3.0 metres in height to the eaves from the existing ground level.
- 5.10 All these extensions have been proposed through their design to complement the existing dwelling in the choice of materials, details and components, ensuring that the aesthetical appearance of the dwelling continues to

compliment neighbouring properties, matching materials and components to the existing dwelling where possible, and therefore the scale and form of the proposed extensions will respect the proportions and character of the existing dwelling.

5.11 Residential Amenity

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

5.12 In terms of overlooking, there are 2no proposed windows to the side of the proposed extension, and 1No small window being positioned to the front façade overlooking the public realm and 1No larger window to the rear overlooking the private amenity space. In order to ensure that there is to be no risk of overlooking or loss of privacy, a condition will be applied that the new windows to the side elevation are obscured glazing.

5.13 Whilst part of the proposal is a two storey side extension, that doesn't necessarily mean it will result in overbearing or dominant impact to the neighbouring properties. Currently, there are 2No windows in the side elevation of the neighbouring property, and although they would face onto the proposed two storey side extension, it is understood that they don't both feature as habitual rooms. However, this neighbouring elevation will be approximately east facing, and therefore the higher existing window (and what is believed to be a loft conversion), benefits from an east facing climate (early morning sunlight etc). However, notwithstanding this two storey proposal, and given the proposed re-defined first floor layout and scale, officers are satisfied that the overshadowing impact will therefore be minimal and they are satisfied that the proposed development would not result in a significant overbearing impact to the occupants.

5.14 As the site is located in a built up residential area, and given the proposed size, scale and location of the extension, it has been concluded that the impact on the neighbouring residential amenity would be limited and therefore it should not result in an unacceptable impact.

5.15 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal does not include any additional bedrooms, therefore there are no transport concerns.

5.16 Private Amenity Space

The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are based on the number of bedrooms at a property. The proposal does not include any changes to the number of bedrooms.

5.17 Other Matters

2No letters of Objection have also been received from neighbouring properties in respect of the concerns over the proposed extensions being overbearing and that they will create overlooking issues. These concerns have been addressed in the main body of the report above.

5.18 Concerns have also been raised with regards to the proposed design and the additional car parking impacts. A proposed parking plan has been submitted which demonstrates that 2No parking spaces will be provided, which will comply with South Gloucestershire Council's residential parking standards.

5.19 1No letter of comments have been received by the adjoining neighbour as they are concerned over the potential build impacts of proposed rear extension in relation to their existing rear conservatory. Furthermore, concerns were also raised with regards to any future maintenance of neighbouring properties and the potential for the dwelling to become a House of Multiple Occupation (HMO) at a later date. Whilst these comments are understood, these issues does not form material considerations as part of this planning application.

5.20 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. **RECOMMENDATION**

7.1 That the application be **APPROVED**.

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 use or occupation of the extension hereby permitted, and at all times thereafter, the proposed ground and first floor windows, in the side extension (the garage/lock-up space to the ground floor and ensuite to first floor) shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

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

001 Existing Ground Floor and First Floor Plans (Date received 02/10/20)

002 Existing Loft Plan and Roof Plan (Date received 02/10/20)

003 Existing Elevations (Date received 02/10/20)

004 Rev C Proposed Ground Floor and First Floor Plans (Date received 18/11/20)

005 Rev C Existing Loft Plan and Roof Plan (Date received 18/11/20)

006 Rev C Proposed Elevations (Date received 18/11/20)

007 Site Location and Block Plans (Date received 02/10/20)

008 Parking Plan (Date received 07/10/20)

Design and Access Statement

Reason

To define the terms and extent of the permission.

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:

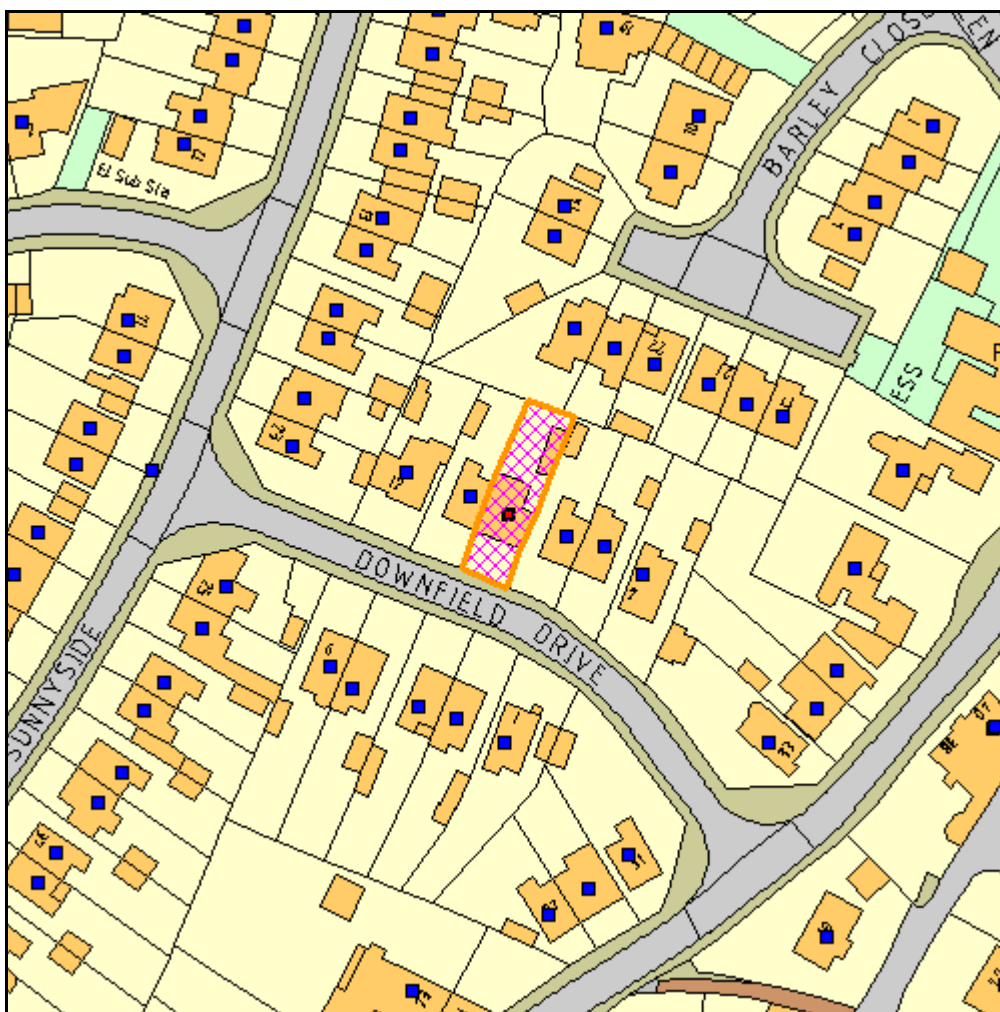
By issuing a timely decision.

Case Officer: Helen Turner

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 49/20 -4th December 2020

App No.:	P20/20728/F	Applicant:	Miss Boyland
Site:	8 Downfield Drive Frampton Cotterell South Gloucestershire BS36 2EQ	Date Reg:	5th November 2020
Proposal:	Erection of single and two storey rear and side extension and extension to existing rear dormer to form additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366967 181542	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	28th December 2020



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P20/20728/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.

This planning application will be referred to the Circulated Schedule because the proposal has received 1No objection from Frampton Cotterell Parish Council, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single and two storey rear and side extension, and an extension to the existing rear dormer, to form additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 8 Downfield Drive, is set within a good sized plot, and is an existing two storey semi-detached property. It is located within the established built up residential area of Frampton Cotterell.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted 2013)
Technical advice note: Assessing Residential Amenity

3. RELEVANT PLANNING HISTORY

- 3.1 N7089. Erection of a rear dormer extension to provide an additional bedroom. Approved. 04.12.1980

4. **CONSULTATION RESPONSES**

4.1 Frampton Cotterell Parish Council

1No Objection – The Parish Council notes the objection raised by a local resident and wishes to safeguard that the Development Management Team can confirm compliance with the relevant policies (PSP8; PSP38, and 'Technical advice note: Assessing Residential Amenity').

Other Representations

4.2 Sustainable Transport – Transportation DC

No Objections.

4.3 Local Residents

1No letter of objection

- Concerns over impact of light, drainage, foundations and boundary.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.

5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

5.3 The proposal is for the erection of single and two storey rear and side extension and an extension to existing rear dormer to form additional living accommodation. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.

5.4 Design and Visual Amenity

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

- 5.5 The single storey rear 'infill' extension, will have an overall width of 2.58 metres and be to a depth of 4.030 metres, with 1No patio doors to the rear elevation. It will have a lean-to style roof, with 1No velux rooflight, and it will extend to 2.37 metres in height to the eaves, from the existing ground level.
- 5.6 The extension to the rear dormer, will extend to an overall width of 8.3 metres, be to a depth of 1.6 metres, and feature 3No windows. It will maintain the existing flat roof, and will be located 260mm below the existing ridge, and more than 0.5 meters above the eaves.
- 5.7 The extension has been proposed through its design to complement the existing dwelling in the choice of materials, details and components, ensuring that the aesthetical appearance of the dwelling continues to compliment neighbouring properties, matching materials and components to the existing dwelling where possible, and therefore the scale and form of the proposed extensions will respect the proportions and character of the existing dwelling.
- 5.8 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance.
- 5.9 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. This proposed extension would not project further than footprint of the host dwelling to the rear. The proposed lean-to style roof single storey extension has an overall height to the eaves of 2.37 metres. Given position of the 'infill' extension and its scale, officers are satisfied that the impact will be minimal.
- 5.10 In terms of overlooking, there are no proposed windows to the side of the proposed extension. The only additional openings will be to the rear elevation (1No bi-fold doors to the ground floor and 1No window to the dormer), and they will be into the existing private amenity space.
- 5.11 As the site is located in a built up residential area, and given the proposed size, scale and location of the extension, it has been concluded that the impact on the neighbouring residential amenity would be limited and therefore it should not result in an unacceptable impact.
- 5.12 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal does not include any additional bedrooms, therefore there are no transport concerns.
- 5.13 Private Amenity Space
The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are

based on the number of bedrooms at a property. The proposal does not include any changes to the number of bedrooms.

5.14 Other Matters

1No letter of objection was received in relation to this application with regards to the potential impacts of the loss of light; the impacts of any drainage and the potential foundations, and impacts on the boundary in relation to the neighbouring property.

5.15 As the neighbour mentions, their house is situated on higher ground and there is a large gap between the properties allowing light into to the existing windows and it is understood that the side windows are secondary windows to the habitable space. The application only proposes to bring the first floor and above extension in line with the existing and original rear of house.

5.16 The proposal should also alleviate any privacy issues as the neighbours existing windows currently give view directly into the private rear garden area of the applicant's property and the proposal should alleviate this issue.

5.17 With regard to drains and foundations, all works will be agreed with Building Control, Wessex Water and the structural engineers prior to build as standard practice and there will be no requirement to dig on the neighbours land.

5.18 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. **RECOMMENDATION**

7.1 That the application be **APPROVED**.

CONDITIONS

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

Reason

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

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

Location Plan (Date received 23/10/20)

80554-1 Rev B Existing and Proposed Floor Plans (Date received 24/11/20)

80554-2 Rev B Existing and Proposed Elevations (Date received 24/11/20)

Reason

To define the terms and extent of the permission.

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:

By issuing a timely decision.

Case Officer: Helen Turner

Authorising Officer: Marie Bath