

# 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: 50/20**

**Date to Members: 11/12/2020**

**Member's Deadline: 17/12/2020 (5.00pm)**

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

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

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

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

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

### **Additional guidance for Members**

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

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

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

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

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

A template for referral is set out below:

## Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

**Date:**

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

# CIRCULATED SCHEDULE - 11 December 2020

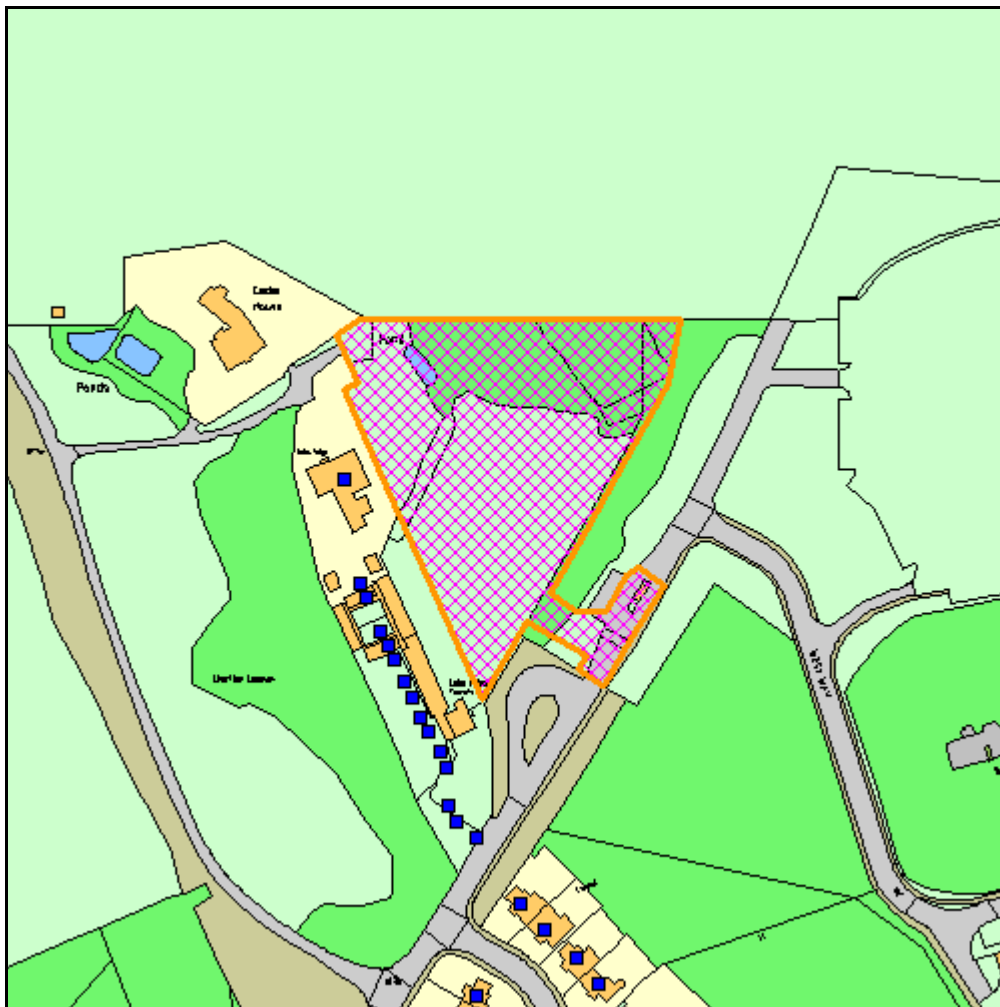
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>P19/15643/O</b>	Approved Subject to Section 106	Land East Of Cedar Lodge Charlton Common Bentry Bristol South Gloucestershire BS10 6LB	Charlton And Cribbs	Almondsbury Parish Council
2	<b>P20/00010/MOD</b>	Approved Subject to Section 106	Watermore Junior School Lower Stone Close Frampton Cotterell South Gloucestershire BS36 2LE	Frampton Cotterell	Frampton Cotterell Parish Council
3	<b>P20/08751/RVC</b>	Approve with Conditions	M.J. Fewes Ltd Charfield Wotton Road Charfield South Gloucestershire GL12 8SR	Charfield	Charfield Parish Council
4	<b>P20/10556/F</b>	Approve with Conditions	Alveston Stores Down Road Alveston South Gloucestershire BS35 3JQ	Severn Vale	Alveston Parish Council
5	<b>P20/15208/RVC</b>	Approve with Conditions	Watermore Junior School Lower Stone Close Frampton Cotterell South Gloucestershire BS36 2LE	Frampton Cotterell	Frampton Cotterell Parish Council
6	<b>P20/16687/F</b>	Approve with Conditions	64 Northville Road Filton South Gloucestershire BS7 0RG	Filton	Filton Town Council
7	<b>P20/18181/F</b>	Approve with Conditions	102 Home Orchard Yate South Gloucestershire BS37 5XG	Yate Central	Yate Town Council
8	<b>P20/18880/F</b>	Approve with Conditions	13 Hampden Close Yate South Gloucestershire BS37 5UW	Yate North	Yate Town Council
9	<b>P20/19204/F</b>	Refusal	62 High Street Wickwar South Gloucestershire GL12 8NP	Chipping Sodbury And Cotswold Edge	Wickwar Parish Council
10	<b>P20/19730/F</b>	Approve with Conditions	12 The Park Willsbridge South Gloucestershire BS30 6EE	Bitton And Oldland	Bitton Parish Council
11	<b>P20/21653/F</b>	Approve with Conditions	1 Barley Close Frampton Cotterell South Gloucestershire BS36 2ED	Frampton Cotterell	Frampton Cotterell Parish Council

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
51/20	15 <sup>th</sup> December by 5pm	17 <sup>th</sup> December by 9am	23 <sup>rd</sup> December 5pm	24 <sup>th</sup> December
52/20	22 <sup>nd</sup> December by 5pm	24 <sup>th</sup> December by 9am	7 <sup>th</sup> January 21 5pm	8 <sup>th</sup> January 21
No Circulated on Friday 1 <sup>st</sup> January 21				

Dates and officer deadlines for Circulated Schedule Christmas Holidays 2020

**CIRCULATED SCHEDULE NO. 50/20 -11th December 2020**

<b>App No.:</b>	P19/15643/O	<b>Applicant:</b>	BAE Systems Plc
<b>Site:</b>	Land East Of Cedar Lodge Charlton Common Bentry Bristol South Gloucestershire BS10 6LB	<b>Date Reg:</b>	8th November 2019
<b>Proposal:</b>	Erection of up to 29no dwellings and associated works (Outline) with access to be determined, all other matters reserved.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	358764 179987	<b>Ward:</b>	Charlton And Cribbs
<b>Application Category:</b>	Major	<b>Target Date:</b>	6th February 2020



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 100023410, 2008. N.T.S. P19/15643/O

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

## **INTRODUCTION**

This application appears on the Circulated Schedule as it includes a proposed new Section 106 Agreement.

## **1. THE PROPOSAL**

1.1 Outline planning permission is sought for the erection of up to 29 dwellings including 35% affordable dwellings. All matters are reserved for future consideration except means of access, which is proposed to be a new access road from Charlton Road. The proposal would provide for a new footpath and cycle link into the former Filton Airfield site, and a new footpath & cycle link to Charlton Common.

1.2 The following have been submitted for approval as part of any Outline consent:

- Access and Land use parameter Plan
- Scale Parameter Plan
- Design and Access Statement

### Supporting Information

In support of the application, the following documents have been submitted:

- Planning Statement
- Biodiversity Survey and Report
- Transport Assessment
- Heritage Statement
- Flood Risk Assessment
- Land Contamination Report
- Arboricultural Impact and Tree Survey
- Planning Statement

### *1.3 Revisions to the scheme*

Since the application was originally submitted the following revisions to the proposal have been made:

- Deletion of indicative masterplan from the proposal
- Amendments to scale parameter plan to take account of listed building
- Increase in to public open space on the land use parameter plan
- Increase in the amount of retained vegetation on the land use parameter plan
- Further detail of proposed access and future pedestrian and cycle links

### *1.4 Site and location*

The site is approximately 0.89 hectares in area, on the northern side of Charlton Road. It currently consists of hardstanding from the former temporary caravan park, with rough grassland and overgrown scrub and trees. The site is roughly triangular in shape. To the north of the site is Filton Airfield, which has outline consent for a major residential -led mixed use development. To the west



lies the listed building Cedar House, and abutting the site, Cedar Lodge and a new development of 13 dwellings. Charlton Road currently terminates towards the south of the site. A new 'bus only' route – the 'north south link' will run across the airfield development, linking into Charlton Road near the application site. The boundary to the north and east primarily consists of overgrown scrub, unmanaged hedgerows and trees. A landscape bund separates the site from the access roads to the commercial & employment facilities to the east. A close boarded fence is situated on the boundary of Cedar Lodge to the west.

## **POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework 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  
CS4 Renewable or Low Carbon District Heating Networks  
CS5 Location of Development  
CS6 Infrastructure and Developer Contributions  
CS7 Strategic Transport Infrastructure  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS16 Housing Density  
CS17 Housing Diversity  
CS18 Affordable Housing  
CS23 Community Infrastructure and cultural Activity  
CS24 Green Infrastructure, Sport and Recreational Standards  
CS25 Communities of the North Fringe of Bristol Urban Area  
CS26 Cribbs Patchway New Neighbourhood

### South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted Nov 2017) (PSP).

PSP2 Landscape  
PSP3 Trees and Woodland  
PSP6 - Onsite Renewable and Low Carbon Energy  
PSP10 Active Travel Routes  
PSP11 Transport Impact Management  
PSP13 Safeguarding Strategic Transport Schemes and Infrastructure  
PSP16 Parking Standards  
PSP17 Heritage Assets and the historic environment  
PSP19 Biodiversity  
PSP20 Flood Risk, surface water and watercourse management  
PSP21 Environmental pollution and impacts  
PSP37 Internal Space and Accessibility Standards for Affordable Dwellings  
PSP43 Private Amenity Space Standards  
PSP47 Site Allocations and Safeguarding

### 2.3 Supplementary Planning Guidance

Cribbs Patchway New neighbourhood Development framework SPD (adopted March 2014)

Landscape Character Assessment SPD (Aug 2005)

Residential Parking Standards SPD (Dec 2013)

Affordable Housing and Extra Care Housing SPD (May 2014)

South Gloucestershire Play Strategy (Agreed by Cabinet 2006)

South Gloucestershire Statement of Community Involvement (Adopted)

## 3. RELEVANT PLANNING HISTORY

### *Current application site:*

- PT17/1209/F- Land East Of Cedar Lodge: Erection of 32no. dwellings (Class C3) including affordable homes, sustainable urban drainage, vehicular access, pedestrian and cycle accesses and associated works. Withdrawn June 2020.
- N1052/10, Cedar Lodge, Charlton Common: Use of approximately 1.27 acres of land for storage of touring caravans. Construction of new vehicular access. Planning permission granted 13.8.81

### *Adjacent sites:*

- PT17/3227/F- Land North Of Charlton Road at the former Filton Airfield: Construction of a public transport access on Charlton Road into the former Filton Airfield site, comprising a 6.5m wide bus access, 3m wide pedestrian/cyclist route, installation of cctv bus gate and relocation of existing security building. Planning permission granted 21<sup>st</sup> Feb 2018.
- PT13/0404/O- Kennels, Cedar Lodge Charlton Rd: Erection of 13 no. dwellings (Outline) with access to be determined. All other matters reserved (Resubmission of PT11/1805/O). Outline consent granted May 2014.
- PT16/6845/RM-Kennels, Cedar Lodge, Charlton Rd: Erection of 13 no. dwellings with appearance, landscaping, layout, scale and associated works (Approval of reserved matters to be read in conjunction with PT13/0404/O).Consent July 2017.
- PT12/1930/O- land at Fishpool Hill/Wyck Beck Road: Mixed use development on 53.8ha comprising up to 1,000 dwellings Outline permission 16<sup>th</sup> July 2020.
- PT14/3867/O- Filton Airfield: Mixed use development including up to 2,675 dwellings. Outline consent granted 1<sup>st</sup> March 2018.

## **4. CONSULTATION RESPONSES**

### Almondsbury Parish Council

No comments received.

### Police Crime Prevention Officer

Paragraphs 91, 95 and 127 of the National Planning Policy Framework February 2019 require crime and disorder and fear of crime to be considered in the design stage of a development. Other paragraphs such as 8, 104, 106, 110, 117, and 127 also require the creation of safe environments within the context of the appropriate section. Having viewed the revised information as submitted I find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

### Avon Fire and Rescue

Avon Fire & Rescue Service will have additional Hydrant requirements associated with this application. Central Government does not provide any funding to Avon Fire & Rescue Service for the capital cost of growth related infrastructure. The additional residential development will require an additional hydrant to be installed and appropriately-sized water mains to be provided for fire-fighting purposes. This additional infrastructure is required as a direct result of the developments and so the costs will need to be borne by developers either through them fitting suitable mains and fire hydrants themselves and at their cost or through developer contributions. Avon Fire & Rescue Service has calculated the cost of installation and five years maintenance of a Fire Hydrant to be £1,500 + vat per hydrant.

### Local Residents

One letter has been received from a local resident stating that the boundary between Cedar Lodge and the new development is incorrect on the 12th November plan but correct on the 4th November plan. The 8ft high wire fence, erected by us, that is in place outside the timber fence has been in place for over 20 years. The line of the remaining land parallel to the Siddeley Close boundary is continued down to the road by an electric fence. Also on all the plans the boundary between Cedar Lodge and Siddeley Close is incorrect, it should be a straight line.

### SGC Internal consultees

#### SGC Tree Officer

In accordance with the details submitted within the Arboricultural report any tree removals will be mitigated for by new planting to be detailed within the landscape plan. Provided the works are in accordance with the submitted Arboricultural documents there are no objections to this application.

### SGC Self Build Officer

PSP42 requires the Council to encourage developers to provide serviced plots on residential sites over 10 dwellings, we request that the applicant considers serviced plot provision for this proposed scheme.

### SGC Highway Structures

Standard advice given regarding the need to get technical approval from in the event that there are any structures which will support the highway or support the land above a highway. If the application includes a boundary wall alongside the public highway or open space then the responsibility for maintenance for the structure will fall to the property owner.

### SGC Urban Design Officer

No objection. Detailed comments can be found in the *Analysis* section of this report below.

### SGC Lead Local Flood Authority

The Drainage and Flood Risk Management Team (Engineering Group - Street Care) has no objection in principle to this application subject to the following comments.

Having reviewed the document '*Flood Risk Assessment and Drainage Strategy*' produced by Vectos and dated September 2019, the LLFA are in acceptance of the proposed surface water drainage strategy for the development as outlined in this technical document. The surface water drainage strategy outlined in the document proposes that surface water runoff generated by the site be discharged at a restricted rate of 2.4l/s for all storm events up to and including the 100 year plus 40% climate change event to an existing Wessex Water (Public) Surface Water Sewer located to the south of the site. This will be achieved by restricting flows using a flow control device and by providing underground attenuation storage.

If the application were to be approved then we would recommend that a condition be applied in order to obtain the detailed design for the surface water drainage strategy.

### SGC Landscape Architect

The proposals are considered generally acceptable. However the acceptability of the final scheme will depend on the successful retention of the ecological buffer and as many of the existing trees as possible within the layout, as shown on the Arboricultural Impact Assessment. The RM application should include a vegetation retention and removal plan, existing and proposed levels, a planting plan detailing the landscape mitigation proposed and a LEMP.

### SGC Archaeology Officer

No objection subject to a condition.

### SGC Listed Building and Conservation Officer

In terms of the originally submitted scheme, which included an illustrative masterplan, the Council's Conservation Officer had concerns over the NW corner of the site and the resultant impact of development on the setting of the nearby listed Cedar House.

In terms of the revised schemer, the Conservation Officer notes the revised Design and Access Statement and the replacement of the illustrative masterplan with the parameter plans. At this stage, the parameter plans appear

acceptable in principle in terms of protecting the green space, limiting development to two storeys in the NW zone and stepping up to 2.5 storey closer to the road. However, in the absence of a detailed layout, it is not possible to make an informed assessment of the impact of development on the setting of the listed building so I would welcome further details, if possible, of this NW corner of the site. The applicant needs to demonstrate that the site is capable of accommodating this number of dwellings in a way that creates a high quality scheme that respects the setting of the listed building as well as reinforcing local distinctiveness.

#### SGC POS officer

Comments on the originally submitted scheme are set out in the table below. The planning officer note however that as there is now 174sqm of play area provided on site, this part of the table is out of date:

Category of open space	Min spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount proposed on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space	There is an existing good supply of Informal Recreational Open Space				
Natural and Semi-natural Open Space	There is an existing good supply of Natural and Semi - natural Open Space				
Outdoor Sports Facilities	1,113.6	0	1,113.6	£60,991.98	£18,460.26
Provision for Children and Young People	174	0	174	£31,932.86 However, Provision for Children and Young People should be provided on-site	£33,577.65
Allotments	139.2	0	139.2	£1,398.08	£1,782.66

If the applicant proposes private management of POS and surface water infrastructure the Council must be confident that the value of any service to the public is sustainable and does not create ambiguity in how people access those services should they have concerns or requests. Provisions to ensure suitable and secure in-perpetuity arrangements for operation, management and maintenance of all the public open spaces and surface water infrastructure (SWI within POS that is not adoptable by a statutory undertaker) will need to be incorporated into the Section 106 and the Council charges a fee (£52.00 per 100sq.m.plus £500 core service fee) to inspect the open spaces to ensure their compliance with the approved plans prior to transfer to the private management entity.

SGC Ecologist

The Ecology Officer originally stated that the development needs to retain a linear belt of scrub along its northern boundary which will enable the site to continue to provide nesting habitat for a variety of national Priority bird species; and strengthen the green infrastructure of the Airfield's Outline masterplan to the immediate north.

In addition, the application needs to off-set the loss of the site's semi-improved meadow by creating new areas of species-rich wildflower grassland. The inter-relationship with the proposed highways improvement along Charlton Way and the potential to use the verge alongside the eastern boundary of the site should be delineated within the application.

In response to the current revised plans, the SGC Ecologist states that the updated parameter plan now shows an indicative linear belt of scrub being retained along most of the northern boundary. There are two areas of public open space that will be restored to species rich grassland (approx. 0.1ha) also indicated on this parameter plan. However, these areas are still only two, relatively small, separate blocks of grassland and the one within the north-west corner of the site, should preferentially form part of the northern scrub belt along the Airfield boundary, it also contains a play area and a pond (this pond needs to be included in the parameter plan key), thus reducing its area to create species-rich wildflower grassland.

The application still needs to off-set the loss of the site's semi-improved meadow by creating new areas of species-rich wildflower grassland and the belt of scrub needs to be extended along the full length of the northern boundary. The offset option mention above (Charlton Way) still need to be explored if more meadow habitat cannot be created on site.

Subject to this being satisfactorily resolved, Conditions should be attached in relation to a LEMP, bat boxes, a lighting plan, badger, hedgehog and nesting birds.

The Highway Authority ( SGC Transport DM)

There is no objection to the application. The applicants have provided revised plans that overcome the original concern, and have agreed to a contribution towards a footway enhancement. Details can be found in the analysis section of this report below.

SGC Housing Enabling

No objection subject to a Section 106 Agreement to require the affordable housing to be provided on site at nil public subsidy:

- 35% Affordable Housing with a tenure split of 76% Social Rent and 24% Shared Ownership of which 8% will be provided as Wheelchair accommodation for social rent tenure.

In addition, M4(2) and M4(3)(2)(a) planning conditions and informative.

SGC Environmental Policy

No objection subject to a condition requiring Reserved Matters to include a Sustainable Energy Statement that demonstrates how the development will meet SGC Development Plan Policies and Building Regulations applicable at that time. The development shall be constructed in accordance with the development plan policies, and Building Regulations applicable at the time of construction.

SGC Public Art

Policy CS1 High Quality Design Point 7 states that where the scale, location and/or significance of the new development proposals warrants it, embedded public art within the public realm or in a location where it can be viewed from public areas should be provided. In the light of this policy basis, if the application is approved, the Council should apply a planning condition for a public art programme that is relevant and specific to the development and its locality. The programme should be integrated into the site and its phasing plan. Given the location of this site in the context of the wider Cribbs Patchway New Neighbourhood, I believe that a scheme would be desirable and appropriate to link to the wider development although the site itself falls one house below the size of development we would normally request a public art scheme for.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The site lies within the major mixed use development planned on 480ha of land at Cribbs Causeway Patchway and Filton as defined by Policy CS26 of the adopted South Gloucestershire Local Plan: Core Strategy.

Policy CS26 states that *“It is essential that an area-wide adopted SPD is the policy delivery mechanism to ensure development is comprehensively planned and delivered in accordance with... high quality urban design principles as set out in Policy CS1.”*

It goes on to state that *“Development proposals ... should positively facilitate and not prejudice the development of surrounding areas of the New Neighbourhood, and meet the overall vision for the transformation of the area.”*

- 5.2 The Cribbs/Patchway New neighbourhood Development Framework SPD was adopted in March 2014 It states that *“Where delivery of infrastructure set out within the SPD is dependent on collaboration from other individuals or organisations applicants will be required to provide formal evidence that this can and will be achieved. To this end, South Gloucestershire Council are facilitating a collaboration agreement (or equivalent) as the most effective mechanism for securing coordinated delivery of sustainable development and infrastructure across the area.”*

In requiring development to be comprehensively planned and delivered at Cribbs Patchway the Council is seeking to ensure the required infrastructure for the whole site is delivered at the appropriate time, in the appropriate location. Firstly this relates to ensuring access between individual development sites

within the New Neighbourhood, and secondly to the timing and delivery of infrastructure, services and facilities.

In terms of ensuring the timely delivery of infrastructure, services and facilities the Council have approved an overarching S106 Agreement between other parties within the Cribbs/ Patchway New Neighbourhood that establishes what infrastructure (set out in the adopted SPD) would be provided where, and by whom. This 'Framework' Agreement secures the delivery of the majority of infrastructure required as a result of delivery of the whole of the new neighbourhood (including this site) and so it is not considered necessary to request delivery of, or contributions to those items. However, the application site is liable for CIL, together with any site specific infrastructure/ facility requirements which are not covered by the Framework Agreement. These issues are clarified later in this report.

- 5.3 The adopted SPD also clarifies where infrastructure should be delivered to best serve the whole new neighbourhood, set out on pages 18-19 of the SPD in a framework diagram. This indicates that the site lies adjacent to the public transport only, and cycleway/pedestrian north south link between Charlton Road and Hayes Way. No items of infrastructure are required to be delivered as part of this application.
- 5.4 In addition the Council endorsed a 'Framework Plan', submitted jointly by developers of the wider Cribbs/ Patchway new Neighbourhood. The intention of this document is to add detail to the contents of the SPD, and show how the infrastructure required by the SPD could be provided within the allocation. This endorsed plan also shows that no on-site infrastructure is required to be delivered on this site.

For these reasons it is considered that the principle of the proposal accords with the requirement for comprehensive development set out in Policy CS26 and the SPD.

#### 5.5 Urban Design

Whilst Policy CS26 sets out the more strategic objectives and requirements for development of the whole new neighbourhood, the SPD seeks to clarify four key delivery issues. The key design objectives that this site should contribute towards are;

- a) creating and improving opportunities for sustainable movement in and around the area, and
- b) contributing to the delivery of a substantial, interconnected and multi-functional network of spaces and green infrastructure.

#### *Sustainable Movement*

The revised parameter plans indicate two pedestrian and cycle links in the north east corner of the site: both into the Airfield site to the north, and to the Charlton Common area to the west. It is considered that these links are essential to integrating the site with the surrounding wider new neighbourhood



*Interconnected Green infrastructure*

The revised parameter plans indicate open space in the north western corner which will connect to Charlton Common, further it will link with the retained scrub along the northern boundary of the site, also indicated on the parameter plan. It is therefore considered that the proposed scheme complies with the SPD in this respect too.

*Site layout*

The indicative masterplan was removed from consideration of the application due to concerns regarding the form and layout which was unacceptable in terms of urban design, heritage and landscaping. The submitted land use parameter plan now shows the extent of development with two open areas within the site, which are considered to ensure that the heritage, POS, landscape and ecology matters can be appropriately met as well as the proposed housing.

Other parameters set out in the DAS relate to the scale and density, with higher density, 2-2½ storey at the site entrance, to the east & to the north-east of the site, and lower density, 2 storey to the north-west of the site, respecting the setting, scale & mass of Cedar House.

At Reserved Matters stage the Council will be looking for very well-designed scheme, which complies with design policies set out in the NPPF, National Design Guide and the Development Plan. This includes the use of high-quality and locally distinctive materials, for any built forms and areas of public realm.

## 5.6

Landscape

As the site was formerly a caravan park, the majority of it comprises hard standing/chippings with scrub encroachment from the overgrown boundary hedgerows. The land is relatively flat and has overgrown hedgerows defining the northern and eastern site boundaries. The original hedgerow enclosing the western site boundary has now been mostly removed to accommodate the adjacent housing development of 13 houses recently constructed.

The site lies within the Patchway & Filton Landscape Character Area (area 15). There are no landscape designations on the site. The vegetation comprises native hedgerows containing hedgerow trees, the majority of which lie outside the actual site boundary. These hedgerows are unmanaged and outgrown, with encroachment of large areas of Bramble and scrub into the site margins. There are also a number of individual trees, species such as Ash, Hawthorn and Willow.

The revised Parameter Plans show the proposed zones of development, with 2 small areas indicating POS, a play area and species rich grassland. The parameter plans show an ecological buffer along the northern boundary, which will be preserved and enhanced within the layout.

The RM layout should include a good level of landscape mitigation, incorporating street tree planting and preferably retaining the mature tree at the centre of the scheme, although this is not shown on the Parameter Plan.

PSP2 3.24 states '*Amenity space, hard and soft landscape works or open space provision should be designed as an integral part of the development. These should be located and laid out in such a way as to maintain or enhance the local environment, incorporating existing natural vegetation and features wherever possible, for the benefit of the appearance of the development*'.

An Area Tree preservation Order (TPO) was applied to the site on 5 February 2014, to protect all the existing trees on site. The majority of trees, tree groups and hedgerows are category B, or U. The best trees, a category B Field Maple and category B Hawthorns, are being retained within the layout as presently shown. A tree protection plan should be submitted with Reserved Matters, and this is secured through a condition.

The Council's landscape architect has confirmed that the proposals are considered generally acceptable. However the acceptability of the final scheme will depend on the successful retention of the ecological buffer and as many of the existing trees as possible within the layout, as shown on the Arboricultural Impact Assessment. The RM application should include a vegetation retention and removal plan, existing and proposed levels, a planting plan detailing the landscape mitigation proposed and a Landscape and Ecological Management Plan. Subject to the inclusion of conditions to secure these aspects, and conformity with the Parameter Plans, the Outline proposal is considered acceptable in landscape terms and in accordance with Policy PSP2.

#### 5.7 Heritage

The site lies to the east of the grade II listed Cedar House which is located on the edge of the Charlton Common, a small residual area of common left over after the construction of the runway and the demolition of the historic village of Charlton. The lodge is surrounded by mature trees and hedgerows to the extent that it is heavily screened from the road leading through the common. It does, however, become visible as one moves along the small access road leading to Cedar House and the modern dwelling (Cedar Lodge) to the south. The application site is partially screened from Cedar House by trees and overgrown hedges but there are clear views of the western boundary from the lane. The listed building is largely surrounded by trees and, other than the view of Cedar House to the south, it still retains a feeling of isolation and remoteness, well away from the suburban edge of Filton. The majority of the proposed development will have no impact on the setting of the listed building, but the NW corner of the site is close to Cedar House and will be seen as part of its wider setting.

The Council's Conservation Officer had concerns regarding the originally submitted masterplan which indicated the built form of the development closer Cedar House than the present Cedar Lodge and, consequently into its setting. A more generous gap between the new development and the western boundary that avoids the sense of encroachment into the setting of the listed building as well as providing more space for landscaping generally was sought. In addition it was noted that no provision was made for access to the Common highlighted on the historic OS maps.

With regard to the revised Design and Access Statement and the replacement of the illustrative masterplan with the parameter plans, the Council's Conservation Officer has stated that the parameter plans appear acceptable in principle in terms of protecting the green space, limiting development to two storeys in the NW zone and stepping up to 2.5 storey closer to the road. However, in the absence of a detailed layout, it is not possible to make an informed assessment of the impact of development on the setting of the listed building so would welcome further details, of this NW corner of the site and to demonstrate the scheme respects the setting of the listed building as well as reinforcing local distinctiveness. Nevertheless, it has been clarified by the Conservation Officer that the parameter plans do give a reasonable basis for the reserved matters to be based on, at which point the layout and massing will be known. And if the RMs respect the two parameter plans in terms of scale and the green buffer which provides separation from the listed building then the new development will be in keeping with what is there at the moment (the modern Cedar Lodge). Further, it is considered that having regard to the previous permitted use of the site as a caravan storage area, there is scope of enhancement of the setting of the listed building. The proposal is therefore considered to be in compliance with Policy CS9 of the Core Strategy, and Policy PSP17 of the PSP.

#### 5.8 Ecology

The Ecology Officer originally stated that the development needs to retain a linear belt of scrub along its northern boundary which will enable the site to continue to provide nesting habitat for a variety of national Priority bird species; and strengthen the green infrastructure of the Airfield's Outline masterplan to the immediate north.

In addition, the application needs to off-set the loss of the site's semi-improved meadow by creating new areas of species-rich wildflower grassland. The inter-relationship with the proposed highways improvement along Charlton Way and the potential to use the verge alongside the eastern boundary of the site should be delineated within the application.

In response to the current revised plans, the SGC Ecologist states that the updated parameter plan now shows an indicative linear belt of scrub being retained along most of the northern boundary. There are two areas of public open space that will be restored to species rich grassland (approx. 0.1ha) also indicated on this parameter plan. The Council's ecologist notes that as these areas are still only two, relatively small, separate blocks of grassland and the one within the north-west corner of the site also contains a play area and a pond, thus reducing the amount of species-rich wildflower grassland. So in order to further off-set the loss of the site's semi-improved meadow, new areas of species-rich wildflower grassland should be created and the belt of scrub needs to be extended along the full length of the northern boundary.

The planning officer considers that it is more important, in the public interest, to provide a pedestrian and cycle link through the northern boundary of the site, into the former Airfield mixed use development, hence it is not appropriate to extend the retained vegetation buffer along the full extent of the northern boundary; a gap for this link is required. This is what is shown on the parameter

plan. With regard to the aim of providing further meadow habitat creation, the Ecologist originally suggested this be considered along the highway verge on Charlton Way. The planning officer considers that in view of the relatively small nature of the site, this would be the most efficient way of providing additional meadow, particularly as the verges are wide adjacent to the site. It is recommended that this is secured by condition.

Subject to this condition and others relating to a landscape and ecological management plan, bat boxes, a lighting plan, badger, hedgehog and nesting birds, the proposal is satisfactory in ecology terms.

## 5.9 Transport

### *Policy background*

The site forms part of the Cribbs Patchway New Neighbourhood (CPNN) and is allocated under Policy CS26 of the Core Strategy and the adopted Supplementary Planning Guidance (the CPNN SPD). This secures the development against the delivery of funding for a Transport Package. This package embraces all modes and is designed to ameliorate the development's impact, and wherever possible, to resolve the existing constraints on the network. Within the CPNN, the main sites' contributions to this package are secured through the overarching S 106 Framework Agreement, referred to above under *Principle of Development*.

However as the current application site is not party to this agreement, so separate contributions for strategic transport infrastructure via the CIL process will be secured from this site. The application also needs to address its own local transport impacts.

The CPNN SPD indicates that no items of strategic infrastructure are required as part of this application.

## 5.10 *Vehicular access*

It is proposed to access the new houses from the existing Charlton Road. Since this application was submitted much of the highway layout on Charlton Common has been upgraded. Hence, the originally submitted proposals for the site's access junction onto Charlton Road was considered inappropriate. Therefore, the applicants were requested to review their design to ensure that it now ties in with the enhanced road layout. Revised plans now satisfactorily show this.

Transport DC noted that a TRAC plot had not been undertaken to determine whether a refuse vehicle of the Council's standard dimensions could successfully negotiate the on-site road network. However as the Illustrative masterplan has now been withdrawn for consideration, this analysis is unnecessary. A condition will be required to ensure that this analysis takes place at the detailed design stage.

### 5.11 *Pedestrian and cycle network*

The originally submitted scheme indicated poor connections between this site and other local pedestrian facilities, especially on the northern site of Charlton Common. To overcome these concerns the applicants have incorporated a pedestrian crossing facility into their proposed junction layout. They have also agreed to construct a footpath on the northern side of the road. It is not possible for these works to be carried out immediately as this area is currently occupied by the bus turn-back loop which must remain in place until the Airfield is redeveloped to provide the North-South Link to The Mall. Hence, it has been further agreed that the applicants would provide a financial contribution towards these works instead, so this money could be spent the appropriate time. Consequently, a Section 106 obligation is necessary to ensure that this contribution is made.

### 5.12 *Public transport*

Bus stops are currently provided on Charlton Road to the south of the site. It is considered that they are located within easy walking distance of the site. An adjacent planning permission for land to the west of Charlton Common is contributing to the up-grading of these stops and providing new shelters with Real time information (RTI) on both sides of the road. The development of the CPNN is will also mean that the through route to The Mall via Charlton Road will eventually be available to buses travelling on these routes. They can also call at the enhanced stops on Charlton Road.

### 5.13 *Transport Conclusions*

In order to ensure safe access to the site by all modes of travel in accordance with Core Strategy Policies CS1, CS6 and CS8 and Policy PSP16 of the PSP, the applicants have agreed to S 106 obligation to secure the item set out above. This contributions is considered to be directly related to the development, necessary and fairly and reasonably related in scale and kind, in accordance with the 3 tests within the CIL Regulation 122.

### 5.14 Sustainable Energy and Climate Change

As the application is in Outline form there will be a requirement for a full Sustainable Energy Statement being provided at the Reserved Matters Stage. The Reserved Matters application will need to meet local planning policies and Building Regulations applicable at the time.

A condition will therefore be required to ensure that the development is be constructed in accordance with the development plan policies, and Building Regulations applicable at the time of construction/the reserved matters stage. This is in order to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

Officers have noted that in July 2019 South Gloucestershire Council declared a climate emergency and pledged 'to provide the leadership to enable South Gloucestershire to become carbon neutral by 2030'. In the light of this the

Sustainable Energy Statement will be need to meet the Development Plan policies of the time to achieve the required reduction in regulated and unregulated emissions, together with renewable heat and power to ensure that new dwellings are designed with a route to achieving zero carbon emissions.

The scheme should be designed to be resilient to projected changes in the climate during the lifetime of the development (60 years) including higher peak and average summer temperatures, this includes the use of green infrastructure (such as existing trees) to provide summer shade/cooling and reduce excess solar gain. The revised scheme includes more retained trees and vegetation than originally submitted. Also as it is partly a brownfield site, the new landscaping will contribute to this.

Subject therefore to the condition noted above, the proposal complies with Policies CS1 and PSP6.

5.15

#### Archaeology

The submitted archaeology document demonstrates that the archaeological trial trenching that took place on this site was largely negative with the few features identified as relating to agricultural practice. However, there was a fairly large part of the site that was not explored as it is overgrown. The Council's archaeologist has confirmed that as this crosses part of Charlton settlement, a former Medieval village, there needs to be some archaeological work in this area. As it is likely to have truncated by the airfield to the north, this can be dealt with by way of monitoring and recording during construction.

As such, a condition is necessary requiring that 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 and thereafter, the approved programme shall be implemented. Subject to this, the proposal is in compliance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy.

5.16

#### Residential amenity

With regard to existing residents, the closest dwelling to the site is Cedar Lodge which is some 4.5m from the western boundary. Provided the reserved matters take this into consideration, there is no reason why the layout could not be arranged to ensure that there were no issues of overbearing effect or loss of privacy to these existing residents.

In addition the recently constructed row of dwellings south of this are some 16m from this boundary, which is formed by a 2.0m high close boarded fence. Similarly, Reserved Matters will need to take these dwellings into account. With regard to the amenity of future residents on the site itself, this will be dealt with at Reserved Matters stage to ensure that there are no significant issues of privacy or overbearing effect for future residents, and sufficient that amenity space is provided in accordance with Development Plan policy.

## 5.17 Public Open Space

Policy CS24 states provision for green infrastructure, outdoor space, sport and recreation facilities will be sought for all new developments, to the appropriate local standards of provision in terms of quantity, quality and accessibility.

The proposed bus link road, including cycle and footpaths approved as part of the former Filton Airfield site will join Charlton Road and therefore, in time, residents at this development would have reasonable access to the facilities located within this larger site. In the meantime however, it is still necessary for the application site to provide for range of open spaces.

Using current average occupancy data and the proposed number of dwellings, the proposed development of 29 dwellings would generate an estimated total population increase of 69.6 residents.

An audit of existing provision has demonstrated an adequate supply of Informal Recreational Open Space and Natural and Semi-natural Open Space. There is a shortfall of Outdoor Sports Facilities and no existing pitches within reasonable access standards. There is also a shortfall of Allotments. The nearest allotment provision is outside South Gloucestershire Council boundary at Charlton Rd, Bristol but this has an existing waiting list. There is no provision for Children and Young People within reasonable access standards.

Since the application was originally submitted, the parameter plans have been revised to provide for 174 sqm of equipped play space on the site, which accords with the Council's minimum standards as set out in Policy CS24 of the Core Strategy.

In addition, the applicant has agreed to enter into a Section 106 Agreement in order to provide a contribution towards off site outdoor sport provision or enhancement and its maintenance, as well as a contribution towards off site allotment provision or enhancement and maintenance. This off site provision for these types of POS is considered acceptable given the limited size of the site. IN terms of outdoor sport, the contribution will be included to the overarching S.106 Framework Agreement for Cribbs new neighbourhood which is within walking distance of the site. The contributions are considered to be directly related to the development, necessary and fairly and reasonably related in scale and kind, in accordance with the 3 tests within the CIL Regulation 122.

In the event that the applicant intends the public open space within the site to be maintained by a private landscape management entity rather than the Council, the Council can retain a sufficient level of control over the landscape management entity through the s106 agreement.

Given the above, it is considered that the proposed open space provision meets the policy requirements, with the pay area on site, and a contribution towards off-site for outdoor sports and allotments, and as such the proposals accord with Policies CS24 and CS25 of the adopted Core Strategy subject to a Section 106 obligation as set out in the Heads of Terms at the end of this report.

### 5.18 Affordable Housing

The proposal includes 35% affordable housing in line with National Planning Policy Guidance and other requirements under Policy CS18 of the Council's adopted Core Strategy Development Plan Document. The applicant has agreed to a Section 106 Agreement provide for this, in accordance with the detailed requirements as set out in the heads of terms at the end of this report.

In addition, a condition is required to ensure that the affordable Dwellings are constructed to meet Part M of the Building Regulations accessibility standard M4(2) with the exception of those affordable dwellings required to meet M4(3)(2)(a) standard and any self-contained affordable housing provided above ground floor level in a flatted development without a lift. Further that the wheelchair dwellings shall be constructed to meet Part M of the Building Regulations accessibility standard M4(3)(2)(a) and shall be provided as social rent tenure.

Subject to a S106 incorporating the Heads of Terms set out at the end of this report, and the Part M condition noted above, the proposal is acceptable in terms of affordable housing.

### 5.19 Contamination

A ground investigation report relevant to the potential for contamination was submitted with the application. It has been considered by the Council's EHO contamination officer who states that it comprises a comprehensive desk study and ground investigation, in line with current best practice and guidance. Potentially unacceptable contamination was identified in relation to made ground in the north of the site; contaminants in gravelly material forming the hard standing to the caravan storage area; and defined areas of asbestos containing materials.

Remediation is proposed by way of removal/site clearance of made ground and areas of asbestos containing materials. The gravelly hard standing is identified as possibly suitable for re-use on site under buildings and roads.

The conclusions and recommendations of the report are in the main accepted by the EHO officer. Re-use of any materials on site should be undertaken in accordance the CL:AIRE Definition of Waste Code of Practice.

In order to ensure that the site is suitable for its proposed use and in accordance with The National Planning Policy Framework, conditions are required to ensure that verification of remediation is signed off by the Council, and any additional contamination found during the course of construction is reported to the Council and dealt with appropriately. Subject to these conditions, the proposal is considered to comply with Policy PSP21.

### 5.20 Drainage

The application is accompanied by a Flood Risk Assessment and Drainage Strategy which sets out the proposed surface water drainage strategy for the development. This will be achieved by restricting flows using a flow control device and by providing underground attenuation storage. There is no objection to the proposal from the LLFA, subject to a condition requiring Reserved Matters to include surface water drainage details.



### 5.21 SGC Public Art

The Council's Public Art Officer has requested a planning condition for a public art programme that is relevant and specific to the development and its locality and given the location of this site in the context of the wider Cribbs Patchway New Neighbourhood, a scheme would be desirable and appropriate to link to the wider development.

The Public Art Officer does however note that the proposal for up to 29 dwellings falls one house below the size of development we would normally request a public art scheme for. The Planning Officer has considered this request in terms of Policy CS1- High Quality Design point 7 which states that where the scale, location and/or significance of the new development proposals warrants it, embedded public art within the public realm or in a location where it can be viewed from public areas should be provided. It is considered that in this case the condition requested does not fully meet the required condition tests, and due to the relatively small scale of the development, which being enclosed will not be particularly visible to the public, could not be viewed as development of scale or significance, it is not proposed to include a public art condition.

### 5.22 Other consultee comments

As noted in the consultation section of this report, the adjoining resident raised a concern that the red line application site boundary was incorrect. Following this, revised plans were submitted showing a revised red line position along this western boundary. The local resident was reconsulted, but no further comments received.

It is noted that Avon Fire and Rescue have requested a contribution towards a fire hydrant for the site. It is noted that in the report that went to Committee for the Airfield it was reported that this matter was addressed strategically through consideration of the Framework Agreement.

### 5.23 CIL Issues

The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development, if approved, would be liable to CIL charging.

### 5.24 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 South Gloucestershire Development Plan as set out above, and to all the relevant material considerations set out in the report.

## 7. **RECOMMENDATION**

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

### 1. **POS:**

- Prior to occupation of the 1<sup>st</sup> dwelling, the applicant shall secure the management and maintenance of the Public Open Space (POS) and Sustainable Drainage System (SuDS) in perpetuity, to adoptable standards, and in accordance with an appropriate management regime to be first approved in writing by the Council. The developer shall open the POS to the public and maintain the POS and SUDs in accordance with the maintenance regime until such time as the whole of the POS and SUDs areas are either transferred to the Council or transferred to a management entity, the details of which shall be first approved by the Council.
- The applicant shall provide 174 sqm of equipped open space provision on site for children and young people. Trigger for completion and opening– 10<sup>th</sup> dwelling.
- The applicant shall make a contribution of £60,991.98 towards off site provision/enhancement of outdoor sports facilities as defined in the overarching POS Strategy for CPNN, together with a contribution of £18,460.26 towards its future maintenance. Trigger – 10<sup>th</sup> dwelling
- The applicant shall make a contribution of £1,398.08 towards off site allotments, together with £1,782.66 towards their maintenance.

### 2. **Affordable Housing**

- 35% Affordable Housing with a tenure split of 76% Social Rent and 24% Shared Ownership of which 8% will be provided as Wheelchair accommodation:  
*Quantum*
- 35% Affordable Homes to be provided on site without public subsidy.

- To be provided on-site and distributed throughout the development in clusters of no more than 6 units.

*Tenure and Type*

- 76% Social Rent (i.e. 8 social rent homes)
- 24% Shared Ownership (i.e. 2 social rent homes)

*Design*

- Affordable Homes to be built to the same high quality design standards and visually indistinguishable from the market units; and comply with Secured by Design Silver, Part Q Building Regulation standards and compliance with the RP Design Brief;
- No more than 6 Affordable Homes should share an entrance and communal area. Registered Providers would generally expect flats within a single block to be of the same tenure.

*Wheelchair Provision*

- 8% of Affordable Homes to meet Part M of the Building Regulations accessibility standards M4(3)(2)(a). This will be controlled by way of a planning condition. (Based on a scheme with a requirement for 10 affordable homes there would be a requirement for 1 wheelchair property).

*Delivery and Phasing*

- The Council to refer potential occupants to all first lettings and 75% of subsequent lettings.
- Delivery is preferred through the Council's list of Approved Registered Providers. In the event of the developer choosing a Registered Provider from outside the partnership then the same development and management standards will need to be adhered to.
- Affordable Homes to be built out with the market housing on site in line with agreed triggers within the S.106 Agreement.

*Rent Levels and Affordability*

- Social Rent homes to be let at Target Rent (Rent Standard Direction 2014).
- Shared Ownership homes to be sold at no more than 40% of market value, and annual rent on the equity retained by the RP should be no more than 1.5%.
- Service charges will be capped at £650 per annum (April 2016 base and linked to RPI) to ensure that all housing costs are affordable to future occupants.
- Capital receipts on intermediate housing to be recycled as capital expenditure on approved affordable housing schemes in South Gloucestershire, with subsidy levels to increase by any capital appreciation.

### 3. **Transport**

A contribution of £20,000 towards the construction of a 3.0m shared foot/cycleway to connect the site to the crossing point adjacent to the access of the Kennels Cedar Lodge site to the south when the existing bus turning circle becomes redundant, (the timing of which will be subject to the opening of the bus only route into the Airfield).

- 7.2.1 The reason for the above obligations is to ensure that the enhancements needed to off-set the impact of the redevelopment are secured both to the natural and built environment, and to provide a suit of

measures to mitigate the impacts of the development on the existing community and to ensure the future community is sustainable.

- 7.3 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- 7.4 Following the Council introducing the CIL tariff that Head of Corporate Finance is authorised to levy the CIL charge.
- 7.5 Should the agreement not be completed within 6 months of the date of this Circulated Schedule report that delegated authority be given to the Director of Planning, Transport and Strategic Environment to refuse the application if an extension of time to complete the agreement is not sought.

## **CONDITIONS**

1. Details of the layout, scale and appearance of the buildings to be erected, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before development on land to which the reserved matters relate commences. Development thereafter shall be carried out in accordance with the approved details.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Applications for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 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).

3. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiry of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

4. Applications for the approval of the reserved matters shall be in accordance with the Parameter Plans-Access and Land Use (Rev P5) and Scale Parameter plan, (Rev P5), and the principles and parameters set out in the Design and Access Statement (November 2020) hereby approved.

Reason: To ensure the highest standards of urban design and in accordance with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy, and the adopted Cribbs/Patchway Development Framework SPD.

5. Reserved matters submitted pursuant to Condition 1 above shall include the detailed design of the surface water drainage strategy; including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection.

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 2019.

6. The Affordable Dwellings shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2) with the exception of those Affordable Dwellings required to meet M4(3)(2)(a) standard and any self-contained affordable Housing provided above ground floor level in a flatted development without a lift. The Wheelchair Affordable Dwellings shall be constructed to meet Part M of the Building Regulations accessibility standard M4(3)(2)(a) and shall be provided as social rent tenure.

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

7. The Reserved Matters to be submitted pursuant to Condition 1 shall include a Sustainable Energy Statement that demonstrates how the development hereby approved will meet SGC Development Plan Policies and Building Regulations applicable at that time. The development shall be constructed in accordance with the development plan policies, and Building Regulations applicable at the time of construction.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions, and to comply with Policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy and Policy PSP6 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan.

8. The reserved matters submitted pursuant to Condition 1 shall include tree protection details and Arboricultural Method Statement which shall accord with BS5837 (2012); and prior to the commencement of the development hereby approved, protective fencing in accordance with drawings approved by Reserved Matters shall be erected around the root protection area of existing trees and hedgerows to be retained adjacent and within the site. Such fencing shall be erected prior to the use of any machines on the site and prior to any clearance on site, and retained as such throughout the construction period and until the completion of the development hereby approved. All development shall be carried out only in accordance with the Arboricultural constraints report D14 398 02 Rev A July 2019 by JP Associates, and thereafter, the trees and hedges shall be retained.

Reason: To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the trees, and to avoid any damage to existing trees to be retained and ensure the existing trees and hedgerows are protected during the works, in accordance with best arboricultural practice, and to accord with Policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy. Pre- commencement is required in order to protect the trees prior to any works on site.

9. Verification Strategy - having regard to BAE Systems Environmental, Ground Investigation, Land at Charlton Common, Ref X0453-R3-2 dated June 2016, prior to first occupation, a report providing details of the verification of remediation demonstrating that all necessary remediation works have been completed satisfactorily and that re-use of any materials on site will be undertaken in accordance the CL:AIRE Definition of Waste Code of Practice shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interest of public safety as a potential result of land contamination and to accord with policies CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013).

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

Reason: In the interest of public safety as a potential result of land contamination and to accord with policies CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013).

11. Prior to the occupation of the first dwelling, a travel plan with the aim of providing residents with information regarding reducing the need to travel by car, encouraging healthy commuting and work/non work related journeys shall be submitted to the LPA for their written approval. Such details as approved shall be implemented in phase with the development.

Reason: In the interests of sustainable development and in accordance with Policy CS26 of the South Gloucestershire Local Plan: Core Strategy, (adopted Dec 2013).

12. The reserved matters to be submitted pursuant to Condition 1 above shall include measures to demonstrate that the development is in accordance with the recommendations made in Section 5 of the Ecological Assessment by Ecology Solutions (September, 2019). This refers to the need for a sympathetic lighting scheme for bats, avoiding disturbance/ harm to nesting birds and badgers, habitat creation/enhancement (a pond, wildflower grassland, hedgerows and new trees) to mitigate habitat losses and to increase foraging opportunities for birds and bats and providing new roosting opportunities for bats.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP19 of the adopted Policies Sites and Places Plan.

13. No development shall take place until there has been submitted and approved in writing by the Local Planning Authority measures in respect of: a re-survey for badgers and a report provided to the Council to include details of any works subject to

the licensing provisions of the Protection of Badgers Act 1992. All works shall be carried out in accordance with said report.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP19 of the adopted Policies Sites and Places Plan. Pre-commencement is required in order to ensure protection during the construction period.

14. The Reserved Matters submitted pursuant to Condition 1 above shall include a plan showing the location of nesting boxes, for starlings and house sparrows and bat tubes or boxes. Thereafter the development shall proceed in accordance with such details as approved through Reserved Matters, and photographic evidence of their installation shall be submitted to the local planning authority for approval in writing prior to the substantial completion of the development hereby approved.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP19 of the adopted Policies Sites and Places Plan.

15. The reserved matters submitted pursuant to Condition 1 above shall include street lighting that is to the Council's adoptable standards and is also a sympathetic lighting scheme for bats using boundary vegetation. The scheme should show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications). All external lighting shall be installed prior to the substantial completion of the development hereby approved in accordance with the said lighting scheme as approved by the local Planning Authority in writing.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP19 of the adopted Policies Sites and Places Plan.

16. Prior to development commencing, a Landscape & Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local Planning Authority to concord with the recommendations contained in 5 of the Ecological Assessment by Ecology Solutions (September, 2019) and the agreed Access and Land Use Parameter Plan forming part of the application. All works are to be carried out in accordance with said approved plan.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP19 of the adopted Policies Sites and Places Plan. Pre-commencement is required in order to ensure protection during the construction period.

17. The Reserved Matters to be submitted pursuant to Condition 1 above shall include a mitigation strategy to avoid harm to reptiles (slowworm) and hedgehog and agreed with the Local Planning Authority through Reserved Matters. All works are to be carried out in accordance with said strategy.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP19 of the adopted Policies Sites and Places Plan.

18. The Landscaping Reserved Matters submitted pursuant to Condition 1 above shall include full details of both hard and soft landscaping works and these works shall be carried out as approved. Such details shall accord with the principles of the approved Parameter Plans and the principles and concepts contained in the approved Design and Access

Statement. These details shall include: proposed finished levels or contours in relation to existing levels; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures including details of play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines, manholes).

Soft landscape works shall include: a vegetation retention and removal plan, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. Detailed planting plans shall detail size, type and specification, mixes and quantities of all proposed planting. Where appropriate, boundary and surfacing treatments; construction details of all SUDS elements and maintenance proposals shall be submitted and approved.

Reason: To protect and enhance the character and appearance of the area and the amenities of future occupiers in accordance with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy.

19. 1The landscaping details submitted pursuant to Condition 18 shall include new areas of species-rich wildflower grassland along the highway verge outside the site on Charlton Road.

Reason: In order to help offset the loss of the site's semi- improves meadow, and in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP19 of the adopted Policies Sites and Places Plan.

20. 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: In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP17 of adopted Policies Sites and Places Plan, and the National Planning Policy Framework. Pre- commencement is required in order to ensure archaeological investigation is not harmed during the construction period.

21. The particulars submitted as part of condition 1 for the relevant reserved matters shall include details of refuse collection vehicle swept path tracking within the site appropriate for the SGC refuse vehicle standard dimensions.



Reason: To ensure access to refuse storage in accordance with Policy CS26 of the adopted Core Strategy, and in accordance with Policy PSP16 of the adopted SGC Policies Sites and Places Plan.

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

**POSITIVE AND PROACTIVE STATEMENT:**

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

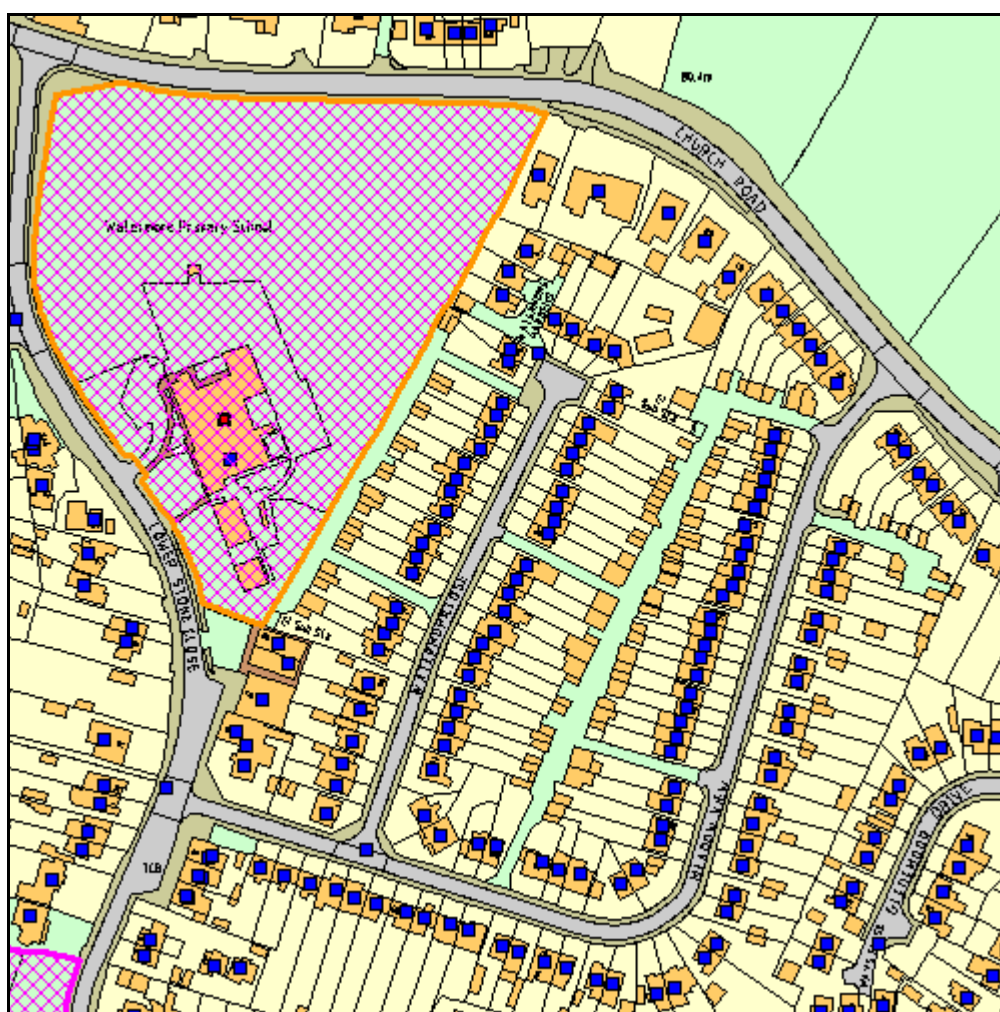
Agreeing amendments to the scheme to preserve vegetation, the setting of the listed building, and to enhance POS provision and sustainable transport modes, all in the public interest.

**Case Officer: Helen Ainsley**

**Authorising Officer: Jonathan Ryan**

**CIRCULATED SCHEDULE NO. 50/20 -11th December 2020**

<b>App No.:</b>	P20/00010/MOD	<b>Applicant:</b>	Sir/Madam
<b>Site:</b>	Watermore Junior School Lower Stone Close Frampton Cotterell South Gloucestershire BS36 2LE	<b>Date Reg:</b>	16th November 2020
<b>Proposal:</b>	Modification to Unilateral undertaking and Section 106 agreement attached to planning permission PT18/0930/R3O.	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	367407 181533	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>		<b>Target Date:</b>	5th January 2021



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P20/00010/MOD

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

## 1. THE PROPOSAL

- 1.1 This is a request for the Council to vary the Unilateral Undertaking dated 18<sup>th</sup> October 2018 pursuant to S106 Town and Country Planning Act 1990 (As amended), S111 Local Government Act 1972 and Section 1 Localism Act 2011 relating to a hybrid planning permission PT18/0930/R3O at Watermore School Frampton Cotterell. Planning permission was granted for a hybrid application for the demolition of existing school building on Meadow site of Watermore Primary school (currently split site) and erection of new 420no. place Primary School with associated playing field, car parking, MUGA and landscaping of which Full planning permission is sought (with no matters reserved); and Outline permission is sought for the erection of up to 5no. dwellings on the Meadow site and up to 21no. dwellings on the Orchard site (to include conversion of existing building to 6no. flats) with access to be determined and all other matters reserved.
- 1.2 Since the grant of outline planning permission, a reserved matters application P19/13690/RM has been granted for the erection of 5 dwellings at Meadow site in June 2020. The site is currently subject to an application, P20/15208/RVC, under S73, to vary condition 10 to increase footprint of the ground floor of these units.
- 1.3 This request to modify the existing legal agreement is to ensure that the required off-site financial contribution towards public open space would be adequately secured by tying the S106 agreement to any subsequent applications made S73 since the grant of PT18/0930/R3O.

## 2. POLICY CONTEXT

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

- 2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity

CS24	Green Infrastructure, Sport and Recreation
CS29	Communities of the East Fringe of the Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP20	Flood Risk, Surface water and watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance  
 Frampton Cotterell & Coalpit Heath Village Design Statement  
 South Gloucestershire Design Checklist (Adopted) 2007  
 Residential Parking Standards SPD (Adopted) 2013

### 3. RELEVANT PLANNING HISTORY

- 3.1 PK18/4981/O  
 Erection of 4 no. semi-detached dwellings (Outline) with access, appearance and layout to be determined, all other matters reserved.  
 Approved 25/01/2019
- 3.2 P19/13690/RM  
 Demolition of existing school buildings. Erection of 5 no. dwellings with appearance, landscaping, layout, scale and access to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PT18/0930/R3O).  
 Approved 15.06.2020
- 3.3 P20/12478/NMA  
 Non material amendment to permission P19/13690/RM to add the plans as a condition.  
 Approved 20.08.2020
- 3.4 P20/15208/RVC  
 Variation of condition 10 attached to P19/13690/RM (added by P20/12478/NMA) to substitute plan numbers 3002 P3, 3001 P4, 2001 P4 and 1102 P8 with 1102 P9 (proposed site plan), 1103 P2 (proposed site plan - ground floor), 1104 P6 (proposed typical house floor plans), 2001 P6 (proposed typical house elevations), 3001 P6 (proposed section a-a) and 3002 P4 (proposed section b-b). Demolition of existing school buildings. Erection of 5 No dwelling with appearance, landscaping, layout, scale and access to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PT18/0930/R3O). Hybrid application for Watermore School (currently split site) including a full planning application for a new 420 Place Primary School with associated playingfield, car parking, MUGA, landscaping

and demolition of the existing school building on the Meadow site and outline planning for new residential development on Meadow site (0.14ha/ 5 units) and on the Orchard site (0.55ha/22units), only access and layout reserved.

Pending consideration

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

- 4.1 Enabling Officer has advised that all affordable housing units will be delivered at Orchard Site, therefore no affordable housing is required at Meadow Site (see consultation comments in P20/15208/RVC)
- 4.2 Public Open Space advised that all required financial contribution toward off-site public open space is still applicable and relevant. Such requirement has been clearly stated at page 16 of the existing Unilateral Undertaking dated 18<sup>th</sup> October 2018.

#### **Other Representations**

- 4.3 Local Residents  
As this isn't a planning application, there is no requirement for public consultation

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

- 5.1 This application seeks to vary the existing legal agreement in order to tie the original S106 to any subsequent applications made under S73, such as the current application P20/15208/RVC.
- 5.2 It should be noted that the issue of a S73 decision has the effect of granting a completely new permission, also the existing legal agreement is a standalone legal agreement associated with the original planning permission. Therefore, to ensure that any required contribution, which is secured by the original legal agreement, is still applicable to any future applications made under S73, specific wordings / clauses need to be clearly stated in legal agreement. As the proposed changes to the existing legal agreement would not prejudice the Council and it would only secure the financial contributions towards public open space while the planning application P20/15208/RVC to be granted, therefore there is no objection to the proposed variation.

#### **6. CONCLUSION**

- 6.1 It is considered that the proposed amendment to the existing legal agreement would not have any adverse impacts on the level or provision of off-site contribution towards public open space.

#### **7. RECOMMENDATION**

- 7.1 It is therefore recommended that

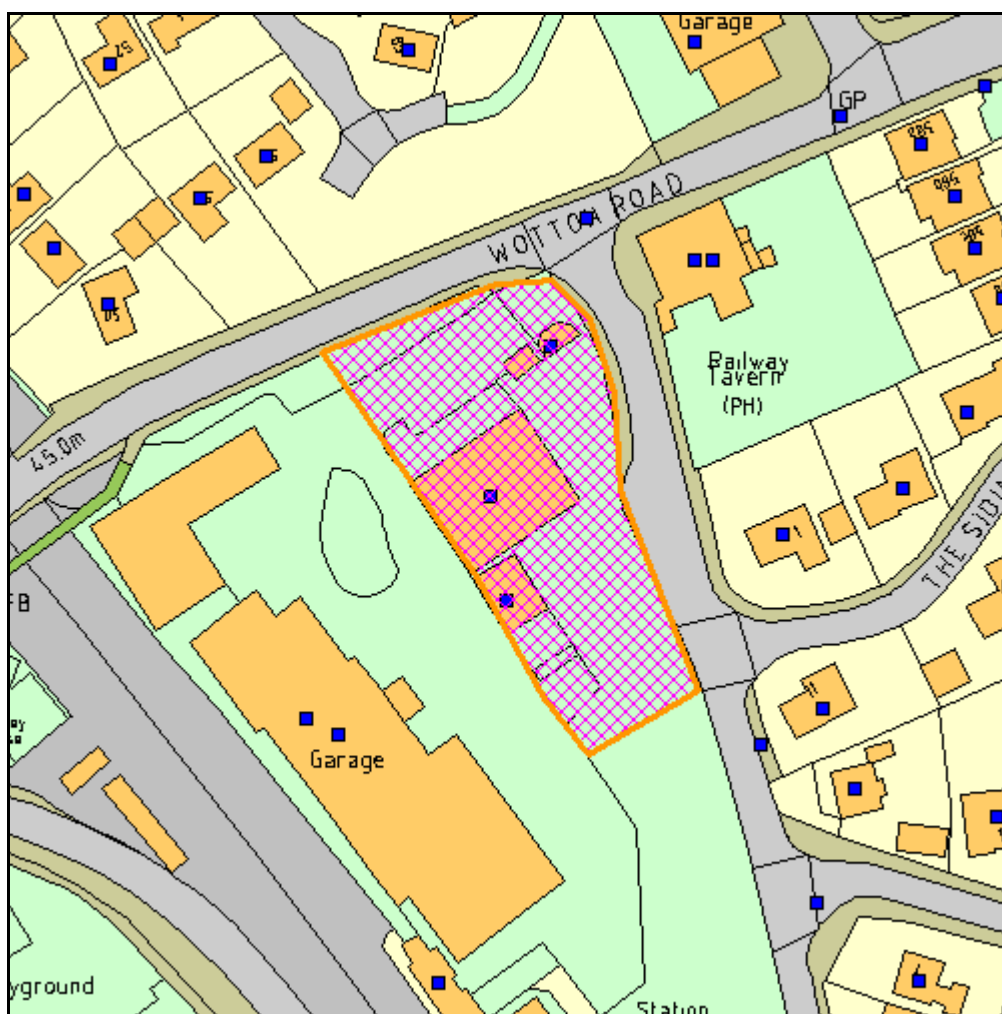
(1) Authority be delegated to the Director of Environment and Community Services to agree a Deed of Variation under section 106 of the Town and Country Planning Act 1990 (as amended) to include 'any subsequent planning applications under S73' in the existing legal agreement.

**Case Officer: Olivia Tresise**

**Authorising Officer: David Stockdale**

### CIRCULATED SCHEDULE NO. 50/20 -11th December 2020

<b>App No.:</b>	P20/08751/RVC	<b>Applicant:</b>	Co-operative Group Food Ltd
<b>Site:</b>	M.J. Fews Ltd Charfield Wotton Road Charfield South Gloucestershire GL12 8SR	<b>Date Reg:</b>	26th May 2020
<b>Proposal:</b>	Variation of conditions 13 (Opening Hours) and 14 (Delivery Hours) attached to planning permission PT17/4923/O. Demolition of existing industrial unit and erection of 1no. building to form retail unit (Class A1) (Outline) with access, layout and scale to be determined; all other matters reserved.	<b>Parish:</b>	Charfield Parish Council
<b>Map Ref:</b>	372474 192380	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th July 2020



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 100023410, 2008. N.T.S. P20/08751/RVC

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

**The application is circulated because the Parish Council objected to the application.**

## 1. THE PROPOSAL

- 1.1 Outline planning permission was granted for the erection of a shop with a total gross new internal floor space of 375m<sup>2</sup> shop (class A1) in application PT17/4923/O. Reserved matters have also been approved under P20/00860/RM already.
- 1.2 This application seeks to vary conditions 13 (Opening Hours) and 14 (Delivery Hours) attached to planning permission PT17/4923/O.

Condition 13 previously read:

The use hereby permitted shall not be open to customers outside the following times: 07.00-22.00 Hours Monday to Sunday.

Further to negotiation the applicant now seeks a replacement condition to allow an extra morning hour of trading:

*The use hereby permitted shall not be open to customers outside the following times: 06:00-22:00 Monday to Sunday.*

Condition 14 previously read:

No deliveries shall be taken at or despatched from the site outside the hours of 08.00-20.00, nor at any time on Sundays, Bank or Public Holidays.

Similarly, further to negotiation the applicant seeks alteration of that to restrict only HGV deliveries and facilitate a single Sunday/bank holiday delivery by HGV between 11.00 - 14.00: Further they seek that van deliveries are permitted between 06.00 and 20.00 to facilitate deliveries such as papers and ready made sandwiches. Details of how deliveries would be managed and means of mitigation of disturbance to neighbours is located in the Delivery management plan by ADL Traffic and Highways Engineering Ltd.

## 2. POLICY CONTEXT

### 2.1 National Guidance

National Planning Policy Framework February 2019

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

National Planning Practice Guidance – Conserving and Enhancing the Historic Environment;

Managing Significance in Decision-Taking in the Historic Environment (GPA 2)

The Setting of Heritage Assets (GPA 3)



## 2.2 Development Plans

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

CS1	High Quality Design
CS5	Location of Development
CS7	Strategic Transport infrastructure
CS8	Improving Accessibility
CS9	Environment and Heritage
CS12	Safeguarded areas for economic development
CS14	Town Centres and Retail
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP10	Active travel routes (runs along Station Road)
PSP13	Safeguarding strategic transport schemes and infrastructure
PSP14	Safeguarding rail schemes and infrastructure
PSP16	Parking Standards
PSP21	Environmental pollution and impacts
PSP27	B8 Storage and distribution uses
PSP31	Town Centre Uses
PSP33	Shopping Frontages

### West Of England Joint Spatial plan submission draft November 2018

Policy 7	Strategic Development Locations Site Requirements (including Buck over Garden Village, Charfield Thornbury which include desire for Charfield rail station re-opening)
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## 2.3 Supplementary Planning Guidance South Gloucestershire Local List SPD South Gloucestershire Waste SPD

## 3. RELEVANT PLANNING HISTORY

3.1 None recent

## 4. CONSULTATION RESPONSES

### 4.1 Charfield Parish Council

#### Object

- It is unnecessary for the store to open between 06.00 and 23.00. Additional hours offers no practical benefit to the community.
- Unnecessary to extend hours Co-op in Wotton under Edge shuts at 10 pm and the village convenience store shuts at 21.00 hours.
- Set up time, close time and deliveries should be factored into disturbances.
- Concern that the Traffic management plan affects the access – with implications on safety.

- Concern for the tree at the centre of the car park.

LLFA

No objection

Cllr John O'Neil – Charfield Ward

Opening hours, the Costcutter convenience store in Charfield opens at 6am as newspaper deliveries are made pre 6am this is normal for stores in small towns and villages. The closing time of 23 00 is unnecessary and would serve no benefit, the multiple store operators who are not open for the 24 hour period close at 22 00, comparison with the public house for later opening is disingenuous when the Co-op store in Wotton under Edge closes at 22.00 and home to more public houses than Charfield.

With deliveries, the Midcounties Co-operative use an HGV to deliver milk and fresh produce and I would suggest that this is conditioned as after 8am on a Sunday.

The applicant also suggests that the nearest residential properties are those on Station Road, consideration should also be afforded to the properties on the corner of Little Bristol Lane.

Other Consultees

Highways

No objection – no impact on stores overall travel demand

Police community safety

No objection

Environmental protection

The EP team (Noise) notes the submitted Noise Impact assessment NIA which incorporates an appropriate British Standard 4142 analysis.

In principle there is no objection to the NIA which primarily addresses the concern around the earlier start for some public trading and certain aspects only ; particularly the impact of the delivery movements (non HGV) for extended opening hours.

The assessment indicates a 'low impact' Mon to Sun 0600-0800 and 2200-2300Hr, and low impact on Sun & Bank Hol 0800-2000Hr taking into account the context of the site.

In principle concur with the addendum proposal for no deliveries, except for magazine and newspapers by way of a small transit type van, shall be taken at or despatched from outside the hours of 0800-2000 Mon-Sat with the single 11-14.00 HGV delivery on a Sunday.

Conservation officer

No impact on heritage

## **Other Representations**

### 4.3 Local Residents

Two objection comments in relation to the following matters.

- 7-10pm is adequate – additional hours not necessary here
- In order to open/close earlier and later there will be preparation/finishing off noise a half hour each side of the store opening hours.
- This will degrade the largely residential nature of the area.
- Retail unit should fit the character of the village not the other way around
- Will attract traffic and noise which is presently not there, worsening lining conditions nearby.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The principle of the development has already been established and as such this application only considers the alteration of hours of opening and hours of deliveries. All other matters of the application remain the same including means of access and retention of the TPO'd Beech tree at the centre of the proposed carpark.

### 5.2 Transportation

No change is proposed to the access or delivery location by comparison to the existing outline planning permission and as such this does not have a material impact on the consideration of hours of opening or delivery times/schedules.

### 5.3 Environmental matters - Residential amenity

Houses are located close to the site accesses along Station Road and it is considered reasonable to limit the hours of opening and deliveries at the premises to protect those dwellings. There are other houses on the far side of Charfield Road and on the corner of Little Bristol Lane but these are considered too remote to be affected by customer visits or deliveries.

The proposal being considered is that of extending the opening times of the shop by one hour in the early morning, thereby opening to customers between 6am and 10pm. Whilst this will encourage earlier custom, some of which will arrive by car it is not considered that the additional hour of opening would cause material harm to the nearby residents. This is due in part to the existing background noise at this time and the Noise Impact assessment submitted with the application is considered to be sound in its findings that the noise impact would be low. Similarly whilst staff will also arrive prior to this this is not considered to have material impact on the surroundings or residential amenity of the neighbouring properties.

Whilst conditions were agreed previously regarding deliveries the operator Co-op is now on board to provide the local shop and proposes new times given their requirement to restock on Sundays and Bank holidays by HGV. Further to negotiation they have limited Sunday and bank holiday HGV delivery to one delivery in the centre of the day (between 11.00 and 14.00 hours) when it is least likely to affect neighbours. Only papers and sandwiches are required in

the early morning and these are non HGV deliveries. These van deliveries are not anticipated to cause a nuisance to neighbours between the 06.00 and 20.00 hours proposed.

The Delivery Management plan submitted sets out mitigation measures to minimise noise during the delivery and this is proposed to form part of the amended condition regarding deliveries. An exception is made to paragraphs 2.3.1 and 2.3.4 as Sunday/bank holiday deliveries have been restricted by the negotiations undertaken in this application.

Further to the above considerations variation of conditions 13 and 14 are not considered to cause material harm to neighbouring occupiers.

#### 5.4 Other conditions

It is now appropriate to consider whether other conditions attached to the original outline application should be reattached to this variation of that outline planning permission. All of the other conditions remain valid and are therefore reattached.

#### 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 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 outline permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 That planning permission be varied subject to the planning conditions set out below.

### **CONDITIONS**

1. Approval of the details of the appearance of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

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

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of the original outline permission (PT17/4923/O 17/5/2019).

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of the original outline permission (PT17/4923/O 17/5/2019), or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

5. The reserved matters shall include details of the renovation of the Old Bank House, together with proposals for its ongoing use.

Reason

To safeguard the special architectural and historic character of the building, and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013, policy PSP17 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017, Local List Supplementary Planning Document (adopted March 2008) and the NPPF.

6. To be submitted as part of the Reserved Matters Application shall be a revised Tree Protection Plan and Arboricultural Statement to replace those submitted 23/1/2019 and which are specifically not accepted as being up to date with the latest set of plans received during the application. Works shall thereafter be carried out in accordance with these amended plans.

Reason

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

7. As part of the reserved matters details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the residential amenity of the occupants of nearby residential dwellings and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and policy PSP21 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017.

8. The reserved matters shall include details of any external plant/chiller units including their type, noise emittance, position, number of units and combined environmental effects of such units.

Reason

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013, policy PSP21 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017 and the provisions of the National Planning Policy Framework.

9. Prior to first occupation of the proposed development the access arrangements, parking on site and parking restrictions along Station Road as shown in principle on plan 52036-00-101 rev L shall be submitted for approval and implemented in accordance with the approved plans.

Reason: To ensure a safe secure access to the development. In the interests of highway safety and to comply with PSP16 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017 and policy CS8 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

10. Prior to commencement of the development, including any works of demolition, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. All works shall proceed in accordance with approved details. For the avoidance of doubt, the Statement shall include details of:

- (i) The hours of working
- (ii) The parking of vehicles of site operatives and visitors
- (iii) Loading and unloading of plant and materials
- (iv) Storage of plant and materials used in constructing the development

- (v) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (vi) Wheel washing facilities
- (vii) A detailed Dust Management Plan (DMP), with measures to control the emission of dust and dirt during construction
- (viii) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason

In the interests of highway safety and residential amenity.

This is a pre-commencement condition because later timescale would miss the purpose of the condition.

11. The total gross new internal floorspace shall not exceed 375m<sup>2</sup> Retail Class A1 in accordance with the Town and Country Planning Use Classes order 2015 (as amended), the height shall not exceed 7m and eaves shall not rise above 4.5m as set out in the application and no change to other uses shall be permitted without further express consent of the Local Planning Authority to any change from this use.

Reason

Permission has been granted due to the particular circumstances of the site within the centre of the village and the valuable contribution a convenience store can make to the everyday needs of the growing settlement, bearing in mind nearby constraints and to accord with Policies CS9, CS12 and CS14 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013, PSP31 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017 and the requirements of the NPPF.

12. The main premises (i.e. not necessarily including the Old bank House building) shall be used for the sale of convenience goods/non comparison goods and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) ( or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

Permission has been granted due to the particular circumstances of the site within the centre of the village and the valuable contribution a convenience store can make to the everyday needs of the growing settlement and to accord with Policies CS12 and CS14 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013, PSP31 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017 and the requirements of the NPPF.

13. The use hereby permitted shall not be open to customers outside the following times: 06.00-22.00 Hours Monday to Sunday.

Reason

To prevent unacceptable levels of noise and activity on the site; and in the interests of the residential amenity of the occupants of nearby residential dwellings and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adotped) December 2013 and policy PSP21 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017.

14. No HGV deliveries shall be taken at or despatched from the site outside the hours of 08.00 - 20.00 between Monday and Saturday, 11.00 - 14.00 Sundays and bank holidays and this Sunday/bank holiday delivery window shall receive only one HGV delivery per day. All deliveries shall be undertaken in accordance with the Delivery Management Plan dated May 2020, and received 18/5/2020, with the exception of paragraphs 2.3.1 and 2.3.4 as Sunday/bank holiday deliveries are hereby further restricted on Sundays and Bank holidays.

Reason

To prevent unacceptable levels of noise and activity on the site; and in the interests of the residential amenity of the occupants of nearby residential dwellings and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and policy PSP21 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017.

15. No outside storage of material/goods/waste shall take place at the premises outside of the marked area on plan 52036/00/101 RevL.

Reason

To protect the general amenity of the area and to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and policy PSP21 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017.

16. The hours of working during the period of construction shall be restricted to between 07.30 and 18.00 Monday to Friday and 08.00 and 1300 on Saturdays, and no working shall take place on Sundays or Public Holidays.

Reason

To prevent unacceptable levels of noise and activity on the site; and in the interests of the residential amenity of the occupants of nearby residential dwellings and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and policy PSP21 of the South Gloucestershire Policies Sites and Places Plan Adopted November 2017.

17. The application shall be pursued to reserved matters in accordance with the plans considered and listed below.

site location plan 001 rev B received 26/3/2019

Proposed site layout 101 REV L received 26/3/2019

Section AA and BB 52036/00/103 Rev A

Section CC 52036/00/104 both received 25/3/2019

Arboricultural report including:

- Arboricultural constraints
- Arboricultural impact assessment (AIA) (NB that Tree protection and Arboricultural method statement require updating/amending )received 23/1/2019

Delivery management plan by ADL Traffic and Highways Engineering Ltd dated May 2020, and received 18/5/2020.



Reason

In the interests of clarity.

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

**POSITIVE AND PROACTIVE STATEMENT:**

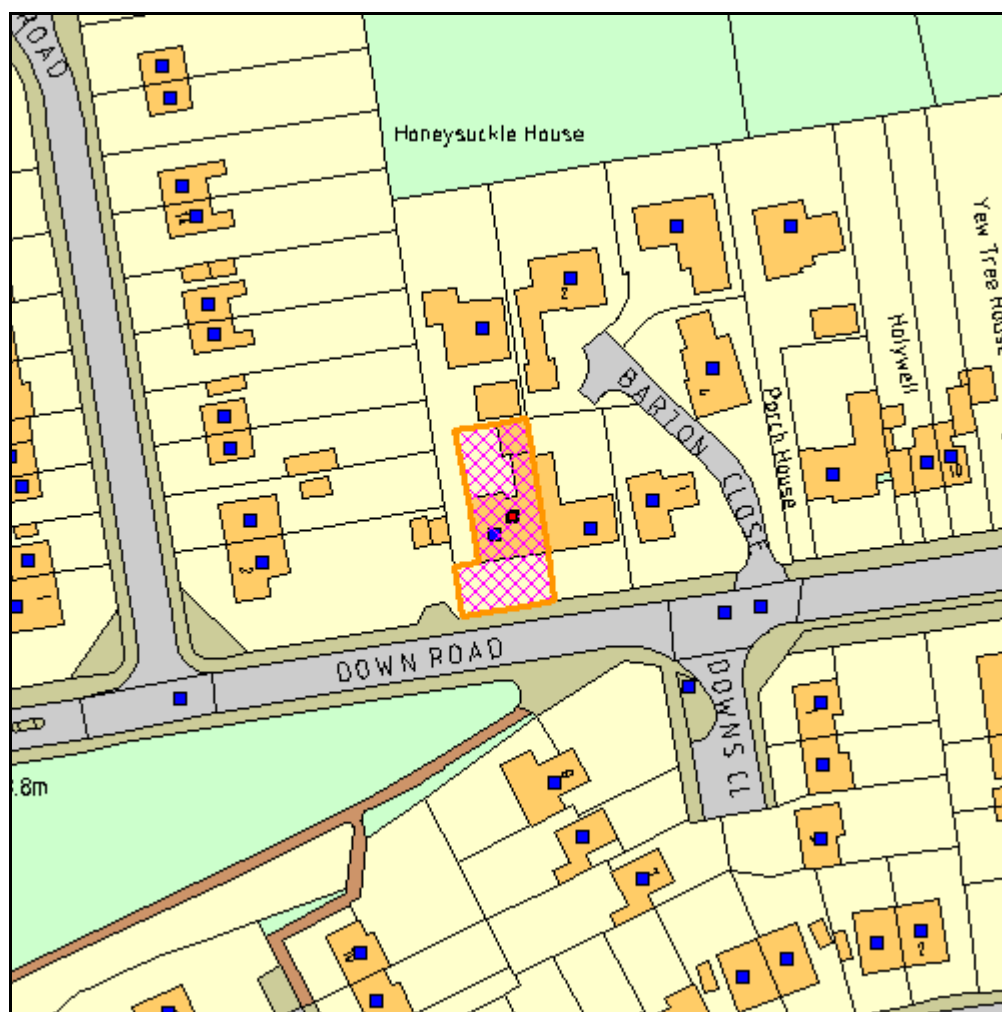
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: by negotiating with the agent to secure an approvable scheme and by dealing with the application in a democratic manner.

**Case Officer: Karen Hayes**

**Authorising Officer: David Stockdale**

## CIRCULATED SCHEDULE NO. 50/20 -11th December 2020

<b>App No.:</b>	P20/10556/F	<b>Applicant:</b>	Mr R Rameshkumar
<b>Site:</b>	Alveston Stores Down Road Alveston South Gloucestershire BS35 3JQ	<b>Date Reg:</b>	24th June 2020
<b>Proposal:</b>	Erection of privacy glass and railing around roof terrace (retrospective).	<b>Parish:</b>	Alveston Parish Council
<b>Map Ref:</b>	363168 188290	<b>Ward:</b>	Severn Vale
<b>Application Category:</b>	Minor	<b>Target Date:</b>	17th August 2020



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P20/10556/F

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

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The application is for the erection of privacy glass and railing around roof terrace. The submission stated the application as being 'retrospective', however from a site visit, the privacy screen was not installed.
- 1.2 The site is at the rear of Alvestons Stores, a convenience shop located on Down Road, Alveston. The privacy screen is proposed to go around the flat roof area of a rear single storey extension. The property is located within the village of Alveston, the village is 'washed over' by the Green Belt

### **2. POLICY CONTEXT**

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development (Inc. Green Belt)

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

PPS7 Development in the Green Belt

PPS8 Residential Amenity

PPSP38 Development within Residential Curtilages

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

- 3.1 P91/1025 - Erection of two storey rear extension to provide additional domestic bedroom to first floor and increased shop area to ground floor. Approved 27/3/91
- 3.2 PT17/1048/F - Erection of first floor rear extension and alterations to roof line to provide additional living accommodation. Approved 3/5/17
- 3.3 P19/18647/NMA -Non material amendment to planning permission PT17/1048/F to raise the proposed parapet walls. Objection 7/1/20

- 3.4 P19/15642/NMA - Non material amendment to permission PT17/1048/F to raise the height of the parapet walls of the rear ground floor extension. Objection 4/12/19

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

##### 4.1 Alveston Parish Council

Object on the basis that the erection of roof gardens should not be allowed as it sets a precedent relating to neighbour privacy and is not in keeping with the surroundings.

##### Landscape

No

objection

##### SustainableTransportation

No

objections

##### HighwaysStructures

No

comment

#### **Other Representations**

##### 4.3 Local Residents

One letter stating that it was supportive of the application has been received. The letter stated that there was no objection to the proposal.

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

##### 5.1 Principle of Development

Residential development within residential areas is acceptable in principle subject to detailed development control considerations in respect of local amenity, design and transportation; as set out in policy PSP38. The issues for consideration in this respect therefore are whether the proposals have an adverse impact on the amenities of nearby occupiers and whether the design of the proposal is sufficiently in keeping with the site and surroundings. The site is also located within the Green Belt and so consideration of the principle of the proposal in this context should also be made.

##### 5.2 GreenBelt

The building is existing and within an existing residential area, washed over by Green Belt, but surrounded by the built up area. The proposals, for a screen and railings, would not impact upon the openness of the Green Belt and are considered an appropriate form of development within the Green Belt.

##### 5.3 ResidentialAmenity

The comments above are noted. The area sought to be enclosed by the screening is a flat roof area of a single store rear extension/store area associated with the shop below. There are external steps at this rear elevation of the property providing access to first floor residential accommodation, above the shop premises. The enclosed area would be to the rear of and serving the flat. External access already therefore exists. Intervisibility and views could

already be gained from the external access which provides a type of balcony area to the rear of the flat. This application seeks to formally enclose the area. This would provide an element of privacy as well as safety. The area would provide enclosed amenity space for the existing accommodation. The ground floor area from where the external access area leads appears to be shared with the shop premises and used for stores and deliveries.

5.4 The screen itself would be sited on the border between two adjoining properties, whilst the railing would be on the more open side. On the adjoining side of the property there is already a single storey ridged roof building extending into the rear garden in the neighbours side. The screen would therefore not be directly above the garden and the roof provides an additional element of screening between the two properties. To the more open, detached, side there is the rear storage area to the shop and a private driveway, beyond which are enclosed residential gardens. On the basis of the above considerations, given the existing site, the nature and scale of the proposals and their relationship with the surrounding area, it is considered that they are acceptable in this instance. In terms of precedents, each application is considered and addressed on its own individual merits and circumstances.

5.5 **Design/VisualAmenity**

The screen itself would be sited on the border between two adjoining properties, whilst the railing would be on the more open side. The design and siting of the privacy glass and railings is considered acceptable and would not materially impact upon the surrounding area at this rear elevation location.

5.6 **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 recommended.

### **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 privacy screening hereby approved shall at all times be of obscure glazing and 1.8 metres high.

Reason

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

3. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:  
Location Plan, Block Plan and Existing and Proposed Plans and Elevations (Refs M103/P-01 and 02) , received by the Council on the 18th June 2020.

Reason:

To define the terms and extent of the permission.

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

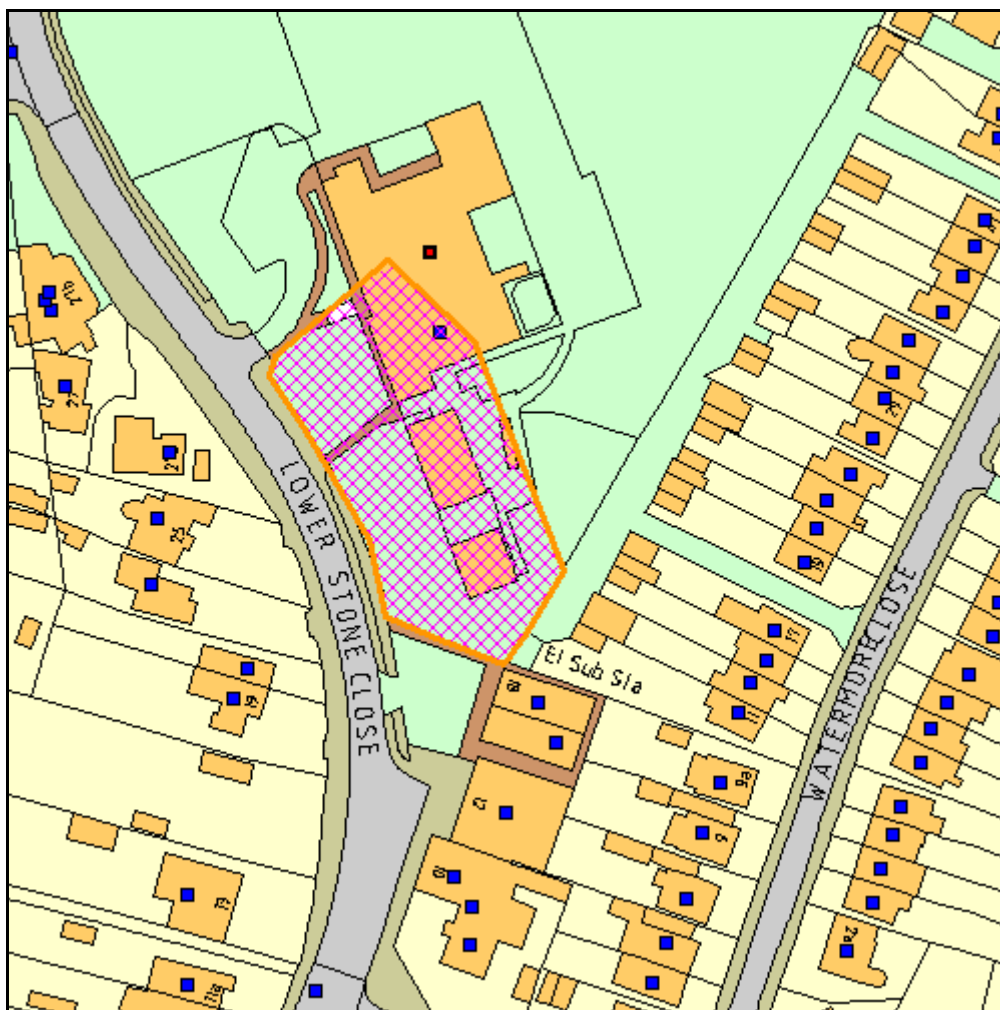
In dealing with this planning application the Local Planning Authority have worked in a positive and proactive manner in seeking a satisfactory resolution to the application in accordance with the relevant policies.

**Case Officer: Simon Ford**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 50/20 -11th December 2020**

<b>App No.:</b>	P20/15208/RVC	<b>Applicant:</b>	L P (Housing) Ltd.
<b>Site:</b>	Watermore Junior School Lower Stone Close Frampton Cotterell South Gloucestershire BS36 2LE	<b>Date Reg:</b>	27th August 2020
<b>Proposal:</b>	Variation of condition 10 attached to P19/13690/RM (added by P20/12478/NMA) to substitute plan numbers 3002 P3, 3001 P4, 2001 P4 and 1102 P8 with 1102 P9 (proposed site plan), 1103 P2 (proposed site plan - ground floor), 1104 P6 (proposed typical house floor plans), 2001 P6 (proposed typical house elevations), 3001 P6 (proposed section a-a) and 3002 P4 (proposed section b-b). Demolition of existing school buildings. Erection of 5 No dwelling with appearance, landscaping, layout, scale and access to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PT18/0930/R30). Hybrid application for Watermore School (currently split site) including a full planning application for a new 420 Place Primary School with associated playingfield, car parking, MUGA, landscaping and demolition of the existing school building on the Meadow site and outline planning for new residential development on Meadow site (0.14ha/ 5 units) and on the Orchard site (0.55ha/22units), only access and layout reserved. 367407 181533	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	Minor	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>		<b>Target Date:</b>	20th October 2020



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

## INTRODUCTION

This application has been referred to the Circulated Schedule as the proposal would result in a variation of an existing legal agreement of PT18/0930/R3O.

### 1. THE PROPOSAL

- 1.1 The application seeks to vary condition 10 of P19/13690/RM to increase the ground floor area of the approved dwellings at Meadow Site B on land at Watermore Junior School (Site B- Meadow Site), Lower Stone Close Frampton Cotterell. During the course of the application, a revised plan was submitted to clarify the fenestration on the right side of the proposed dwellings. The submitted plans show that 2 no. windows are proposed on this elevation, the window on the first floor side elevation to house No. 5 will be obscured and fixed, and there would be no window on the second floor side elevation.
- 1.2 The application site lies within the settlement boundary of Frampton Cotterell, there are no other statutory or non-statutory land use designations that cover the site, but the existing trees are subject to a Tree Preservation Order.

### 2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport



PSP16	Parking Standards
PSP20	Flood Risk, Surface water and watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance  
 Frampton Cotterell & Coalpit Heath Village Design Statement  
 South Gloucestershire Design Checklist (Adopted) 2007  
 Residential Parking Standards SPD (Adopted) 2013

### 3. RELEVANT PLANNING HISTORY

- 3.1 PK18/4981/O  
 Erection of 4 no. semi-detached dwellings (Outline) with access, appearance and layout to be determined, all other matters reserved.  
 Approved 25/01/2019
- 3.2 P19/13690/RM  
 Demolition of existing school buildings. Erection of 5 no. dwellings with appearance, landscaping, layout, scale and access to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PT18/0930/R3O).  
 Approved 15.06.2020
- 3.3 P20/12478/NMA  
 Non material amendment to permission P19/13690/RM to add the plans as a condition.  
 Approved 20.08.2020
- 3.4 DOC20/00266  
 Discharge of conditions 5 (Construction Environment Management Plan), 8 (SUDS) and 9 (Energy Statement) attached to planning permission P19/13690/RM. Demolition of existing school buildings. Erection of 5 No dwelling with appearance, landscaping, layout, scale and access to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PT18/0930/R3O).  
 Discharged 2.12.2020

### 4. CONSULTATION RESPONSES

Parish Council – No comment

The Highway Officer - no objection

Public Open Space – no comment. The financial contribution towards off-site public open space would still apply.

The Ecology Officer – no further comment.

Drainage Engineer – No objection to this application. It also acknowledged the submission of updated drainage details which are relevant to P19/13690/RM, and will therefore be addressed within that context.

Highway Structure – no comment

Waste Management – no comment

The Enabling Officer – no requirement for Affording Housing to be provided on the Meadow Site as the requirement across the 2 sites will be met on the Orchard Site.

### **Other Representations**

#### 4.6 Local Residents

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

- No justification for this massive over development on this piece of land
- The proposed parking spaces are insufficient for 5 properties
- The location on the corner is very dangerous
- The area suffers from inappropriate parking especially at school times and this development will further exasperate the issue
- The neighbouring properties are not rendered and tin. Some finish as a minimum would be expected.
- Windows on the side elevation of House 5 are looks over the property of No. 16 Lower Stone Close

A separate letter from the Governor's Board of Watermore School was received and the School raised concerns regarding safeguarding and highway safety.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The proposed development is acceptable in principle as outline planning permission and its associated reserved matters application for the proposed development have been granted under application PT18/0930/R30 and P19/13690/RM respectively. This application seeks to vary the condition 10 of P19/13690/RM in order to increase the ground floor area of the approved dwellings. It is also noted that an application for discharging planning condition DOC20/00266 has been submitted.

### 5.2 Design: Scale and Landscaping

The proposal is to increase the ground floor area of the approved dwellings, the general design, in terms of roof shape, materials, remain unchanged. The proposed change is to infill the ground floor area at the rear. As the proposed materials have been agreed in the previous application, subject to the existing conditions securing sample of external materials, details of hard-standing area, boundary treatment and tree planting, landscape scheme and the appropriate landscaping maintenance scheme, there is no objection in this regard.

### 5.3 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers. Concerns regarding overlooking, noise and disturbance are also noted.

- 5.4 This proposal would not change the location of the approved dwellings, therefore, a reasonable distance would remain unchanged. Residents' concerns regarding windows on House 5 was noted, and the revised plan has clarified that no window is proposed on the second floor on the side (right) elevation and the first floor window on the side (Right) elevation would be fixed obscured window. In terms of private amenity space, the proposal would reduce the provision of outdoor amenity space. The provision of outdoor amenity space would be between approximately 64 – 143 square metres. Given the design and the site layout, it is considered that the proposal would not be detrimental to the amenity of the neighbouring and future residents.
- 5.5 Drainage  
From the drainage perspective, there is no objection in principle. Details of drainage have also been submitted under DOC application. The Drainage Engineer has considered both applications and is satisfied with the submitted details. Subject to a planning condition securing the implementation of the approved details, there is no drainage objection to this scheme.
- 5.6 Sustainable Transport and Parking Provision  
Concerns regarding the highway safety are noted. The parking and access arrangement has been agreed in the previous reserved matters applications and the proposal would not change the number of bedrooms within each dwelling. The Highway Officer has reviewed the submitted drawings and is satisfied with the proposal, there is no highway objection.
- 5.7 Ecological, Arboricultural and Landscape Issues  
The proposal is to extend the ground floor area and it would not adversely affect the ecological, arboricultural / landscape features of the site. Subject to previous conditions of P19/13690/RM attached to this application, there is no objection in this regard.
- 5.8 Provision of Affordable Housing  
No requirement for Affording Housing to be provided on this site, as the requirement across the 2 sites will be met on the Orchard Site.
- 5.9 Contribution towards Public Open Space  
Off-site contribution towards public open space were secured through the existing legal agreement for this site (known as Meadow site) and the Orchard site. The proposed change in footprint would make no difference to the POS situation, the off-site is still applicable in this application. Therefore, subject to appropriate legal agreement securing the required off-site contribution, there is no objection in this regard.
- 5.10 Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is

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

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

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 That authority be delegated to the Director of Planning, Transportation and the Strategic Environment to approve permission, subject to the conditions set out below and the applicant first entering voluntarily into appropriate legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the off-site open spaces contribution, which is stated in the existing legal agreement dated 18<sup>th</sup> October 2018. The reason is to offset the impact of the development on public open-space provision in the locality and to comply with policy CS2, CS6 and CS24 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.
- 7.2 It is recommended that that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.
- 7.3 That should the agreement not be completed within 6 months of the date of the Committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.
- 7.4 The application should be refused due to the failure to secure the Heads of Terms listed above under a Section 106 Agreement, for the reason listed.

## **CONDITIONS**

1. Prior to the relevant stage of development at SITE B, details and samples of the roofing, external facing materials and windows to be used on the proposed dwellings

shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

2. The development on SITE B hereby permitted shall proceed in accordance with the Arboricultural Survey Report (Silverback, dated September 2019).

Reason

To protect the character and appearance of the area and to protect the long term health of the trees to accord and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policy PSP3 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017.

3. **Additional Tree Planting Scheme**  
Notwithstanding the submitted Landscape Plan Figure 1, prior to the first occupation of the development hereby approved, full details of means of enclosure, existing and proposed finished levels, soft landscape works shall include additional tree planting plans, written specifications, schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme and five year maintenance programme, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the character and visual amenity of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

4. **External Lighting**  
Prior to the erection of any external lighting at SITE B, details of the location, design, times of illumination, measures to control light spillage and clearly demonstrated that areas to be lit will not disturb or prevent protected species using their territory or having access to their breeding sites and resting places, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason 1:

In the interests of the amenities of the area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Reason 2:

In the interests of protected species, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP19 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the requirements of The National Planning Policy Framework.

## 5. CEMP

The proposed development hereby approved shall be carried on in accordance with the Construction Management Plan, Issue 2, received by the Council on 2nd November 2020. For the avoidance of doubt, the following measures shall be in place:

- Delivery times restricted so that deliveries do not occur at the start and the end of the school day;
- Access to the school build construction site to be from Church Road, via a temporary construction access point, to be closed once the build is complete;
- Banksmen would be used when construction vehicles enter and leave the site;
- Delivery vehicles would be required to arrive via Church Road and not through Frampton Cotterell and along Lower Stone Close;
- A contractor car park would be required so that construction staff do not park on the highway. This is proposed in the north eastern corner of the school site, with access from Church Road in the location of the existing school field gates;
- During the demolition phase of the existing school contractor access would be via the school vehicular access on Lower Stone Close, however time restrictions would be in place; and
- During demolition phase school staff would be able to park in the previous contractor parking area accessed from Church Road.

### Reason

In the interests of highway safety and to protect residential amenity, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the National Planning Policy Framework.

## 6. Habitat Management Plan

The submitted details of the ecological protection, mitigation and compensation measures incorporating within the development shall be proceed in accordance with the submitted Landscape Plan Figure 1 Drawing No. P0411 Revision B.

### Reason:

In the interests of protected species, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP19 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the requirements of The National Planning Policy Framework March 2012.

## 7. Ecological Impact Assessment

The development hereby permitted at SITE B shall proceed in accordance with the Ecology Appraisal (Seasons Ecology dated July 2019) and Great Crested Newt Presence Absence Survey (Seasons Ecology dated July 2019).

Reason:

In the interests of protected species, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP19 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the requirements of The National Planning Policy Framework March 2012.

#### 8. SUDs

The proposed development hereby approved shall be carried out in accordance with the following approved foul and surface water drainage details:

- Drainage Strategy / Drwg. No. 19436-E01 / Rev. P03 / Dated 12-10-20
- Typical Drainage Details 1of2 / Drwg. No. 19436-E05 / Rev. P01 / Dated 07-08-20
- Typical Drainage Details 2of2 / Drwg. No. 19436-E06 / Rev. P02 / Dated 12-10-20
- Proposed Section CC / Drwg. No. 19115-NP-XX-DR-A-3003 / Rev. P2 / Dated 27-10-20
- Overland Flow / Drwg. No. 19436-E03 / Rev. P01 / Dated 12-10-20
- Wessex Water Email Correspondence dated 10-08-20
- JDL Consultants Ltd Watermore Development Planning Responses document 19257 / Dated September 2020
- JDL Consultants Ltd Causeway Flow Model - Watermore SW Drainage / Dated 11-10-20

Reason

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

#### 9. Energy Statement

The proposed development hereby approved shall be carried out in accordance with the submitted Energy Statement dated August 2020 and the details of Wallpod: EV Ready received on 25th October 2020. All works shall proceed in accordance with the approved details.

Reason:

To ensure high quality design through Sustainable Construction and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013.

#### 10. The development shall be carried out in accordance with the following plans:

- Site Location Plan, Existing Site Plan, Existing Elevations, Proposed Demolition Plan received on 27 September 2019
- Proposed Site Plan, DR A 1102 P9, received on 20 August 2020
- Proposed Site Plan - Ground Floor, DR A 1103 P2, received on 20 August 2020
- Proposed Typical House Floor Plan, DR A 1104 P6, received on 20 August 2020
- Proposed Section AA, DR A 3001 P6, received on 20 August 2020

Proposed Section BB, DR A 3002 P4, received on 20 August 2020  
Proposed Typical House Elevations, DR A 2001 P7, received on 8th October 2020  
Revised Landscape Plan, P0411 Revision B, received on 17 March 2020

Reason: For the avoidance of doubt.

11. For the avoidance of doubt, no window shall be installed on the second floor of the side south elevation of House 5 and the new window on the first floor of the same elevation at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

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

**POSITIVE AND PROACTIVE STATEMENT:**

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

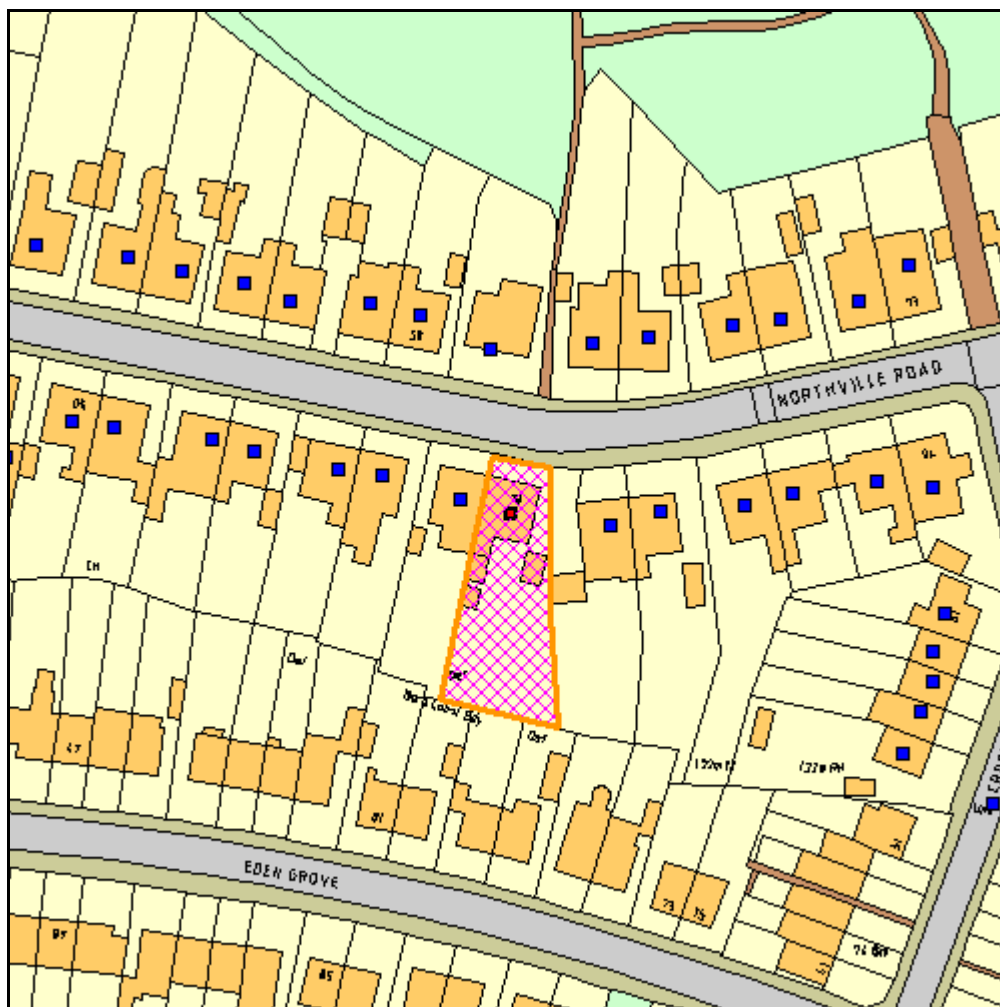
**Case Officer: Olivia Tresise**

**Authorising Officer: David Stockdale**



**CIRCULATED SCHEDULE NO. 50/20 -11th December 2020**

<b>App No.:</b>	P20/16687/F	<b>Applicant:</b>	Andrews Capital Ltd
<b>Site:</b>	64 Northville Road Filton South Gloucestershire BS7 0RG	<b>Date Reg:</b>	11th September 2020
<b>Proposal:</b>	Erection of a single storey rear extension and installation of 1 no. rear dormer to facilitate change of use from dwelling (Class C3) to an 8 bedroom HMO for 8 people (Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	360225 178147	<b>Ward:</b>	Filton
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th November 2020



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P20/16687/F

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

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

This application is referred to the circulated schedule due to objections received from the Town Council and local residents which are contrary to the Officers recommendation.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a single storey rear extension and installation of 1no rear dormer to facilitate a change of use from dwelling (Class C3) to an 8 bedroom HMO for 8 people (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application site relates to 64 Northville Road, Filton which is a semi-detached bungalow located within an established urban area.
- 1.3 An HMO (house in multiple occupation) is a residential property where 'common areas' exist and are shared by more than one household. Planning permission is not required when converting a residential property into an HMO that would be shared by up to 6 unrelated individuals.
- 1.4 During the course of the application a parking survey was provided to demonstrate sufficient on-street parking.
- 1.5 For clarity, the property would accommodate 8 persons.

## **2. POLICY CONTEXT**

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

- 2.2 Development Plans

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

- CS1 High Quality Design
- CS4a Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS25 Communities of the North Fringe of Bristol Urban Area

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
PSP39	Residential Conversions, Subdivison, and HMOs
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

Waste Collection: Guidance for new developments SPD (Adopted) 2015

3. **RELEVANT PLANNING HISTORY**

3.1 No relevant planning history.

4. **CONSULTATION RESPONSES**

4.1 Filton Town Council

**Objection**

1. Insufficient parking provided.
2. Increased Traffic generation
3. Reduction in highway safety.
4. Increased noise and disturbance.
5. Unacceptable increase in building density.

Sustainable Transport

*Comments received on 21<sup>st</sup> October 2020;*

Recommended applicant carries out parking survey in order to demonstrate whether sufficient on-street parking is available to accord with Policy PSP16.

Cycle parking stands should be positioned 1m apart with space between the end stand and the side of the shelter 0.5m. The store should then be increased in size to accommodate that configuration.

*Comments received on 6<sup>th</sup> November 2020;*

I refer to the parking survey submitted in support of this application and recommend no transport objection subject to condition.

Designing Out Crime Advisor (CPDA)

Design compiles appropriately with the crime prevention through environmental design principles.

**Other Representations**

4.2 Local Residents

**Objection** comments received from 47 local residents, summarised as follows;

Parking/Highway Safety

Insufficient parking provided.

3 spaces required for 5+ bedrooms- not adhered to in plan.

Will create significant parking issues.

Road is congested.

Increase in traffic congestion.

Dangerous rat run between Filton Ave and Glos Rd North.

Nowhere for cars to pull in to give way.

Cars damaged regularly.

Close to school, increase traffic presents safety risk.

Parking on double yellow lines.

Obstructions for emergency service vehicles

Google Streeview pictures do not truly represent parking availability or volume of traffic.

Property on a bend opposite pedestrian access to recreation area.

Additional cars would cause a loss of visibility and another give way point.

Assumptions are being made tents will use bicycles as main form of transport.

On street parking is reduced due to disabled bays and dropped kerbs.

Will create a precedence.

Disruption during construction phase.

Application for HMO at 58 Northville Rd, potentially 11 additional on-street parking spaces.

No detail on width of off-street spaces.

Insufficient space for bicycle and bin movement.

Northville Road is a 'main or Trunk road' not quiet side road as stated.

Noise

High density of adults in single building will create disproportionate noise levels.

Student accommodation will cause havoc with noise/parties.

Increase in noise would disrupt sleep.

No soundproofing between homes.

Design

Increase in building density.

Impact on the character and amenity of the area.

Changes would be clearly visible from both front and rear.

Residential amenity

Loss of privacy to neighbouring kitchen and dining room from bicycle shed, side entrance or when putting out bins.

Loss of privacy to neighbouring ground and first floor.

Other

Too many HMOs in the area.

HMOs push families out of the neighbourhood.

New purpose does not fit a road that is traditionally family homes.

HMOs result in overflowing bins and fly tipping.

8 bedrooms is too many.

Landlords do not take care of rental properties.

Gardens not maintained.

Loss of community.  
 University already has its own student accommodation.  
 Bungalow should remain as a family home.  
 Anti-social behaviour.  
 Lack of affordable housing in the area.  
 Impact mental health and wellbeing of neighbours.  
 Landlords only interested in making money.  
 Vulnerable elderly people living in the area.  
 Not comfortable reporting noise complaints for fear of backlash.  
 Extra bins will be a nuisance.  
 Council should seek to protect the interests of local families with Article 4 direction.  
 Work already commenced.

#### Councillor Wood

#### **Objection**

1. Insufficient parking provided.
2. Increased traffic generation.
3. Reduction in highway safety as a result of 1 and 2.
4. Increased noise and disturbance.
5. Unacceptable increase in building density.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. Policy PSP39 of the PSP Plan is supportive of Houses in Multiple Occupation provided they would not harm the character of the area; not prejudice the amenity of neighbours; provide adequate amenity space, refuse storage and parking.

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

### 5.2 Impact on the character of the area

The application is proposing a single storey rear extension; hip- to gable roof alteration and rear dormer to facilitate the change of use into an 8 person HMO.

5.3 It is acknowledged that the gable end addition would alter the character of the roof, however examples can be found within Northville Road of similar roof alterations and gable roof designs. It is therefore considered that the introduction of a gable end in this location would not result in any significantly adverse impact on the streetscene.

5.4 The proposed rear dormer would be relatively large in size, however it would be set away from the eaves, ridge and edges of the existing roof and is therefore

not thought to be overly dominant. Similar flat roof dormers can be found within the surrounding area and its siting at the rear of the property is considered to have a limited impact on the character of the area. Likewise, the proposed rear extension is considered to be modest in size and given its single storey nature is not thought to result in any detrimental impact on the character of the area. Furthermore, the proposed materials are considered to sufficiently respect the surroundings and as such, there is no reasonable justification for refusal in terms of the impact on the character of the area.

5.5 Concerns have been raised in terms of a loss of a family home and the impact of an HMO on the area. Although there are HMOs present, the surrounding area is made of mostly semi-detached and detached dwellings under C3 use. Policy CS17 seeks housing diversity and states that the sub-division of existing dwellings to form flats or HMOs can make a valuable contribution suitable for smaller households and single people. These are generally welcome where it is in compliance with policy PSP16 (discussed later in the report).

5.6 Residential Amenity

There are no set standards for provision of private amenity space for HMOs, however in this instance Policy PSP43 is used as a reference which states that a 1 bed flat should provide a minimum of 5 square metres of amenity space. Therefore, using this standard 8 x 1 bed flats would require 40 square metres of amenity space. The proposed rear garden is far in excess of this requirement and therefore it is considered that sufficient private amenity space would be provided for the occupiers of the HMO.

5.7 Concern has been raised in regards to a loss of privacy to neighbouring properties. The properties located to the rear are separated by approximately 42 metres; this is considered to be sufficient distance to mitigate any material loss of privacy. It is accepted that the neighbouring garden areas would be subject of overlooking from the proposed dormer, however the property is located in a built-up residential area and a degree of overlooking into rear gardens is common, furthermore rear dormer windows could be added to the property under permitted development rights and therefore overlooking cannot form a justifiable reason for refusal. The existing dwelling already benefits from a side elevation window serving a bedroom, the addition of a second window at ground floor level is not considered to materially alter the existing the levels of privacy afforded to the neighbouring occupiers.

5.8 A number of concerns have also been raised in regards to potential noise generated from 8 occupants in a single house. The proposal would continue to be under residential use and it would be unreasonable to assume that any future occupants would create excessive noise over and above what is expected in a residential setting. Should any objectionable noise be occurring this should be reported to the Council's Environmental Protection team in order for direct action to be taken. Soundproofing concerns are addressed by Building Regulations.

5.9 Given the siting and scale of the proposed development it is not thought to result in any material overbearing or loss of light impacts.

#### 5.10 Transport

Significant concerns have been raised in regards to parking provision. The application is proposing to utilise an existing access and driveway which is able to accommodate two vehicles at the side of the property. Policy PSP16 of the PSP plan requires HMOs to provide 0.5 car parking spaces per bedroom. It goes on to say that this can be provided within the curtilage, or alternatively through submission of appropriate evidence of the availability of on-street parking during evenings and weekends. Comments regarding the current on-street parking issues have been noted, however following the submission of a parking survey the sustainable transport officer has raised no objections. The survey was carried out on a weekday evening and Saturday morning, it indicated that there was in the region of 50 on-street car parking spaces available within 200 metres of the site. The transport officer has noted that Northville Road is considered to be of a sufficient width to accommodate on-street parking. Furthermore, a sheltered bicycle storage area is to be provided to promote alternative methods of transport. On that basis, there can be no objections in terms of transport.

5.11 The concerns raised in terms of highway safety due to a nearby school and obstruction of emergency service and refuse vehicles have been noted. The change of use to an 8 person HMO and the proposed extensions to the property are thought unlikely to result in any severe impact to the safety of pedestrians or vehicles using Northville Road, especially considering there are well-maintained pavements on both sides of the road. The current situation is not thought to significantly alter for emergency service vehicles or refuse lorries using the road and therefore the impact is not considered so severe as to warrant a refusal.

5.12 A refuse storage area has been provided to the side/rear of the property which is considered to be acceptable.

#### 5.13 Other Matters

The business reasons for an application is not a material planning consideration and therefore cannot form a reason for refusal.

5.14 There is no reason to assume that any hostile response would occur from reporting noise or anti-social behaviour complaints and such incidents would be considered a police matter. As such, cannot form part of this assessment.

5.15 Article 4 directions are a means to restrict permitted development rights; no article 4 direction is in place at the site. In any case, it is not relevant to this application given that what is being proposed requires full planning permission.

5.16 Given the application is remaining under residential use, there is no reason to conclude the mental wellbeing of neighbouring residents would be detrimentally effected.

5.17 It is noted that work has commenced on the site, however should this application be refused this is a matter for Planning Enforcement.

### 5.18 Equalities

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

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

## 6. CONCLUSION

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

## 7. RECOMMENDATION

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

## CONDITIONS

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

Reason

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

2. The off-street parking provisions, cycle storage provisions and refuse storage provisions, as shown on the Existing and Proposed Block Plans (drawing no. 3829.PL.02 Rev A) received by the council on 30th October 2020, shall be provided prior to the first use as a 8 person HMO and retained for those purposes thereafter.

Reason:

To ensure the satisfactory provision of parking facilities, cycle storage facilities and appropriate waste facilities and in the interest of highway safety, to promote sustainable transport and to accord with Policies PSP16 and PSP39 of the South



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

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

Received by the council on 4th September 2020;  
Site Location Plan (3829.PL.01)  
Existing Floor Plans and Elevations (3829.PL.03)

Received by the council on 14th September 2020;  
Proposed Floor Plans and Elevations (3829.PL.04 Rev A)

Received by the council on 30th October 2020;  
Existing and Proposed Block Plans (3829.PL.02 Rev A)

Reason

To define the terms and extent of the permission.

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

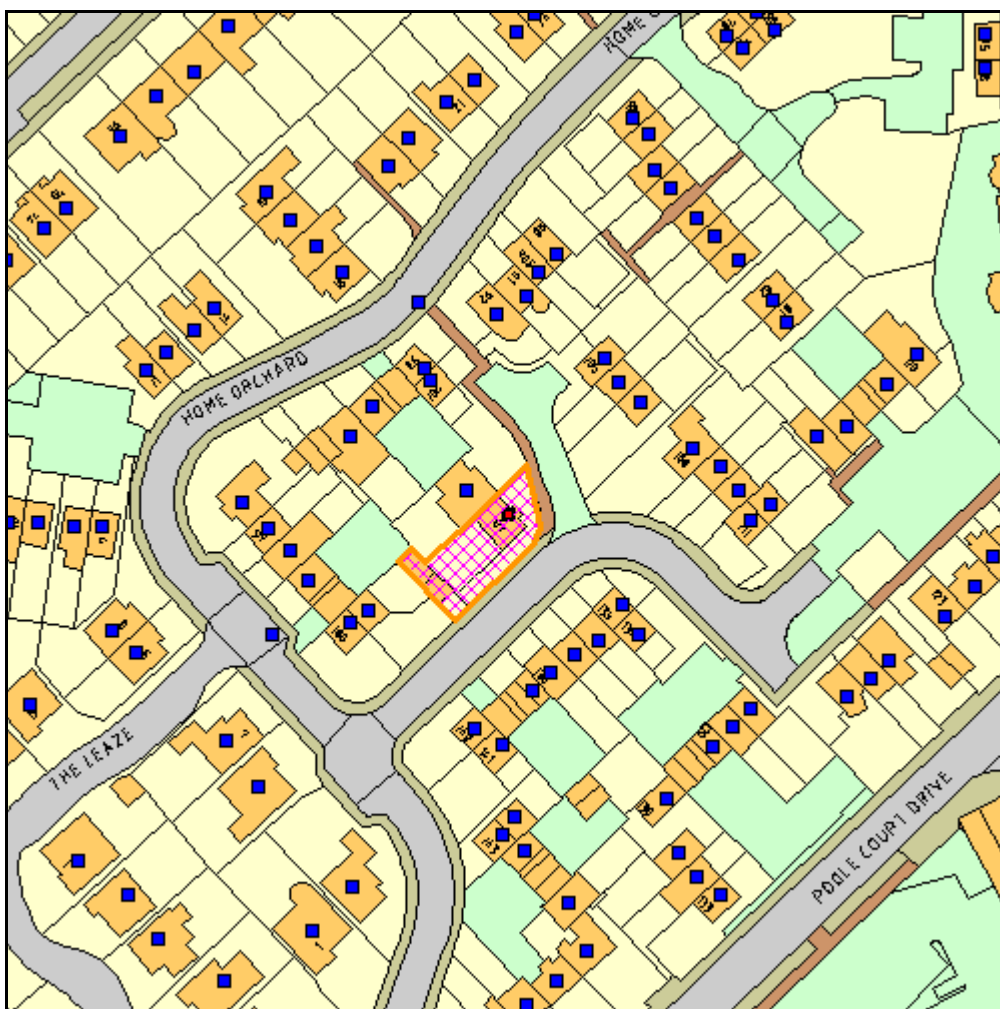
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: additional information was accepted and considered by officers during the course of the application.

**Case Officer: James Reynolds**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 50/20 -11th December 2020**

<b>App No.:</b>	P20/18181/F	<b>Applicant:</b>	Mr And Mrs N Curtis-Whitfield
<b>Site:</b>	102 Home Orchard Yate South Gloucestershire BS37 5XG	<b>Date Reg:</b>	2nd October 2020
<b>Proposal:</b>	Erection of a front porch, a single storey rear extension and resiting the garden wall to replace with a fence.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371018 182720	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Householder	<b>Target Date:</b>	25th November 2020



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P20/18181/F

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

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

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council, contrary of the officer recommendation detailed below.

---

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a front porch, a single storey rear extension and resiting the garden wall to replace with a fence.
- 1.2 The application site sits within the settlement boundary for Yate and is not covered by any restrictive policies. Revised plans have been submitted since the point of submission which have replaced the previously proposed close boarded fence with a new brick wall to match the original.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

National Planning Policy Framework  
National Planning Policy Guidance

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

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

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

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

### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007  
Residential Parking Standards SPS (Adopted) 2013  
Residential Amenity TAN (Endorsed) 2016

## **3. CONSULTATION RESPONSES**

- 3.1 Only one response has been received against the application from Yate Town Council regarding the previously proposed wooden fence. This has however been amended to form a brick wall to match the existing.

#### 4. ANALYSIS OF PROPOSAL

##### 4.1 Design and Visual Amenity

4.2 Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

##### 4.3 *Resiting of garden wall*

Whilst a small amount of soft landscaping would be lost from public view, a herbaceous border would be created, therefore retaining some of the existing green character. With the wall to be erected in brick to match the existing, it would not result in any unreasonable impacts to the character or appearance of the area.

##### 4.4 *Single storey rear extension*

The proposed single storey rear extension, when compared to the original property would appear as a subservient addition which would respect the character and distinctiveness of the host property. With materials proposed as brick to match the existing, no objections are raised.

##### 4.5 *Front porch*

The existing open front porch is proposed to be replaced with a more substantial brick built addition. Whilst larger than the original, it appears subservient when viewed in relation to its host. With materials and detailing set to match the existing, the proposal would comply with the design requirements of the local development plan.

##### 4.6 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 and has found to be in compliance with these policies.

##### 4.7 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal has been carefully assessed and has found to be in compliance with this policy.

##### 4.8 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. This planning application it is considered to have a neutral impact on equality.

## 5. **CONCLUSION**

5.1 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. 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.

## 6. **RECOMMENDATION**

6.1 It is recommended that planning permission is GRANTED.

## **CONDITIONS**

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

Reason

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

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

Revised Floor Plans (Rev B). Received by the council on 27 November 2020. Existing & Proposed Elevations. Received by the council on 24 September 2020. SGC Map - Application Site Plan. Dated 2 October 2020.

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

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 accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

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

### **POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: amendments made to approve the application.

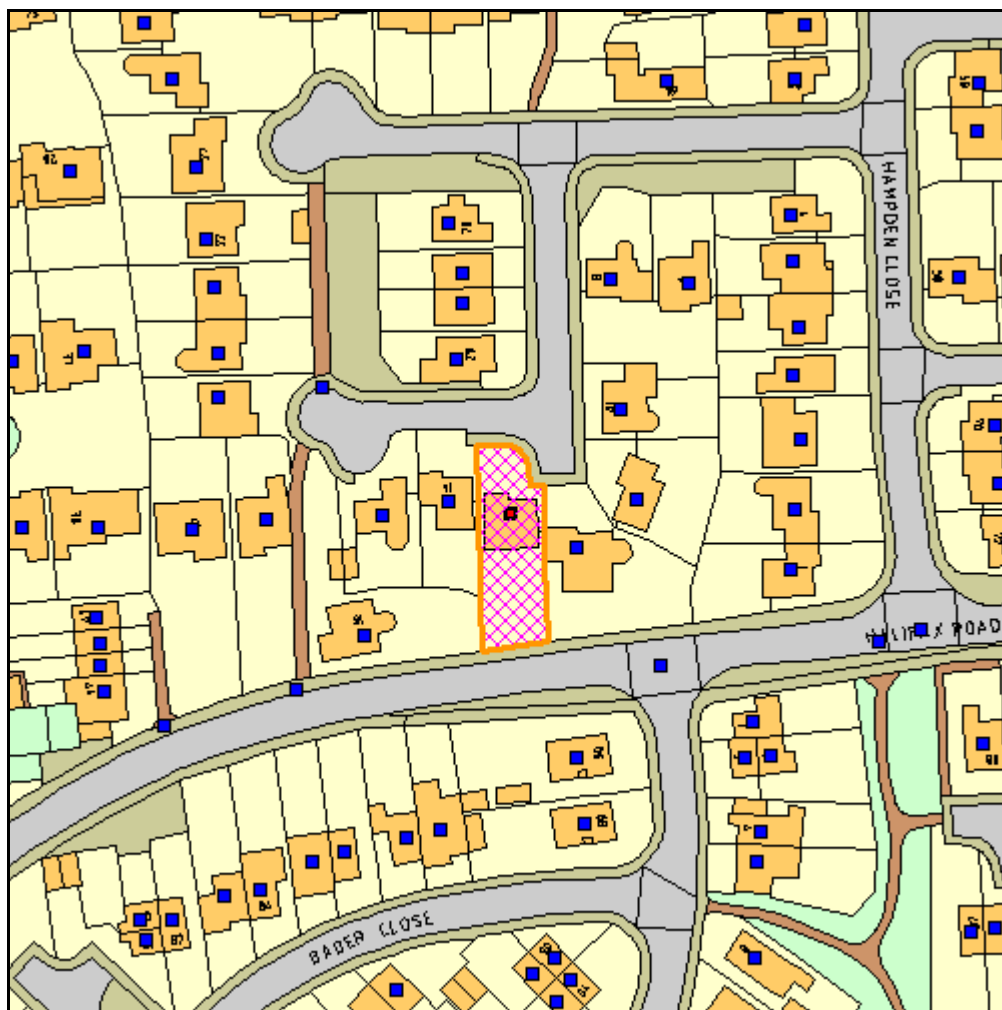
**Case Officer: Thomas Smith**

**Authorising Officer: David Stockdale**



**CIRCULATED SCHEDULE NO. 50/20 -11th December 2020**

<b>App No.:</b>	P20/18880/F	<b>Applicant:</b>	Dave Williams
<b>Site:</b>	13 Hampden Close Yate South Gloucestershire BS37 5UW	<b>Date Reg:</b>	23rd October 2020
<b>Proposal:</b>	Single storey rear and double storey side extension to existing detached dwelling	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	370763 183555	<b>Ward:</b>	Yate North
<b>Application Category:</b>	Householder	<b>Target Date:</b>	16th December 2020



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P20/18880/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 appears on the Circulated Schedule because the comments received from Yate Town Council appear to raise a concern, which although not explicitly stated as such, could be construed as an objection.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a single storey rear and two storey side extension.
- 1.2 The application site is a detached two storey modern dwelling within the Yate and Chipping Sodbury designated settlement boundary.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework February 2019  
National Planning Practice Guidance

#### 2.2 Development Plans

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

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

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
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**

History is available but there is none recent nor relevant to this proposal.



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

##### 4.1 Yate Town Council

The Town Council do not state any particular stance, but suggest that the proposal will have an impact on light getting to the ground floor of the adjoining property and would ask that planners checks the issue against 'national light criteria'

##### 4.2 Sustainable Transport

A parking plan is requested showing a minimum of three spaces.

##### 4.3 Local Residents

1no. general comment has been received;

- Concerns regarding the size of the extension and effect it may have on rear garden rooms/garden/view
- Important that there is no incursion on to our property by workmen or building equipment or materials and barrier needed between properties on health grounds to protect shielding/vulnerable family member

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

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

##### 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 property has elevations that are faced with a mixture of facing brick and render, with mock Tudor details and brown Upvc leaded windows. The roof is pitched, with side facing gables and a pitched front dormer, with double roman tiles. To the West of the property is an attached garage which extends to the rear of the property to also form utility and dining space, also with a front to back pitched roof and a width of 2.5 metres (approx.). The proposal is comprised of two parts; firstly there would essentially be a new first floor added atop the existing garage/dining/utility to the side which would have the same width (2.5 metres approx.). The rear extension would have a depth of approx. 3.5 metres, lean to height of approx. 3.3 metres and height to the eaves of approx. 2.4 metres. The rear extension would span almost the entire rear elevation of the property, save for a set in on either side.

- 5.4 The side extension was initially flush with the front, rear elevations and ridge. However this was amended at the request of officers to include a set back and down (c.2/300mm) to allow for a degree of subservience and to ensure that the extension is clearly read as such. The side extension is considered to be of an acceptable standard of design that is suitably in keeping with the host property and surrounding locality by reason its form, scale and proportions. The rear extension is a relatively modest structure or a fairly standard design that is considered to be acceptable on the rear elevation in design terms. Following the above assessment, officers conclude that the proposed extension(s) are of an acceptable standard of design, that pose no conflict with policies PSP38, PSP1 and CS1.
- 5.5 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.
- 5.6 The host property is stepped back from the Western neighbour, 14 Hampden Close by approx. 3.3 metres, and the Eastern neighbour (no. 12) stepped back by a similar amount, albeit no.12 has been extended to the rear and so steps back more than 3.3. metres in reality. As a result of the step back between no. 13 and no. 14, officers are mindful that a second floor would be more appreciable from the garden of no.14 and from the garden facing rooms than the present situation. That said, officers are content that there is adequate separation and that the proposed extension is appropriately scaled so as to not pose any *unactable* overbearing or dominant impacts.
- 5.7 Officers note remarks regarding light, as well as impacts on views. Private views are not a material planning consideration and the test is whether or not the proposal would have an *unacceptable* impact on outlook (and light). Largely for the same reasons as in 5.6, officers are satisfied that there will be no unacceptable impacts caused to the outlook enjoyed by no.14. In terms of light, officers would come to the same conclusion. It should also be noted that the South facing nature of the gardens would also help mitigate any impacts on light that fall below the threshold of being unacceptable. Finally in terms of privacy, officers would consider the proposal to be acceptable, but would consider it necessary to attach a condition requiring the West elevation bathroom window to be obscure glazed and non-opening (below 1.7 metres), should permission be granted. By reason of its scale and siting, officers do not consider the lean to rear extension to pose any material residential amenity impacts, should permission be granted.
- 5.8 Notwithstanding the loss of some of the back garden to the rear extension and the increase in bedroom accommodation, officers are satisfied that the level of private amenity space left (just over 100 sq m) would be sufficient and in accordance with the guidance in PSP43.

- 5.9 Following the above and subject to the aforementioned obscure glazing condition, officers consider the proposal acceptable in terms of residential amenity and find no conflict 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 existing floor plan indicates that the property benefits from 4 bedrooms, which requires 2no. spaces under PSP16. The site as existing meets this standard. The proposed plans suggest there to still be 4 bedrooms, albeit one is to be bigger. The plans also indicate an upstairs study, which for the purpose of considering parking, should also be counted as a bedroom as it could easily be used as such. Accordingly, the standard for a 4+ bed dwelling needs to be applied, which requires 3no. parking spaces.
- 5.12 The proposed plans indicate 3no. parking spaces, and officers are satisfied that 3no. parking spaces can be accommodated on the frontage. Accordingly, officers consider that the proposed development is acceptable in terms of parking, subject to a condition securing provision of parking (3no. 2.4 x 4.8 metre spaces).

### **Impact on Equalities**

- 5.13 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 is considered to have a neutral impact on equality.
- 5.15 Other Matters  
Officers note that comment is made regarding building works and Covid-19, in particular the fact that a neighbour's family member is shielding and so there needs to be avoided incursions on to that property in the form of workmen, equipment or materials. Though officers are sympathetic to this, in any event incursion on to neighbouring land is not a material planning consideration and the issue raised is inherently civil. That said, a suitably worded informative should be applied to the decision notice (should permission be granted) reminding the applicant of the need to seek permission to go on land not within their ownership.

## 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.

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

### Reason

In the interest of protecting the residential amenity of neighbouring occupiers by preventing an unacceptable degree of overlooking and to accord with Policy PSP8 of there South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

4. Prior to the substantial completion of the extension hereby approved, 3no. off street parking spaces shall be provided as indicated on plan 20/013 9 (rev A) (received 13/11/2020) measuring at least 2.4 metres in width by 4.8 metres in length. The

crossover (dropped kerb) shall be extended accordingly to cover all three spaces to the specification of the Highway Authority, of whom separate permission to do so is to be sought. The provided parking shall be retained thereafter for its intended purpose.

Reason

To ensure that a satisfactory level of parking is provided commensurate to the size of the dwelling once enlarged in accordance with Policy PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

5. The development shall be carried out in accordance with the following plans:

20/013 7 - Existing side (East) elevation

20/013 2 - Existing first floor plan

20/013 4 - Existing front elevation

20/013 5 - Existing rear elevation

20/013 3 - Existing roof plan

20/013 6 - Existing side (West) elevation

20/013 0 - Site location plan

Received 01/10/2020

20/013 18 - Existing block plan

Received 21/10/2020

20/013 1 A - Existing ground floor plan

20/013 10 A - Proposed first floor plan

20/013 11 A - Proposed roof plan

20/013 12 A - Proposed front elevation

20/013 14 A - Proposed side (West) elevation

20/013 15 A - Proposed side (East) elevation

20/013 17 A - Proposed block plan

20/013 9 A - Proposed ground floor plan

Received 13/11/2020

20/013 13 A - Proposed rear elevation

Received 08/12/2020

Reason

For the avoidance of doubt and to define the exact terms of the permission.

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

**POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: Revisions have been sought and further information acquired to ensure a positive determination.

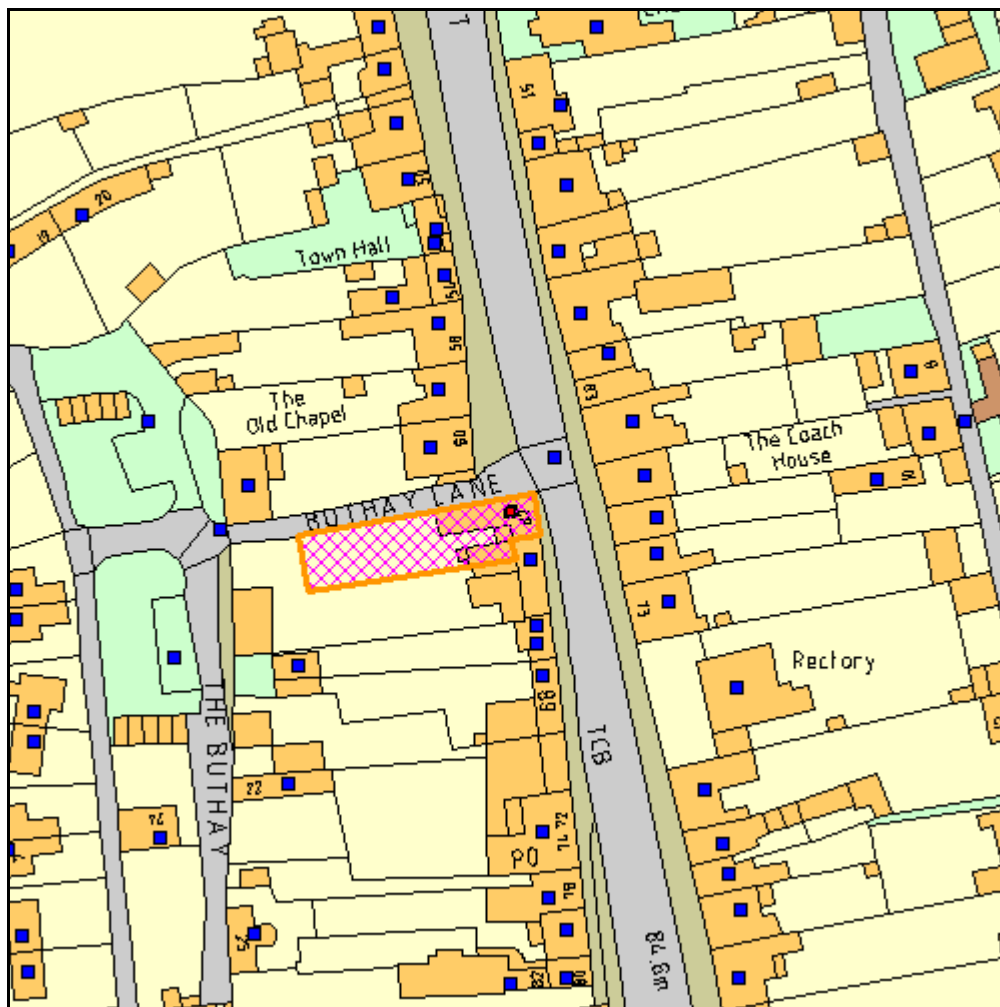
**Case Officer: Alex Hemming**

**Authorising Officer: David Stockdale**



**CIRCULATED SCHEDULE NO. 50/20 -11th December 2020**

<b>App No.:</b>	P20/19204/F	<b>Applicant:</b>	Mr D Martin & Ms E Smart
<b>Site:</b>	62 High Street Wickwar South Gloucestershire GL12 8NP	<b>Date Reg:</b>	22nd October 2020
<b>Proposal:</b>	Creation of vehicular access and installation of driveway to form 3 no. parking spaces in rear garden and 1.8m gates.	<b>Parish:</b>	Wickwar Parish Council
<b>Map Ref:</b>	372419 188390	<b>Ward:</b>	Chipping Sodbury And Cotswold Edge
<b>Application Category:</b>	Householder	<b>Target Date:</b>	11th December 2020



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

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

3 comments received contrary to Officers recommendation.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the creation of a vehicular access and installation of driveway and 1.8 metre high gates to form 3no. parking spaces at 62 High Street, Wickwar.
- 1.2 The application site comprises a two storey end of terrace dwelling located on the corner of High Street and Buthay Lane. The front elevation of the property faces High Street to the east whilst the side elevation directly abuts Buthay Lane to the north. There is a stone wall running the length of the northern boundary of the site, along Buthay Lane. The application dwelling is locally listed and is within the Wickwar Conservation Area. The application site is located within the defined Wickwar settlement boundary.
- 1.3 The proposed works include the removal of approximately 10.5 metres of the stone boundary wall, which runs along Buthay Lane, to create an off road parking area in the rear garden of no.62. The access to the parking area would have splayed reclaimed stone walls, to match the existing, forming a 1.5 metre deep recess. 1.8 metre high and approximately 7.5 metre wide timber bi-fold gates would be installed.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework February 2019

National Planning Practice Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

#### 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

CS9 Managing the Environment and Heritage

##### 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
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance  
 Design Checklist SPD (Adopted) August 2007  
 Wickwar Conservation Area SPD  
 Residential Parking Standard SPD (Adopted) December 2013  
 Assessing Residential Amenity TAN (Endorsed) 2016

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

- 3.1 P20/19205/F  
 Infill of existing side doorway, installation of glazing and replacement of doors and windows to rear elevation.  
 Pending
- 3.2 P84/1775/L  
 Works of demolition and alteration to facilitate the erection of a single storey rear extension  
 Listed Building Consent (16/08/1984)

### 4. **CONSULTATION RESPONSES**

- 4.1 Wickwar Parish Council  
 Objection – Concerns over highway safety and impact on conservation area.
- 4.2 Archaeology  
 No comments
- 4.3 Listed Building and Conservation  
 Objection – The proposal would be harmful to the character and appearance of the Wickwar Conservation Area and would neither sustain nor enhance the significance of the designated heritage asset.
- 4.4 Sustainable Transport  
 No objection subject to condition and informative.
- 4.5 Local Residents  
 3 Support comments from local residents have been submitted, making the following points:
- There is currently no on-site parking for the property and road parking is becoming increasingly difficult.
  - The splayed entrance would create a refuge area for pedestrians to avoid vehicles.
  - Surrounding properties removed parts of walls to create off-street parking when there was little or no control.

- Getting in and out of parking spaces on the high street is more dangerous than that is proposed.

1 General comment from local residents has been submitted, making the following points:

- The application form is incorrect as there are trees within falling distance of the proposed parking area.
- Maintenance of some of the other boundary walls should fall with neighbouring properties not the application site.
- Concern over the removal of the wall in relation to the character of the conservation area but aware of the opportunity to reduce the pressure on on-street parking.
- Concern about the safety of the proposal and how vehicles would manoeuvre in and out of the site but note that it would provide a useful pedestrian refuge.

2 Objection comment from local residents has been submitted, making the following points:

- Concerns over the removal of a historically valuable wall and the safety of vehicles exiting the site.
- Disputing how much of an issue on-road parking is in the area.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The application seeks permission for the creation of a vehicular access and installation of driveway and gates at an existing residential property. Policy PSP38 of the Policies, Sites and Places Plan permits development within established residential curtilages subject to an assessment of design, amenity and transport. The development is acceptable in principle but will be determined against the analysis set out below.

### 5.2 Heritage Assets

Policy CS9 of the Core Strategy and Policy PSP17 of the Policies, Sites and Places Plan seek to ensure that development within or affecting the setting of a conservation area will: preserve or, where appropriate, enhance those elements which contribute to their special character or appearance; and pay particular attention to opportunities to enhance negative parts of conservation areas and to draw on local character and distinctiveness.

5.3 The Wickwar Conservation Area SPD identifies key characteristics of the conservation area that should at least be preserved, if not enhanced, as part of any development proposals. Stone boundary walls are identified as an important feature of the conservation area, providing enclosure and permanent. The historic layout and plan form of the settlement is also identified; including the narrow burgage plots, boundary walls and back lanes.

5.4 When the proposals are considered in this context, the existing boundary wall that is subject to this application represents the historic stone boundary wall identified and as described, helps to provide Buthay Lane with a degree of enclosure that can be considered an important characteristic of the locality. Consequently, the proposed partial demolition of this existing wall would have a

- significant and negative impact on the existing contribution the boundary wall makes to this part of the conservation area. The tapering walls and timber gates would appear as modern domestic intrusions that would provide no migration for the loss of the wall.
- 5.5 Overall, it is considered that what is proposed would be harmful to an identified important feature of the Wickwar Conservation Area and therefore the character and appearance of the conservation area would not be preserved or enhanced. The proposal would therefore be contrary to Policy CS9 of the Core Strategy; Policy PSP17 of the Policies, Sites and Places Plan; the Wickwar Conservation Area SPD; and the provisions of the National Planning Policy Framework. It is also considered that the proposals would be harmful to the character of the existing locally listed building or more specifically its setting in which it is experienced.
- 5.6 Paragraph 189 to 202 of the National Planning Policy Framework sets out how Local Planning Authorities should assess applications that impact heritage assets. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 197 states that where a development proposal will impact a non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.7 In accordance with the NPPF, it is considered that the proposal would result in less than substantial harm towards the lower end of the spectrum to the significance of the Wickwar Conservation Area and existing locally listed building. The application must therefore be considered within the context of paragraph 196 and 197 of the NPPF.
- 5.8 As set out above it is considered that the development proposal would lead to less than substantial harm to the significance of a designated heritage asset and a non-designated heritage asset. This harm must therefore be weighed up against the public benefit of the proposal.
- 5.9 Whilst it is noted that the creation of 3 off-road parking spaces would help to slightly reduce the demand for on-road parking in the area and the visibility splays would create a refuge for pedestrians, it is not considered that the limited public benefit this would bring would outweigh the harm caused to the significance of the Wickwar Conservation Area or existing locally listed building.
- 5.10 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the

surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

5.11 Design and Visual Amenity

Policy CS1 of the Core Strategy and Policy PSP1 and PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.12 As set out above, the existing boundary wall that is subject to this application represents a historic stone boundary wall that is important to the character and appearance of the site and its context. The historic stone boundary wall helps to provide Buthay Lane with a degree of enclosure that can be considered an important characteristic of the locality. Consequently, the proposed partial demolition of this existing wall would have a significant and negative impact on the existing contribution the boundary wall makes character and appearance of the area. The tapering walls and timber gates would appear as modern domestic intrusions that would provide no migration for the loss of the wall.

5.13 It is therefore considered that the proposed development would be harmful to the character and appearance of both the site and its context and would negatively impact the visual amenity of the street scene. The proposal would therefore be contrary to Policy CS1 of the Core Strategy; Policy PSP1 and PSP38 of the Policies, Sites and Places Plan; and the provisions of the National Planning Policy Framework.

5.14 Residential Amenity

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

5.15 The proposal has been carefully assessed and has found to be in compliance with these policies.

5.16 Transport

Although visibility from the proposed access would be restricted by the adjacent walls, the proposed entrance would be of sufficient width to enable enough inter-visibility between approaching and emerging vehicles given the narrowness of Buthay Lane which limits vehicle speeds along it. The wide access and dwelling plot width would enable cars to safely enter and leave the parking area.

5.17 The low number of extra vehicle movements generated by the parking area would not have a significant impact on Buthay Lane compared to the number of

vehicle movements associated with the properties which currently take access from the lane. The proposal would also provide a refuge area for pedestrians using the lane.

- 5.18 It is therefore not considered that the proposed development would have an unacceptable impact on highway safety. For the avoidance of doubt, a condition would be imposed on any positive determination of the application requiring the access works to be carried out in accordance with the submitted details.
- 5.19 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. This planning application is considered to have a neutral impact on equality.
- 5.20 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:
- 5.21 Whilst it may be the case that surrounding properties have previously removed parts of walls to create off-street parking when controls were limited, each application must be determined on its own merits in line with the policy and guidance available at the time. This application has been determined in line with current policy and guidance.
- 5.22 It is noted that there is a tree within falling distance of the proposed parking area that has not been included on the application form but as the application is being recommended for refusal it was not considered necessary to request additional information.
- 5.23 Maintenance and ownership of the boundary walls is a civil matter.

## 6. CONCLUSION

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

## 7. **RECOMMENDATION**

7.1 That the application be **Refused** for the following reason:

- The proposed development fails to have special regard to the desirability of preserving the character and appearance of the Wickwar Conservation area, a designated heritage asset, and the setting of the existing locally listed building, a non-designated heritage asset. The proposal would result in less than substantial harm to both heritage assets and this harm would not be outweighed by the public benefit of the proposal. The proposal is therefore contrary to Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; the Wickwar Conservation Area SPD; and the provisions of the National Planning Policy Framework.
- The proposal development would be harmful to the character and appearance of both the site and its context and would negatively impact the visual amenity of the street scene. The proposals would fail to respect the historical significance of the stone boundary wall and the contribution it makes to the character and appearance of the area. The proposal is therefore contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

1. The proposed development fails to have special regard to the desirability of preserving the character and appearance of the Wickwar Conservation area, a designated heritage asset, and the setting of the existing locally listed building, a non-designated heritage asset. The proposal would result in less than substantial harm to both heritage assets and this harm would not be outweighed by the public benefit of the proposal. The proposal is therefore contrary to Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; the Wickwar Conservation Area SPD; and the provisions of the National Planning Policy Framework.

2. The proposal development would be harmful to the character and appearance of both the site and its context and would negatively impact the visual amenity of the street scene. The proposals would fail to respect the historical significance of the stone boundary wall and the contribution it makes to the character and appearance of the area. The proposal is therefore contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

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

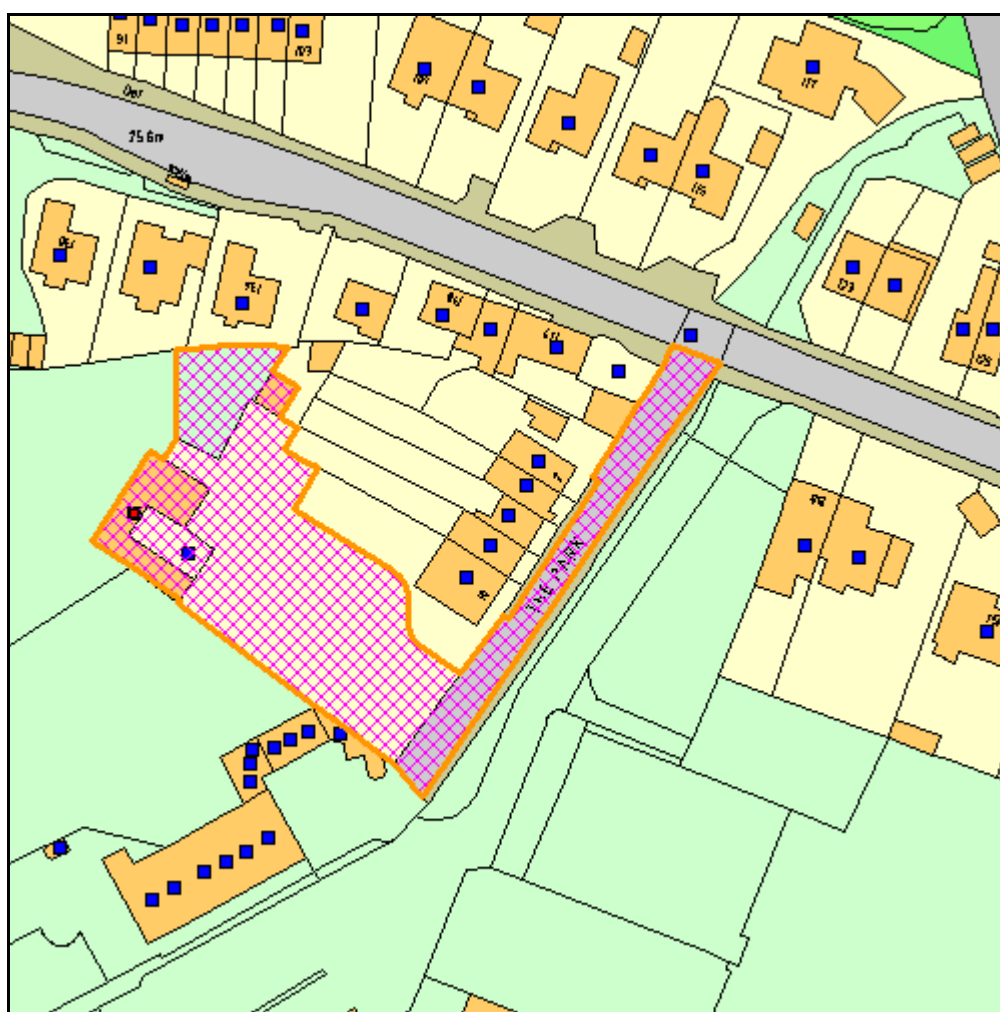
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner by giving clear reasons for refusal and determining within and agreed period of time.

**Case Officer: Oliver Phippen**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 50/20 -11th December 2020**

<b>App No.:</b>	P20/19730/F	<b>Applicant:</b>	J And J Carpenters
<b>Site:</b>	12 The Park Willsbridge South Gloucestershire BS30 6EE	<b>Date Reg:</b>	16th October 2020
<b>Proposal:</b>	Erection of 2no dwellings with parking and associated works.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	366812 170258	<b>Ward:</b>	Bitton And Oldland Common
<b>Application Category:</b>	Minor	<b>Target Date:</b>	9th December 2020



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P20/19730/F



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

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

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish/ Town Council, contrary of the officer recommendation detailed below.

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### **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for the erection of 2no dwellings with parking and associated works at 12 The Park, Willsbridge.
- 1.2 The host site falls within the Bristol/Bath Green Belt and is located just outside the designated settlement boundary of Willsbridge. Accordingly, the application site is classed as being located in the open countryside.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework

- 2.2 Development Plans

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

CS1	High Quality Design
CS3	Renewable and Low Carbon Energy Generation
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS29	Communities of the East Fringe of Bristol
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity

PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

### 2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Landscape Character Assessment SPD (Adopted) November 2014

CIL and S106 SPD (Adopted) March 2015

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

## 3. RELEVANT PLANNING HISTORY

3.1 PK09/1251/F. Permission Refused, August 2009.

Proposal: *Conversion of existing stables to 1 no. detached dwelling and associated works.*

3.2 PK15/2176/F. Permission Granted, October 2015.

Proposal: *Alterations and extensions to facilitate conversion of existing vacant building to form 1 no. dwelling with access, landscaping and associated works.*

## 4. CONSULTATION RESPONSES

4.1 Bitton Parish Council – Objection

*“The Council feel this is unnecessary development situated within the greenbelt and is not in keeping with the area.”*

### **Internal Consultees**

4.2 Highway Structures – No comment.

4.3 Lead Local Flood Authority No objection subject to conditions.

4.4 Sustainable Transport – No objection subject to conditions.

4.5 Archaeological Officer – No comments.

4.6 Ecology Officer – No objection subject to conditions.

4.7 Landscape Officer – No objection subject to conditions.

4.8 Tree Officer – No objection subject to conditions.

4.9 Public Rights of Way – No objection.

## Other Representations

- 4.10 Local Residents – one objection and one general comment have been received, key points are summarised as:
- The lane is shown as part of no.12, when all residents have maintained the lane;
  - Inadequate parking provision;
  - Hazard for pedestrians;
  - Increased flood water;
  - Over development;
  - Increased traffic;
  - Damage to road surface; and
  - Improved road signage required.

## 5. ANALYSIS OF PROPOSAL

### Principle of Development

- 5.1 The application site is situated outside of the defined boundary of the east fringe of Bristol. Policy CS5 and CS34 directs development to the existing urban areas and defined settlements, restricting new development in open countryside. Additionally, the site is within the green belt where only certain forms of development will be permitted.

### Location of Development and Housing Land Supply

- 5.2 South Gloucestershire Council can demonstrate a 5 year housing land supply. Policies that restrict the supply of housing can be afforded full weight in decision taking. Notwithstanding this, the Local Planning Authority do consider that it may be suitable, in a few very limited circumstances, to approve of dwelling outside of the defined urban areas or settlement boundaries. This will only apply when the site lies close to the edge of the defined urban area or settlement boundary and has a direct relationship with it. Essentially, it should read as a natural extension to the settlement and in the interests of compliance with the overall spatial strategy for new housing, this should only apply to very small development proposals of 1 or 2 dwellings.
- 5.3 In this instance the edge of the defined urban area runs down the northern boundary of the application site, subsequently there is a direct relationship with the settlement boundary. The development site would be in line to the row of terraces to the north, forming a continuation of the local development pattern. A substantial amount of commercial development exists to the east and east, with the host property located west.
- 5.4 In addition to this, the wording of policy CS5 is that new development should be 'strictly limited' [CS5(5)(e)]. This has been interpreted above as meaning very few dwellings – limited to 1 or 2. This proposal contains 2 dwellings, and is therefore seen to be strictly limited. As such, the proposal would comply with the spatial strategy and the provisions of the local development plan.

## Green Belt

- 5.5 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. As per para 124 of the NPPF, the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;*
  - b) to prevent neighbouring towns merging into one another;*
  - c) to assist in safeguarding the countryside from encroachment;*
  - d) to preserve the setting and special character of historic towns; and*
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 5.6 Whilst development in the Green Belt is strictly controlled, the NPPF provides a number of exceptions where new buildings in the Green Belt may not be inappropriate. Paragraph 145 of the NPPF lists the exceptions, for which the most relevant exception being part e, which allows for the '*limited infilling in villages*'.
- 5.7 A discussion as to whether the proposal can relate to the existing built form has taken place above. This concluded that the development site was well related to the existing urban area, that the development was strictly limited, and could be read as part of the village. A definition of 'infill development' is contained within the glossary to the Core Strategy. It states infill development to be 'the development of a relatively small gap between existing buildings, normally within a built up area'. It was found that the site could be considered as part of the built up area in the analysis relating to the location of development. It follows that the site can be considered as a relatively small gap between existing buildings and is within a built up area, and therefore can be considered limited infill in line with the provisions of the NPPF.

## Design and Visual Amenity

- 5.8 Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards of design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials. Development should respect, and enhance the character, distinctiveness and amenity of both the site and its context. Furthermore, Policy PSP1 of the Policies, Sites and Places Plan outlines that development proposal should demonstrate an understanding of, and respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area /locality.
- 5.9 A simple layout is proposed with the pair of semi-detached houses parallel to the road. The proposal dwellings sit relatively close to the site boundaries and would follow the building line from the terraces to the north. The development density is not substantial and is not unacceptable in this location
- 5.10 In terms of appearance, the proposal is simple if unadventurous. Each dwelling would be two storeys in height with a pitched roof and a shared porch on the front elevation. To the rear, the ground floor would be extended and a traditional type dormer would be inserted into the rear roof slope. The dwellings would be finished in a smoothcast render with concrete interlocking roof tiles. The buildings would not look out of place in

their context and would not therefore be harmful to the character and appearance of the area. With regard to the preservation of the green belt and in the interests of ensuring the design and amenity and the development remains acceptable, should the application be approved, a condition should be attached to remove permitted development rights.

- 5.11 The proposed carport would have a hipped and tiled roof, and be located to the rear of the proposed dwelling. The overall design appears subservient within its setting and would not result in unreasonable harm to the character or context of the area.
- 5.12 With regard to landscaping, no objections have been raised by the councils landscape officer, however a number of conditions have been recommend should permission be granted relating to tree protection, tree and hedgerow planting, and soft and hard surfaces. These are seen to be necessary and reasonable to ensure a high standard of development.

### **Amenity and Living Conditions**

- 5.13 Development should not be permitted which has a prejudicial impact on the amenities of nearby occupiers or which fails to provide adequate living conditions for future occupiers.
- 5.14 The proposed properties have rear gardens that exceed the private amenity space minimums contained in policy PSP43. Internally, both properties are spacious and would with the *Technical Housing Standards* and is accepted as providing acceptable living conditions for future occupiers.
- 5.15 The separation distances and alignment between the proposed dwellings and existing dwellings is considered sufficient to prevent any adverse impact on the amenities of nearby occupiers.

### **Access and Transport**

- 5.16 Sufficient vehicle and cycle parking is provided on the site to comply with policy PSP16. To avoid disturbance to the neighbouring properties, vehicle parking should be delivered prior to first occupation and can be secured via condition. Refuse storage has also been provided which is acceptable. No objections regarding access have been raised, and the proposal is not considered to result in a significant adverse impact to highway or pedestrian safety.
- 5.17 Policy CS8 expands on the provision of sustainable transport options where development is of a sufficient scale. In light of this, and the council's recent declaration of a climate change emergency, increased weight is being provided environmentally sustainable policies. It is therefore not considered to be unreasonable to condition the provision of one electric vehicle charging point for each unit.

### **Drainage**

- 5.18 The proposed development has been reviewed by the Lead Local Flood Authority who have not objected to the proposal, however further information detailing the development layout, showing the location of surface water proposals is required along

with results of percolation tests and infiltration calculations to demonstrate that the proposal is suitable for this site. No public surface water sewer is available. Subject to information being provided as part of a pre-commencement condition, no objections are raised.

### **Ecology and Trees**

- 5.19 A Preliminary Ecological Appraisal (Abricon, September 2020) and an Arboricultural Report (WTC, 2020) has been submitted with this application and has been reviewed by the councils Ecology and Tree Officers (full comments available within the application file). In summary, the proposed development was found to have very limited impact on wildlife. Given the low impact on Arboricultural features, no objections were raised in this regard. Subject to recommended conditions, the proposed development is found to be acceptable.

### **Public Right of Way**

- 5.20 With regard to the public right of way footpath that runs across the entrance of the application site, no objections were raised (subject to informatives) by the councils PROW officer.

### **Consideration of likely impact on Equalities**

- 5.21 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.
- 5.22 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. The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 That the application be **APPROVED** subject to conditions.

**CONDITIONS**

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

## Reason

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

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

EXISTING SITE LAYOUT; PROPOSED SITE LAYOUT; EXISTING AND PROPOSED SITE ELEVATIONS; PROPOSED DWELLING PLANS AND ELEVATIONS; PROPOSED BIN AND CYCLE STORAGE; PROPOSED PARKING ARRANGEMENTS; SITE LOCATION PLAN. Received by the council on 11 October 2020.

## Reason

To define the terms and extent of the permission.

3. Prior to the commencement of development, a Tree Protection Plan (based on the AIA Report) must be submitted to, and approved by the council.

## Reason

To prevent remedial action, and to ensure the protection of trees, wider ecology and visual amenity, to accord with Policies CS1, CS9, PSP1, PSP2, PSP3, and PSP19 of the South Gloucestershire Local Development Plan.

4. Prior to the relative stage of development, a detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting; locally indigenous native tree and hedgerow species should be selected for the new boundary planting; supported by an implementation and maintenance specification and tree pit details must be submitted to, and approved by the council.

## Reason

To prevent remedial action, and to ensure the protection of trees, wider ecology and visual amenity, to accord with Policies CS1, CS9, PSP1, PSP2, PSP3, and PSP19 of the South Gloucestershire Local Development Plan.

5. Prior to the relative stage of development, details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required must be submitted to, and approved by the council.

## Reason

To prevent remedial action, and to ensure the protection of trees, wider ecology and visual amenity, to accord with Policies CS1, CS9, PSP1, PSP2, PSP3, and PSP19 of the South Gloucestershire Local Development Plan.

6. Prior to the first occupation of the development hereby approved, the proposed parking for each new dwelling must be fully complete and be readily available.

Reason

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

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

Reason

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

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

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

- A clearly labelled drainage layout plan showing the exact location of any soakaways.
- Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal
- Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
- Sp. Note; - Soakaways must be located 5 Metres from any structure including the Public Highway
- Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.

Reason

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

9. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Abricon, September 2020).

Reason

To ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South



Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

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

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

#### Reason

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

11. Evidence of the installation of the new hedgerow prior to commencement of works, specifically the removal of any vegetation to ensure the continuation of foraging habitat.

#### Reason

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

12. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the A no lux level light increase to existing light levels must be maintained along the new hedgerow and along the retained SW tree line boundary.

shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to bird boxes and bat boxes.

Reason

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

13. The development shall proceed in strict accordance with the Arboricultural Report (WTC, 2020).

Reason

To ensure trees are protected, and to accord with Policy PSP3.

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

Reason

To ensure a satisfactory standard of external appearance and private amenity space, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, and PSP7 of the Policies, Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

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

**POSITIVE AND PROACTIVE STATEMENT:**

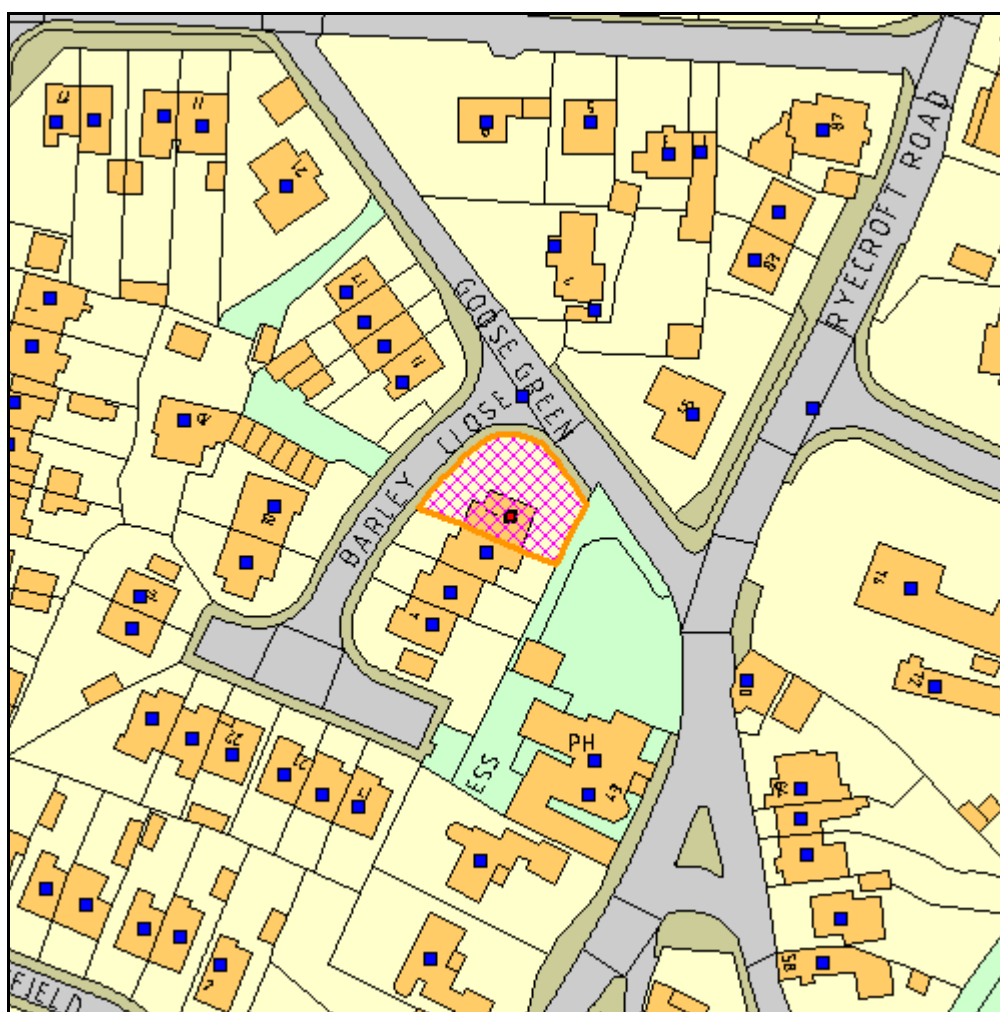
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: the application has been determined within a timely manner and discussions made with the applicant confirming pre commencement conditions.

**Case Officer: Thomas Smith**

**Authorising Officer: David Stockdale**

## CIRCULATED SCHEDULE NO. 50/20 -11th December 2020

<b>App No.:</b> P20/21653/F	<b>Applicant:</b> Laura Bradford
<b>Site:</b> 1 Barley Close Frampton Cotterell South Gloucestershire BS36 2ED	<b>Date Reg:</b> 5th November 2020
<b>Proposal:</b> Erection of a two storey side extension to form 1 No. attached dwelling (Resubmission of P19/6050/F)	<b>Parish:</b> Frampton Cotterell Parish Council
<b>Map Ref:</b> 367037 181606	<b>Ward:</b> Frampton Cotterell
<b>Application Category:</b> Minor	<b>Target Date:</b> 28th December 2020



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100023410, 2008.

N.T.S.

P20/21653/F

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

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

## 1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey side extension to form 1 No. attached dwelling, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site is a corner site and can be found at 1 Barley Close, fronting onto both Barley Close and Goose Green, is set within a good sized plot, and has an existing two storey semi-detached property on it. It is located within the established built up residential area of Frampton Cotterell.
- 1.3 This application is the resubmission of the previously refused application P19/6050/F by the Council on 06/12/2019 which was then dismissed at appeal on 07/07/20.

## 2. POLICY CONTEXT

### 2.1 National Guidance

National Planning Policy Framework Feb 2019  
National Planning Policy Guidance

### 2.2 Development Plans

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
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
PSP20	Flood Risk, Surface Water & Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

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

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

- 3.1 P19/6050/F. Erection of a two storey side extension to form 1 No. attached dwelling (Resubmission of P19/0201/F). Refused. 06.12.2019.  
*Refusal Reasons:*
- *The two storey property in such close proximity to the highway would have a significant and detrimental impact on the visual amenity of the area - primarily Goose Green. The proposal therefore represents a cramped form of development that fails to respect and respond to the character of the area. The application is therefore contrary to the requirements of Policy CS1 of the Core Strategy, Policies PSP1 and PSP38 of the Policies, Sites and Places DPD, and the requirements of the NPPF; and*
  - *Due to its size and layout, insufficient private and useable amenity space is provided to meet the needs of the proposed new dwelling. The application is therefore contrary to the requirements of Policy PSP43 of the Adopted Local Plan.*
- 3.2 P19/0201/F. Erection of a two storey side extension to form 1 No. attached dwelling. Withdrawn. 04.03.2019

### 4. **CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council  
 1No letter of Objection - To overcome the refusal of P19/6050/F the applicants are seeking to unlawfully take ownership of part of the public highway to provide additional private amenity for the proposed new dwelling. The public footpath is to be shifted northwards rather than being merely reinstated in its original position. This is evident from both the Policies map of South Gloucestershire Council as well as the submitted documentation for both P19/6050/F and P20/21653/F.
- 4.2 Sustainable Transport - Transportation DC  
 Comments received.
- Highway Structures  
 No Comments.
- Lead Local Flood Authority  
 No Objections.
- Planning Enforcement  
 No Comments received.

#### **Other Representations**

- 4.3 Local Residents

No Comments received.

## 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 site is within the defined settlement boundary of Frampton Cottrell. Policy CS5 directs development to established urban areas and defined settlement boundaries. As such, based solely on the location of the site, the principle of the residential development is acceptable. However, whilst the principle of the proposed development is acceptable under the provisions of Policy CS5, detailed matters relevant to this application will be assessed below.

5.4 The proposal is for planning permission is for the erection of a two storey side extension to form 1 No. attached 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.

### 5.5 Design and Visual Amenity

Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.6 The existing property at the site consists of an end terraced, gable ended property with steps up to the front door. This is considered to be typical of the area. The proposed new dwelling would attach to the side of the existing dwelling. The proposed new dwelling has been designed to reflect and match those within the existing terrace. The application includes a suitable set back and set down ensuring that, when viewed from Barley Close, the design is appropriate and in keeping.

- 5.7 The proposed dwelling would measure to an overall depth of 9.7 meters and to a width of 7.11 meters, almost mirroring that of No 1 Barley Close. It will continue and maintain the existing gable ended pitched roof style of No 1 Barley Close, incorporating an appropriate step down to the roof line (see drwg ref 2 Rev C Proposed Elevations).
- 5.8 There is an objection to the proposed development from Frampton Cotterell Parish Council. They have stated that to overcome the refusal of P19/6050/F, the applicants are now seeking to unlawfully take ownership of part of the public highway to provide additional private amenity land for the proposed new dwelling and that the public footpath is to be shifted northwards rather than being merely reinstated in its original position and that this is evident from both the Policies map of South Gloucestershire Council as well as the submitted documentation for both P19/6050/F and P20/21653/F. The applicant/agent has subsequently stated that this land is unregistered land (and it was checked with the Council before making the application) and as such Certificate D was duly completed and signed on the application form
- 5.9 However, having reviewed all the submitted plans, and in conjunction with our policy maps, officers are satisfied that the proposal demonstrates that the public footpath has not shifted northwards nor has any amenity land been acquired for the proposal.
- 5.10 Residential Amenity  
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration. PSP43 sets of the garden space that each unit should be provided with.
- 5.11 The proposed new dwelling would be located to the side of No 1 Barley Close. It is not considered that it would result in any additional unacceptable levels of overlooking or overshadowing for the adjacent neighbouring properties.
- 5.12 Although the proposed extension is two storey with an eaves height of 5.90 metres, and given the position of the extension and its scale, officers are satisfied that the impact will be minimal. Accordingly, officers are satisfied that the proposed development would not result in a significant overbearing impact to the occupants of the neighbouring properties.
- 5.13 In terms of overlooking, there are no proposed windows to the side of the proposed dwelling looking onto the adjacent estate road of Goose Green. The only windows will be to the front and rear elevations, and they will all be into the existing private amenity space.
- 5.14 Finally, and as the proposed dwelling is located in a dense residential area, and given its proposed size, scale and location, it has been concluded that the

impact on the neighbouring residential amenity would be limited and therefore it should not result in an unacceptable impact.

5.15 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposed dwelling proposes 3No bedrooms.

5.16 No 1 Barley Close currently has off-street parking in the form of hardstanding to the front of the dwelling. The Proposed Block Plan submitted (drwg ref 4 Rev E) illustrates that the proposed dwelling would also provide 2No off street parking spaces. The application is therefore compliant with Policy PSP16 and South Gloucestershire Councils parking standards.

5.17 Flooding

The Lead Local Flood Authority have commented on the scheme stating that the application form states that the proposed method of surface water disposal is to be dealt with via 'Soakaway' however the submitted 'Suds Supporting Information' document suggests that surface water will be disposed of via a connection to the existing Wessex Water surface water sewer.

5.18 Therefore, a query on the actual proposed method of surface water disposal was requested as part of this assessment and confirmation was required. Explanation has now been provided to the Lead Local Flood Authority and it has now been clarified and no objections are raised to the proposal.

5.19 Private Amenity Space

The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are based on the number of bedrooms at a property. The proposed dwelling will provide a total of 3No bedrooms and as such, should have at least 60m<sup>2</sup> of private amenity space. The existing garden area serving No 1 would be divided to provide each of the existing and proposed dwelling with its own private amenity space.

5.20 The proposed new dwelling provides an area of private amenity space which 'wraps around' the proposed dwelling and can be accessed via the front steps and the proposed block paving from the front. The rear garden space has now increased in size to circa 67m<sup>2</sup> from the previously refused application.

5.21 As the proposal demonstrates that the required standards are to be delivered upon, and that the proposed garden will benefit from private amenity space of sufficient size and shape, meeting the needs of the occupants, therefore it is concluded that it is in compliance to the requirements of Policy PSP43.

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

## **7. RECOMMENDATION**

7.1 That the application be **APPROVED**.

### **CONDITIONS**

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

Reason

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

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

Drwg No 1 Existing Elevation Plans (Date all received 02/11/20)

Drwg No 2 Rev C Proposed Elevation Plans

Drwg No 3 Proposed Floor Plans

Drwg No 4 Rev E Proposed Block Plans

Drwg No 5 Rev C North West Street Scene Plans

Drwg No 6 Rev C Existing and Proposed Street Scene Plans

Drwg No 7 The Location Plan

Reason

To define the terms and extent of the permission.

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

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

By issuing a timely decision.

**Case Officer: Helen Turner**

**Authorising Officer: David Stockdale**