

# 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. 19/20

**Date to Members: 07/05/2020**

**Member's Deadline: 14/05/2020 (5.00pm)**

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2018. Under the arrangement certain reports are circulated on a weekly basis. The reports assess the application, considers representations which have been received, and make a recommendation regarding the proposal.

Having considered the reports, those applications that Councillors feel should be referred to the relevant Planning Committee must be notified to the Strategic Planning section by email within five working days of the publication of the schedule (by 5pm) in line with the procedure set out below. If there has been no valid Member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule.

Before referring an item to the Committee, it is recommended that Members speak to an officer about the issue, to explore whether any problems can perhaps be resolved without the need for referral to a Committee.

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

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

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

- a) Be made in writing using the attached form by emailing [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The request in writing must be made in writing by at least two or more Members, not being Members of the same ward
- d) In addition, the request in writing must have the written support of at least one of the Development Management Committee Chair and Spokes Members
- e) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral
- f) Indicate whether you have discussed the application(s) with the Case Officer and/or Development Manager
- g) Indicate whether you have discussed the application(s) with ward Member(s) if the site is outside of your ward

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

### **Additional guidance for Members**

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

When emailing your circulated referral request, please ensure you attach the written confirmation from the Supporting Member(s) and Supporting Chair or Spokes

Please note a copy of your referral e mail will appear on the website.

Before referring an application always contact the case officer or Development Manager first to see if your concerns can be addressed without the application being referred.

If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward Member(s) to see what their views are, before referring the application.

Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Please do not leave it to the last minute.

**A template for referral is set out below:**

## **Referral from Circulated Schedule to Development Management Committee**

1. Application reference number:
  
2. Site Location:
  
3. Reasons for referral:

The referral should include the reasons for the referral indicating why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issues the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay of the referral

4. If the site is outside your ward have you contacted the ward Member(s) to inform them of the referral?

5. Have you discussed the referral with the case officer or Development Manager?

a) Referring Member:

b) Details of Supporting Member(s) (cannot be same ward as Referring Member)

c) Details of Supporting Chair or Spokes Member of the Development Management Committee

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

**Date:**

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

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

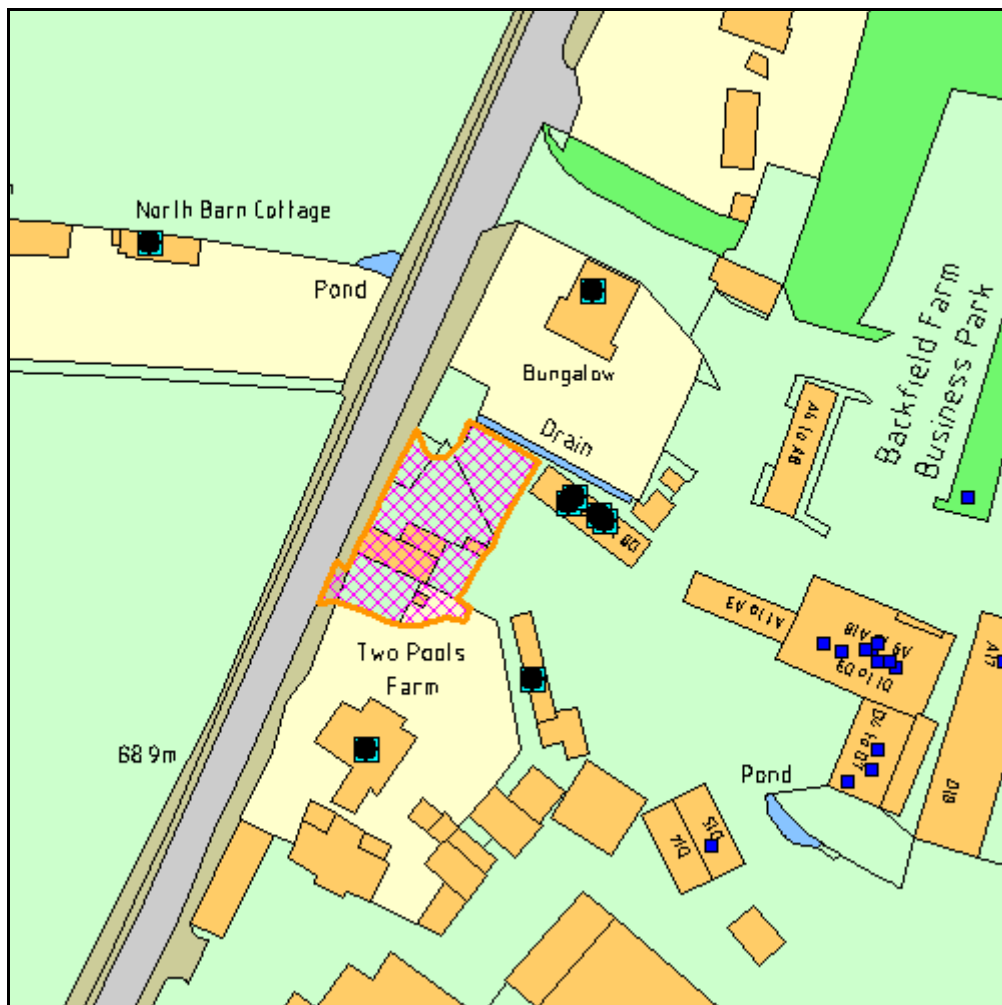
Dates and officer deadlines for Circulated Schedule May Bank Holidays 2020

# CIRCULATED SCHEDULE - 07 May 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/10793/F	Approve with Conditions	Building At Two Pools Farm Wotton Road Iron Acton South Gloucestershire BS37 9XD	Frampton Cotterell	Iron Acton Parish Council
2	P19/19778/F	Approved Subject to Section 106	Land West Of Garston Farm Marshfield	Boyd Valley	Marshfield Parish Council
3	P20/03400/F	Approve with Conditions	96 Gloucester Road Patchway South Gloucestershire BS34 6PY	Charlton And Cribbs	Patchway Town Council
4	P20/04041/F	Refusal	Gib Stables Ham Lane Doynton South Gloucestershire BS30 5TL	Boyd Valley	Wick And Abson Parish Council
5	P20/04354/F	Approve with Conditions	54 Burley Crest Mangotsfield South Gloucestershire BS16 5PW	Staple Hill And Mangotsfield	

**CIRCULATED SCHEDULE NO. 19/20 - 7th May 2020**

<b>App No.:</b>	P19/10793/F	<b>Applicant:</b>	Mr Mike King PE King (Bristol) Ltd
<b>Site:</b>	Building At Two Pools Farm Wotton Road Iron Acton Bristol South Gloucestershire	<b>Date Reg:</b>	21st August 2019
<b>Proposal:</b>	Erection of single storey rear and side extensions to facilitate change of use of building from agricultural to 1 No. dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with associated works.	<b>Parish:</b>	Iron Acton Parish Council
<b>Map Ref:</b>	368674 184395	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th October 2019



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 100023410, 2008. N.T.S. P19/10793/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 Circulation**

The application appears on the circulated schedule due to the comments of Iron Acton Parish Council.

## **1. THE PROPOSAL**

- 1.1 The application seeks permission to convert this pair of adjoined low level stone and clay roofed, parallel barns to a single level dwelling. The proposal includes extension to the northeast (proposed rear) of the building.
- 1.2 The site is within the Green Belt and forms part of the old buildings of Two Pools Farm/ Backfield farm.

## **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions and Subdivisions
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance  
Design Checklist SPD (Adopted) 2007  
Residential Parking Standards SPD (Adopted) 2013  
Waste Collection: Guidance for New Development SPD (Adopted) January 2015



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

There is extensive history on the wider agricultural site but the following more closely relates to the actual red line site area.

- 3.1 PK18/0550/F Subdivision of existing dwelling to create 2no. dwellings with new access and associated works. Approved 17.04.2018

### **4. CONSULTATION RESPONSES**

#### **4.1 Iron Acton Parish Council**

IAPC are concerned at yet another development situated in green belt. However, bearing in mind current use of the plan site and the large amount of development history at the adjacent business park, we are doubtful that this further development will make any great detrimental effect over and above what has already happened.

#### **4.2 Other Consultees**

##### **Lead Local Flood Authority**

No objection subject to a condition regarding detail of a package treatment plant.

##### **Highway Structures**

No comment

##### **Environmental Protection**

No objection but an informative is added to the decision notice which suggests that the developer should seek independent advice from a suitably qualified and experienced contaminated land professional/consultant to assess if there could be any potential risks of contamination to the new proposed use of the site.

##### **Sustainable Transport**

No objection subject to a condition

##### **The Archaeology Officer**

No comment

##### **Tree Officer**

No objection subject to works being carried out in accord the Arb report submitted.

#### **Other Representations**

#### **4.3 Local Residents**

None

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Policy CS1 of the 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 the site and its context; have an appropriate density and its overall layout is well integrated with the existing development.

5.2 Policy PSP40 states that the conversion and re-use of existing buildings for residential purposes will be acceptable where:

- i). the building is of permanent and substantial construction; and
- ii). it would not adversely affect the operation of a the rural business(es) or working farm(s); and
- iii). any extension as part of the conversion or subsequently is not disproportionate to the original building; and
- iv). If the building is redundant or disused; the proposal would also need to lead to an enhancement of its immediate setting.

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

5.3 Additionally, the site is located within the Bristol/Bath Green Belt where development is rigorously controlled. As such the proposal must accord with PSP7, CS5 and the provisions of the NPPF.

#### 5.4 Green Belt

The development itself proposes to re-use some old traditional stone barns and include for its garden an area of ground alongside the boundary wall. The area is currently either unused or used for external working space related to the wider site use. A discrete extension is proposed which would not be considered to be disproportionate (less than 50% increase) to the existing buildings and is also ground floor only such that it will not impact on the openness of the green belt. The access proposed is via an access already agreed under application PK18/0550/F for the conversion of the original house into two units and as such no new buildings are proposed in the Green Belt. As such the proposal is considered appropriate development in the Green Belt.

#### 5.5 Suitability to reuse under PSP40

A Structural survey indicated that the building's length, breadth, eaves height and ridge height are suitable for conversion to alternative use. The external and internal walls are sound, the roof structures and coverings are in fairly good order and whilst it will be necessary to take up the floors, they need be renewed in any event to comply with building regulation requirements. As such the building is sound, and the condition, size and shape make it suitable for conversion. The proposal will enhance its current rather tired appearance and surrounds and the large openings in the front elevation retain an agricultural character.

#### 5.6 Design and Visual Amenity

The extension is designed in two parts, firstly to elongate an existing part of the barn and another section has a slightly more modern appearance, creating a third section to the parallel barn form. The whole proposal respects the scale, height and form of the original low level barns. The proposal would sit well with

the current proposal to split the existing farm house into two and adds two parking spaces to the front of the barn close to the other proposed parking/manoeuvring area of that approved application area which is also directly adjacent to this barn. In line with current policy a car charging point and cycle/bin store are also shown.

The main barn building is seen above a stone wall from the road. The ridge height of this does not change. The small parallel barn ridge is raised slightly and part of the extension follows this through. The raised sections and the new sections are not conspicuous from the road and they maintain the character of the main barn. The proposal is to retain the stone material to the buildings currently on site and to finish the extension in vertical timber cladding. There will also be timber fenestration coloured the same as the timber cladding. Clay tiles will remain the roofs covering. As such it is not considered essential to require further details by condition as these are set out on the application form and the proposal does not affect a listed building or conservation area.

In terms of the wider curtilage, on a site visit the Case Officer noted that the lawns, boundary treatments and vegetation are unmanaged. The proposed laying of lawns, planting of shrubs and erection of new boundaries would create a much improved appearance of the site as a whole and therefore accords with the provision of policies CS1, PSP1 and PSP40.

#### 5.7 Residential Amenity

Policies PSP8 and PSP39 of the adopted PSP Plan sets out that development should not prejudice residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers whilst providing adequate private amenity space for itself to exceed the requirements of PSP43.

- 5.8 The farmhouse is sufficiently remote and across the carpark to the dwelling so as to have no impact on the privacy of occupiers of the proposal and each dwelling once converted.

#### 5.9 Transport

PSP16 sets the parking requirements for new development; a three bedroom property to be two off-street parking spaces. These spaces should meet South Gloucestershire standards, be within the site boundary and be safe to access. The application demonstrates that two spaces do not conflict with the proposed six spaces for the neighbouring house conversion and as such the proposal is acceptable and does not affect the neighbouring proposal. This exceeds the requirements of PSP16 overall.

- 5.10 Additionally, it is proposed to use the access approved under PK18/0550/F. This access remains acceptable for another dwelling. A condition is proposed to ensure that the access as shown and parking for cars and cycles is implemented prior to occupation.

#### 5.11 Drainage

Additional drainage details were requested by the Lead Local Flood Authority in respect of eth Package Treatment Plant proposed. The LLFA have agreed that these can be submitted by condition.

5.12 Landscape

There are trees in the rear garden area and a poor quality tree will be removed. A full arboricultural report was submitted in respect of the trees and a hedge and the tree officer is satisfied that this protects the trees/hedge in the back garden. A condition will ensure ongoing protection through the works.

5.13 Ecology

Ecology surveys have been submitted generally in respect of ecology and additionally in respect of bats and great crested newts. It has been established that there will be no significant effects upon protected species, or wider habitats and species. Biodiversity enhancement measures and mitigation measures during works are proposed which will be secured by condition.

5.13 Other matters

Due to the farmhouse being located on a working farm; as the need for the subdivision arises from the intensification of farm activities; and as is the case for other rural workers dwellings at the site. The occupation of both dwellings will be restricted to farm workers only, this will be conditioned.

5.14 Equalities

The Equality Act 2010 protects people from discrimination in the workplace and in wider society. 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.

5.15 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 **GRANTED** subject to the conditions set out below.

**Contact Officer: Karen Hayes**  
**Tel. No. 01454 863472**

## **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 dwelling shall not be occupied until the access, car and cycle parking arrangements have been completed in accordance with the submitted details.

Reason: In the interest of highway safety, to promote sustainable transport choices and to accord

With SGC Policies PSP11 and PSP16 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017.

3. Prior to the first occupation of the development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and the Package Treatment plant sought together with its location must be submitted to and approved in writing. The details shall include:

The method of irrigation for the effluent overflow

A percolation test for discharge to a soak away

Evidence as to whether or not a Environment Agency 'Environmental Permit' is required and produce a copy if required.

Development shall be carried out in accordance with the approved details also prior to the first occupation of the development.

Reason: To ensure a satisfactory means of drainage and pollution control in order to comply with South Gloucestershire Local Plan: Polices, Sites and Places Plan (Adopted) November 2017 Policy PSP21; and South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS9.

4. The works shall proceed in strict accordance with the Arboricultural Report containing:
  - o Arboricultural constraints
  - o Arboricultural impact assessment (AIA)
  - o Tree protection
  - o Arboricultural method statement received 18 November 2019

Reason

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

5. The development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 6 of the Preliminary Ecological Report and Chapter 5 of the Bat Survey Report (Smart Ecology June/July 2019).

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the ecological value of the site and to accord with Policy PSP19 of the South Gloucestershire Policies sites and places PPlan November 2017 and the National Planning Policy Framework.

6. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the Preliminary Ecological Report and the Bat Survey Report (Smart Ecology June/July 2019) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes and native planting. The submitted features shall thereafter be maintained as agreed.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the ecological value of the site and to accord with Policy PSP19 of the South Gloucestershire Policies sites and places PPlan November 2017 and the National Planning Policy Framework.

7. The application shall proceed in accordance with the following plans and reports:

AP(0)00 Location plan rec received 9/8/2019

AP(0)02 existing ground floor plan received 9/8/2019

AP(0)03 existing elevations received 9/8/2019

AP(0)15 proposed elevations received 9/8/2019

AP(0)17 landscape plan rec 7/10/19

AP(0)12 rev B Proposed ground floor plan rec 7/10/19

AP(0)10 rev A rec 7/10/19

AP(0)04 rev A exg site plan

Bat survey and report received 9/8/2019

Great Crested Newt report received 9/8/2019

Preliminary Ecological report received 9/8/2019

Structural survey received 9/8/2019

Reason

In the interest of good planning and to prevent the need for remedial action.

8. 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), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

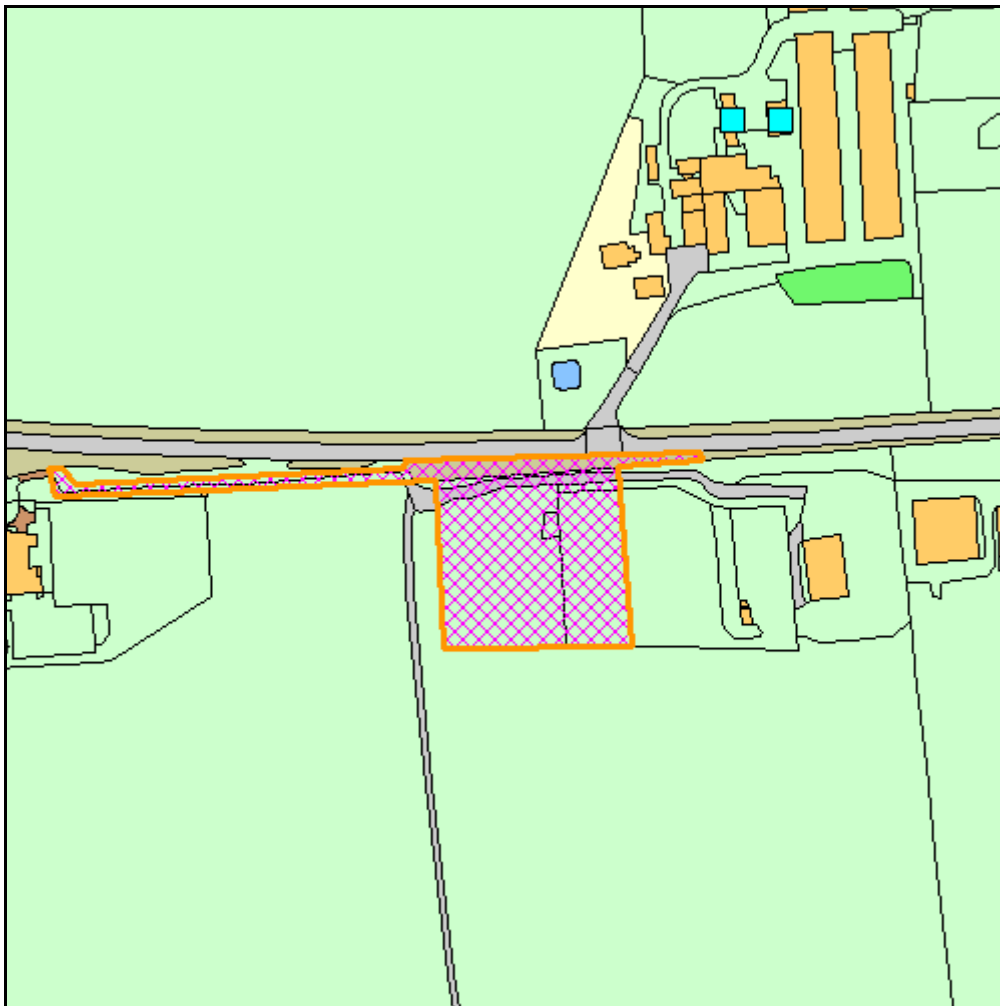
Reason

In the interests of visual amenity and to accord with policy PSP7 and PSP40 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017 and policy CS5 South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

**CIRCULATED SCHEDULE NO. 19/20 - 7th May 2020**

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

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100023410, 2008. **N.T.S.** **P19/19778/F**



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

## **INTRODUCTION**

This application is referred to the Circulated Schedule in accordance with the Council Constitution as a total of three objections have been received that are contrary to the Case Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 This application is for the erection of 18 no. dwellings to the east of Marshfield. The development is made by the Marshfield Community Land Trust and will comprise 12 units of affordable housing (10 units being made available for Social Rent and 2 for Shared Ownership), 3no. Units that will be retained by the landowner with 3no. Units being sold as outright sale (it is indicated that these will help fund the development).
- 1.2 Access to the site is located midway on the northern elevation. Visibility splays are to be provided each side of the entrance. It is proposed to construct a new pedestrian and cycle path on the southern edge of the layby that runs alongside the A420 to give access to the village and in particular the school. 35 parking spaces are indicated, the majority of which will be located at the northern edge of the site.
- 1.3 The development will comprise largely barn style structures which while two storey are designed to sit low in the landscape (almost appearing single storey when viewed from the wider landscape. These buildings are set around a central courtyard. In contrast a cluster of three units (those to be retained by the landowner) will be located at the south-eastern corner and these appear more in keeping with the tradition form of a rural farmhouse with their own courtyard in a farmyard style. The development therefore comprises four groups of dwellings.
- 1.4 The site is situated beyond the eastern boundary of Marshfield on 0.83 hectares of land. The site is farmland situated to the immediate south of the A420 and is surrounded to the west, south and east by further farmland. Immediately to the west of the site lies a farm track (which is a public right of way running south into the Doncombe Brook Valley), with Marshfield Primary School lying a further 100 metres away. A small Airstrip lies approx. 260 metres to the south used for limited recreational flying. To the east lies further farmland and approximately 40 metres from the site lies a hedgerow and the first farm buildings associated with Garston farm. To the north lies the A420 separated from the site at present by a low rise bund and hedgerow. A rough roadway runs parallel to the A420 between the site and the school to the west.

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

- 1.5 The application site is situated outside of the settlement boundary of Marshfield within the Area of Outstanding Natural Beauty (AONB) and the Green Belt. The

application is submitted as a Rural Affordable Housing Exception Site. There are no other constraints.

- 1.6 In support of the application, in addition to the Design and Access Statement and Plans, the following documents have been submitted; Affordable Housing Needs Survey Report, Affordable Housing Statement, Landscape Visual Impact Assessment, Aboricultural Report, Geophysical Survey, Drainage Strategy, Ecological Impact Assessment, Transport Statement and Energy Statement.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework February 2019  
National Planning Practice Guidance

### **2.2 Development Plans**

#### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS19	Rural Housing Exception Sites
CS24	Green Infrastructure, sport and recreation standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP5	Undesignated Open Spaces
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

### **2.3 Supplementary Planning Guidance**

Development in the Green Belt SPD (Adopted) June 2007  
Design Checklist SPD (Adopted) August 2007  
Residential Parking Standard SPD (Adopted) December 2013  
Landscape Character Assessment SPD (Adopted) November 2014  
CIL and S106 SPD (Adopted) March 2015  
Waste Collection SPD (Adopted) January 2015 (updated March 2017)

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

3.1 There is no relevant planning history

### **4. CONSULTATION RESPONSES**

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

#### **4.1 Marshfield Parish Council**

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

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

#### **4.2 Other Consultees**

##### **Sustainable Transport Team**

Initial Comments (summary)

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

Sustainability

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

Highway Impact

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

Parking provision meets the Council standard.

Conclusion

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

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

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

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

Other highway works associated with this scheme would involve the creation of a new footway/cycle link connection between the new site and Marshfield. Construction of a footway/cycleway link is essential if the development is to be made sustainable site in respect of access being available on foot and by cycling to all those existing facilities within Marshfield including accessing the Marshfield primary school nearby off Chippenham Road. Proposed footway /cycleway link should be minimum of 2m wide.

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

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

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

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

### **Environmental Protection**

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

### **Public Open Space**

Initial Comments:

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

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount provided on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space	470.4	0	470.4	£12,955.10	£22,835.62
Natural and Semi-natural Open Space	Adequate existing supply of Natural and Semi-natural Open Space within the settlement boundary of Marshfield				
Outdoor Sports Facilities	633.6	0	633.6	£34,702.34	£10,503.25
Provision for Children and Young People	84	0	84	£15,415.86	£16,209.90
Allotments	Adequate existing supply of Allotments within the settlement boundary of Marshfield				

#### Wales and West Utilities

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

#### Waste Engineer

Initial Comments:

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

This information has now been supplied and is acceptable.

#### Environmental Policy Team

Initial Comments (summary):

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

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

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

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

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

#### Ecologist (summary)

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

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

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

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

## Arts Officer

No comment

## Housing Enabling Officer (summary)

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

Recommendation: No Objection.

## Lead Local Flood Authority

Initial Comments (summary)

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

- Treated effluent cannot be discharged to ground via a soakaway after being through the treatment plant. The applicant must gain an Environment Agency permit to allow discharge
- Surface water disposal via soakaways throughout the site is acceptable however infiltration tests need to be complete
- Some soakaways are located close to tree roots and need to be located elsewhere as they need to be accessed for maintenance

## Police

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

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

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

## Highway Structures

No objection subject to informative

## Landscape Officer

Initial Comments

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

designation of the site, views into and out of the site are of importance to the wider landscape and the landscape character of the area.

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

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

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

#### Urban Design Officer

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

#### Cotswold Conservation Board (summary)

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

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

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

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

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



## **Other Representations**

### **4.3 Local Residents**

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

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

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

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

## **5. ANALYSIS OF PROPOSAL**

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

### **5.1 Principle of Development**

In considering the principle of development, the application site is situated outside of the settlement boundary of Marshfield in the open countryside.

Furthermore the site is situated within the Bristol/Bath Greenbelt and the Cotswold Area of Outstanding Natural Beauty (AONB).

## 5.2 *Locational Strategy*

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

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

CS19 states that:

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

*Proposals should be:*

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

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

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

The design and access statement indicates that a thorough site selection process was undertaken, with the site being chosen for a number of reasons. These reason include: proximity to the village and the services/facilities that it can offer future residents; topography – it is relatively level; the site is able to accommodate sufficient affordable and market housing; there are no on site constraints such as archaeology and lastly the site is available on reasonable terms. The form and scale of the development is considered acceptable. The provision of a footway linking the site to the remainder of the village (to the

school) will ensure that although there is a degree of separation from the settlement boundary, the relationship is considered acceptable. A more detailed assessment of the impact upon the landscape is set out in the body of the report below.

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

It is important to note that PSP40 also requires that:

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

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

### 5.3 *Green Belt*

The site is located within the Green Belt. Among other criteria, the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open, to preserve the setting and special character of historic towns and to assist in safeguarding the countryside from encroachment. The essential characteristic is their openness and permanence.

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

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

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

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

### 5.4 *Area of Outstanding Natural Beauty*

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

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

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

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

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

- a) *The need for the development, including in terms of any national considerations and the impact of permitting it or refusing it upon the local economy*
- b) *The cost and scope for developing outside the designated area or meeting the cost in some other way*
- c) *Any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated*

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

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

#### *Landscape (existing) Considerations*

An objection has been received that contends that the proposal would demonstrably harm the character and appearance and special qualities of the AONB and that the proposal would not be in accord with its management plan. The objection contends that "*landscape protection considerations should not be*

*overridden simply by virtual of the proposals being for affordable housing within a rural exception site”.*

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

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

An objection as set out above has been received from the Cotswold Conservation Board (CCB). This objection is available on the website in its entirety. The CCB recognises the benefits of the proposal in terms of the provision of affordable housing and considers the development proportionate in scale to the existing settlement. In the event the scheme is given approval it is considered that the percentage of affordable housing should be increased and a different choice of materials used in part. Notwithstanding this it is considered that the scheme will have a detrimental impact upon the landscape given its nature and separation from the settlement. The supporting Landscape Visual Impact Assessment is also criticised for underplaying the impact and technically not supporting its conclusions in the submission.

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

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

It is considered that views of the site will be largely in passing from the A420, from the footway alongside the site or more distant views from land to the south. The applicant has indicated that a number of measures have been taken

to mitigate the impact upon the landscape. These include management and replanting of hedgerows, recessive building materials, clustering of buildings, tree planting, avoiding hard surfacing, keeping dry stone walling. It is noted that the design of the terraced buildings which although two storey appear as single storey from the outside of the site due to the roof form design.

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

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

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

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

Concern has been raised that the approval of this application and subsequent development, would leave the area of land between this site and the primary school vulnerable to development. It is not considered that this is a matter that

can be considered in detail here as each application must be assessed on its own merits. In this case however any such application would have to meet the same very stringent policy considerations that this application is assessed against not least whether it meets those criteria above that define a “rural housing exception site”.

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

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

#### 5.5 *Principle of Development (summary)*

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

#### 5.6 Landscaping (proposed)

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

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

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

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

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

## 5.7 Ecology

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

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

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

### *Bats*

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

### *Great Crested Newts*

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

### *Dormice*

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

### *Birds*

The site provides a suitable habitat for ground nesting birds

### *Reptiles*

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

### *Badgers*

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



### *Hedgehog*

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

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

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

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

The proposal is considered acceptable in ecological terms subject to conditions to ensure that all works take place in accordance with the recommendations set out in the "Mitigation Measures" section of the submitted Ecological Impact Assessment report and a condition to secure a detailed lighting design strategy (bats, badgers and hedgehog). Also a condition will be attached to ensure that the ecological enhancement features that are set out in the Ecological Appraisal are installed prior to the first occupation of the development, these features should include but not be limited to bird boxes, bat boxes, permeable fencing and native planting. Lastly a condition will be attached to the decision notice requiring the submission of and implementation of a landscape and ecological management plan (LEMP).

## 5.8 Affordable Housing

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

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

Proposals should be:

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

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

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

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

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

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

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

The survey also offered further detail on the house-types required:  
10 x 1-bed, 5 x 2-bed and 2 x 3-bed

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

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

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

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

*Proposals should be Well Related to a Rural Settlement*

By definition exception sites are outside of the village's development or settlement boundary, as is the case with this application. This site is situated just outside the settlement boundary where a footpath to the front of the site will

provide access to the facilities that Marshfield is able to provide. Although there is a gap top the settlement boundary it is considered that the site relates well to the village.

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

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

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

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

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

#### **Social Rent**

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

#### **Shared Ownership**

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

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

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

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

3. Commissioning care from Care agencies is challenging in semi- rural communities.

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

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

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

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

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

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

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

## 5.9 Environmental Protection

Policy PSP 21 states that proposals for development on land which may be affected by contamination will be acceptable where adequate remedial measures are taken. Officers note the current use as arable land and that the chance of contamination is low however it is considered appropriate to apply a

precautionary condition to require the reporting of any contamination found during construction and to secure measures to deal with this if it is found. Subject to this condition the development is considered acceptable in these terms.

#### 5.10 Transportation

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

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

##### *Sustainability*

The application site is situated just beyond the settlement boundary by approximately 260 metres, the nearest development being the Marshfield Primary School and its grounds. The access profile for Marshfield shows a dedicated community centre, post office, two public houses, there are also two convenience stores. Unusually for a rural settlement there is a Doctors surgery (Three Shires Practice Back Lane) approximately 800 metres from the site.

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

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

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

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

Primary School	260m (3200m)
Post Office	930m (1200m walking/800 cycling)
Community Centre	600m (800m)
Local Shops	1100m (1200m)
Lord Nelson (nearest	790m (800m)

Public House)  
GP Surgery                      790m (800m)  
Bus Stop                         360. (400m)  
(Chippenham Road)

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

#### *Highway Safety – Site Access*

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

The applicant has agreed to the provision of the above through a S106 agreement (see Section 7 below). Considerable negotiation has taken place to secure an appropriate design for the right turn facility but that is now agreed. Officers consider the number of likely traffic movements justify this facility on Highway Safety grounds. The footpath is absolutely critical in ensuring connectivity to those facilities available.

#### *Parking*

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

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

### 5.11 Urban Design

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

landscape such that it is integral to the design, safety and security are all considerations.

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

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

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

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

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

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

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

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

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

#### 5.12 Climate Change/Environmental Policy

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

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

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

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

- Low thermal fabric u-values go far beyond the guidance set out in Part L 1A.
- Highly efficient Kensa Shoe Box Ground Source Heat Pump heating system to supply both heating and hot water.
- Low u-value TRIPLE glazed windows and highly insulated entrance doors.
- High levels of thermal bridging performance/efficiency.
- Low air permeability
- Highly Efficient MVHR (mechanical ventilation with heat recovery) ventilation systems.
- 100% LED lighting



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

#### 5.13 Drainage

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

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

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

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

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

#### 5.14 Public Open Space

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

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

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

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

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

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

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

Children and Young People					
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5.15 Residential Amenity

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

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

5.16 Consideration of likely impact on Equalities

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

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

**6. CONCLUSION**

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

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

**RECOMMENDATION**

7.1 That authority be delegated to the Director of Environment and Community Services to grant permission, subject to the conditions set out below and the applicant first

voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

a) Affordable Housing

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

**Social Rent**

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

**Shared Ownership**

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

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

Reason:

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

b) Transportation

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

c) Public Open Space

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

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

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

Reason:

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

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

**Contact Officer: David Stockdale**  
**Tel. No. 01454 866622**

**CONDITIONS**

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

Reason

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

2. Mitigation Measures (Ecology)

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

Reason:

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

### 3. External Lighting Design

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

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

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

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

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

Reason:

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

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

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

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

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence managements.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.

- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.

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

Reason:

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

#### 5. Ecological Enhancement Measures

Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the Ecological Appraisal (Clarkson & Woods, December 2019) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes, permeable fencing (hedgehog highways) and native planting

Reason:

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

#### 6. Land Contamination

Any contamination found during the course of construction of the development shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason:

To ensure that the development will not be affected by existing contamination and to accord with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Nov 2017.

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

Received 27th April 2020

1811(00)100 P14 GROUND FLOOR PLAN PROPOSED  
1811(00)101 P07 FIRST FLOOR PLAN PROPOSED  
1811(00)102 P09 ROOF PLAN PROPOSED  
1811(00) 130 P02 OPEN SPACE PLAN

Received 12th March 2020

1811(00) 100- GATES, PERIMETER BOUNDARIES AND LOCKABLE GATES  
1811(00) 100- OVERLOOKING/PASSIVE SURVEILLANCE

Received 24th December 2019

1811(00)001 P01 SITE LOCATION PLAN  
1811(00)002 P08 SITE PLAN PROPOSED  
1811(00)050 P03 EXISTING SITE PLAN/TOPOGRAPHICAL SURVEY

1811(00)102 P09 ROOF PLAN PROPOSED  
1811(00)160 P02 TYPICAL UNIT PLANS  
1811(00)250 P05 ELEVATIONS\_PROPOSED SHEET 1  
1811(00)251 P05 SITE WIDE SECTIONS\_PROPOSED SHEET 01  
1811(00)252 P05 SITE WIDE SECTIONS\_PROPOSED SHEET 2  
1811(00)360 P03 ELEVATIONS PROPOSED BUILDING A FLATS  
1811(00)361 P03 ELEVATIONS PROPOSED BUILDINGS B AND D BARNES  
1811(00)362 P03 ELEVATIONS PROPOSED BUILDING C 'FARMHOUSES  
1811(00)370 P03 ELEVATIONS PROPOSED BUILDING A FLATS COLOUR  
1811(00)371 P03 ELEVATIONS PROPOSED BUILDING B & D BARNES COLOUR  
1811(00)372 P03 ELEVATIONS PROPOSED BUILDING C 'FARMHOUSES  
COLOUR

Reason:

For the avoidance of doubt

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

Reason

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

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

9. Materials

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



Pavours  
Access Surfaces  
Kerbs  
Self-bound gravel  
Window frames doors/garages  
Lintels and sills  
Fibre cement tiles/sheets  
Facing bricks  
Stone cladding  
Mortar  
Rain Water goods

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

Reason

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

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

10. Samples

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

Reason

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

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

11. Drainage

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

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

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

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

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

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

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

Reason:

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

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

## 12. Car Parking/Manoeuvring Area

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

Reason

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

## 13. Construction Environmental Management Plan (CEMP)

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

The CEMP shall address the following matters:

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

Reason

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

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

14. Energy and Sustainability

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

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

Reason

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

15. Accessibility

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

Reason:

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

**CIRCULATED SCHEDULE NO. 19/20 - 7th May 2020**

<b>App No.:</b>	P20/03400/F	<b>Applicant:</b>	Mr Yuvaraj Sinh
<b>Site:</b>	96 Gloucester Road Patchway South Gloucestershire BS34 6PY	<b>Date Reg:</b>	11th March 2020
<b>Proposal:</b>	Alterations and conversion of existing outbuilding to form ancillary annex.	<b>Parish:</b>	Patchway Town Council
<b>Map Ref:</b>	360508 181088	<b>Ward:</b>	Charlton And Cribbs
<b>Application Category:</b>	Householder	<b>Target Date:</b>	4th May 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.

## **REASON FOR APPEARING ON CIRCULATED SCHEDULE**

This application appears on the Council's Circulated Schedule procedure following four public comments against the proposal, contrary of the officer recommendation detailed below.

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### **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for alterations and conversion of the existing outbuilding to form an ancillary annex at 96 Gloucester Road, Patchway. The site sits within the development boundary and is not covered by any restrictive policies.
- 1.2 The garage for conversion sits to the rear of the garden of the main dwelling house. To facilitate the conversion to ancillary accommodation, the existing garage roof would be raised, new windows provided and the access would be relocated. The application site benefits from ample private amenity space and off-street parking.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework  
National Planning Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

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

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

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

**3. RELEVANT PLANNING HISTORY**

3.1 No relevant planning history.

**4. CONSULTATION RESPONSES**

4.1 Patchway Town Council – No comment received.

4.2 Sustainable Transport – No objection, comments incorporated within the assessment below.

**Other Representations**

4.3 Local Residents

4 no. objections have been received from local residents. Key points have been summarised as the following:

- Creation of a house in multiple occupancy;
- Creation of a bed & breakfast;
- Extra traffic and vehicle movements;
- Insufficient parking;
- Right of access;
- Increased noise, nuisance and disturbance;
- Plot overcrowding;
- Out of keeping;
- Not a residential property but a business venture; and
- Construction will cause damage to the shared hedge and materials from construction would enter other property boundaries.

4.4 The above concerns made by residents have been addressed within the analysis of the proposal below. The final comment regarding damage to a shared hedge forms a civil matter and not one of the councils. The storage of construction materials should be stored on the application site. A condition could be set to keep the access road clear at all times during the development.

**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. Furthermore, 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. The proposal accords with the principle of development subject to the consideration below.

### Annex Test

- 5.2 For a proposal to be an annex it should only contain ancillary accommodation to the main dwelling and have some form of functional and physical reliance upon the main dwelling.
- 5.3 In this instance, the proposal has four bedrooms, all with en-suites, and one common area providing access to each individual bedroom. With no kitchen provided, there would be a functional reliance on the main dwelling. In terms of physical reliance, the garage is detached from the main dwelling and located to the rear of the garden. This garden area, in addition to the available off-street parking provision would be shared with the main dwelling. Access to the annex would be provided to the side elevation of the building, which sits within and not outside the peripheries of the garden. Whilst this could be accessed independently of the main dwelling through the main rear garden access gate, it would not provide an attractive proposition for the residents of the host property. Therefore, given the relationship and location to the main house, its use as an annex to provide ancillary accommodation is acceptable.
- 5.4 As such, Officers are satisfied that the annex would be used ancillary to the main house. A condition should be included on the decision to secure this should the application be found acceptable in all other respects.
- 5.5 With regards to the comments received from neighbours regarding the proposed annex being used as/ or facilitating a HMO/ Bed & Breakfast, would be a breach of this planning consent (should it be approved), and would require its own separate planning consent for a change of use.

### Design and Visual Amenity

- 5.6 Policy CS1 of the Core Strategy and policy PSP1 and 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.
- 5.7 The proposed development would include raising the flat roof by .35m to a height of 2.83m, with the corrugated metal sheets replaced with a fiberglass flat roof. The walls would be finished would be painted pebble-dash or render and the existing singled glazed aluminium windows would be replaced with 9 no. double glazed uPVC casement windows.
- 5.8 The surrounding area is characterised by detached houses with ample sized gardens, many with outbuilding which back onto the rear access road. These outbuildings vary in size, design and condition, resulting in an adverse impact to the visual character of the area. As such, the proposed alterations as describe above would not be out ok keeping with prevailing character and context of the area. The proposed development would therefore comply with Policies CS1, PSP1 and PSP38.

### Residential Amenity

- 5.9 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 outlines the types of issues that could result in an unacceptable impact.

- 5.10 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. Given the siting and single storey nature of the proposals, it is not thought to result in a material overlooking or overbearing impact. Additionally, it would not result in any unreasonable impacts in terms of noise, nuisance or disruption to the living conditions of the neighbouring residents.
- 5.11 It is of note that the proposed living conditions of the annex would be severely cramped, with poor levels of outlook and natural light. However, as the proposal is for ancillary accommodation in relation to the main dwellinghouse and not for a new dwelling, it would not form a reasonable reason for refusal.
- 5.12 In light of the assessment above, the proposed development would comply with Policies PSP8 and PSP38.

#### Transport

- 5.13 Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards.
- 5.14 The host dwelling appears to be a two bed and provides parking at the front of the property with access off the A38. Although the parking area to the front is sub-standard by current standards due to the lack of an appropriate turning area. To the rear there would appear to be two garages accessed off a rear lane. Of the two garages one is suitable for 2 cars, the other only for one due to its restricted width in accordance with the residential car parking standards. Due to the current 'Lockdown' it is unclear in relation to the suitability of the rear access drive to serve the increased development. I also believe that that the rear access lane also provides an emergency route to/from the police station so obstructing this route with ad-hoc parking would be unacceptable.
- 5.15 The plans as submitted do not indicate secure undercover cycle storage for the annex, although the length of the garages could be accommodated this.
- 5.16 As the development is being considered ancillary to the host dwelling, parking should be in accordance with the Council's residential car parking standards i.e. a minimum of 3 car parking spaces. At this moment in time, the garage would provide one space due to its internal width constraints. The parking to the front of the property also indicates that two spaces are available and still provide a sub-standard element of manoeuvring which may enable the vehicle to enter and leave in a forward gear.
- 5.17 Given the above, as ancillary residential development to the host dwelling then there is no transportation objection to this proposal.
- 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 It is recommended that planning permission is GRANTED.

**Contact Officer: Thomas Smith**  
**Tel. No. 01454 865785**

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

The CEMP shall address the following matters:

(i) Measures to ensure that the access lane to the side of the site is maintained clear of obstruction

at all times and safe for use by pedestrians, cyclists and vehicles.

(ii) Adequate provision for the delivery and storage of materials.

(iii) Use of a banksman for all construction and delivery vehicle reversing movements.

Reason: To prevent remedial action, in the interests highway safety and to accord with Policies PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD.

3. The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 96 Gloucester Road, Patchway, South Gloucestershire, BS34 6PY.

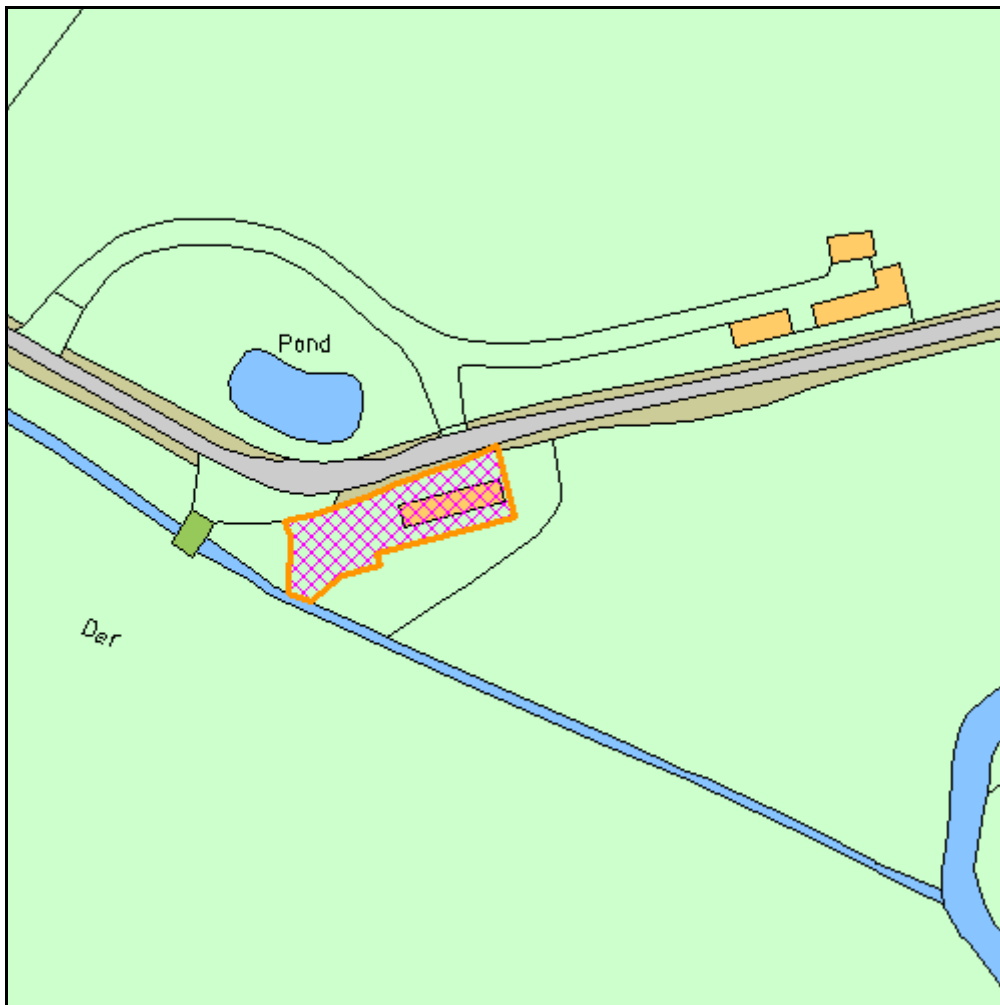
Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

**CIRCULATED SCHEDULE NO. 19/20 - 7th April 2020**

<b>App No.:</b>	P20/04041/F	<b>Applicant:</b>	Mr B Rashley
<b>Site:</b>	Gib Stables Ham Lane Doynton Bristol South Gloucestershire BS30 5TL	<b>Date Reg:</b>	5th March 2020
<b>Proposal:</b>	Demolition of existing hay store and conversion of stable to residential dwelling (C3).	<b>Parish:</b>	Wick And Abson Parish Council
<b>Map Ref:</b>	371137 173904	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th April 2020

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100023410, 2008. **N.T.S.** **P20/04041/F**

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

### **CIRCULATED SCHEDULE**

This report appears on the Circulated Scheduled following support comments from Doynton Parish Council contrary to Officer recommendation.

#### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the demolition of an existing hay store and the conversion of a stable to residential dwelling. The site is Gib Stables, Ham Lane, Doynton outside a settlement boundary and within the Bristol/Bath Green Belt. The site, as defined by the red edged plan, is also located within Flood Zones 2 and 3.
- 1.2 This application follows a refused scheme P19/15398/F for the conversion of existing stables into a separate dwelling. No pre-application advice has been sought prior to the submission of this application. Within the submitted Design and Access Statement the applicant has included an *Evaluation of the Planning Officer's Report* where necessary this will be referred to in the below report. This current application is therefore different to the original submission and the assessment goes beyond the previous *in principle* discussion.
- 1.3 Planning application P19/15398/F was refused for the following *in principle* reasons:

##### Reason 1:

By virtue of the introduction of new structural elements, the proposed development is regarded as the construction of a new dwelling and not a conversion. The application site is located outside an established settlement boundary and within the open countryside. The introduction of new houses in this rural location fails to meet the tests set out under policy dealing with residential development in the countryside, where development is strictly limited. The proposal is therefore contrary to adopted Policies CS5 and CS34 of the South Gloucestershire Local Plan (Adopted) 2013; Policies PSP1 and PSP40 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

##### Reason 2:

The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt as the erection of new buildings is considered to be disproportionate. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the Policies Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

## 2. **POLICY CONTEXT**

### 2.1 National Guidance

National Planning Policy Framework February 2019  
National Planning Guidance

### 2.2 Development Plans

#### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP28	Rural Economy
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007)

Affordable Housing SPD (Adopted) Sept.2008.

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide  
SPD – (Adopted) March 2015

SPD: Development in the Green Belt (Adopted) 2007

South Gloucestershire Council Waste Collection: guidance for new  
developments SPD (Adopted) Jan 2015

South Gloucestershire Landscape Character Assessment (Adopted) 2014  
LCA6: Pucklechurch Ridge and the Boyd Valley.

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

- |     |                        |   |
|-----|------------------------|---|
| 3.1 | P19/15398/F<br>Refused | Conversion of existing stables into a separate dwelling<br>3.1.20                                     |
| 3.2 | P84/1682<br>Approved   | Erection of domestic stable block.<br>27.6.84   |
| 3.3 | N784<br>Refused        | Use of land for tipping inert dry waste and material from excavation and demolition works.<br>13.2.75 |

### **4. CONSULTATION RESPONSES**

- 4.1 Doynton Parish Council  
Support: Although the paddock and building are in the green belt it is a redundant existing building and other redundant buildings have been converted in the Parish previously that have been situated in the green belt. This building was constructed in the late 1980s and most buildings that have not been used for a while will need major renovations and there are no plans to extend this building.  
The scheme is sympathetic to its surroundings, it's an improvement to the existing structure and the proposed structure is sensibly sized in line with the buildings already there.  
The proposed natural stone finish will improve the appearance of the site, as will the removal of the existing hay store.
- 4.2 Wick and Abson Parish Council  
No objection

#### **Internal Consultees**

- 4.2 Ecologist  
A bat scoping survey report (Crossman Associates, October 2019) was submitted with the previous application. This is considered up-to-date and comments are to be re-used for this proposal.  
No objection subject to conditions if the scheme is found acceptable.
- 4.3 Highway Structures  
No comment
- 4.4 Environmental Protection  
Site is less than 18m from an unknown filled ground – potential for landfill gas to pose an unacceptable risk. Condition required if the scheme is acceptable.

#### **Statutory / External Consultees**

- 4.5 Drainage  
Insufficient information. Comments are summarised as:
- New package sewage treatment plant is required not a septic tank

- Details of method of irrigation for treated effluent needed
- Updated plans required to show all of the following: information: Existing ground floor levels and proposed finished floor levels; Resilience measures to be incorporated into the design and a Flood emergency plan)
- Query location of pond to which surface water is to go to

4.6 Transport  
Objection – unsustainable location

### **Other Representations**

4.7 Local Residents  
None received

## **5. ANALYSIS OF PROPOSAL**

5.1 The proposal is for the demolition of an existing hay store and the conversion of a barn to residential dwelling.

### **5.2 Principle of Development**

The application stands to be assessed against the above listed policies and all material considerations. The site is located within the Bristol/Bath Green Belt, outside any settlement boundary and within flood zones 2 and 3. Of material consideration is the recent *in principle* refusal of a previous scheme for the conversion of this stable block into a dwelling. No pre-application advice has been sought between that decision and the submission of this current planning application.

5.3 It is noted that the applicant has sought to address the refusal reasons by submitting a structural engineering report. The contents will be discussed in more detail below.

5.4 In the first instance, any new development must accord with all the relevant policy tests and these include design, appearance, impact on the character of the area, impact on amenity space and on highway safety. PSP40 lists the type of development that is acceptable in the countryside and Policy CS5 establishes the spatial strategy for development in the district. Under this policy, new development is directed to the existing urban areas, market towns, and defined rural settlements. Residential development outside these locations is strictly controlled. Similarly, Policy PSP2 and CS34 aim to protect the countryside and the designated Green Belt from inappropriate development which adversely affects its natural beauty.

5.5 Under the spatial strategy set out above, development of this nature should therefore be permitted only in the urban areas or defined settlements. The site is not within a defined settlement and nor does the built form in this location represent a village.

5.6 It therefore follows that there is an in principle objection to the proposed development as it does not accord with the spatial strategy as expressed in the Development Plan.

- 5.7 Notwithstanding this, and whilst the majority of applications for new residential development outside of settlement boundaries should be resisted in accordance with the Council's spatial strategy, the Local Planning Authority does consider that it may be suitable, in a few circumstances, to recommend approval of dwellings outside of the settlement boundary.
- 5.8 This will only apply when the site lies close to the edge of the defined settlement boundary and has a direct relationship with it (for example, may be linked to the settlement boundary by other buildings, or have good footpath links to the settlement boundary). Essentially, it should read as a natural extension to the settlement boundary. However in the interests of the Council's overall spatial strategy for new housing, this should only apply to very small development proposals of 1-2 dwellings.
- 5.9 Given the above, policies relating to housing such as CS5 and PSP40 are considered up to date and attract full weight. Due to the position of the site in an open field, separate to and some distance away from any other dwellings the proposal does not have a direct relationship with the settlement boundary and would not be read as a natural extension to it. This counts towards the in principle objection to the scheme.
- 5.10 The site is also located within flood zones 2 and 3. Updated mapping from the Environment Agency (EA) dated 19.3.20 has been used in the below report to show that the site has the potential to be cut off in the event of flooding and no details have been provided to show how the future occupants would be kept safe on-site or that their safety would not present additional risk to the emergency services. .
- 5.11 The assessment continues below with regards to compliance with the principle of Green Belt policy, residential development in the countryside and potential for flooding.
- 5.12 *Development in the countryside (PSP40):*  
The scheme would be for the demolition of an existing hay store and the conversion of a stable to residential dwelling. Acceptable residential development in the countryside as listed under PSP40 include: rural housing exception sites; rural workers dwellings; replacement of a single dwelling; or the conversion and re-use of existing buildings.
- 5.13 The conversion of a building can fall within PSP40 but it is first necessary to examine whether or not the proposal is a conversion or goes beyond such and consequently would amount to what can be regarded a new build.
- 5.14 Although not being considered under permitted development rights in this instance the meaning of what it is to convert an agricultural building to a dwellinghouse was considered under the High Court case of *Hibbett and another v Secretary of State for Communities and Local Government* [2016] EWHC 2853 (Admin) and is a helpful tool to be applied here. The outcome of the case reinforced the issues that works undertaken to achieve the change of



- use of a rural building should fall short of rebuilding and furthermore, should not involve construction of new elements.
- 5.15 The accompanying Design and Access Statement declares: *The block has three separate stalls and is of substantial render and block construction with a tiled roof. A structural engineering report is included with this application to prove that the building is capable of conversion without any structural changes.*
- 5.16 The statement goes on: *The existing building will be retained, with the only changes being window enclosure of the veranda area and timber cladding to the entire building ...*
- 5.17 A structural inspection has been carried out by S B Holmes of David Edwards Associates. The resulting report comprises a one page letter. It is acknowledged that these details have been prepared by a qualified surveyor and his professional opinion is not in question. However, the assessment is very brief. The engineer confirms the following:
- The property is a detached single storey building that incorporates a duo pitched tiled roof with the ridge running parallel with the front and rear elevations
  - The stable block is divided into 3 sections ... the rendered single leaf blockwork perimeter walls are built off a concrete foundation and the ground floor slab appears to be ground bearing
  - Inspection revealed a vertical crack on the left hand side rear wall at the junction between the internal dividing wall between stable 1 and stable 2. This crack could be stitched up using stainless steel helical bars 600mm long, extending 300mm either side of the crack at 225 vertical centres with the bed joints filled with epoxy resin grout.
- 5.18 The report concludes:  
*From our visual inspection the building structure appears to be in relatively good condition and would be suitable for conversion into a dwelling without having a detrimental effect on the existing structure.*
- 5.19 It is important to note that any building is capable of conversion but the degree of work to achieve that conversion is a matter of planning judgement. This is the tenet set out in the High Court case of *Hibbitt and another v Secretary of State for Communities and Local Government (1) and Rushcliffe Borough Council (2) [2016]* which although dealt with permitted development rights under Class Q, provides some helpful guidance with regards to what can be considered a conversion.
- 5.20 The ruling established that the building must already have the structural integrity to cope with the works needed to provide for residential use and must of itself be already suitable for conversion. Elements such as the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house, are accepted. It is not however, the intention of the permitted development right to allow rebuilding work which

- would go beyond what is reasonably necessary for the conversion of the building to residential use.
- 5.21 Therefore it is only where the existing building is already suitable or strong enough to take the loading to provide for residential use that the building would be considered to have the permitted development right.
- 5.22 Paragraph 105 of the PPG clarifies this by stating in relation to Class Q that it is not the "... intention of the permitted development right to include the construction of new structural elements for a building". It was argued in the Hibbitt ruling that a development that includes "new structural elements" is one that involves a degree of rebuild and is not a conversion.
- 5.23 The above is helpful in understanding the term conversion in relation to changes to existing buildings.
- 5.24 It is accepted that this small stable building has been subject of a visual inspection by a professional surveyor. However, the report is very brief and no detailed schedule of works has been provided. From the information provided it has been indicated that some structural works in the form of a number of steel bars would be needed to tie together the rear wall. This means that the building is compromised. This work would in all events be required by building control regulations to enable the building to be structurally sound; it therefore follows it would not be capable of conversion without such structural repair works.
- 5.25 Furthermore, although the submitted Design and Access Statement declares that there would be no new structures this is not correct. At present the small veranda to the front of the stable block is covered by a short roof held up on timber posts which appear to be standing in metal shoes of the sort typically used to secure fence posts. These can be seen in the photographs provided with the structural survey and it is assumed these are possibly screwed into the concrete foundation slab.
- 5.26 It is proposed that this front wall be entirely glazed and contain the main entrance door as well as full height windows. Any such amount of glazing would be of substantial weight; it would not free-standing and would require extensive structural support. Structural elements are therefore required to enable this building to become a residential dwelling. It again follows that the building is not capable of conversion without the introduction of some new structural elements.
- 5.27 For the sake of completeness, building control colleagues have confirmed that even if the veranda was to be excluded from the proposed internal residential element, it could not be retained in its current form. It has been stated to Officers that from a Building Regulations perspective these posts would require additional strengthening in order to be viewed suitable for compliance. Taking this one stage further, if the veranda was to be removed from the proposal entirely this would reduce the overall size of the internal space to around 48 square metres, which for a 2 person dwelling would fail to reach the national space standards (50 square metres). It is acknowledged that South

- Gloucestershire Council does not have adopted internal space standards, nevertheless, this guidance indicates good industry practice and ensures that sufficient internal space can be achieved for new dwellings which is an overall physical and mental health aim in many overarching government policies.
- 5.28 Given the above, the proposal requires new elements without which it could not function as a dwellinghouse of an appropriate size. It is therefore, **not** a conversion and fails to accord with the criteria in PSP40.
- 5.29 Given the above, there is an *in principle* objection to this scheme.
- 5.30 Green Belt:  
The application site is within the Bristol/Bath Green Belt. The aim of both national and local Green Belt policy is to protect this special area from inappropriate development. Given the above, the proposal is being assessed as a new build. The erection of new buildings is regarded as inappropriate development. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.31 Certain other forms of development can be appropriate provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 5.32 In the Design and Access Statement the applicant has acknowledged the location of the site and declares *This, being a building of substantial construction is capable of re-use.*
- 5.33 The NPPF indicates that *the re-use of buildings provided that the buildings are of permanent and substantial construction* is one of the exception categories.
- 5.34 However, it has been shown above that there would be significant elements of re-building necessary for this structure to become a residential dwelling. As such the proposal is not a conversion, but a new build. The proposal would therefore be harmful to the Green Belt and contrary to policy.
- 5.35 Openness  
Keeping land permanently open is a fundamental aim of Green Belt policy. Openness has both spatial and physical elements and can be defined as the absence of built form. The introduction of a residential curtilage would consequently, have a greater impact on the openness of the Green Belt than the existing situation. Substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm can be clearly outweighed by other considerations.
- 5.36 The applicant has stated that the intention is to *re-wild* this area. The site is already part of the countryside and if it is no longer grazed by horses then it will return to its natural state without aid or interference. The *re-wilding-* is not considered to be a very special circumstance and this reason is awarded no weight. Harm to the openness of the Green Belt remains.
- 5.37 Given the above, there is an *in principle* objection to the proposal.

5.38 Flood Zones

It is noted that the same Flood Risk Assessment as presented under the previously refused scheme has been submitted here. But this scheme is different to the previously submitted scheme in that the amenity area, the parking area and the entrance into the site have all been moved to the east to varying degrees. As such it is argued by the applicant that the site is not within a flood risk area.

5.39 Officers would disagree, firstly the red edge extends around an area that remains within Flood zones 2 and 3 and secondly, updated Environment Agency (EA) mapping published on 19<sup>th</sup> March 2020 show the existing building much closer to both flood zones 2 and 3 than the submitted information. Interestingly, the EA updated map for Flood zones 2 and 3 shows Ham Lane would be cut off to the west of the site and access to the village of Doynton would also be cut off from the site with this part of High Street being impassable. The mapping also indicates the possibility of access to the north along Rookery Lane also being compromised. It is the aim of national guidance that new dwellings should not be introduced in areas where flooding is likely so as to avoid risk to others, in particular the emergency services who could be called in to assist.

5.40 Drainage engineers have requested additional information but due to the *in principle* objections already discussed, further details have not been sought at this stage. In addition, given the above and the updated EA information, there is a risk of the site being liable to flooding and with no information as to whether occupants could be kept safe, this now forms another refusal reason to this application.

5.41 There remains the potential for water levels to rise to such a degree as to make this new single storey dwelling unsafe for occupants and also to put the emergency services at risk. This makes this an undesirable location for residential development.

5.42 Conclusion of principle of development:

The above has clearly indicated the *in principle* objections to the scheme but the assessment of other components of the application continues below.

5.43 Design/appearance

The NPPF and local adopted policy under CS1 places great emphasis on the importance of design. Good quality design respects both the character of existing properties and the character of an area in general. The NPPF suggests good design should respond to and be sensitive to local character, should aim to raise standards of design and enhance the immediate setting. The updated guidance emphasises high quality design that takes into account local design standards, continues to be important, and poor design that fails to take opportunities to improve the quality of an area or to take this into account, should be resisted.

5.44 To be clear, although the Parish support a *natural stone finish* plans indicate the whole of the building would be timber clad.

- 5.45 It is noted in the previous scheme the front elevation included a recessed area in between two 'pegs' with shuttered windows, visually helping to retain the appearance of a stable block. Plans show the alterations to the existing structure would now include a large bank of full height glazing across the entire length of the front elevation which would enclose the veranda area. It is presumed this action is to try to achieve the national internal space standards. To justify this change in design the applicant has stated the building would not be seen from wider public views. Regardless, the extent of glazing counts against this proposal being out of keeping with this very rural area.
- 5.46 Internally the structure would have one double bedroom, a living/eating area and bathroom. It is clearly stated this would be a 2 person dwelling. Plans indicate the internal living accommodation would amount to around 55 square metres. National guidance indicates a 2 person 1 bed dwelling should have internal space of 50 square metres. The enclosure of the veranda area has been shown not to be in compliance with adopted policies and as such cannot be included in the calculations. By removing this covered area, the proposed internal space would fall below the national guidance resulting in an extremely small dwellinghouse which cannot be supported.
- 5.47 The above counts against the scheme.
- 5.48 Residential Amenity  
Adopted Policy PSP43 requires that all new residential units will be expected to have access to private amenity space which among other things should be: functional, orientated to maximise sunlight and designed to take account of the context of the development including the character of the surrounding area.
- 5.49 The proposal would be a 1 bed dwelling. Adopted Policy PSP43 indicates the minimum size amenity space that is required for new dwellings. A 1 bed property would need 40 square metres. All new dwellings must meet this standard. In addition amenity space must be functional and private. This means open front gardens and pathways would be excluded from the calculation.
- 5.50 This scheme shows the red edge has been extended into the field to the east and would include the area currently occupied by the hay store (which is to be removed). The amenity space for the proposed dwelling is therefore now to the east of the building, away from the flood zone and would be of an acceptable amount.
- 5.51 The applicant has questioned Officer's comments in the previous application regarding the shape of the red edge plan. Again the shape of the site is strange given it includes a large area within flood zones 2 and 3 and leaves a triangular area of land to the west that would be excluded from the application site, yet also excluded from the agricultural field and with no access to it. The red edge still appears to be contrived.

5.52 Landscape:

Plans show a gravel area to the west of the building and a new access further to the east than at present. To achieve the access some hedging would be lost but plans indicate that this would be compensated for by replacement planting. A post and rail fence would separate the residential area from the field. No height of the fence has been provided but had the application been acceptable in other respects, this could have been clarified with the applicant along with the size and species used in the re-planting of the boundary hedge to the north and the specific materials for the gravel driveway.

5.53 Access and transport:

In terms of sustainable transport methods, although not located within a defined settlement boundary – which is the local planning authority’s preferred means by which to denote sustainable locations – the sustainability criteria of policy PSP11 can be used as an alternative to review sustainability.

5.54 Under PSP11(3), residential development should be located on safe, useable walking or cycling routes that are an appropriate distance to key services and facilities and, where those facilities are beyond walking or cycling distances, be served by public transport. The distance to a bus stop that is considered acceptable is 400 metres.

5.55 This site is located in a rural area over 1km from the nearest bus stop. There are no schools in the small village of Doynton and the site is not close to any key facilities. There are no footpaths on the adjoining public highway. Hence, this remoteness and lack of facilities for walking, cycling and public transport access will make it wholly car-dependent.

5.56 By way of comparison, it is useful to consider the Inspector’s recent decision, at Orchard View, Lower Morton (ref APP/P0119/W/18/3203552) where the main issue was whether or not the site was a suitable location for a new dwelling. The Inspector noted the distance of that appeal site from the northern edge of the substantial town of Thornbury was approximately 1km, the same distance as this site is from the very small village of Doynton.

5.57 In the Inspector’s referencing of the lack of footpaths he declared *This would be potentially dangerous and an unattractive choice for most people, particularly so in the dark or inclement weather.* The situation can be similarly applied to this application.

5.58 Consequently, this development fails to comply with the requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places document in terms of juxtaposition to necessary facilities and access by all travel modes.

5.59 The site is located in an isolated location in the countryside and would not be served by safe and suitable access for pedestrians to day-to-day services and facilities. As such it would conflict with Core Strategy Policies CS1, CS8 and Policy PSP11. Together, those Policies seek to promote most new development in locations which reduce the need to travel and commute and

- restrict development in the open countryside. The Policies also require development to connect to the wider network of foot, cycle and public transport links and to provide appropriate, safe, accessible, convenient and attractive access for all mode trips arising to and from the proposal.
- 5.60 The proposal would also conflict with the National Planning Policy Framework (the Framework) which states that planning decisions should avoid the development of isolated homes in the countryside except in a limited range of circumstances.
- 5.61 **Impact on Equalities**  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.62 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.63 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.
- 5.64 **Planning Balance:**  
The proposal would result in 1 no. new house at a location that is unsupported by the spatial strategy. The site lies some distance away from the settlement boundary of Doynton. The building would require structural work without which it could not become a residential dwelling. As such it would be contrary to Policy PSP40 because the development would not be a conversion. It has therefore been assessed as a new build and has been found contrary to Green Belt policy aims which does not support the erection of new dwellings in the countryside. Part of the site is within both flood zones 2 and 3, with the building itself very close to these designations and access roads to and from the location could become impassable in the event of flooding. No details have been provided to show that the new dwelling could be made safe in such an event and there remains risk to both future occupants and the emergency services. There are therefore *in principle* objections to this scheme.
- 5.65 In this application the applicant has provided additional information in an attempt to overcome the previous refusal in the form of a very brief visual inspection of the structure and in a written evaluation of the previous report. As a consequence this assessment has necessarily gone further than the *in principle* objections of it being contrary to spatial strategy and Green Belt policies and includes objections due to its unsustainable location and flood zone position.

5.66 The benefits of one new house to the overall housing supply would be very limited and would fail to outweigh the harm arising from the location of the development.

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

## 7. RECOMMENDATION

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

**Contact Officer: Anne Joseph**  
**Tel. No. 01454 863788**

1. By virtue of the introduction of new structural elements, the proposed development is regarded as the construction of a new dwelling and not a conversion. The application site is located outside an established settlement boundary and within the open countryside. The introduction of new houses in this rural location fails to meet the tests set out under policy dealing with residential development in the countryside, where development is strictly limited. The proposal is therefore contrary to adopted Policies CS5 and CS34 of the South Gloucestershire Local Plan (Adopted) 2013; Policies PSP1 and PSP40 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.
2. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt as the erection of new buildings is considered to be inappropriate. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the Policies Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.
3. The site is located within Flood Zone 2 and 3 and would introduce a more vulnerable form of development into this area which is identified as being at high flood risk. The applicant has not demonstrated that future occupants would be safe in the event of flooding or that the development would not pose a higher risk to the emergency services than the existing situation. The application is therefore contrary to the

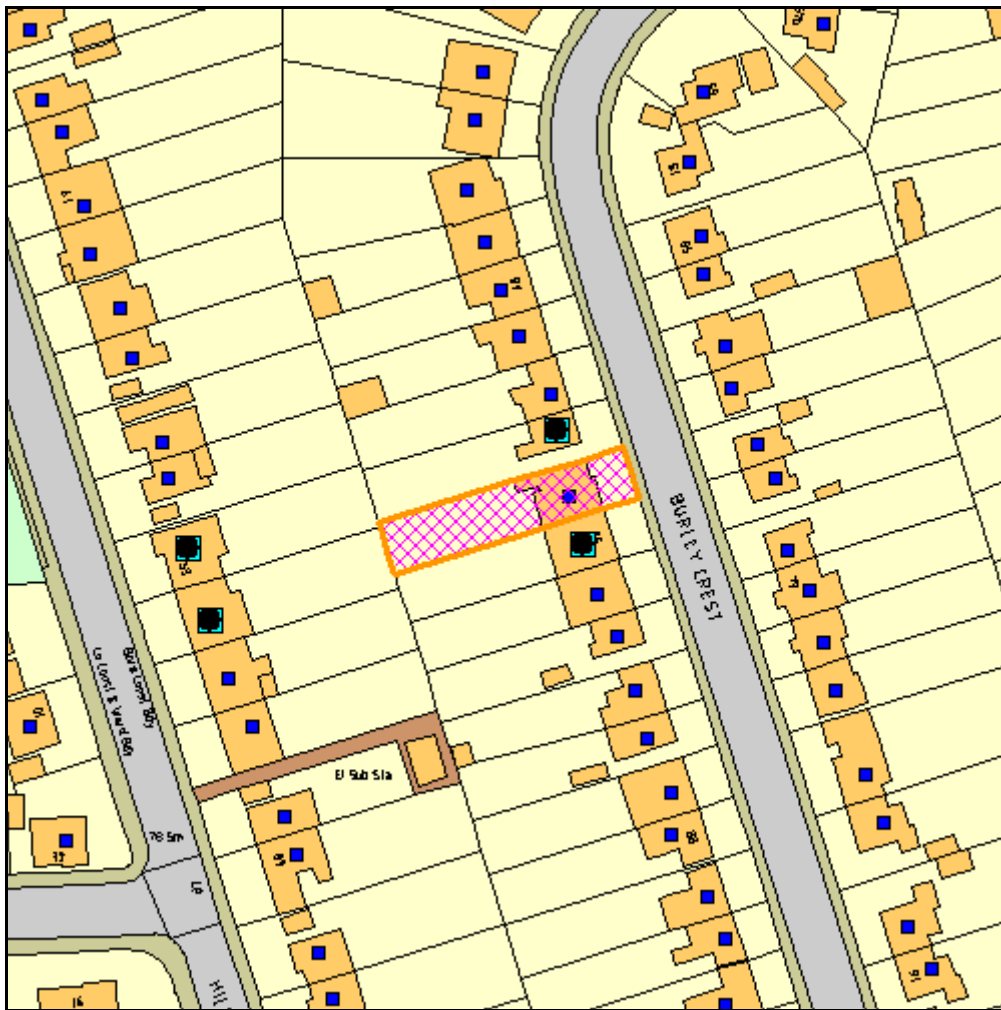


provisions of the National Planning Policy Framework, Planning Policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and Policy PSP 20 of the Policies Sites and Places Local Plan (Adopted) November 2017.

4. The development would fail to be an appropriate walking or cycling distance from the majority of key services and facilities as set out within Policy PSP11. Further, due to their unlit nature and lack of footpath/cycle lane, the surrounding roads would not be suitable for use by pedestrians or cyclists. For these reasons the site is unsustainable as future occupants would have to rely heavily on travel by private car. The development is therefore contrary to Policy PSP11 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; Policies CS5 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the NPPF in general.

**CIRCULATED SCHEDULE NO. 19/20 - 7th May 2020**

<b>App No.:</b>	P20/04354/F	<b>Applicant:</b>	Mr McClure
<b>Site:</b>	54 Burley Crest Mangotsfield South Gloucestershire BS16 5PW	<b>Date Reg:</b>	12th March 2020
<b>Proposal:</b>	Erection of single storey rear and side extension to provide additional living accommodation.	<b>Parish:</b>	
<b>Map Ref:</b>	365691 176340	<b>Ward:</b>	Staple Hill And Mangotsfield
<b>Application Category:</b>	Householder	<b>Target Date:</b>	4th May 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.

### **Reason for referring to circulated schedule**

The application appears on Circulated Schedule in the interests of transparency in the decision making process because the applicant is employed by South Gloucestershire Council.

## **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a wrap-around single storey rear and side extension in place of an existing rear and side extension.
- 1.2 The application site, 54 Burley Crest, is an early 20<sup>th</sup> century semi-detached dwelling which fronts Burley Crest in a residential part of Downend, which is within the East Fringe of Bristol Urban Area.
- 1.3 Early in the application process it was identified that the applicant's agent had made an error on the application form regarding employee/member interest (Section 11). This was brought to the attention of the Case Officer and a new application form was submitted. A full 21 day re-consultation was undertaken following receipt of the amended form once it was available to be viewed publically.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework February 2019  
National Planning Practice Guidance

### **2.2 Development Plans**

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS29	Communities of the East Fringe of Bristol

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

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

### **2.3 Supplementary Planning Guidance**

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

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

None

### **4. CONSULTATION RESPONSES**

#### **4.1 Parish Council**

The area is unparished

#### **4.2 Local Residents**

No letters in objection or support were received, but one letter was received which raised some general points and/or concerns:

- Existing buildings (extensions) are over the boundary line – we were asked if we wanted to put in joint footings in-case we wanted to extend in future but this isn't something being considered at the moment.
- Plans do not show clearly where the extension will be built – does it need to be a meter back from the boundary line?
- Application form incorrect – applicant works for the Council.

*The error in the application form is addressed in 1.3 of this report.*

No further representations were received during the re-consultation.

### **5. ANALYSIS OF PROPOSAL**

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

#### **5.2 Principle Of Development**

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

#### **5.3 Design and Visual Amenity**

The existing situation comprises of an attached garage to the side which sits c.400mm back from the front elevation with a front parapet and flat roof which falls away to the rear where it meets the current rear and side storage/utility space and existing rear conservatory. All of these elements are in a relatively poor state of repair and the competition is unknown for any parts not original. The proposal is to effectively completely re-build the entire single storey wrap around extension, with an enlarged single storey extension to the rear. It is noted that when the existing store was built to the rear of the garage it was stepped slightly beyond the side of the garage. The proposed plan seeks to rectify this with the new being flush with the side of the garage.

- 5.4 The proposed extension does not see the projection from the side elevation change and the view from the road/public realm will remain the same. The side extension is then to be built to a height of c.2.7 metres (no higher than existing) with a new flat roof system. The side extension projects beyond the rear by c.2.8 metres where it joins the side of the rear extension. The rear extension is to project by c4.1 metres with the same height and flat roof as the side extension.
- 5.5 The extensions proposed are to replace existing which are of lesser quality, with the only main increase being the rear extension which is confined to the rear elevation only. In terms of design and visual amenity none of the proposed is to be visible from the public realm and is considered to be of a standard and acceptable design which meets the requirements of PSP1, PSP38 and CS1.
- 5.6 Residential Amenity  
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.7 The only new fenestration proposed is to overlook the garden and is at ground floor level so there will not be issues of overlooking or loss of privacy, there is also to be no impact on outlook. Overbearing/dominance is also not considered to be an issue due to the proposal being single storey. Whilst the rear extension does extend further in to the garden, the low height and boundary fence are considered to result in no overbearing impacts. Overall there is to be no adverse impacts on the residential amenities.
- 5.8 The proposal will not result in an unacceptable loss of private amenity space and an acceptable level is retained.
- 5.9 Parking Standards  
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off street parking can be provided to accommodate increase in demand.
- 5.10 The proposal does not change the number of bedrooms (currently 3), nor does it alter the parking arrangements. As such there is no issue raised with regard to parking.

### **Impact on Equalities**

- 5.11 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.

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

5.13 Other Matters

There were matters raised regarding the boundary line and the existing extensions, also the clarity of the plans in respect to not showing clearly where the extension will be. The plans are to scale and show the location of the proposed extension – the block plans also reflect the existing extension being built beyond the boundary. Matters relating to boundary lines (and party wall issues) are not planning matters and are between the applicant and their neighbours. The applicant is to be reminded of the need to seek the relevant agreement under the Party Wall Act 1990. The agent was asked to confirm that there would be no encroachment on neighbouring land and has done so, meaning the signed certificate A is appropriate.

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**Contact Officer: Alex Hemming**

**Tel. No. 01454 866456**

## CONDITIONS

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

Reason

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