

# 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: 37/20**

**Date to Members: 11/09/2020**

**Member's Deadline: 17/09/2020 (5.00pm)**

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2020. Under the arrangement certain reports are circulated on a weekly basis. The reports assess the application, considers representations which have been received, and make a recommendation regarding the proposal.

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

Before referring an item to the Committee, it is recommended that Members speak to an officer about the issue, to explore whether any problems can perhaps be resolved without the need for referral to a Committee. You may also wish to refer to the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

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

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

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

- a) Be made in writing using the attached form by emailing [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral You may wish to consider the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

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

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

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

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

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

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

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

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

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

7) Any applications, except those 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.

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

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

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

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

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

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

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

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

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

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

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

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

**Date:**

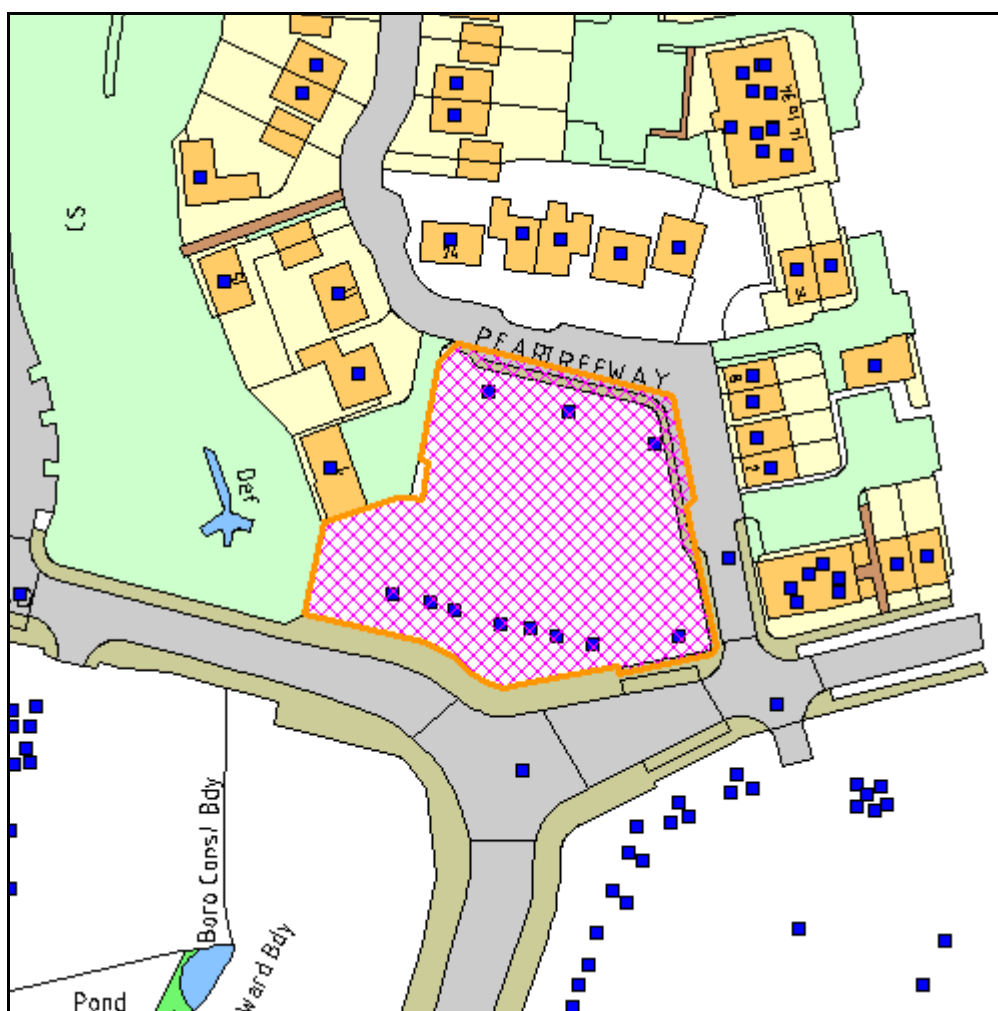
To be emailed to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk)

# CIRCULATED SCHEDULE - 11 September 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>P19/16786/RM</b>	Approve with Conditions	Parcel 2 Emersons Green East BS16 7AQ	Emersons Green	Emersons Green Town Council
2	<b>P19/18441/RM</b>	Approve with Conditions	Phases 2 And 3 Land At Park Lane Coalpit Heath Bristol South Gloucestershire BS36 1AT	Frampton Cotterell	Westerleigh Parish Council
3	<b>P20/07479/F</b>	Approve with Conditions	Aurora Hedgeway School Rookery Lane Pilning South Gloucestershire BS35 4JN	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
4	<b>P20/08683/PDR</b>	Approve with Conditions	2 Colliers Break Emersons Green South Gloucestershire BS16 7EE	Emersons Green	Emersons Green Town Council
5	<b>P20/08773/R3F</b>	Approve with Conditions	Elm Park Junior School Nicholls Lane Winterbourne South Gloucestershire BS36 1NF	Winterbourne	Winterbourne Parish Council
6	<b>P20/09669/F</b>	Approve with Conditions	153 Park Lane Frampton Cotterell South Gloucestershire BS36 2ES	Frampton Cotterell	Frampton Cotterell Parish Council
7	<b>P20/11721/LB</b>	Refusal	Over Court Mews Over Lane Almondsbury South Gloucestershire BS32 4DG	Pilning And Severn Beach	Almondsbury Parish Council
8	<b>P20/12396/F</b>	Approve with Conditions	9 Pendock Road Winterbourne South Gloucestershire BS36 1EF	Winterbourne	Winterbourne Parish Council

**CIRCULATED SCHEDULE NO. 37/20 - 11th September 2020**

<b>App No.:</b>	P19/16786/RM	<b>Applicant:</b>	Taylor Wimpey BristolTaylor Wimpey Bristol
<b>Site:</b>	Parcel 2 Emersons Green East BS16 7AQ	<b>Date Reg:</b>	29th November 2019
<b>Proposal:</b>	Erection of 19 residential units with associated road, landscape and parking (Approval of Reserved Matters layout, appearance, scale and landscaping to be read in conjunction with Outline Planning Permission PK04/1965/O)	<b>Parish:</b>	Emersons Green Town Council
<b>Map Ref:</b>	367613 177477	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Major	<b>Target Date:</b>	25th February 2020



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P19/16786/RM

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

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

This application appears on the circulated schedule because objections have been received from members of the public which are contrary to the officer recommendation.

## **1. THE PROPOSAL**

- 1.1 This application seeks reserved matters consent for the erection of 19 residential units. The reserved matters to be determined consists of appearance, landscaping, layout and scale should be read in conjunction with outline permission PK04/1965/O which has since been superseded by P19/09100/RVC. The outline consent included details of access to the site off the Rosary Roundabout. The site has the benefit of an approved Detailed Masterplan and Design Code.
- 1.2 The application site comprises a section of parcel 2, which was one of the first phases of the Lyde Green development to be built. Reserved matters for a mix of residential units was granted for parcel 2, including the area of the application site, in 2013 under application PK13/2648/RM; however, the application site was left undeveloped as a green space for marketing purposes. As marketing and sales are no longer required, the developer wishes to now develop the parcel. Rather than develop the site under the consent that has already been implemented, the developer has increased the density slightly by replacing a terrace of 4 dwellings with a block of 11 flats and has therefore, submitted a new application accordingly. The application site is located in a prominent location fronting the Willowherb Road/Honeysuckle Road junction at the entrance to Lyde Green.
- 1.3 The units comprise a mix of dwellings and apartments of 2, 2.5 and 3 storeys in height and consisting of 2, 3 and 4 beds.

## **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

CS2 Green Infrastructure

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS16 Housing Density  
CS17 Housing Diversity  
CS18 Affordable Housing  
CS29 Communities of the East Fringe of Bristol Urban Area

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

PSP1 Local Distinctiveness  
PSP2 Landscape  
PSP3 Trees and Woodland  
PSP8 Residential Amenity  
PSP11 Transport Impact Management  
PSP16 Parking Standards  
PSP20 Flood Risk, Surface Water and Watercourse Management  
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)  
The South Gloucestershire Residential Parking Standards SPD (adopted)  
Waste Collection: Guidance for New Developers SPD (adopted)  
Extra Care and Affordable Housing SPD (adopted)

**3. RELEVANT PLANNING HISTORY**

- 3.1 PK04/1965/O, -Urban extension on 99 hectares of land comprising of :- Residential development of up to 2550 dwellings; up to 100,000m<sup>2</sup> of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m<sup>2</sup> of small scale A1,A2, A3 A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavillion (class D1). Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined. Approved on 14<sup>th</sup> June 2013.
- 3.2 PK14/2705/RVC, Variation of Condition 17 attached to approved application PK04/1965/O to increase the volume of Class B employment floorspace occupied prior to the construction of a 'tiger-tail' diverge at Junction 1 of the M32, from 3,000sqm to 15,000sqm. Approved on 24<sup>th</sup> October 2014.
- 3.3 PK15/4232/RVC, Urban extension on 99 hectares of land comprising of :- Residential development of up to 2550 dwellings; up to 100,000m<sup>2</sup> of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m<sup>2</sup> of small scale A1,A2, A3 A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavilion (class D1). Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and



- cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined. Variation of Condition relating to trigger for construction of Tiger Tail on M32 attached to approved Outline application. Approved on 9<sup>th</sup> May 2016.
- 3.4 Parcel 2 RM - PK13/2648/RM, Erection of 86 residential units with associated road, landscape and parking (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK04/1965/O). Approved on 20<sup>th</sup> December 2013.
- 3.5 P19/09100/RVC, Urban extension on 99 hectares of land comprising of :- Residential development of up to 2550 dwellings; up to 100,000m<sup>2</sup> of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m<sup>2</sup> of small scale A1,A2, A3 A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavilion (class D1). Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined. Further (third) variation of Condition relating to trigger for construction of Tiger Tail on M32 attached to approved Outline application. Approved on 17<sup>th</sup> October 2019.

#### **4. CONSULTATION RESPONSES**

- 4.1 Emersons Green Town Council  
No objection however, Members are concerned over the lack of provision of on-site visitor parking, principally with the current ongoing issues with parking in Lyde Green.
- 4.2 Crime Prevention Design Advisor  
No objection or comments.
- 4.3 Waste and Recycling Officer  
No objection to updated drawings.
- 4.3 Transportation DC Officer  
There is no visitor's parking proposed within the parking court for the apartment building although I note that there is visitors' parking on the road outside. There is no objection to this element of the scheme.  
Text attached to SG council policy PSP16 (parking standards) suggest that garage should not be the sole means of parking for a new dwelling. I note that parking for plot no. 77 is only in form of garage space with no casual parking for this plot - this is contrary to the policy PSP16.
- 4.4 Drainage Officer  
Submitted documents show compliance of the proposed development with the Overall Emersons Green East Drainage Strategy and the previously approved surface water drainage strategy for PK13/2648/RM.

4.5 Affordable Housing Officer

I believe the 2 AH units in question will be picked-up in later RMs. No Objection to this proposal

4.6 Public Art Officer

No comment.

4.7 Highway Structures Officer

If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected.

Or

If the application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner

4.8 Sustainability Officer

As far as I can see from the planning portal, a sustainable energy statement has not been provided for this application. As energy and sustainability were not covered under the previous application (PK04/1965/O) I would be grateful if you could request a statement which shows how this application addresses SGC policies.

### **Other Representations**

4.9 Local Residents

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

- Wish the grass area to be retained as it is used for recreational purposes and enhances the character of the estate;
- Concerns regarding the amount of traffic that runs through the estate;
- Impact of the building on visual amenity
- Do not need any more apartments and loss of green space would be oppressive;
- Concerns relating to drainage;
- Green space currently makes a valuable contribution to resident's amenity.

## **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of the development has been established with the approval of outline planning permission under application PK04/1965/O, which covers a substantial part of the Emersons Green East (EGE) development allocated by

policy M2 in the 2006 Local Plan (superseded by PSP47 in the 2017 - Policies Sites and Places Plan). This consent is for a mixed use development including up to 2550 dwellings and community facilities. The DC East Committee, in February 2013, approved the site wide detailed masterplan, and subsequently officers approved the design code under delegated powers for the whole of the outline application site.

Parameter plans approved at outline stage require residential development to be provided at the application site. In addition, residential development on the site has already been approved under reserved matters application PK13/2648/RM. The principle of the development is therefore acceptable.

## 5.2 Compliance with Masterplan/Parameter Plans

Weight is given to the fact that reserved matters consent has already been approved at the application parcel. The scale and layout of the proposed development is similar to that already approved, with the main change being the replacement of a terrace of 4 dwellings with an apartment block of 11 flats. The apartment block is required to be a landmark building as it will terminate a key view from Willowherb Road. The design of the apartment block is considered further in this report.

## 5.3 Urban Design

### Scale, Layout and Appearance

The proposal consists of 2, 2.5 and 3 storey dwellings. This is in keeping with the scale of the surrounding development. The apartment block is three storeys in height and will provide additional scale and a stronger frontage to terminate a key view from the Willowherb Road entrance. The dwellings in the northern part of the parcel are orientated towards, and have vehicular and pedestrian access off Pear Tree Way; the dwellings and apartments to the south of the parcel are orientated towards Willowherb Road but have vehicular access from Pear Tree Way. Both Willowherb Road and Pear Tree Way have been constructed and appear now to be adopted by the Council.

- 5.4 Originally, on the spine frontage, the landmark building apartment block was proposed as buff brick with grey window frames whilst the dwellings either side were proposed to be finished in render, with white window frames as per the design codes for the southern character area. The Planning Officer considered that the entire spine frontage should be buff brick with grey window frames to provide a more contemporary appearance. This is because the other render properties in parcel 2 that have been built have weathered very poorly with staining clearly visible on the render, and also this part of parcel 2 would be read in conjunction with the gateway and Area 1 development to the southeast and the buff brick and grey windows would tie in better to these built developments which are more contemporary in style and create a more consistent entrance to Lyde Green. The landmark building apartment block, being taller than the adjacent properties, having a triple gabled roof form, and extending forward of the building line would still be sufficiently distinctive from the surrounding buildings and would provide a good frontage to Willowherb Road. Elsewhere, the material pallet is Istock Brunswick Farmhouse Mixture brick, Marley Eternit Riverdale Blue Black and Redland Double Roman Farmhouse Red roof tiles, with white window frames to match the rest of the

core area of parcel 2 that has already been built. Although the removal of render and the replacement of brick is supported, the developer has not acceded to the Planning Officer's request to introduce reconstituted stone to the core area; however, chimneys have been introduced to all of the dwellings in the core area to provide interest to the roofscape.

The area around the western green corridor is not very well overlooked as an existing FOG (plot 75) and rear garden boundary fencing abuts the area, the land slopes down towards the stream corridor and is at a lower level to the spine road. Therefore, the plans have been amended to include a ground floor window in the side elevation of plot 94 to provide more overlooking to this area and a boundary wall will extend along the side garden boundary of the property rather than a fence previously proposed to improve the character of the green corridor.

Engineering plans originally specified areas of underbuild around the side of plot 94 where the ground slopes down to the stream corridor. Revised plans received have removed underbuild and retaining walls and instead propose re-grading the land by way of a gentle slope to address the change in levels. This approach to the change in levels is more sympathetic to the character of the green corridor.

The developer has specified the brick for the spine frontage as Ibstock Brunswick Autumn. It will be important that this brick is sufficiently in-keeping with the buff bricks used in the Gateway and Parcel 1 frontages; therefore, a condition is specified for a sample panel of brick to be agreed in writing by the Local Planning Authority. The Planning Officer requested further information in respect to the brick detailing to the apartment windows and how it would work with the Juliet balconies which sit within the window reveal. The applicant has not provided the clarification requested therefore a condition is attached on this basis.

#### 5.5 Landscaping

Revised landscaping plans have been submitted to reflect alterations made to the layout. Hedgerow and railings are proposed to the spine frontage in accordance with the design code.

#### 5.6 Sustainability

Whilst the comments of the Sustainability Officer are noted, the Planning Officer can clarify that energy conservation matters have already been dealt with under Condition 7 on outline application P19/09100/RVC. This is a compliance only condition and requires the development to accord with the approved energy statement Energy Conservation Strategy December 2013 (Halcrow PJF089-001-120216 Version 14). There is no requirement for the submission of a separate Sustainable Energy Statement under this reserved matters application.

#### 5.7 Residential Amenity

The Planning Officer raised concerns regarding the orientation of plot no.76 which had the front elevation facing towards plot 73. The level of separation and orientation of these dwellings were such that there would be an

unreasonable effect on the privacy of occupiers. Plot 76 has therefore, been re-orientated such that there would be no windows facing towards plot 73 and this addresses the officer's concerns regarding privacy. The relationship between the two dwellings is now similar to the previously approved scheme.

Balconies have been added to the front elevation of the apartment block which will provide private amenity space for occupiers and add additional depth and interest to the elevations. There is also a large area of open space to the front of the apartment blocks for use for communal purposes, and pedestrian access has been added to this area from the main entrance of the building accordingly. A garden has now been added to the FOG, which will make the property more functional and enjoyable for future occupiers. Garden sizes are considered to be adequate to serve the proposed dwellings.

It is not considered that there would be any adverse effects in terms of privacy, overlooking or loss of light, and the proposal is considered to be acceptable with regards to residential amenity.

#### Drainage

The Council's Drainage Officer originally objected to the proposal as insufficient information was submitted to demonstrate compliance the overall Emerson's Green East Drainage Strategy. Following the submission of microdrainage information and an impermeable areas plan the Drainage Officer is satisfied that the proposal will comply with the Emerson's Green East Drainage Strategy and has no objections.

#### Affordable Housing

There are 94 units in total across Parcel 2, 19 of which are within the application parcel. The affordable housing schedule clarifies that 22 of the 94 units are required to be affordable. Currently there are 22 affordable units within Parcel 2; therefore no additional affordable units are required within this parcel. The Council's Affordable Housing Officer has raised no objections to the proposal.

#### Transportation

Although the Town Council's concerns regarding a lack of visitor parking spaces are noted, the Council's Transportation Officer has raised no objections on this basis and notes that there is visitor parking on the road adjacent to the application site. The Transportation Officer originally raised concerns regarding a lack of parking for plots 94, 93 and 92; however, these are located to the front of plot 75 and the red line site plan has been amended to encompass these parking spaces so that they can be considered under this application. An additional parking space has been added for the FOG unit to serve as casual parking to address the Transport Officer's comment. The Transportation Officer has raised no objections in respect to traffic or highway safety as a result of the proposal. The proposal is therefore, considered to be acceptable in transportation terms.

#### Loss of Open Space

The concerns raised by member of the public regarding the loss of open space are noted; however, the application site was never intended to function as any

form of public open space in the original outline application. The masterplan, parameter plans, and a previous reserved matters application have all approved residential development on this area of open space. The area has only been left undeveloped due to the developer's marketing strategy. Areas of public open space, deemed acceptable in terms of quantum and accessibility at outline stage, are provided for in the surrounding area to serve the population of Lyde Green.

#### 5.5 Consideration of likely impact on Equalities

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

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

### 6. CONCLUSION

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

6.2 The recommendation to grant consent 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 Reserved Matters Consent is GRANTED subject to the following conditions.

**Contact Officer: Jonathan Ryan**  
**Tel. No. 01454 863538**

#### CONDITIONS

1. The off-street parking facilities (for all vehicles, including cycles) shown on the plan "Planning Layout" no. RP-PL-03 Rev E hereby approved shall be provided before the buildings are first occupied, and thereafter retained for that purpose.

Reason

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

2. The bin storage shown on the drawing "Planning Layout" no. RP-PL-03 Rev E hereby approved shall be provided before the buildings are first occupied, and thereafter retained for that purpose.

Reason

To ensure appropriate bin storage for the proposed dwellings in the interests of the amenity of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first available planting season following the first occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

In the interests of the character and appearance of the area, and to accord with Policy PSP2 of the South Gloucestershire Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

4. Any trees or plants shown on the landscaping scheme hereby approved, which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason

In the interests of the character and appearance of the area, to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017 and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

5. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level of properties 79-94, sample panels of buff brickwork, demonstrating the colour, texture, facebond and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the brickwork is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

6. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level of the apartment block plots 81-91, the design and details including materials and finishes of the following items on all dwellings shall be submitted to and approved in writing by the local planning authority:
  1. Eaves, verges and ridges
  2. All windows (including cill, reveal, brick detailing and lintels)
  3. Extracts, vents, flues & meter boxes

The scheme shall be implemented strictly in accordance with the approved details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

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

Streetscene, SS-01 E

Received on 9th September 2020

Housetype Planning Drawing Apartments, HT-APT-01 B

Site location plan, PL-01 A

Planning layout, RP-PL-03 E

Materials layout, RP-PL-04 D

Site section AA, P2a-SE-01 B

Planting Plan, BL-L-PL201 A

Received on 8th September 2020

Engineering Drawing, 02-06 Q

Impermeable Area Plan, 16 B

Received on 28th August 2020

Housetype Planning Drawing A733, HT-A733-01 A

Housetype Planning Drawing NA42, HT-NA42-01 A

Housetype Planning Drawing NB31, HT-NB31-01

Housetype Planning Drawing NB40, HT-NB40-01 B

Housetype Planning Drawing NT41, HT-NT41-01 A

Housetype Planning Drawing PA34, HT-PA34-01 B

Housetype Planning Drawing PT36, HT-PT36-01 A

Received on 6th August 2020

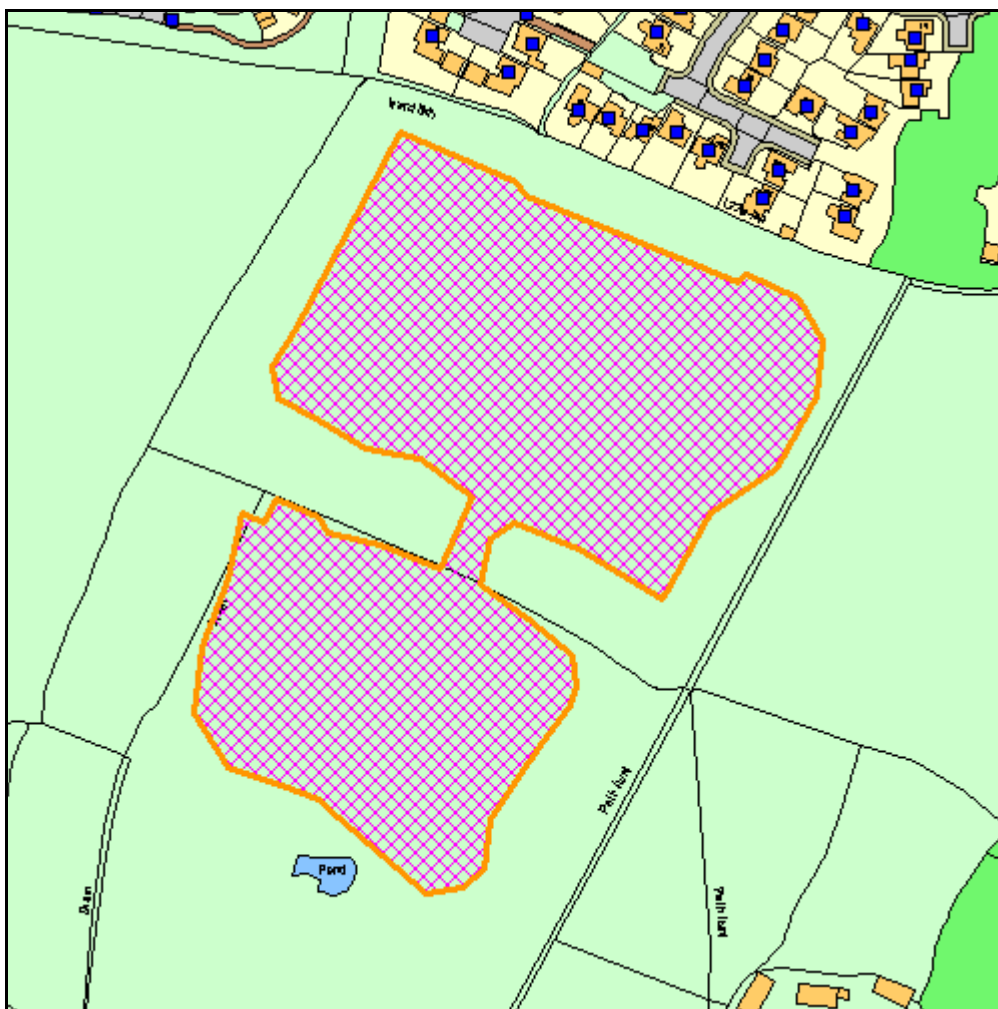
Reason

To clarify the plans forming this consent.



**CIRCULATED SCHEDULE NO. 37/20 - 11th September 2020**

<b>App No.:</b>	P19/18441/RM	<b>Applicant:</b>	BDT Trading Ltd
<b>Site:</b>	Phases 2 And 3 Land At Park Lane Coalpit Heath Bristol South Gloucestershire BS36 1AT	<b>Date Reg:</b>	16th December 2019
<b>Proposal:</b>	Erection of 108 No. dwelling with appearance, landscaping, layout and scale to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission superseded by permission P19/2083/RVC) (A variation of the permission granted under PT18/6313/RM)).	<b>Parish:</b>	Westerleigh Parish Council
<b>Map Ref:</b>	366348 180256	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Major	<b>Target Date:</b>	13th March 2020



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P19/18441/RM

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

## **REASON FOR REFERRING TO CIRCULATED SCHEDULE**

This application is referred to the circulated schedule due to 10no. objections from local residents which are contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks reserved matters consent for the erection of 108no. dwellings, with appearance, landscaping, layout and scale to be determined, at the site known as 'Phases 2 and 3', Blackberry Park, Coalpit Heath. This is a variation of the reserved matters permission, ref. PT18/6313/RM.
- 1.2 The site comprises phases 2 and 3 of the wider site which was given outline permission for 215no. dwellings (ref. PT17/0215/O, and superseded by ref. P19/2083/RVC). The application site has also formally received reserved matters (RM) consent as part of ref. PT18/6313/RM. This application proposes some alterations to this original RM consent on phases 2 and 3 only. It does not propose any additional dwellings than have been previously consented.
- 1.3 The application site forms the eastern part of the wider site. To the north it bounds 'The Meads', a recent housing development. The main access would be off Park Lane, to the west. Public open space as part of the wider development would surround the application site, but is outside of the red line boundary.
- 1.4 It is proposed that the highway layout remains the same and therefore the general arrangement of the site is as approved previously as part of ref. PT18/6313/RM. House types are proposed to be amended, as well as the positioning of some trees, landscaping and other details which will be set out within this report.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework February 2019  
National Planning Policy Guidance

#### **2.2 Development Plans**

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS2 Green Infrastructure

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS6 Infrastructure and Developer Contributions

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS15 Distribution of Housing

CS16 Housing Density  
CS17 Housing Diversity  
CS18 Affordable Housing  
CS23 Community Infrastructure and Cultural Activity  
CS24 Green Infrastructure, Sport and Recreation Standards  
CS34 Rural Areas

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

PSP1 Local Distinctiveness  
PSP2 Landscape  
PSP3 Trees and Woodland  
PSP4 Designated Local Green Spaces  
PSP6 Onsite Renewable and Low Carbon Energy  
PSP8 Residential Amenity  
PSP10 Active Travel Routes  
PSP11 Transport Impact Management  
PSP16 Parking Standards  
PSP17 Heritage Assets and the Historic Environment  
PSP19 Wider Biodiversity  
PSP20 Flood Risk, Surface Water and Watercourse Management  
PSP21 Environment Pollution and Impacts  
PSP24 Mineral Safeguarding Area  
PSP37 Internal Space and Accessibility Standards for Affordable Dwellings  
PSP40 Residential Development in the Countryside  
PSP42 Self-Build and Custom Housebuilding  
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance:  
Design Checklist SPD (adopted August 2007)  
Waste Collection: Guidance for New Developments SPD (adopted January 2015, amended March 2017)  
Frampton Cotterell and Coalpit Heath Village Design Statement  
Art and Design in the Public Realm- Planning Advice Note

**3. RELEVANT PLANNING HISTORY**

- 3.1 DOC19/00207 DOC Decided  
Discharge of Condition 2 (drainage) attached to planning permission PT18/6313/RM  
Erection of 204 no dwellings with landscaping, appearance, layout, scale and associated works. (Reserved matters application to be read in conjunction with Outline Planning Permission PT17/0215/O revised by P19/2083/RVC).
- 3.2 DOC19/00385 DOC Decided  
Discharge of conditions 3 (pv tech details), 4 (boundaries), 9 (RPA's), 10 (landscaping), 12 (broadband connection) and 13 (public open space footpaths) attached to planning permission PT18/6313/RM. Erection of 204 no dwellings with landscaping, appearance, layout, scale and associated works. (Reserved matters application to be read in conjunction with Outline Planning Permission PT17/0215/O revised by P19/2083/RVC).

- 3.3 PT18/6313/RM  
Erection of 204 no dwellings with landscaping, appearance, layout, scale and associated works. (Reserved matters application to be read in conjunction with Outline Planning Permission PT17/0215/O revised by P19/2083/RVC).  
Granted 28<sup>th</sup> June 2019.
- 3.4 P19/2083/RVC  
Erection of up to 215no dwellings with public open space and associated infrastructure. Outline application with access for consideration, including variation of condition 13 attached to planning application PT17/0215/O (allowed at appeal) to change the wording so a Public Art scheme can be submitted separately- all other matters reserved.  
Granted 18<sup>th</sup> April 2019.
- 3.5 PRE18/1071  
Pre-application enquiry for Reserved Matters approval for the construction of up to 215 homes, public open space and associated infrastructure (access already approved), in accordance with the terms of the application, Ref PT17/0215/O. Comments provided 28<sup>th</sup> November 2018.
- 3.6 PT17/0215/O  
Erection of up to 215no dwellings with public open space and associated infrastructure. Outline application with access for consideration - all other matters reserved.  
Refused 24<sup>th</sup> August 2017, appeal allowed 6<sup>th</sup> September 2019.
- 3.7 PT16/042/SCR  
Development for up to 215no dwellings with allotments, cycling and pedestrian routes, new play areas and improvements to road and pedestrian safety measures.  
EIA not required 8<sup>th</sup> December 2016.
- 3.8 PT13/0028/O  
Residential development of up to 330 dwellings on 23.51 ha of land; 0.2 ha Local Centre (up to 465m2 Use Classes A1, A2, A3 and up to 465m2 Use Class D1); Community Square incorporating car parking for local centre. Construction of 1 no. vehicular access onto Badminton Road and 3 no. vehicular accesses onto Park Lane. Landscaping, open space, allotments and all associated infrastructure. Outline application with all matters reserved except access. Refused 15<sup>th</sup> July 2013.
- 3.9 PT11/050/SCR  
Development for 420 residential dwellings with a local centre together with associated access, car parking, landscaping and open space.  
EIA not required 11<sup>th</sup> January 2012.
- 3.10 PT10/1013/RM  
Erection of 184 dwellings; construction of 186sqm of retail floorspace; construction of new vehicular access off Heather Avenue and provision of public open space. (Approval of Reserved Matters). (To be read in conjunction with outline planning permission ref PT08/2760/O) (The Meads).  
Granted 27<sup>th</sup> September 2010.

- 3.11 PT08/2760/O  
Erection of 220 residential dwellings and 186m<sup>2</sup> of A1 retail floorspace. Outline application with means of access. All other matters reserved (The Meads). Refused 15<sup>th</sup> December 2008, appeal allowed 5<sup>th</sup> June 2009.

#### 4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council  
No objection or comments.
- 4.2 Frampton Cotterell Parish Council  
No comments received.
- 4.3 Lead Local Flood Authority  
No objection.
- 4.4 Environmental Protection Officer (Noise)  
No objections, subject to informatives.
- 4.5 Environmental Protection Officer (Contamination)  
No objection. *“Information relevant to potential contamination had been submitted with this reserved matters application (Hydrock letter report ref C-005587-C/001 dated 10<sup>th</sup> December 2018).*

*It is reported that the area in the east of the site where additional site investigations had been recommended is now not going to be developed so no further site investigations are required (condition 19 of P19/2083/RVC). I therefore have no further comments.”*

- 4.6 Transport Officer  
Originally raised a number of comments which need to be addressed/clarified. These are summarised as follows:
- cycle/footpath links still to be delivered?
  - Clarification of parking arrangements for a number of plots
  - Queries in relation to grass verges
  - Electric vehicle charging points need to be provided.
  - Details of cycle storage for each dwelling/block of flats should be submitted.
  - Amendments recommended to proposed cycle storage and access to bin stores for flat block.

Following submission of additional information and revised plans, no transport objections are raised. Conditions and informatives are recommended.

- 4.7 Avon and Somerset Police Designing Out Crime Officer  
No objection. Having viewed the information as submitted I find the design to be in order and complies appropriately with the crime prevention through environmental design principles.
- 4.8 Arts and Development Officer  
A public art plan for the overall site is being progressed. No additional comments on this application.

- 4.9 Highway Structures Officer  
No objection. Standard informatives recommended.
- 4.10 Landscape Officer  
No objection. There are minor amendments to the scheme which are acceptable.
- 4.11 Housing Enabling Officer  
No objection, this was originally subject to wheelchair specification being confirmed. Subsequent details have been provided from the applicant which now confirm that the wheelchair units will be built to the Councils standard. There are now no comments outstanding.
- 4.12 Public Open Spaces Officer  
There are some inconsistencies with plans submitted and that approved as part of the S106 (to be read in conjunction with the original outline permission). The Public Open Spaces Officer would like the applicant to confirm beyond doubt that there is definitely no change to Public Open Space.
- 4.13 Tree Officer  
No further comments.
- 4.14 Self-Build Officer  
No objection. This application does not relate to the west side of the wider site where the self and custom build plots are located.
- 4.15 Urban Design Officer  
Originally raised an objection, comments summarised as follows:  
- Bin store strategy needs to be clarified/amended  
- street scene and layout is inconsistent in relation to plots 118 & 119. Amendment required.  
- Additional trees should be introduced, notably in the parking court of flat block and towards southern boundary.  
- Extent of tarmac should be reduced  
- Plot 144 positioning should be amended.  
- Re-con stone should form the external materials on all elevations of the 'Marlowes' house type.  
- walling should be introduced in places to improve streetscene.  
- Roof pitches and junctions should be checked and confirmed to ensure appearance and avoid awkward junctions.
- Additional information and revised plans were received through the application process. The comments have now been resolved and the urban design officer now has no objection.
- 4.16 Waste Officer  
No comments received.
- 4.17 Network Rail  
No objection in principle. Informatives recommended in relation to drainage matters.

#### 4.18 Archaeology Officer

No objection or comment. The red line boundary for this application is outside of the remaining areas of archaeological interest (which I believe have already been investigated and recorded) based upon the evaluation work undertaken as a requirement of the outline consent.

### **Other Representations**

#### 4.19 Local Residents

10no. objections have been received from local residents.

The majority of these comments refer to the development proposing housing in addition to what was approved as part of refs. P19/2083/RVC and PT18/6313/RM, and impacts resulting from such. Including:

- Highways (access, existing road network and additional traffic)
- Services and schools
- Drainage
- Loss of greenspace
- Impact on surrounding properties
- Air quality

It should be noted that this application is not proposing any additional housing. It proposes relatively minor amendments to part of the previously approved reserved matters application ref. PT18/6313/RM.

Other comments relating to this application are summarised as follows:

- A local shop should be built as there is not one in the local area that residents can walk to. If a local shop was built it could reduce traffic.
- A 'open public space area' is proposed to the east of the site and adjacent to existing properties along Blackberry Drive. This area would have a footpath around it. Concerns that the footpath would increase footfall adjacent to gardens and privacy would be adversely affected.
- Notification arrived late and during lockdown due to COVID-19. At time of writing the One Stop Shops were closed and as such there were no opportunities to review the detail plans in a public place.
- Sewerage pumping station will only be screened by a fence and would be unsightly from Park Lane. Vegetation screening should also be provided.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Outline planning permission has been granted on this site, via the appeals process. Therefore the principle of the development has been considered and determined at outline stage. Means of access was considered as part of that application. The application site was also previously given reserved matters consent as part of ref. PT18/6313/RM. The purpose of this reserved matters is to consider the proposed amendments to the detailed matters. These matters are considered below.

## 5.2 Design and Landscaping

The development would follow the same road layout as previously approved, and the general arrangement of the scheme remains in accordance with the parameter plans which were approved as part of the outline permission. The proposed density, materials and scale are also in accordance with the Design and Access Statement (DAS) approved at outline stage.

5.3 Throughout the course of the application a number of concerns were raised in relation to design matters. Following extensive negotiation, amendments and additional information have now been provided. This includes:

- front bin stores provided on terraced plots
- additional tree planting
- block paving introduced in places to replace tarmac/slabs
- Plot 144 positioning altered
- Amendments to materials of some dwellings
- Additional walling provided as boundary treatment

5.4 These alterations represent design improvements to the scheme, and maintain the design quality of the original approved reserved matters (ref. PT18/6313/RM). The proposed changes to the scheme involve amended house types, and the locations of house types and associated alterations. The layout of the development reflects that previously permitted and the number of trees to be planted would remain the same (albeit in different locations).

5.5 Overall, the development is considered to comply with policies CS1, PSP1 and PSP2. Conditions are recommended in relation to planting.

## 5.6 Transport

The development would gain access from Park Lane through the western part of the wider site, this was approved at outline stage. The road layout also remains as was approved through parameter plans as well as the former reserved matters consent.

5.7 Through the course of the application a number of comments were raised by the transport officer. Negotiations have taken place which have resulted in the submission of revised plans and additional information. This included:

- Clarification of the delivery of cycle and footpath links
- Clarification of parking arrangements for a number of plots
- Clarification of management of highway verges
- Details provided in relation to cycle storage
- Re-location of cycle store for plots 128-134 (apartment block) so that it is closer to building.
- Re-location of lighting columns

5.8 Following receipt of the above, the transport officer has now confirmed that no objection is raised to these matters. The development would have parking in accordance with policy PSP16, and it is not considered that there would be any significant adverse impact on highway safety resulting from the proposal. Conditions are recommended in relation to parking.



5.9 Electric Vehicle Charging

It was originally proposed that 240 volt outlets for electric vehicle (EV) charging would be provided in garages. Through the application process, the applicant was encouraged to provide 1no. EV charging point per dwelling with a minimum output of 7kW.

5.10 The provision of EV charging points themselves has not been forthcoming prior to determination. However, through negotiation the applicant has now agreed to increase the specification of potential EV charge points to 7.2kW on the majority of plots within the development. This will allow for a mode 3 charger. Blanking plates will now be provided for individual dwellings, which will allow for EV charging sockets to be installed. The applicant has confirmed that the electrical supply to the development will support the additional specification.

5.11 It is acknowledged that the Residential Parking SPD encourages the provision of EV charging sockets. Given the increase in specification of wiring to the blanking plates, it will allow EV charging points to be easily retrofitted if required by residents in the future. Accordingly, this matter is considered to be adequately addressed.

5.12 Affordable Housing

The proportion (35%), mix and tenure of affordable housing has already been set by the Section 106 Agreement (S106) at outline stage. The Affordable Housing Officer has reviewed this application in line with the S106. They have confirmed that the development would meet the quantum, tenure, type and design requirements that were set out in the S106, and are therefore considered acceptable. The development would provide wheelchair accommodation in accordance with the S106 agreement. Through the course of the application the applicant was asked to confirm that these units met the Council's wheelchair specification. This has now been confirmed, and as such addresses these comments.

5.13 Public Open Space

The former RM consent covered the entire wider site, including areas of Public Open Space (POS). The red line boundary of this application site surrounds a residential area only and does not include any of the POS. The POS will proceed in accordance with the former RM and outline consents.

5.14 Through the course of the application process, the POS officer raised comments in relation to a highway verge within the site. The plans originally submitted conflicted with the S106, showing these verges for adopted highway rather than be maintained by a management company. Following these comments, the applicant has now submitted a revised plan which excludes the verges from the adopted highway. These comments are therefore considered to be resolved.

5.15 Conditions attached to ref. PT18/6313/RM

There are a number of relevant conditions which are attached to the original reserved matters consent which cover the entire site. These have been discharged through refs. DOC19/00385 and DOC19/00207. To ensure

compliance with the agreed details, it is recommended that conditions are imposed. This will only be relevant conditions relating to drainage, solar PV technology details, and the protection of trees.

5.16 Other matters

Comments from local residents referred to the development proposing housing in addition to what was approved as part of refs. P19/2083/RVC and PT18/6313/RM. It should be noted that this application is not proposing any additional housing. It proposes relatively minor amendments to part of the previously approved reserved matters application ref. PT18/6313/RM.

5.17 Comments were also received in relation to a footpath which comprises part of the POS on the wider site. Comments also referred to the foul pumping station. Both of these elements form part of the wider site, but are outside of the application site red line boundary and therefore cannot be considered as part of this application.

5.18 A comment from a local resident stated that a local shop should be built that residents of the development could walk to. The provision of an A1 retail use on the site is something that would need to have been considered at outline application stage, and is outside of the scope of this reserved matters application.

5.19 A comment from a local resident raised concerns in terms of the consultation of the development. They had particular concern that the consultation was carried out during COVID-19 and that at this time the Councils One Stop Shops were closed. As such, there were no opportunities to review plans in a public place. As part of the government response to COVID-19, temporary changes to publicity requirements have been introduced through the *Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020*. Under these temporary regulations, where the local planning authority is not able to make arrangements for physical inspection because it is not reasonably practical to do so for reasons connected to the effects of coronavirus, it is not required to do so. Instead, it must make it available on the website. In this instance, it was not possible for the plans to be physically inspected due to the effect of COVID-19, and the plans were available on the public website. As such, the local planning authority have complied with the temporary regulations. The development has been consulted on in accordance with the Councils Statement of Community Involvement.

5.20 Conclusions

This development relates to an extant outline planning permission, and is therefore acceptable in principle. The site has also previously been given reserved matters consent. This application represents some relatively minor changes to that previously approved as part of ref. PT18/6313/RM. The development is considered to comply with the Design and Access Statement and parameter plans which were approved at outline stage.

5.21 In terms of detailed matters, extensive negotiations have been carried out with the applicant, and additional information and revisions have now been

received. It is considered that in relation to the detailed matters, subject to the recommended conditions, and mitigation proposed, there would not be any significant adverse harm. Accordingly, this reserved matters application is recommended for approval, subject to conditions.

#### 5.22 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.

5.23 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** consent has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

7.1 It is recommended that the application is **APPROVED** subject to the conditions below.

**Contact Officer: Lucy Paffett**  
**Tel. No. 01454 863436**

### CONDITIONS

#### 1. Approved Plans

This decision relates only to the plans below:

Vehicle Tracking (249-082 Rev B)  
Tree Protection Plan (BDWB20836-03I)  
Tree Soil Volumes & Highway Protection (GL1035 16 Rev B)  
Site Location Plan (P18-1942\_05 Rev A)

Plans received 6th December 2019

Detailed Engineering Sheet 2 (249-081-02C)  
Road and Sewer Long Section (249-082)  
Soft Landscaping Proposals 8 (GL1035 07H)  
Soft Landscaping Proposals 9 (GL1035 09H)  
Streetscenes (P18-1942\_04G)

Plans received 16th March 2020

Enclosure Details (P19-1942\_23 Rev B)  
Vehicle Tracking (249-083)  
Highway Adoption Plan (249-084 Rev D)  
General Engineering (249-080 Rev E)  
Detailed Engineering Sheet 1 (249-81-01 Rev E)  
Site Layout (P18\_1942\_39 Rev E)  
Soft Landscaping Proposals 6 (GL1035 06G)  
Soft Landscaping Proposals 3 (GL1035 03H)  
Soft Landscaping Proposals 2 (GL1035 02J)  
Soft Landscaping Proposals 7 (GL1035 07J)  
Site Layout 2 (P18\_1942\_08 Rev G)  
Affordable Housing Distribution Schedule (P18-1942\_09 Rev G)  
Boundaries and Enclosures (P18-1942\_13 Rev G)  
Refuse Collection Strategy (P18-1942\_14 Rev G)  
Phasing Plan (P18-1942\_07 Rev H)  
Parking Strategy (P18-1942\_12 Rev H)  
External Works (P18-1942\_15 Rec H)  
External Works 2 (P18-1942\_24 Rev H)  
Materials Plan (P18-1942\_06 Rev J)  
Affordable Housing Strategy (P18-1942\_17 Rev J)  
House Type Pack (P18-1932\_03Q)

Plans received 24th April 2020

Vehicle Charging Strategy (P18-1942\_30 Rev G)

Plan received 26th June 2020

Reason

To clarify the plans forming this consent.

## 2. Planting

The approved landscaping scheme shall be completed in the first planting season following the first beneficial occupation of the phase it is located within, or in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority prior to the first beneficial occupation of that phase.

Reason

In the interests of the visual amenity of the scheme and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December

2013 and Policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

3. Tree Planting

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

Reason

In the interests of the visual amenity of the scheme and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. Parking

The off-street parking facilities for all vehicles, including cycles, shown on the plans hereby approved shall be provided for the plot to which it relates before the corresponding building is first occupied, and thereafter retained for that purpose.

Reason

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

5. EV Charging

The electric vehicle charging points shown on drawing P18-1942\_30 REV G shall be provided to a specification of 7Kw 32Amp prior to occupation of the dwelling to which it relates.

Reason

To promote sustainable travel choices and to accord with Policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the Supplementary Planning Document Residential Car Parking Standards.

6. Drainage

The development hereby permitted shall proceed in accordance with the agreed drainage details, as approved by DOC19/00207.

Reason

To ensure that the provision of satisfactory drainage, and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP20 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

7. PV Details

The development hereby permitted shall proceed in accordance with the approved photo voltaic technologies details, as approved by DOC19/00385.

Reason

To ensure a 20% reduction in carbon emissions is achieved and in accordance with Policy PSP6 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

8. Trees

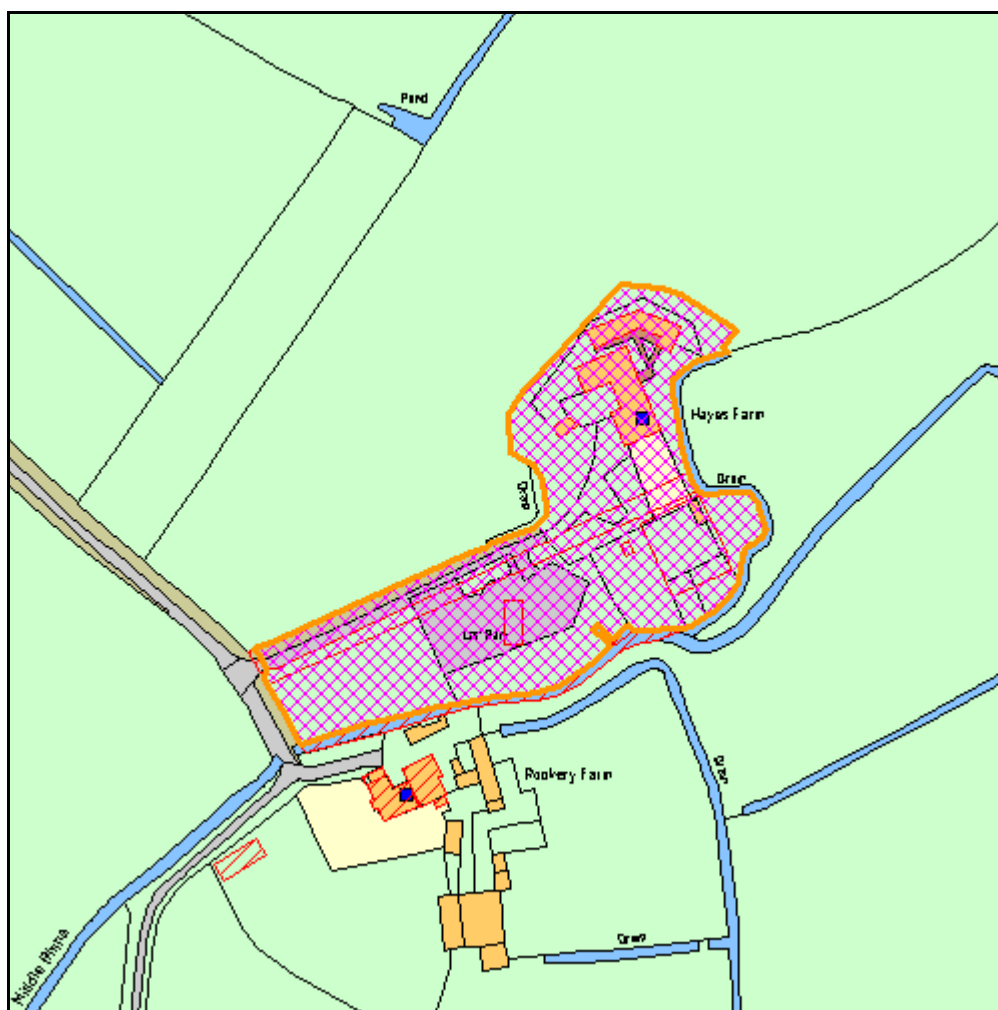
The development hereby permitted shall proceed in accordance with the approved Arboricultural Watching Brief (Dated 11th November 2019) and the Arboricultural Impact Assessment & Method Statement (ACD Environmental dated 6th June 2019), as approved by DOC19/00385.

Reason

To ensure trees are retained and satisfactory tree coverage is achieved, and in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policies PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

**CIRCULATED SCHEDULE NO. 37/20 - 11th September 2020**

<b>App No.:</b>	P20/07479/F	<b>Applicant:</b>	Aurora Hedgeway School
<b>Site:</b>	Aurora Hedgeway School Rookery Lane Pilning South Gloucestershire BS35 4JN	<b>Date Reg:</b>	28th May 2020
<b>Proposal:</b>	Change of use from residential home (Use Class C2) to day school (Use Class D1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (Retrospective).	<b>Parish:</b>	Pilning And Severn Beach Parish Council
<b>Map Ref:</b>	357502 184706	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	23rd July 2020



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P20/07479/F

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

This application is referred to the Circulated Schedule as a result of three objection comments that are contrary to the officer recommendation.

## **1. THE PROPOSAL**

- 1.1 The application seeks retrospective planning permission for the change of use of the site from a residential school to a day school providing specialised education. The application is purely for the change of use of the site, and is retrospective as the change of use occurred several years prior to the submission of the application. There is a separate concurrent planning application for a new classroom, but this application is only considering the change of use that has already occurred.
- 1.2 The site is located in the open countryside and within the Bristol and Bath Green Belt, near to Pilning. It is located at the end of an approximately 500m long single-track lane which is accessed off Pilning St. It is surrounded by land mainly in agricultural use.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework February 2019

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design  
CS4a Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS23 Community Infrastructure  
CS34 Rural Areas

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

PSP7 Development in the Green Belt  
PSP8 Residential Amenity  
PSP10 Active Travel Routes  
PSP11 Transport Impact Management  
PSP16 Parking Standards  
PSP20 Flood Risk  
PSP28 Rural Economy



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

- 3.1 P94/1287 - Change of use of premises from residential to residential home for adults with autism (class C2 of the town and county planning (use classes) order 1987) APPROVED
- 3.2 P19/13480/F – Erection of new classroom

### **4. CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council  
No objection, but review should be made of earlier highway amendments and whether these are adequate for the change of use proposed.
- 4.2 Other Consultees  
Conservation Officer – no comments  
Lead Local Flood Authority – no objection  
Avon and Somerset Police – no comments  
Transportation DC – difficult application as would be considered unsustainable as a new development. However existing use also car dependent, and only likely to be slight increase in vehicle movements. Any increase can be mitigated with a travel plan, which should be conditioned in the event of approval.

### **Other Representations**

- 4.3 Local Residents  
3 objection comments were received, all relating to highways/transport-related issues. In particular the issues raised were:
- Increase in vehicle movements from the day school, all through the day
  - Few passing places on Rookery Lane
  - Frequent hold-ups with vehicles needing to reverse
  - No speed limit and drivers often too fast
  - Many professional drivers are inconsiderate to locals
  - Makes it difficult for other users of the lane
  - Conflict with horse riders and walkers
  - Emergency services have been unable to access due to the lane being blocked
  - Increase in litter
  - Lane is in need of repair

2 neutral comments were received. These also highlighted concerns over transport and traffic, but chose not to object.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Community Infrastructure policy CS23 seeks to protect and enhance community infrastructure (which includes education and social care institutions) and existing community infrastructure should be retained unless the use has ceased and there is no longer a demand for it, or the facility is no longer fit for purpose. The proposed change of use would retain the specialist education facility, albeit with the change from a residential to day facility. The applicants have advised that the move from residential to day school was the result of decreasing demand for the residential element of the facility, and therefore the change has ensured the continuing viability of the specialist education facility overall. There are no other policies specifically relevant to the change of use, and therefore it is considered that as the development accords with the objectives of policy CS23 and is acceptable in principle.

### 5.2 Green Belt

The site is located in the Bristol and Bath Green Belt. Being a pure change of use with no new built development it constitutes the reuse of a building and a change of use of land which would not have a materially greater impact on the openness of the green belt or conflict with the purposes of including land within it. As such the development is appropriate in the green belt, and there is no objection in this regard.

### 5.3 Flood Risk

As a pure change of use the development proposal is not required to pass the sequential test for flood risk. Moreover, the principal use of the site will remain the same as an educational facility, with only the cessation of the residential element of the former use. The applicant has provided a Flood Risk Assessment and other drainage details and Lead Local Flood Authority have made no objection to the proposal. The development is therefore considered acceptable in drainage and flood risk terms.

### 5.4 Transport and Highways Impact

The school is located toward the end of Rookery Lane, which extends for approximately 500 metres from its junction with Pilning Street. The lane is largely straight with good visibility, and there is one dedicated passing place together with several informal passing points at entrances to other land (it is noted that the highway includes the verges and entrances to other adjacent land up to the boundaries). As well as the school, the lane principally serves Rookery Farm beyond the school, two equestrian sites and a couple of residential properties close to the junction with Pilning Street. The lane is also a through route for recreational use by horse, bike or on foot.

5.5 In sustainable transport terms it is acknowledged that the location of the site would not ordinarily be considered sustainable and as an entirely new development it is likely that permission would be refused. However the facility has existed for many years and was permitted, albeit as a residential institution, and the change relates only to the nature of attendance at the school, moving

from residential to day school. Given the existing lawful use of the site (and considering the other uses that the site could be used for under the C2 use class) and the likely reliance on private transport that this type of facility would have wherever it was located (because of the special needs of the students), it is not considered that a refusal could be justified on sustainability grounds.

5.6 All of the public objections received relate to transport issues relating to the lane, and principally concern both an increase in the volume of traffic as well as the lack of passing places. Other concerns over litter, the condition of the road surface, the speed limit and behaviour of drivers are not matters to be considered under this planning application. The site has plenty of parking capacity and there is not considered to be any issue on this regard.

5.7 Officers consider it inevitable that the change of use to a day school will almost certainly have led to some increase in the number of vehicle movements to and from the school, as pupils arrive and depart on a daily basis. However, considering the specialised nature of the school and the fact that the site is isolated from all other services likely to be used by the school it is highly likely that even as a residential institution there would have been similar numbers of movements through the day. Moreover, given the relatively short length of the lane, its general good visibility and the presence of several passing points along its length mean that the risk of conflict is not so severe. The council's Transportation DC officer has not objected to the proposal and indicates that a Travel Plan, secured by condition, should ameliorate any harm transportation harm arising. Subject to such a condition, there is no highways objection from Transportation DC. Consequently the development is considered to be acceptable in transportation terms.

5.8 Residential Amenity

The only nearby dwelling is Rookery Farm which is located just beyond the site along Rookery Lane. Given the limited material differences in the day-to-day use of the site, the relative separate distances and the more restricted hours of use as a day school it is not considered that the development has or will give rise to any adverse impact on residential amenity.

5.9 Planning Balance

The development is considered to be acceptable and supported by the policies of the Development Plan in principle, resulting in the retention of the specialist educational facility as a community infrastructure asset. There is no harm to the green belt, nor to residential amenity, and the development is acceptable in flood risk terms. Harm has been identified in relation to the increase in traffic and conflict with other users of Rookery Lane, but this is tempered by the lane's relatively short length, good visibility and existing passing places located within the highway land. There are also only a limited number of other sites accessed from the lane, none of which should give rise to significant transport movements. Given that Transport DC officer consider that much of the harm identified can be mitigated with a Transport Plan, which can be secured by condition, the harm identified is not considered to outweigh the wider policy support and the benefits of retaining the facility.

## 5.10 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 positive impact on equality.

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

7.1 That planning permission is granted, subject to conditions.

**Contact Officer: Neil Howat**  
**Tel. No. 01454 863548**

## CONDITIONS

1. Within three months of the date of this decision, a travel plan that seeks to obtain and maintain at least 'ModeShift Stars' level bronze shall be submitted to the Council for approval, and following approval the provisions of the travel plan shall be implemented in full and continued in perpetuity.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

2. Planning permission is granted for the change of use of the land only, and, notwithstanding the plans submitted with this application, planning permission is not

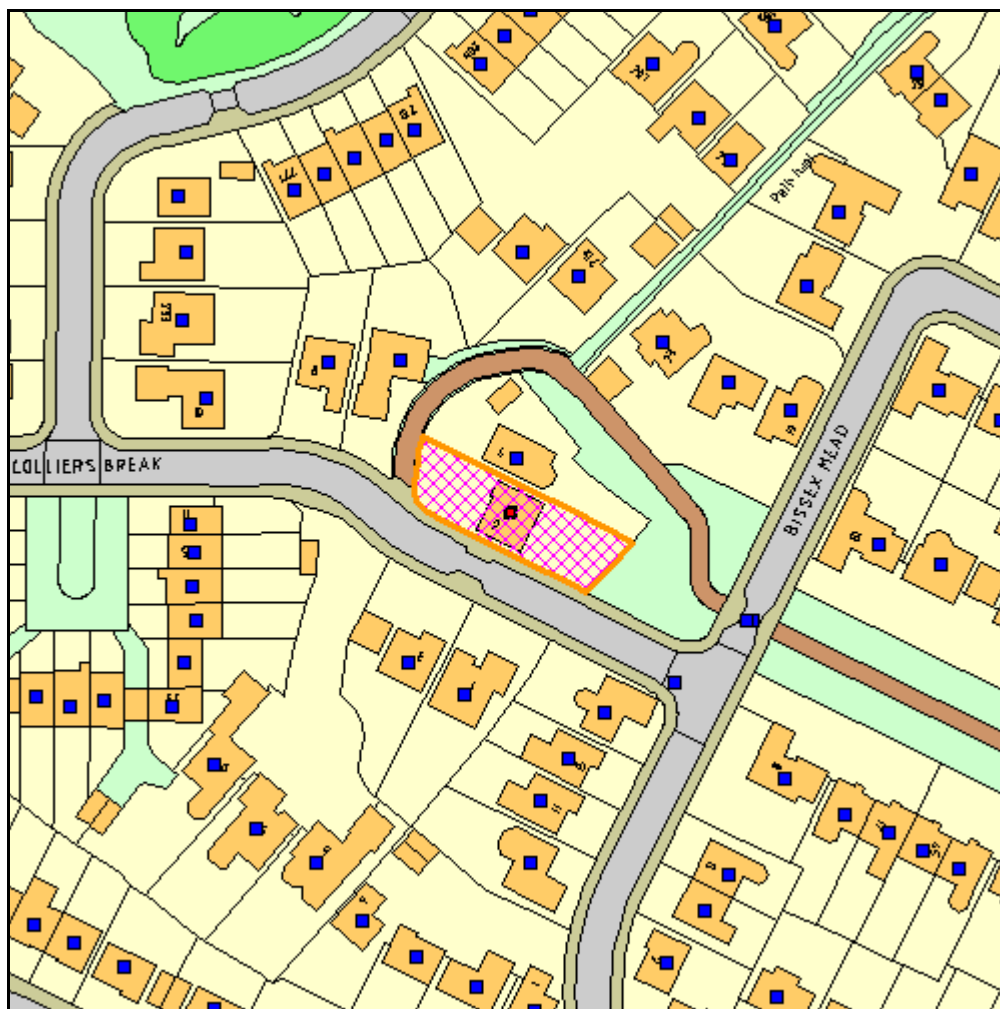
granted for the outbuildings marked Building 2, Building 3 and Building 4 as identified on the Site Block Plan ref. 2009S200/01

Reason:

For clarity and the avoidance of doubt.

**CIRCULATED SCHEDULE NO. 37/20 - 11th September 2020**

<b>App No.:</b>	P20/08683/PDR	<b>Applicant:</b>	Mr Paul Tregale
<b>Site:</b>	2 Colliers Break Emersons Green South Gloucestershire BS16 7EE	<b>Date Reg:</b>	7th August 2020
<b>Proposal:</b>	Conversion of attached garage into additional living accommodation.	<b>Parish:</b>	Emersons Green Town Council
<b>Map Ref:</b>	366807 176302	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Householder	<b>Target Date:</b>	29th September 2020



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
100023410, 2008.

N.T.S.

P20/08683/PDR

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

This planning application will be referred to the Circulated Schedule because the proposal has received 3No objections from Members of the public, which is contrary to the officer's recommendation.

## **1. THE PROPOSAL**

1.1 The application seeks full planning permission for the conversion of the attached garage into additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings. The application also includes the installation of a high level window to the side elevation.

1.2 The application site can be found at 2 Colliers Break. It is a two storey detached dwelling, located in an area of dense residential development within Emerson's Green.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework February 2019  
National Planning Policy Guidance

### **2.2 Development Plans**

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4	Presumption in Favour of Sustainable Development
CS5	Location of Development

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

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

### **2.3 Supplementary Planning Guidance**

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

## **3. RELEVANT PLANNING HISTORY**

3.1 PK13/3971/F. Erection of single storey rear extension and first floor side extension over existing garage to form additional living accommodation. Approved. 02.12.2013.

- 3.2 P98/4689. Erection of 86 No. dwellings (Reserved Matters). Approved. 09.12.1998.

#### **4. CONSULTATION RESPONSES**

- 4.1 Emerson's Green Town Council  
No Objections.

Sustainable Transport – Transportation DC  
No Objections.

#### **Other Representations**

- 4.2 Local Residents  
3No letters of objection – objection to the proposed window to the side elevation.

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

- 5.1 Principle of Development  
Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.
- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.
- 5.3 The proposal is for planning permission for the conversion of the attached garage into additional living accommodation. Also, a new high level window is also proposed to the side elevation, which will provide much needed natural light into the dwelling. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.
- 5.4 Design and Visual Amenity  
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity



- of both the site and its context. The proposal accords with the principle of development subject to the consideration below.
- 5.5 The garage conversion will enhance the existing property and through its proposed size, the garage conversion will create 2No new spaces within it; a study and a room for storage. The study proposed will be of a width of 2.46 metres, and extend to a depth of 2.55 metres and the storage room will be of a width of 2.58 meters and extend to a depth of 2.36 meters. A 3No pane leaded glazed window to match that of the existing will be added to the study, replacing the existing metal garage door. A new internal personnel door will also be inserted between the existing hall and study to permit access to it.
- 5.6 A new high level obscured window is also proposed to be inserted into the existing kitchen/dining room, and it will be situated on the side elevation, facing onto Colliers Break. It will measure approximately 2 meters wide by 0.45 meters high; it is proposed to be situated 2.0 meters high from ground level and it will be of the same design and detailing as the existing windows to the dwelling (e.g. incorporating a brick cill and it will be obscured glazed).
- 5.7 These proposals have been proposed through their designs to complement the existing dwelling in the choice of materials and components, ensuring that the aesthetical appearance of the dwelling continues to compliment neighbouring properties, matching materials and components to the existing dwelling where possible.
- 5.8 Residential Amenity  
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed is found to be in compliance with PSP38.
- 5.9 Considering the nature of the proposals, they do not appear to have a material overbearing or overlooking impact, nor are they considered to significantly impact on existing levels of light afforded to the neighbouring occupiers. Therefore, the proposals would not have a detrimental impact on residential amenity and are deemed to comply with policy PSP8 of the Policies, Sites and Places Plan (adopted November 2017).
- 5.10 Transport  
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. Although there are no additional bedrooms proposed the conversion of the garage will continue to maintain 5No driveway parking spaces. Should the application be recommended for approval, then a planning condition should be added so that the applicant provides and maintains those parking spaces shown on the submitted/approved plans.
- 5.11 Private Amenity Space  
The dwelling benefits from a large amount of private and enclosed amenity space. The rear garden will still benefit from an amenity space of sufficient size

and functional shape, and will continue to meet the needs of the occupants or any future occupants.

#### 5.12 Other Matters

3No letters of objection has been raised by a neighbouring properties with regards to the proposed window to the side elevation of the host dwelling.

As outlined above in the report, a new high level obscured window is proposed to be inserted into the existing kitchen/dining room, and it will be situated on the side elevation, facing onto Colliers Break. The obscured high level glass window will measure approximately 2 meters wide by 0.45 meters high, and will be 2.0 meters high from the existing ground level and of the same design and detailing as the existing windows. Given its position and size, officers are satisfied that the impact will be minimal. Accordingly, officers are satisfied that the proposed window would not result in a significant overlooking impact to the occupants of the neighbouring properties.

#### 5.13 Consideration of likely impact on Equalities

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

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

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

7.1 That the application be **APPROVED**.

**Contact Officer: Helen Turner**  
**Tel. No. 01454 864148**

## **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).

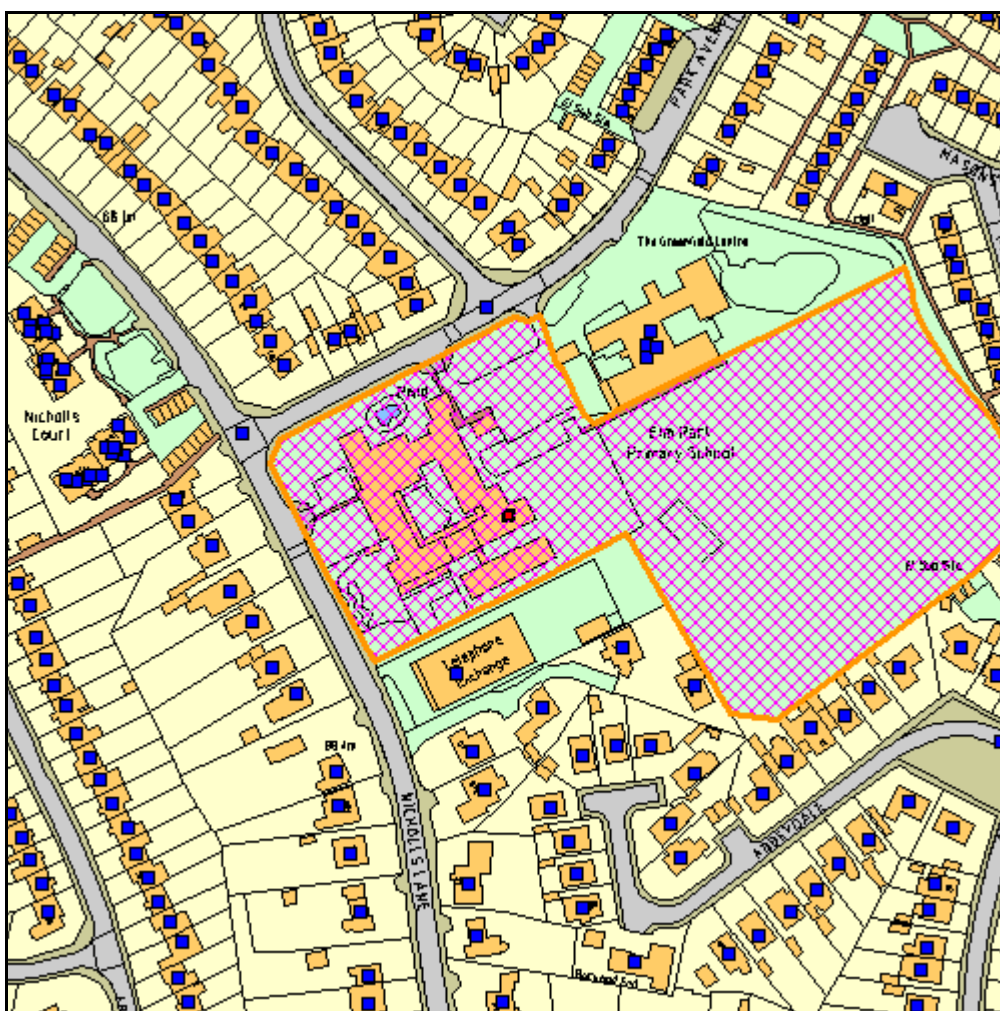
2. The applicant provides and maintains those 3No parking spaces shown on the submitted/approved plans.

Reason

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

**CIRCULATED SCHEDULE NO. 37/20 - 11th September 2020**

<b>App No.:</b>	P20/08773/R3F	<b>Applicant:</b>	South Gloucestershire Council
<b>Site:</b>	Elm Park Junior School Nicholls Lane Winterbourne South Gloucestershire BS36 1NF	<b>Date Reg:</b>	4th June 2020
<b>Proposal:</b>	Demolition of existing school building. Erection of new school building with associated playing field, hard and soft landscaping areas, car parking and delivery access	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365397 180944	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Major	<b>Target Date:</b>	31st August 2020



© South Gloucestershire Council 2007. all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
100023410, 2008.

N.T.S.

P20/08773/R3F

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

## **INTRODUCTION**

This application is referred to the Circulated Schedule in accordance with the Council's Constitution as the applicant is South Gloucestershire Council.

### **1. THE PROPOSAL**

- 1.1 The application proposes the demolition of the existing building and erection of a replacement school building with associated playing field, hard and soft landscaping areas, car parking and access for deliveries on the site of the existing Elm Park Junior School in Winterbourne.
- 1.2 The new school will provide a 210 place primary school to replace the existing building which is designed for 315 places. The applicant has indicated in the submission that the existing building is dated and costly to maintain but also that the number of children in the catchment area has also reduced, with a smaller building this being required. It is indicated that the new building would be constructed with some external areas such as a playground and sports equipment area in Phase 1 of the development, with the existing building being demolished and all other external aspects completed in Phase 2.
- 1.3 As explained in 1.4 below the site comprises two distinct parts joined in the middle. The new building will be located with the western portion of the site, next to the footprint of the existing building with a car park to the front alongside Park Avenue, with play area of both hard and soft landscaping, with an area set aside for possible future development, the details of this is not specified. To the east will be provided an enhanced playing field with playground, fitness trail and landscaping. The new car park will provide 21 car parking spaces, 1 Accessible parking space and a delivery bay. There are four access points shown, with a pedestrian access shown on Nicholls Lane and Park Avenue, car park entrance on Park Avenue as well as a delivery and emergency entrance on Park Avenue.
- 1.4 The new building proposed will be mainly a two storey structure. There is level access is provided throughout the building and to all external areas. The height of the building varies gradually from 6.5 to 11m (ridge height). The closest part of the new building to neighbouring houses is located 25m away from the nearest house and 10m away from the Greenfield Centre. The applicant has indicated that the building will achieve Passivhaus standards. Turning to the landscaping, some tree removal is proposed but compensatory planting is shown.
- 1.5 The existing site is sited towards the north-eastern end of Winterbourne and is largely surrounded by residential properties but with a community building (Greenfield Centre), to the north-east edge. The site is within the settlement boundary of Winterbourne (excluded from Green Belt). The site comprises two distinct elements with to the west the school buildings and field/playing field to the east joined with a tight link in the middle dominated by a large mature Oak. There are a number of mature trees on the site boundaries predominantly around the eastern element. The

main entrance is from Nicholls Lane with secondary footpaths from Park Avenue. The overall site area is 1.911 ha (Playing field 1.2445ha and School building 1643.5 sq.m).

- 1.6 In addition to the Design and Access Statement, the applicant has submitted in support of the application the following documents:

Flood Risk Assessment & Drainage Strategy; Ground investigation (Stage 1) Habitat Survey; Tree Survey; Tree Protection Plan during construction phases 1 & 2 in Arboricultural Report; Transport Statement with vehicle tracking and detailed Construction Traffic Management Plan; Travel Plan; Enabling Construction Site; Construction Phasing Plan 1 & 2; Tree Removal Plan; Tree Planting Plan & Planting Schedule; Sports Facility Report; External Lighting Proposal; Acoustic Assessment; MUGA Noise Assessment.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework Feb 2019

### **2.2 South Gloucestershire Core Strategy (Adopted Dec 2013)**

CS1 High Quality Design  
CS2 Green Infrastructure  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Environment and Heritage  
CS23 Community Infrastructure and Cultural Activity

### **2.4 Emerging policy: South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016**

PSP 1 Local Distinctiveness  
PSP2: Landscape  
PSP3: Trees & Woodland  
PSP 11 Transport Impact Management  
PSP 20 Flood Risk  
PSP 21 Environmental Pollution and Impacts  
PSP 44 Open Space Sport and Recreation

### **2.5 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted August 2007)  
South Gloucestershire Landscape Character Assessment SPD

## **3. RELEVANT PLANNING HISTORY**

- 3.1 None relevant

## **4. CONSULTATION RESPONSES**

### **4.1 Winterbourne Parish Council**

The comments of the Parish are No Objection. The Parish Council would like it noted that The Greenfield Club have concerns regarding access to their fire exit and their route to and from school. Clerk to forward letter of concern to South Gloucestershire Council.

## 4.2 Other Consultees

### Sport England (summary)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field. Clarification is sought regarding the sizes of the provided facilities (playing field and MUGA) and whether it will be open for community use. It is indicated that Sport England promotes the wider use of existing and new sports facilities to serve more than one group of users. Sport England will encourage potential providers to consider opportunities for joint provision and dual use of facilities in appropriate locations. No objection is raised subject to a condition being imposed if a community use agreement is put in place.

### Archaeology

#### Initial Comments

The application should be supported by a desk based assessment to assess the impact on potentially surviving archaeological deposits and their significance. Without this supporting information my recommendation is for refusal of this application as it fails to comply with Paragraph 189 of the NPPF.

Following the submission of further information the following comments have been received:

No objection however given the undisturbed nature of the location of the proposed school building and the potential for impact on archaeological remains, a programme of archaeological work in the form of an evaluation would be required as a condition of any permission granted on this site.

Given the timescales for the construction of the school and the need for the Multi-use games area to be used in lieu of the formal playground area at that time, concern was raised by the applicant regarding such a condition and as a result a programme of trial trenching has been agreed prior to the determination of the application. This has now been undertaken and a certain finds have been made. In the light of this a condition is required to secure an agreed programme of investigating and recording.

### Public Open Space Officer

Concern expressed about the close proximity of the MUGA to residential properties and the potential for noise complaints. There is question over the suitability of the play equipment for primary school children, drainage for the pitches. There is a need for a Community Use Plan as set out in the Design and Access Statement.

## Environmental Policy and Climate Change Team

### Initial Comments

The proposal to design and construct the school to achieve Passivhaus standards is strongly supported as is the proposal to install a roof-mounted PV system. Clarification is required on a number of points:

- The specification and location of air source heat pumps
- The specification, layout and location of the roof mounted PV system
- The Energy Statement should include information on advice and training given to staff on the design, and operation of the building to maximise indoor air quality
- External shading features noted to help reduce solar gain. Further information is required on the analysis/modelling that has been undertaken to provide assurance that the school will not be liable to over-heating during the expected life of the scheme (taken to be 60 years), under future climate scenarios. Changes in local weather patterns include increases in peak and average summer temperatures, and increases in the intensity of rainfall.
- Inclusion of charge points (20%) of parking spaces would be strongly welcomed.

Following submission of this information there is no objection to the development.

### Arts Development Officer (summary)

#### Initial Comment

No reference is made to public art in the Design and Access Statement. A condition should be applied to require full details of the proposed public art programme to be agreed prior to the start of building out the ground and the agreed programme should be *implemented* through the building timetable. The art programme should be identified at the earliest possible opportunity as this will give a greater range of available options and ensure that it is integrated into the site and its phasing plan. The public art programme should be devised and managed by a public art professional to ensure a high quality scheme.

Following discussion it has been agreed to amend the condition to allow submission prior to the first occupation of the development (discussed below)

### Lead Local Flood Authority

Initial Comments – The proposal is not acceptable in its current form. A pumped A pumped surface water solution to a highway drain is not an acceptable surface water drainage disposal option. The Surface Water Drainage Hierarchy must be followed. The feasibility of infiltration drainage needs to be established prior to determination of this application. Infiltration tests are required to be carried out across the school site to find out if infiltration drainage is feasible prior to determination of this application. If infiltration drainage proves to be infeasible an alternative surface water drainage strategy will be required.

Following the submission of further information, there is no objection raised subject to a condition to secure full details of the drainage scheme.



## Tree Officer

No comment received

## Environment Protection (Noise)

### Initial Comments

No objection subject to a condition to secure Option 3 (noise barrier west and south boundaries of the MUGA in the submitted report (Acoustic barrier) and to restrict hours of use.

Following discussion amended comments have been received accepting Option 1 (barrier on western boundary) subject to a restriction on the hours of use of the facility.

## Environment Protection (Contamination)

There is no objection to the proposed development subject to a standard condition.

## Sustainable Transport (summary)

It is noted that the proposal represents a reduction in the size of the school. As such the number of vehicle and pedestrian movements associated with the new school would be less than those associated with the existing school resulting in nil detriment on the surrounding highway network.

Access – would be in the same locations as at present. These should be/have vehicle crossovers to give priority to pedestrians. It would slow speeds.

Pedestrians/Safety – safety barriers should be provided opposite the pedestrian access points to avoid children running into the road. The footway on Nicholls Avenue should be widened to 3m for at least 2m on either side of the access path being provided

Parking – 22 parking spaces are being provided for staff. This is acceptable. Electric charging points (2) are being provided and this is welcomed. Scooter and cycle space provision is provided and this can be the subject of a condition to secure the correct standard.

Servicing of the site is adequately provided for by the access used for this purpose. An updated Travel Plan has been provided, a suitable condition should be applied to secure this.

With respect to construction, a Construction Management Plan (CEMP) submitted with the application has been viewed. Some amendments are required such as staff arrangements during construction and the phase 2 temporary construction access.

In summary there is no objection to the proposal subject to the submission of a condition to secure a more detailed CEMP; a condition to ensure that work takes place in accord with the phasing arrangements; a condition (if this is not amended before) to

secure revisions to the vehicle access points prior to the commencement of the development (to include those matters outlined above – footways, barriers etc). In addition conditions to secure the implementation of the updated travel plan, the cycle facilities and the Electric Vehicle Charging Points.

#### Ecologist (summary)

There is no objection to the proposed development subject to conditions to ensure that the development proceeds in accordance with the submitted Ecological Report and that bat and bird boxes are installed as recommended

#### Landscape Officer

No objection is raised subject to conditions. Revisions to the planting plan are also sought.

#### Avon and Somerset Police (summary)

Recommendation that the perimeter is secured with 2.4m high weld mesh fence and gates. It needs to continue around the boundary on Park Avenue to the pedestrian entrance. Advice to the applicant regarding internal security arrangements and management of the site and security.

### **Other Representations**

#### Local Residents

2 letters of objection have been received (and one additional response after the consultation expiry date). The grounds of objection can be summarised as follows:

- There is an existing parking problem.
- Staff parking must be adequate
- Drop off/Collection must be adequate
- Existing driver behaviours impacts upon highway safety
- The construction could also impact upon the highway
- There is a need for adjustments to parking restrictions in Park Avenue, Starbarn Road.
- The existing crossing point should not be moved

Three responses have been received that neither support or object to the proposal but parking arrangements must be acceptable for parents collecting and dropping off children and that the bus route should not be blocked. Parking restrictions should be put in place either side of the entrance and that construction does not cause difficulties for neighbouring occupiers.

A comment has been received from the Greenfield Club that operates from the Greenfield Centre.

In summary the comments states the importance of maintaining access to the playing fields via the back of the centre during construction. It is deemed critical that the field route is not blocked during construction.

This point is noted and an advice will be included with the decision notice and a Condition requiring the submission of a Construction Management Plan will include the following clause.

- *Details of how the management of the impact of the construction works will be communicated to local residents and to the users of the Greenfield Centre to include Contact details for the Site Manager.*

## **5. ANALYSIS OF PROPOSAL**

The application seeks consent for the demolition of the existing school building with its replacement by a new 210 place school building with associated playing field, hard and soft landscaping areas, car parking and delivery access.

### **5.1 Principle of Development**

The site is situated within the urban boundary of Winterbourne. Policy CS5 directs development to such sustainable locations. Policy CS23 supports the provision of additional, extended or enhanced community and cultural infrastructure in such locations. Subject to consideration of the other material considerations as set out in Section 5.2 onwards of this report the development of a school within the urban development boundary is appropriate development.

Policy CS2 following the National Planning Policy Framework places great emphasis on protecting play space. Whether the scheme is acceptable in principle depends upon the impact of the development however while there will be some impact upon the grassed playing field with the installation of a multi-use games area (MUGA), this provides an enhanced facility. Sport England have raised no objection to the development subject to a condition to secure a Community Use Agreement prior to the first use of the new school building for the facilities including the wider playing area. Negotiations have secured details to show how the playing fields can accommodate appropriate pitch sizes. The use of the MUGA is discussed in more detail below (see Environmental Protection), it will be used as a replacement playground while the school is being built hence the Community Use Agreement is required prior to the first occupation. Its use as a community facility unlike the remainder of the playing field area will be limited for reasons of protecting residential amenity.

So in terms of the form of development and the location the proposal is acceptable in principle subject to detailed consideration of the following material planning considerations.

### **5.2 Archaeology**

Policy CS9 and PSP17 seek to ensure that new development conserves, and enhances heritage assets in a manner appropriate to their significance.

Following a request by the Archaeologist a number of trial trenches were made given the potential for archaeology. The timescale for completing this report has not allowed for the production of the full report however the Council Archaeologist has made

contact with those who undertook the work and it is understood that some finds have been made.

In the light of the findings from the trial trenching undertaken, it is therefore considered appropriate to apply a condition to the decision notice to require agreement prior to the commencement of development of the nature of investigation and recording work during the construction phase. Subject to this condition the proposal is considered to be in accord with the objectives of Policy CS9 and PSP17.

### 5.3 Design

Policy CS1 indicates that development will only be permitted where the highest possible standards of design are achieved, Design includes siting, layout, height, detailing, scale and materials.

#### *Siting/Layout*

The siting/layout of the new school building is constrained by the nature of the site. There are two determining factors the shape of the site and the relationship with the existing school building and its access. It is intended to retain the current building while the new building is constructed and then demolish the current structure. Also it is a requirement that playing field space is retained within the eastern portion of the overall site. This effectively only leaves the proposed location for the new building. The building is smaller than the existing building so has a reduced physical/visual impact. It is considered that the location follows on from the building line created by the Greenfield Centre. The location of the development is considered acceptable.

#### *Scale*

The building is two storey building in the main with two mono-pitch roofs that are offset from each other (this allows for glazing and ventilation at a high level. The maximum height of the building is 11m but this reduces to 6.5m. It is considered that the height is appropriate having regard to the relationship and nature of the nearest buildings (it is noted that the structure is approximately 25m from a residential property and 10 metres from the community building that is located to the east). The mix of roof forms, from the limited single storey areas to the much taller mono-pitch arrangement are considered to break up the massing of the building in an effective way. The scale of the building with its clean lines and broken up mass (in contrast perhaps to the current building) is considered acceptable.

#### *Appearance/Detailing/Materials*

The appearance, materials and detailing are partly driven by the need to respond to “the climate emergency” supporting reduced energy consumption, and that is discussed in more detail in this report elsewhere. The main hall will be timber clad, with glazing in appropriate locations such as the entrance. At ground floor level blue brickwork is shown with light buff brick. The roof finish is a light shade of grey seam metal. There are louvres panels and brise-soleil for shading purposes. The appearance of the building and its detailing is considered acceptable subject to a condition to secure full detailing of the proposed materials.

#### *Public Art*

Policy CS1 indicates that where the scale, location and or significance of the development proposal warrants it, embedded public art within the public realm or

where it can be viewed from public areas should be provided and that this is a feature of high quality design.

As such features are integral to the design a condition is usually attached to secure the details of such a design prior to the commencement of development. Discussions have taken place between officers and the applicant and for various reasons including the need to commence work (there is a connection with delays caused by Covid-19) it has been agreed to take the unusual step of requiring such information prior to the first occupation of the school building. This could allow a scheme on the remainder of the site or a scheme that can be installed during construction. This is not ideal but the applicant is aware of the need to liaise with the Arts Development Officer (an Informative is attached to the decision notice to advice on this point) at the earliest opportunity.

The design and appearance of the building is considered acceptable.

#### 5.4 Environmental Policy

PSP6 states that all development proposals will be encouraged to minimise end user energy requirements over and above those of the current building regulations through energy reduction and efficiency measures. The policy indicates that the Council will take positive account of and support development that provides further energy reduction, efficiency, renewable and low carbon energy measures on or near site.

The applicant has submitted a detailed Energy Statement in support of the application and the Environmental Policy Team have reviewed this submission. The document sets out measures to reduce energy demand through improvements in energy efficiency and air permeability. Further information has been sought and now received. The report is considered acceptable and accords with the aims and objectives of PPS6. A condition will be attached to the decision notice to ensure that all works take place in accord with the submitted report and the subsequent addendum to that report subsequently received.

#### 5.5 Environmental Protection

Policy CS9 of the Core Strategy considering the environment states that new development will be expected to protect land, air and aqueous environments, buildings and people from pollution. PSP21 considers sets out in more detail the impacts of different forms of pollution including noise and ground contamination (the impact to and from this specific development), and the potential mitigation measures that can be taken.

Noise – An acoustic report has been submitted with this application and this has been viewed by the Council's Environmental Protection Officer.

The main concern is in relation to the impact of the use of the Multi-use Games Area (MUGA) that is relatively close to nearby residential properties. Officers are aware that these facilities can result in noise and disturbance to neighbouring occupiers through vocal noise but also from ball against mesh. The submitted acoustic sets out three specific options to mitigate against impact. Initially it was considered a 3.5m barrier along the western and southern boundaries was preferable, however it has been acknowledged that this might incur safeguarding issues with the inside of the facility greatly obscured from view.

Environmental Protection Officers consider that a 3.5m metre barrier along its western boundary coupled with a condition to restrict its use to between 9.30 to 17.30 Monday to Friday and 10.00 to 16.00 on Saturdays with no use outside of that time will ensure adequate environmental protection for neighbouring occupiers. It is noted that this will restrict the required Community Use to approx. two hours on week days and the hours indicated on Saturdays however this is considered an acceptable compromise. Subject to this condition the proposed development is considered acceptable in these terms.

Contamination – The Council's Environmental Protection Officer has viewed the submitted report (Geotechnical and Geo-Environmental Desk Study) and agrees with its findings. A condition will be applied to the decision that will require before the commencement of development, the site investigations recommended in the report to take place. Furthermore it will be a requirement that a report is submitted indicating that any required remediation work is carried out prior to occupation and any contamination found during construction falls within this same regime.

## 5.6 Drainage

Policy CS9 of the Core Strategy and Policy EP2 of the South Gloucestershire Local Plan (Adopted) seek to ensure that any development is not adversely affected by the existing water environment or results in an impact to the surrounding area. As stated in the Core Strategy, new development has a significant role to play in managing flood risk by minimising its own surface water run-off through the use of Sustainable Drainage Systems (Suds), this provides a means of discharging surface water in ways that prevent flooding and pollution within the site (methods such as attenuation ponds and controlling flows).

Following the submission of additional information to show that it is possible to secure an appropriate scheme to fulfil the requirements set out above, the Lead Local Flood Authority raise no objection to the development subject to a condition being applied to secure a full sustainable drainage scheme.

## 5.7 Transportation

Policy CS8 of the South Gloucestershire Local Plan Core Strategy, considers the impact of development on a strategic level, encouraging new development on sustainable locations and encourages that development to consider alternative modes of transport to the private motor car. Parking and vehicle access point must be fully integrated into the development. PSP11 of the Policies, Sites and Places Plan considers in more detail the need for the provision of appropriate, safe, accessible, convenient and attractive access to be provided.

Concerns relating to the impact of the development in highway terms are noted, both in terms of while the school is operating and the construction period.

Firstly in terms of the highway impact, it is important to note that the development is not introducing a new school rather it is the re-development of an existing facility and that this will involve a reduction in pupil numbers from 315 to 210 (33% reduction). This will clearly have an impact upon the number of vehicle movements to and from the school and the impact must be seen within this context. Notwithstanding this, an assessment of the proposal is set out below.

Concerns are noted regarding the existing situation when parents drop their children off and pick them up from school and how this impacts upon local residential streets during those specific times. It has been indicated that illegal manoeuvres take place, roads are blocked and residential accesses are on occasion blocked. It is anticipated that “drop-offs” will continue to take place on the surrounding roads, there is not the space to allow this within the school grounds. As such there would be no change to the current situation although it should be noted that the number of pupils will be significantly less. The submitted Travel Plan sets out that school is in regular contact with the local Police Community Support Officers (PCSO’s), and the Head Teacher has a role in reminding parents to park and behave responsibly at these times of the day because ultimately this is an issue surrounding human behaviours.

### *Access*

The proposal includes two vehicle access points that are approximately in the same locations as those at present on Park Avenue. One gives access into the car park and the other gives access onto a service delivery yard. During the consideration of the proposal the access points have been altered from the “bell mouth” style to ones which incorporate large crossovers for vehicles. The impact of this change will be to slow down the speeds of vehicles using the entrance and this improve safety from the current situation.

With respect to pedestrian access, two points are shown, one from Nicholls Lane and one from Park Avenue. Negotiations have secured barriers opposite these access points to prevent children running into the road and in addition a widening of the footway has been gained either side of the pedestrian access on Nicholls Lane to 3 metres width for two metres. Given that existing arrangements for access points are broadly similar to the existing ones, the school safety zone can remain as at present.

### *Parking*

There is no minimum parking standard for non-residential development in the development plan however it should be noted that the provision of 22 on-site spaces would comply with the old standard of one space for two members of staff that was applied previously in the old South Gloucestershire Local Plan. Officers have viewed the demand set out in the submitted Transport Statement and are content that this provision is sufficient.

With respect to parking, it is welcomed that two electric vehicle and two passive charging points are to be provided and this will form the basis of a condition. In addition it is welcomed that 10 covered and secure cycle parking spaces are proposed each for the staff and children. The children’s shelter also includes space for up to 40 scooters. Officers note that the stands appear to be a bit close together however it is considered that a suitably worded condition can secure full details.

### *Servicing of the Site*

As indicated, a specific entrance is provided for service vehicles which gives access onto a servicing area. Submitted details show that vehicles can access, turn and leave the site safely.

### *Travel Plan*

The school has an existing travel plan that sets out measures to support sustainable travel. An updated version of the plan has been submitted and officers are content with its contents. This document is available on the public website and a condition will be attached to the decision notice to ensure that the site operates in accordance with the details.

### *Construction*

Concern has been raised that the development should not result in disruption to neighbouring occupiers during the construction period. As set out elsewhere in the report the construction will be taking place in two phases, firstly the building of the new school during which time the existing school will continue to function, after which the development is timed to ensure that in phase 2 the existing building is taken down. The applicant has indicated that while work is taking place there will be arrangements on-site to accommodate all construction vehicles and a construction compound but also that alternative provision will be made available to accommodate all staff parking to avoid on-street parking. This is a very important consideration, given the nature of the surrounding roads. A detailed construction management condition will be applied (details required prior to the commencement of development).

For the avoidance of doubt the following information will be required and the development will be required in accordance with these details:

- Measures to control the tracking of mud off-site from vehicles.
- Measures to control dust from the demolition and construction works approved.
- Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- Adequate provision for the delivery and storage of materials.
- Adequate provision for contractor parking.
- Details of temporary staff parking arrangements both on and off-site and measures to promote sustainable travel to and from the school during the construction phase.
- A lorry routing schedule.
- Details of temporary construction traffic accesses including reinstatement of footways on completion of construction works.
- All construction and delivery vehicle arrivals and departures to take place during the site operational hours and outside of the morning and afternoon school drop off and pick up times as set out in the Construction Traffic Management Plan.



- Details of how the management of the impact of the construction works will be communicated to local residents and to the users of the Greenfield Centre to include Contact details for the Site Manager.
- Details of membership of considerate contractor scheme or similar.

Subject to all the conditions set out above it is considered that the proposed development is acceptable in transportation terms.

## 5.8 Residential Amenity

It is considered that the school building and associated areas are located sufficiently away from neighbouring residential properties such that there would be no significant impact in terms of appearing oppressive or overbearing nor would overlooking result. Given that there are residential properties in the vicinity however it has been considered appropriate to apply conditions in relation to the multi-use games area (Condition 10 and 11), a Construction Management Condition (Condition 3) and a specific Construction Hours Condition (Condition 12).

## 5.9 Landscape/Trees

Policy CS2 of the Core Strategy seeks to protect and enhance existing landscape features. Also of relevance Policy PSP2 (Landscape) of the Policies, Sites and Places Plan indicates that development will be acceptable where it conserves and where appropriate enhances the quality, amenity, distinctiveness and special character of the landscape. PSP3 indicates that development should minimise the loss of existing vegetation on a site, it should protect existing trees, and replace trees appropriately where the loss cannot be avoided.

As with other aspects of the development the landscaping and external areas proposed are designed with the needs of the pupils in mind. The site as indicated elsewhere in this report comprises two distinct areas. The north-western corner of the site where the school building is to be located will also provide an outdoor learning area and habitat zone very close to that building, in addition a play zone but also an area of planting close to the entrance would provide a future buffer between the school and whatever development takes place on the portion of land to be left for future development fronting Nicholls Lane. Boundary treatments are also noted.

With respect to the trees, the important specimens are retained in particular those in the centre of the site, the courtyard trees and large mature Oak. It is indicated that 41 no. trees will be removed, these are predominantly small specimens and with the exception of two are within the area where the school is to be built. 42 no. trees are to be planted as replacements largely in this area and the remainder of the trees are to be retained and are the subject of protection measures during construction.

Additional information has been received and the submitted details are acceptable to the landscape officer. It is noted that a hoarding is proposed on the Nicholls Lane elevation, a condition will secure details of this.

## 5.10 Ecology

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

An Ecological appraisal/report has been submitted with the application. With respect to the habitats, the site is not covered by any statutory or non-statutory nature designations. The site away from the built area comprises amenity grassland which is considered to have minimal nature conservation value. There are trees scattered across the site with hedgerows comprising both ornamental and native species. There is a wildlife pond.

Turning to the on-site potential for species protected under the Conservation Regulations 2017 ('European Protected Species) as well as the Wildlife & Countryside Act 1981 (as amended). The buildings have low potential for roosting bats, as do the trees and hedgerows but there is the potential for "foraging and commuting" between roosts. The pond has low potential for Newts given its isolated urban location. The site has potential for nesting birds but is not suitable for reptiles. There is no evidence of badgers on the site. Given the habitats there is the potential for hedgehog, invertebrates and amphibians.

The report highlights proposed Biodiversity enhancements that includes, planting of native trees or shrubs around the site; retention of any felled timber in large sections; providing further features such as bee hotels in the forest school area; planting small areas with nectar-rich flowers; and fitting bird and bat boxes to trees on and around the site.

There is no ecological objection to the development subject to a condition to ensure that the development is carried out in accordance with the recommendations of the report (including the retention of the features of nature conservation value (the grassland 'mound' and adjacent area with locally rare fungus and the tree containing the Nationally Scarce moth), replacement tree planting with native species, relocation of the existing pond and translocation of contents (at appropriate time of year), protection of nature conservation feature during construction, avoiding light spill onto boundaries and the timing of works regarding the breeding bird season. A condition will also be included to require the submission of a location plan to include the type of 2 bat boxes, 4 bird boxes (including one house sparrow terrace), a bee hotel and new lighting as set out in the Ecology Report.

The application includes the submission of a preliminary ecological appraisal. The survey has indicated limited opportunities for bat roosts. Waterbodies within 500 metres of the site have records of Great Crested Newts but are considered not to prime sites, although the hedgerow on the site may provide a refuge should these species cross the site. The hedgerow also would provide nesting opportunities for birds. There are no badger setts on the site, or invertebrates recorded. Hedgehogs may use the site for foraging.

Officers agree with the findings of the appraisal. The applicant has subsequently submitted details of a Precautionary Method of Working with respect to site clearance and details of bird nesting and bat roosting opportunities (identified in the report) and subject to conditions to ensure that all works proceed in accordance with the submitted details the proposal is considered acceptable on ecological grounds.

#### 5.11 Consideration of likely impact on Equalities

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

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

### 6. CONCLUSION

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

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

### 7. RECOMMENDATION

7.1 That planning permission is granted subject to the conditions below

**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. Construction Management Plan

Prior to the commencement of development, a detailed Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details. For the avoidance of doubt the plan shall include the following:

- (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.
- (vi) Details of temporary staff parking arrangements both on and off-site and measures to promote sustainable travel to and from the school during the construction phase.
- (vi) A lorry routing schedule.
- (vii) Details of temporary construction traffic accesses including reinstatement of footways on completion of construction works.
- (viii) All construction and delivery vehicle arrivals and departures to take place during the site operational hours and outside of the morning and afternoon school drop off and pick up times as set out in the Construction Traffic Management Plan.
- (ix) Details of how the management of the impact of the construction works will be communicated to local residents and to the occupiers/users of the Greenfield Centre.
- (x) Contact details for the Site Manager.
- (xi) Details of membership of considerate contractor scheme or similar.

Reason:

In the interest highway safety and to accord with Policies PSP11 of the adopted South Gloucestershire Policies, Sites and Places Plan November 2017.

A pre-commencement condition is required to avoid the need for remedial action following the commencement of development.

## 3. Phasing

All works shall be carried out in accordance with the submitted phasing details (Design and Access Statement, Enabling Works Construction Plan, Construction Site Plan Phase 1, Construction Site Plan Phase 2).

Reason:

In the interest of highway safety and to accord with policy PSP11 of the South Gloucestershire Local Plan, Policies, Sites and Places Plan 2017.

## 4. Site Access

Prior to the commencement of the development, full details of the site access arrangements shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details. For the avoidance of doubt, the details shall include.

Vehicle accesses constructed as industrial standard dropped kerb vehicle crossovers.

Pedestrian safety railings provided opposite the pedestrian accesses to prevent children running into the road.

Reason:

In the interest of highway safety and to accord with policy PSP11 of the South Gloucestershire Local Plan, Policies, Sites and Places Plan 2017.

A pre-commencement condition is required to avoid the need for remedial action following the commencement of development.

5. Footways and existing access

Prior to the first use of the new school, the footways on Nicholls Lane and Park Avenue shall be widened to 3m (into the site) for a minimum of 2m either side of the new pedestrian paths leading into the school. The reinstatement of full face kerbs at the closed up vehicle access onto Nicholls Lane shall be completed.

Reason:

In the interest of highway safety and to accord with policy PSP11 of the South Gloucestershire Local Plan, Policies, Sites and Places Plan 2017.

6. Parking and Electric Vehicle Charging Points

The proposed permanent car parking shown on the approved plans shall be provided in full to include the provision of two 7Kw 32 Amp electric vehicle charging points and two passive electric vehicle charging points in accord with the phasing plan following the completion of Phase 2 of the development.

Reason:

In the interest of highway safety to promote sustainable transport and to accord with policies CS8 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

7. Provision of Cycle Parking

Full details of Covered and secure cycle parking facilities shall be submitted to an approved in writing by the Local Planning Authority prior to the first use of the new school building. The cycle parking facilities shall be then be installed in accordance with the approved details in accordance with the approved phasing plan ie following the completion of Phase 2.

Reason:

In the interests of sustainable travel and to accord with Policy PSP16 of the South Gloucestershire Local Plan, Policies, Sites and Places Plan 2017

8. Travel Plan

Following the first occupation of the development hereby approved the submitted updated Travel Plan (May 2020) shall be implemented in accordance with the details therein.

Reason:

To promote sustainable travel and to accord with CS8 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

9. Acoustic Barrier

Prior to the first occupation of the school full details of the Acoustic Barrier to be located along the western boundary of the Multi-Use Games Area (Muga) as set out in the Noise Report (Archo Consulting 7/5/20) shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the barrier shall be 3.5 metres in height.

The Barrier shall be installed prior to the first use of the facility as a Multi-Use Games Area in accordance with the approved details and shall be regularly inspected and maintained as such thereafter.

Reason:

In order to protect the residential amenity of neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

10. 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 (Part L - Hydrock 13th May 2020) received May 20th 2020 and Addendum (Hydrock M and E Strategy 2nd June 2020) received 12th August 2020 prior to first use.

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.

11. Multi-Use Games Area

The Multi- Use Games Area hereby approved shall not be used outside of the following times:

09:30 to 17.30 hours Monday to Friday  
10.00 to 16.00 hours Saturdays

Reason:

In order to protect the residential amenity of neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

## 12. Approved Plans

This decision relates only to the plans identified below:

16 Jul 2020 1952 2102 G DETAILED PROPOSED SITE PLAN  
16 Jul 2020 1952 2101 H DETAILED PROPOSED SITE PLAN (MAIN SITE)  
16 Jul 2020 1952 2104 E PLANTING PLAN  
16 Jul 2020 1952 2105 E LANDSCAPE SECTIONS  
16 Jul 2020 1952 2820 D SPORTS FACILITY REPORT  
16 Jul 2020 1952 2960 B PLANTING SCHEDULE  
01 Jun 2020 DEMOLITION PLAN Drg 13  
01 Jun 2020 EXISTING ELEVATION 3 PD-03  
01 Jun 2020 EXISTING ELEVATION 4 PD-04  
01 Jun 2020 EXISTING ELEVATIONX 1 AND 2 PD-02  
01 Jun 2020 EXISTING GROUND FLOOR PLAN PD-01  
20 May 2020 TREE PLANTING SCHEDULE 2960 Rev A  
20 May 2020 ENABLING WORKS CONSTRUCTION SITE PLAN 1952 2065 Rev C  
20 May 2020 EXISTING BLOCK PLAN 1952 2040 Rev A  
20 May 2020 EXTERNAL LIGHTING LAYOUT EPPS-HYD-XX-00-DR-E 9001 Rev P02  
20 May 2020 PHASE 1 CONSTRUCTION SITE PLAN 1952 2066 Rev D  
20 May 2020 PHASE 2 CONSTRUCTION SITE PLAN 1952 2067 Rev C  
20 May 2020 PROPOSED ELEVATIONS SHEET 1 EPPS-SGC-00-XX-DR-A 105  
20 May 2020 PROPOSED ELEVATIONS SHEET 2 EPPS-SGC-00-XX-DR-A 106  
20 May 2020 PROPOSED FIRST FLOOR PLAN EPPS-SGC-01-01-DR-A 101  
20 May 2020 PROPOSED GRAPHIC IMPRESSION EPPS-SGC-00-XX-DR-A 107  
20 May 2020 PROPOSED GROUND FLOOR PLAN EPPS-SGC-00-00-DR-A 100  
20 May 2020 PROPOSED ROOF PLAN EPS-SGC-P1-02 DR-A 102  
20 May 2020 PROPOSED SECTIONS SHEET 1 EPPS-SGC-00-XX-DR-A 103  
20 May 2020 PROPOSED SECTIONS SHEET 2 EPPS-SGC-00-XX-DR-A 104  
20 May 2020 THE LOCATION PLAN 1952 2001 B  
20 May 2020 PROPOSED SITE PLAN 1952 2100 G

Reason:

For the avoidance of doubt

## 13. Community Use Agreement

Prior to the first occupation of the school building hereby approved, a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement shall be provided to the Local Planning Authority. The agreement shall apply to the MUGA and playing field / playing pitches and include details of pricing policy, hours of use, access by non-educational establishment]

users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason:

To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policies CS1, CS2, CS23, CS24 of the South Gloucestershire Local Plan Core Strategy 2013

#### 14. Public Art

Prior to the first occupation of the main school building hereby approved, details of a unique site specific integrated scheme of Public Art (including timescales) to be implemented within the development site shall be submitted to the Local Planning Authority for approval in writing. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note. Thereafter the Artwork shall be installed in accordance with the details and timescales so agreed.

Reason:

To protect the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policy CS23 - Community Infrastructure and Cultural Activity and Policy CS1 - High Quality Design Point 7 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and in accordance with the provisions of the South Gloucestershire Council's Art & Design in the Public Realm Planning Advice Note

#### 15. Ecological Report (Compliance)

The development should proceed in accordance with the recommendations made in Section 6 of the Ecological Report by Wessex Ecological Consultancy (August, 2019). This includes the retention of the features of nature conservation value (the grassland 'mound' and adjacent area with locally rare fungus and the tree containing the Nationally Scarce moth), replacement tree planting with native species, relocation of the existing pond and translocation of contents (at appropriate time of year), protection of nature conservation feature during construction, avoiding light spill onto boundaries 6, 8, 9 and timing of works regarding breeding bird season.

Reason:

In the interests of the ecology of the site and biodiversity and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy and Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan 2017

#### 16. Ecological Mitigation

Prior to the first occupation of the development hereby approved a location plan to include the type of 2 bat boxes, 4 bird boxes (including one house sparrow terrace), a bee hotel and new lighting as set out in the Ecology Report (Wessex Ecological Consultancy (August, 2019)) should be submitted to the local planning authority for approval in writing. The works shall be carried out in accordance with the approved details.



Reason:

In the interests of the ecology of the site and biodiversity and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy and Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan 2017

17. Screening

Prior to its installation full details of the "solid and painted construction hoarding for the future development area" as shown on Drawing No. 1952 2101 Rev H - Site Plan of Main Site shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason:

In the interests of the visual amenity of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013.

18. Sustainable Drainage

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

Reason:

To 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.

19. Archaeology (Investigation and Recording)

Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

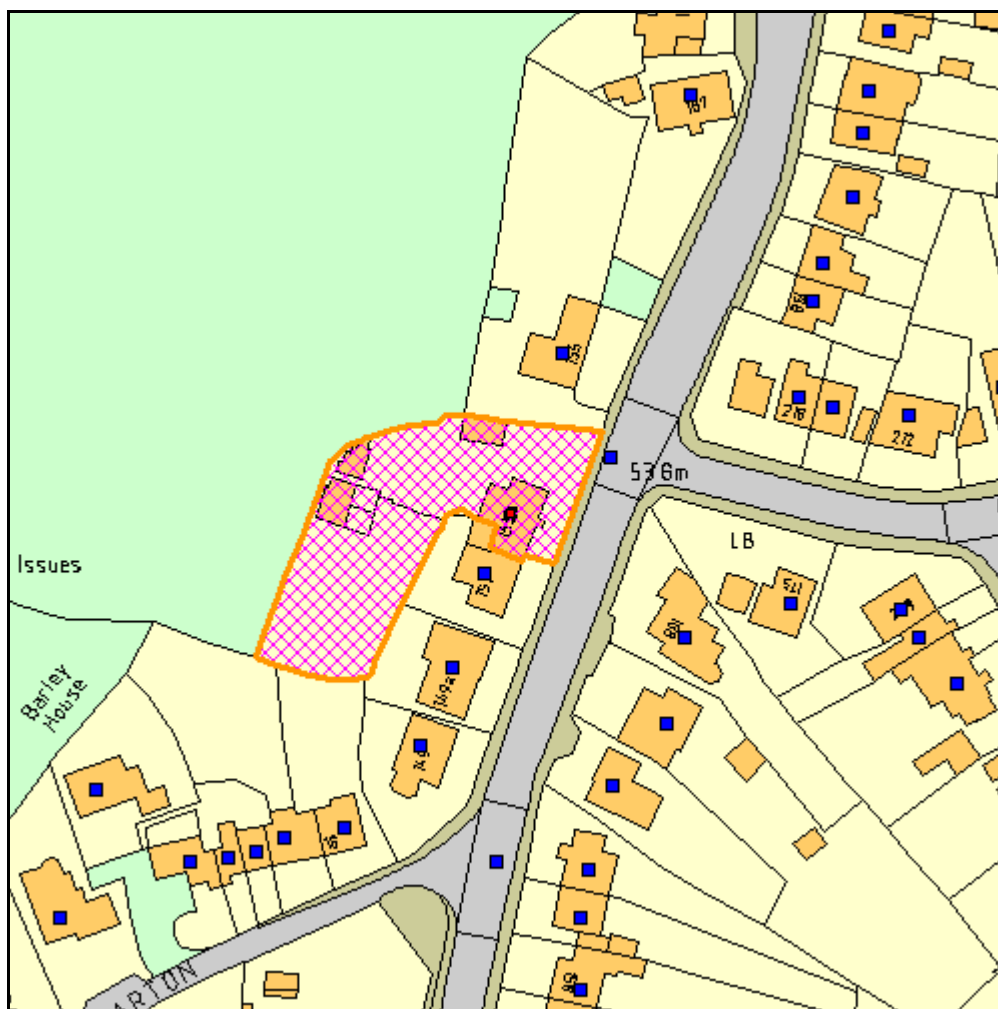
Reason:

To ensure an understanding and significance of any archaeological heritage assets and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP17 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017 and the provisions of the National Planning Policy Framework.

A pre-commencement condition is required to avoid the need for remedial action following the commencement of development.

**CIRCULATED SCHEDULE NO. 37/20 - 11th September 2020**

<b>App No.:</b>	P20/09669/F	<b>Applicant:</b>	Mr & Mrs Gary Serjent
<b>Site:</b>	153 Park Lane Frampton Cotterell South Gloucestershire BS36 2ES	<b>Date Reg:</b>	11th June 2020
<b>Proposal:</b>	Erection of two storey rear extension to form additional living accommodation, erection of detached car store and 1.8m high wall. Alteration to the front porch.	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	366673 181343	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Householder	<b>Target Date:</b>	4th August 2020



© South Gloucestershire Council 2007.all rights reserved.  
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 100023410, 2008. N.T.S. P20/09669/F

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

## **REASON FOR REFERRING TO THE CIRCULATED SCHEDULE**

This application appears on the circulated schedule in light of the representation made by the Parish Council. Whilst not an 'objection' as such, the representation appears to raise a concern.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a two storey rear extension, erection of detached car store and 1.8 metre high boundary wall, also including the replacement of the front porch.
- 1.2 The application site is a semi-detached locally listed dwelling which forms one of a pair (with no. 151 Park Lane, also locally listed). The site just outside the Frampton Cottrell designated settlement boundary and is within the greenbelt and open countryside. There are no other planning constraints in place which would affect the development.
- 1.3 The application proposal was not subject to pre-application advice, and the originally proposed plans were not considered to be acceptable from a conservation or design point of view. Extensive discussion between the applicant, their agent and the Case Officer has resulted in a revised scheme that aims to address the concerns raised. The first set of revisions were subject to a 14 day re-consultation but the final revision was not given that the design or principal was not altered to such a point that anyone would be disadvantaged.

### **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
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape

PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
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  
 Local List SPD (Adopted) March 2008  
 Residential Parking Standard SPD (Adopted) December 2013

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

None relevant

### 4. **CONSULTATION RESPONSES**

#### 4.1 Frampton Cotterell Parish Council

Would like the following taken in to account;

- Building is locally listed
- Existing extension not visible from the road – Parish Council query the scale of the two storey rear extension
- Rear extension will significantly extend the North Elevation of the property and will be visible from the road
- Due to concerns about the disproportionality, the parish council questions whether the proposal contravenes PSP17, PSP38 and CS9.

*The first revision was not sufficient for the Parish Council to change their stance. At the time of writing this report, no further comment has been received from the Parish Council.*

#### 4.2 Sustainable Transport

No objection

#### 4.3 Listed Building and Conservation Officer

Summarised (*full copy available on the Council's Website*);

- Proposed rear extension is excessively large and imposing and its size, width and roof pitch fail to have sufficient regards to the scale and proportions of the historic building.
- Unclear from the submitted information but the proposal would appear to result in a significant loss of or significant alteration to the roof structure which may be of medieval origins
- Extension dominates the rear of the building and traditional small dormer window that remains.
- Proposal would conflict with the guidance in the local list SPD
- As proposed, the scheme is detrimental to the historic character and appearance of the locally listed building and harmful to its fabric.

- Rather than double the width of the gable, could this be retained and used as a link to a new extension that is read as a separate structure to the rear, rather than an oversized extension?
- Layout of the first floor (internally) could be rationalised and improved to provide more useable space and allow greater retention of historic fabric
- Urges the applicant to consider the removal of internal walls (likely to have medieval origins)
- Front porch (although probably PD) should be reduced in length and raising the height of the window in the gable should be avoided if possible.
- No objection to the entrance wall, but the carport should be set back slightly given the depth of the plot.

*These matters were discussed in some depth with the Conservation Officer. It was clarified that works internally (including the loss of fabric) cannot be protected in the same way as with a statutory listed building (i.e. one protected under the LBaCA Act 1980), with the advice being more akin to 'should' rather than 'must'. The internal works were raised with the agent, however it was indicated that as the building is not listed then the works are required to obtain more economical project.*

*The revisions sought aim to address the external matters, which can be considered in light of the locally listed status of the building. The first revision was still not considered acceptable by the conservation officer due to the roof pitch and rear fenestration arrangement.*

*Following a final revision;*

The massing/scale/form of the two storey element is much better and looks more in proportion to the rest of the building. Whilst the window arrangement could be improved (e.g. by creating a recessed balcony), I don't have any objection.

#### 4.4 Local Residents

1 no. representation was received which neither objects nor supports the application:

- Site plan is incorrect
- Currently the gap between 153 and 151's external wall is too narrow and concrete infill paving is c. 8 inches above 151's damp course
- Generally content with the proposed alterations to 153 as they appear sympathetic, but yet to sign a 'fly and freehold' agreement.

During the second consultation, an additional general comment was received, reiterating that the site plan is incorrect and does not identify the footprint of 151 and 153 correctly.

## 5. ANALYSIS OF PROPOSAL

5.1 The proposal seeks to erect a two storey rear extension, detached carport/store and 1.8 metre boundary wall.

5.2 Principle Of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) 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 standards 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 development is acceptable in principle, subject to the following detailed consideration.

### 5.3 Greenbelt

Development within the greenbelt is strictly controlled in order to sustain their fundamental aim which is to keep land permanently open. The essential characteristics of greenbelt are their openness and permanence (NPPF, p.133).

5.4 Inappropriate development is by definition, harmful to the greenbelt and should be avoided except in 'very special circumstances'. Therefore, there are only limited exception categories of development which can be considered as acceptable within the greenbelt. P.145 of the NPPF lists the few exception categories of development within the greenbelt which are appropriate. One such exception is the extension or alteration of existing buildings, providing that addition is proportionate.

5.5 PSP7 of the Policies Sites and Places Plan (adopted November 2017) further clarifies proportionality, in which it is set out that additions of up to 30% over and above the volume of the original building will be likely to be considered appropriate. Additions of between 30% and 50% will stand to be carefully considered and additions of over a 50% volume increase will be *likely* to be considered unacceptable.

5.6 Volumetric details have not been provided with the application, and so officers have had to undertake an estimate of the existing and proposed volumes. The host dwelling has been previously extended to the rear, though it is unclear when this was done. However, this would be demolished (should permission be granted) and so is not included in the estimation. The original dwelling is understood to have a volume of c. 420 cu m.

5.7 The proposed extension to the rear will see a rough volume increase of c. 140 cu m, which in percentage terms is a volume increase of 33%. However, the proposed detached carport/store also needs to be factored in. Given that the carport is closed sided save for the front, this should be included in the volume. Accordingly, the volume is estimated to be 127 cu m. cumulatively therefore the enlargements would total 267 cu m. This translates to an increase of 63% over and above original.

5.8 This should therefore could be considered as an addition that breaches the 50% threshold. However, officers would suggest that the site and its broader

- context should be taken in to account. As an addition to the host dwelling, it should be taken in to account that the extension will be within an established residential curtilage and would be reasonably unlikely to raise the total volume on the site beyond volumes of some of the larger properties along this side of Park Lane, also within the greenbelt. Officers would also note that the proposal would lead to a 'tidying up' of the site, which is currently unkempt, with an existing and arguably more unsightly vehicle store to be removed.
- 5.9 The rear extension would also be broadly similar to the extension at the neighbouring no.151 Park Lane to the rear and so would be difficult to resist in terms of impacts on openness. Furthermore, this element presents a sub 50% increase alone.
- 5.10 Turning to the carport that would push the volume over the 50% limit, it would be worth establishing whether or not a new dwelling would be allowed within the site, particularly in a position such that it is broadly between two existing dwellings. P.145 (e) of the NPPF allows for 'limited infilling' in villages.
- 5.11 The site sits outside the settlement boundary and so there would be an in principle objection under CS5 under most circumstances, except where in limited cases the site has a close relationship to the settlement boundary and could be read as a natural extension. The settlement boundary in this case ends on the other side of the road and given the level of built form on the side of no.153, It would be difficult to argue that the site does not read as a natural extension. PRE20/0020 (erection of 1no dwelling) is of particular relevance here as the officer response then also indicated that given the close relationship of the site to the settlement boundary, the site would form one of the few cases where a new dwelling *would be allowed*.
- 5.12 PRE20/0020 went on to suggest that given the proposed location between built form, 1no. dwelling would be classed as limited infilling in the greenbelt. Notwithstanding the design objections raised in this pre-app enquiry, it is suggested that a new residential unit on the site would be acceptable in greenbelt terms.
- 5.13 The proposed carport/store sits in a position between two dwellings and therefore the case officer would conclude that on this occasion, a new dwelling would be likely to be supported on the site in principle. Accordingly, it would be quite unreasonable to consider the proposed outbuilding as inappropriate if a new dwelling would be appropriate, which would be larger.
- 5.14 Therefore and notwithstanding the proposed volume increase, officers consider that on balance, the proposed development would be acceptable within the greenbelt and not harmful to its openness.
- 5.15 Design and Impact On Non Designated Heritage Assets  
The original scheme aimed to provide 2 bedrooms within the extension, which resulted in a very wide and out of proportion rear extension. The scheme was revised to try and reduce the scale but still attempted to retain 2 bedrooms within the first floor of the extension. It was established that this aim was not compatible with an acceptable scheme and so the final revision is based upon

- a first floor to the extension only containing 1 bedroom and a larger ground floor extension.
- 5.16 The proposed rear extension will have a depth of c. 5.3 metres at two storey level and c. 5 metres at ground floor level. The two storey element would have a pitched roof with rear facing gable, which would continue down to the right (when viewed from the rear) to cover the wider ground floor part of the extension (the first floor width is c.4.2 metres and ground floor width is c.6.3 metres). Fenestration will include patio doors at GFL and something of a Juliet balcony and part glazed gable at FFL. The conservation officer suggested that this could be improved by recessing the glazing to create an enclosed balcony, but this was not taken up by the applicant, however it does not form grounds on its own to warrant refusal of the development on either heritage or design terms.
- 5.17 Whilst the proposed extension is on the larger end of what could be permitted, officers would consider it to be suitably in keeping with the host dwelling and respecting of its form and proportions, with cues taken from the host and the neighbouring extension. This point of view is agreed by the conservation officer, who also raises no objection to the revised scheme. Though there would be some visibility of the rear extension from Park Lane to the North, this would be for the most part obscured by the new boundary wall and carport to a high degree. Notwithstanding this, the rear extension when seen from the street scene would not appear out of keeping or harmful.
- 5.18 The carport and store will sit immediately to the side of the host dwelling but is set back in the plot so that the front sits just behind the rear building line. In terms of dimensions, the height will be 4.7 metres to the ridge, width 5.8 metres and depth 6.3 metres. This will be divided in to on one side a store/garage type space and to the other an open fronted carport. Whilst on the higher side for an outbuilding, the ridge will be low enough so as to not appear dominant and will be set back within the plot behind the new boundary wall. The roof will have side facing gables so as to further integrate with the host dwelling.
- 5.19 The boundary wall is proposed to be altered and will be 1.8 metres high, which curves in to the site on both sides with a new access gate. It is also proposed to renew the front porch, but this replacement falls within the permitted development limits (class D of Part A). Both of these elements are considered acceptable and will be in keeping with the character of the area and street scene and will not harm the significance of the locally listed heritage asset.
- 5.20 Overall, officers consider the proposed extensions to present an acceptable standard of design that have due regard to CS1 and PSP38 given that they are suitably in keeping with the host dwelling and surrounding built form. From a heritage point of view, the revised scheme is considered to be acceptable by the conservation officer and as not harmful to the host dwelling, of which is locally listed. Accordingly, there is no objection under CS9, PSP17 or the provisions of the NPPF, in particular p.197. It would however be prudent to apply a suitably worded condition to require matching materials, to ensure a satisfactory standard of external appearance and to protect the character and appearance of the locally important heritage asset.



- 5.21 It is noted that concerns were originally raised regarding internal alterations and losses of some of the roof structure. However, as the building is not statutory listed, losses of internal fabric and alike cannot be resisted and would not form a reasonable grounds for refusal.
- 5.22 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.
- 5.23 The site layout is such that neither the proposed extension nor the detached carport/store are capable of presenting overbearing impacts upon either of the neighbouring dwellings. It also follows that neither are capable of causing losses of light or outlook to any extent that would be unacceptable and could warrant a refusal.
- 5.24 The rear extension will possess 1no. first floor window to the rear, that will be able to overlook the garden of the host dwelling. There may be some increase potential to overlook the neighbouring garden of no.151 (attached), but this would not be to any unacceptable extent.
- 5.25 Following the above, officers are satisfied that the proposed development, should permission be granted, will not present any of the above unacceptable impacts on the residential amenities enjoyed by neighbouring occupiers. Accordingly, the proposal is considered acceptable under PSP8 and PSP38.
- 5.26 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.
- 5.27 The dwelling as enlarged would benefit from 2 bedrooms and so under PSP16 only 1no. Parking space would be required. However, the site currently benefits from ample parking for in excess of 3 vehicles (the PSP16 maximum for a 5= bed dwelling) and this would remain the case, should permission be granted. Accordingly, the proposal is considered acceptable in terms of parking.
- 5.28 Private Amenity Space  
The host dwelling is located in a large plot, however officers would not be entirely certain that the whole area could be considered as curtilage, or residential garden. It appears as though this is also indicated on the site plan, with a dotted line separating what could be reasonably classed as garden with the larger plot. Taking this smaller area of land however, it is still evident that the PSP43 standard of at least 50 sq m is met for a 2 bed dwelling. Accordingly, there is no objection raised in this regard.

## **Impact on Equalities**

- 5.29 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.
- 5.30 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.31 Other Matters  
A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.32 Officers note a comment received regarding the accuracy of the site plan, particularly in reference to the presence of a flying freehold between 151 and 153 and the footprint of 153. Officer's note that the red-line accurately bounds the area where development is proposed and following a site visit consider the site plan to be suitably representative of the development layout and is therefore acceptable to assess this application on.
- 5.33 Any such matters relating to the Party Wall Act or 'fly and freehold' agreements would be civil matters.

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

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

**Contact Officer: Alex Hemming**  
**Tel. No. 01454 866456**

## **CONDITIONS**

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

### Reason

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

2. The development hereby approved shall be implemented in strict accordance with the following plans:

### Site location plan

2874/3 - Carport/garden store

Received by the Council 03/06/2020

2874/1 A - Existing survey plans and elevations

Received by the Council 09/06/2020

2874/2 I - Proposed alterations (plans, elevations and roof plan)

2874/4 D - Site plan (proposed)

Received by the Council 03/09/2020

### Reason

For the avoidance of doubt.

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

### Reason

To ensure a satisfactory standard of external appearance and to ensure the significance, character and appearance of the locally important (non designated) heritage asset is preserved and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013; PSP38 and PSP17 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017 and; the provisions of the National Planning Policy Framework.

**CIRCULATED SCHEDULE NO. 37/20 - 11th September 2020**

<b>App No.:</b>	P20/11721/LB	<b>Applicant:</b>	C/O Agent
<b>Site:</b>	Over Court Mews Over Lane Almondsbury South Gloucestershire BS32 4DG	<b>Date Reg:</b>	5th August 2020
<b>Proposal:</b>	Retention of display of name sign on entrance pillar	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	358696 182317	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	28th September 2020



© South Gloucestershire Council 2007.all rights reserved.  
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
100023410, 2008. N.T.S. P20/11721/LB

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 Schedule following a number of comments of support.

### **1. THE PROPOSAL**

- 1.1 The application seeks consent to retain 1no. Non-illuminated sign situated on a Grade II listed pier at Over Court, Almondsbury. It should be noted that advertisement consent would also be required for the sign in situ
- 1.2 “Gate Piers, Wall and Gate about 56 Metres North West of Archway to Over Court” is a Grade II Listed Building, achieving this status on 5<sup>th</sup> December 1984.
- 1.3 This application was submitted in response to a planning enforcement investigation into the unconsented sign.
- 1.4 It should be noted that the submitted plans would not be considered acceptable for regularisation due to the lack of detailed information, including font and sizing details, colours etc. This information has been discerned from the sign in situ. In addition, the submitted plans show the sign’s corners as squared, rather than rounded, and without the gold border. The proposed plans also fail to show the existing sign on the wall to the left, which is unlikely to be removed were this application approved.

### **2. POLICY CONTEXT**

- 2.1 Planning (Listed Buildings and Conservation Areas) Act 1990  
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)  
National Planning Policy Framework (February 2019)  
National Planning Practice Guidance – Enhancing and Conserving the Historic Environment (Revised July 2019);  
Historic England’s Good Practice Advice in Planning Note 2 “Managing Significance in Decision-Taking in the Historic Environment”.  
Historic England’s Good Practice Advice in Planning Note 3 “The Setting of Heritage Assets (2nd Edition)”.
- 2.2 National Guidance  
National Planning Policy Framework March 2012 & Planning Practice Guidance – Conserving and Enhancing the Historic Environment

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

- 3.1 No relevant planning history

## 4. CONSULTATION RESPONSES

### 4.1 Almondsbury Parish Council No comments received

### National Amenities Society No comments received

### Conservation Officer

When considered in isolation, the sign is acceptable; however, by reason of its scale, its position on the pier is unacceptable as it masks a significant proportion of the ashlar stone. The consequence is that the sign can be considered to result in a degree of visual competition with the pier. The sign also upsets the formal balance the stone piers seek to provide. It could also be argued that the wider setting of the archway to Over Court has been harmed. The sign therefore can be considered to have caused direct harm to the characteristics of this designated heritage asset and potentially the setting of the Grade II\* archway. I would suggest that the sign is removed from the ashlar piers and attached to the wall.

**OFFICER NOTE:** It does not appear that the stone wall belongs to the applicant; therefore, no attempt was made to gain revised plans to attach the sign to the wall.

## Other Representations

### 4.2 Local residents 14 support comments received.

Sign is more clear allowing people to find "Over Court" more easily  
Sign is attractive  
Sign uses traditional font  
Old sign makes entrance look like entrance to "haunted house"  
New sign is contemporary and in keeping with surrounding area  
Dislike old sign and prefer new sign

**OFFICER NOTE:** Some comments have been received from directors of the company which submitted the application; these are considered supporting statements, rather than local resident representations.

16 objection comments received.  
New sign detracts from visual amenity/ not in keeping with surrounding area  
New sign has negative impact on heritage/listed building by way of size and design  
New sign gets mistaken for a business sign  
Safety/Crime Concerns  
Prefer existing sign on wall  
Decision will set precedent  
New sign has caused local tension  
Picture of sign is misleading – appears brighter than in provided photographs  
Sign uses modern font

Road safety concerns  
Dislike new sign and prefer old sign  
Errors in statement of significance and other documents  
Evidence that existing sign is intended position on original wall  
Concerns relating to land ownership

One comment from the applicant responded to objections; this has been noted.

**OFFICER NOTE:** This is an application for listed building consent; therefore the only issue which can be considered is the impact that the proposal will have on the features of architectural or historical interest and the setting of the building. Issues relating to clarity of signage and font, road safety concerns etc are immaterial, and only the impact of the proposal on the listed building can be considered.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when determining a listed building consent application the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework seeks to ensure that the significance of heritage assets are maintained and enhanced.

### 5.2 Impact on the Listed Building(s)

The subject of this application is a sign that has been attached to a stone pier that forms part of a Grade II listed composition of ashlar stone gate piers, rubble stone wall and cast iron gates circa mid-18th century which are associated with and can be considered to form part of the setting of the Grade II\* "archway to Over Court" with its flanking wings. Both the entrance and archway with the obelisk over are set on the same axis, with the piers "framing" the elevated archway when viewed on the approach from Over Lane.

5.3 If considered in isolation, the sign subject to this application is perfectly acceptable. As a sign it is of a design, scale and appearance that would usually be considered to be appropriate in the majority of settings. However, by reason of its scale, its position on the pier is not acceptable. Due to the size of the sign, a significant proportion (three full width courses) of the ashlar stone is covered. The consequence is that the sign can be considered to result in a degree of visual competition with the pier.

5.4 A "Building at Risk" survey was carried out on the site in early 2020, and the condition of the right pier was noted (in respect of the ivy), as was the small rectangular "Private Property Sign". In spite of this, it would be easy to quickly fully reinstate the strong sense of symmetry or balance that both piers contribute to the entrance and the view of the Grade II\* Listed Archway. The sign intrudes into this view, and upsets the formal balance the stone piers seek to provide to the wider setting of the archway to Over Court.

5.5 The sign therefore can be considered to have caused direct harm to the characteristics of this designated heritage asset and to the setting of the Grade II\* archway.

5.6 By reason of scale and siting, the sign seeking retention has been considered to have caused harm to the character and appearance of this Grade II listed gate pier and its associated structures. Retention of the sign would therefore neither sustain nor enhance the significance of this designated heritage asset. The proposals can also be considered to have caused harm to the setting of the Grade II\* archway.

## **6. CONCLUSION**

6.1 The decision to refuse listed building consent has been taken having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and government advice contained in the National Planning Policy Framework and accompanying Historic Environment Planning Practice Guide.

## **7. RECOMMENDATION**

7.1 That the application be **REFUSED**.

**Contact Officer: Owen Hoare**  
**Tel. No. 01454 863587**

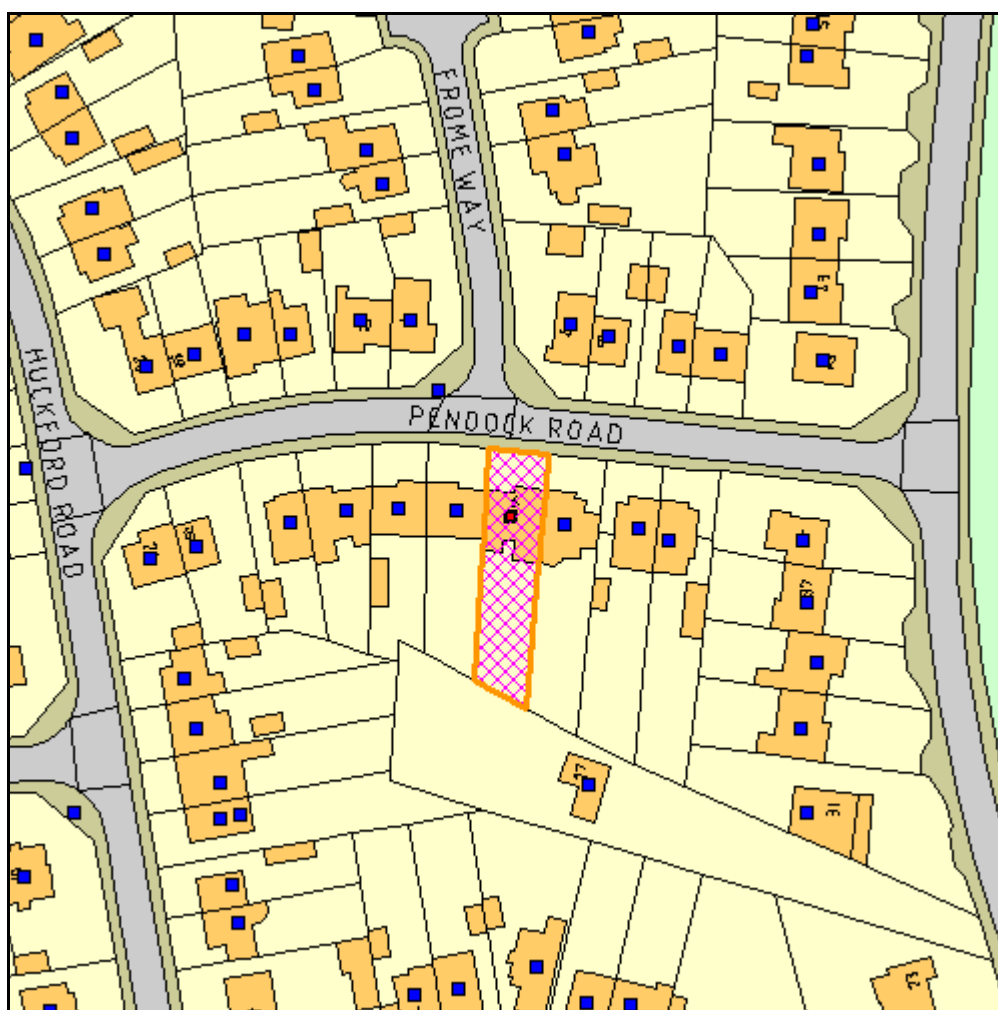
## **REASONS FOR REFUSAL**

1. "Gate Piers, Wall and Gate about 56 Metres North West of Archway to Over Court" is a Grade II Listed Building, and "archway to Over Court" is a Grade II\* Listed Building, the special architectural and historic interest and settings of which it is desirable to preserve. The proposed sign by virtue of its scale and location would harm the special architectural and historic interest and significance of the listed buildings. The proposals are therefore contrary to Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; the provisions of the National Planning Policy Framework; Policy CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.



**CIRCULATED SCHEDULE NO. 37/20 - 11th September 2020**

<b>App No.:</b>	P20/12396/F	<b>Applicant:</b>	Simon Weeks
<b>Site:</b>	9 Pendock Road Winterbourne South Gloucestershire BS36 1EF	<b>Date Reg:</b>	22nd July 2020
<b>Proposal:</b>	Erection of first floor side extension and loft conversion to form additional living accommodation.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365343 180207	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Householder	<b>Target Date:</b>	10th September 2020



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P20/12396/F

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

## **REASON FOR REFERRING TO CIRCULATED SCHEDULE**

The application is referred to circulated schedule because the Parish Council have requested a condition to be applied that is contrary to the officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a first floor side extension and conversion of the loft to create a fourth bedroom and a play room.
- 1.2 The application site is a link semi-detached late 20<sup>th</sup> century dwelling on a residential street within the Winterbourne designated settlement boundary. There are no other planning designations that would affect the development.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework February 2019  
National Planning Practice Guidance

#### 2.2 Development Plans

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS34	Rural Areas

##### 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 Existing Residential Curtilages
PSP43	Private Amenity Space Standards

#### 2.3 Supplementary Planning Guidance

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

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

- 3.1 P19/13063/CLP – Approved 14/10/2019:  
Single storey rear extension

- 3.2 N5784 – Approved 02/08/1979:  
Erection of canopy at rear of garage

#### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
No objection but request a condition removing future permitted development rights due to concerns over the no. of parking spaces.
- 4.2 Sustainable Transport  
No objection
- 4.3 Local Residents  
No comments have been received.

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

- 5.1 The proposal seeks to erect a first floor side extension and carry out a loft conversion. It should be noted that the loft conversion does not require planning permission as the works are internal only, save for the insertion of roof lights of which are covered by Class C of the GPDO (2015, as amended)
- 5.2 Principle Of Development  
PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) 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 standards 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 development is acceptable in principle, subject to the following detailed consideration.
- 5.3 Design and Visual Amenity  
The host dwelling has brick faced elevations with rendered sections and cladding. The roof comprises of interlocking pantiles with side facing gable and fenestration is provided in the form of white Upvc windows/doors. The front elevation is staggered, with the section where the front door and attached garage are being set back from the larger section of the front elevation by c.900mm.
- 5.4 The proposed side extension will sit atop the link garage and therefore back from the larger part of the front elevation also by c.900mm. Whilst it can often be preferable to set extensions back and/or down, in this case officers do not consider it imperative given the staggered frontages of the existing dwellings in this section of Pendock Road, with the part to be extended already being set back from the larger section of front elevation. The overall scale, form and

- design is appropriate in relation to the host dwelling with cues being taken from it. Subject to a condition requiring matching materials (given the setting within the street scene), officers consider this element of the proposal acceptable in terms of design.
- 5.5 The loft conversion will be undertaken predominantly internally, save for the insertion of roof lights to the front and rear roof slopes. These do not require planning permission, however in the interests of completeness officers do not consider them to be unacceptable in terms of design.
- 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 Given that the side extension will sit within the front and rear building lines of the host and neighbouring dwelling, officers do not consider it to present concerns of overbearing. Whilst there are side elevation windows on the detached neighbour (no.11), these are understood to be bathroom/non-primary room windows and so officers do not consider the proposed extension to be unacceptable with regards to losses of light or outlook.
- 5.8 In terms of overlooking, officers note that there will be 1no. Additional first floor window to the rear, but given the urbanised location and existing overlooking potential, officers would not cite this window as able to have an unacceptable impact in terms of overlooking, above what is already possible. The proposed insertion of roof lights are noted, but officers do not consider these to present issues of overlooking, given their high-set position in the roof.
- 5.9 Accordingly, officers consider the proposed extension to be acceptable in terms of residential amenity and no conflict is found with PSP8 or PSP38.
- 5.10 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.
- 5.11 The dwelling currently benefits from 3 bedrooms and is proposed to add a fourth, which would present no material increase in parking demand under PSP16. However, in the loft will be a 'playroom'. Whilst not marked as a bedroom, this could easily be used as such and so the proposal stands to be assessed as though the number of bedrooms will increase to 5. Accordingly, the number of spaces for parking required increases from 2 to 3 for a 5+ bed dwelling.
- 5.12 The plans indicate that 3no. parking spaces are to be provided to the front, with associated increase in the dropped kerb. Subject to a suitably worded condition

ensuring the provision is implemented and the crossover extended, there is no objection on the grounds of parking as the proposal complies with the relevant policy (PSP16).

- 5.13 Comments from the Parish are noted in that a restriction on PD rights is requested on the grounds of parking. The use of such conditions (and indeed any other condition) must meet the tests set out in the NPPF (para.55). These are; necessary; relevant to planning; relevant to the development; enforceable; precise and; reasonable in all other respects. NPPG paragraph 017 (21a-017-20190723) states that conditions restricting future PD rights may not pass the test of reasonable or necessary and emphasises justification of removing such rights.
- 5.14 In this case, even as a 5 bed dwelling (inc. the 'play room') there is a policy compliant level of parking and the addition of a further bedroom (or indeed multiple) would not lead to a *material increase* in demand (under PSP16) as the site would already benefit from the maximum required level of parking (3 no. spaces for a '5+' bed dwelling) for a residential dwelling. As such, officers would take the view that such a condition would not meet the tests of being either reasonable or necessary. Accordingly, it should not be applied to any permission.
- 5.15 Private Amenity Space  
Should permission be granted, the proposed extension will not have an impact on the provision of private amenity space and there is considered to be ample available for the size of the dwelling as enlarged.

### **Impact on Equalities**

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

## **6. CONCLUSION**

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals 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 as detailed on the decision notice.

**Contact Officer:** Alex Hemming  
**Tel. No.** 01454 866456

### CONDITIONS

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

Reason

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

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

Reason

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

3. The proposed 3no. parking spaces and extended crossover as indicated on the Site Plan on drawing 20/019 03 (received 16/07/2020) shall be provided prior to the substantial completion of the proposed development hereby permitted and shall be retained as such thereafter.

Reason

In the interests of highway safety and ensuring that a satisfactory level of parking is provided in accordance with Policy PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017.